



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**Local Development Scheme  
2016 – 2019**

**September 2016**

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# 1 INTRODUCTION

## What is the Local Development Scheme?

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires local planning authorities to prepare, maintain and publish a Local Development Scheme (LDS).
- 1.2 The LDS sets out the programme for the production of Development Plan Documents (DPDs) such as the Local Plan and other complimentary planning documents and includes key stages such as public consultation. This enables local communities, businesses, developers, service and infrastructure providers and anyone else with an interest in the borough to know what is being prepared for their area and when they will be able to get involved.
- 1.3 This LDS covers the period from 2016 to 2019 and updates and supersedes the previous LDS published in February 2015. It provides information about the Hinckley and Bosworth Local Plan 2036 and other related documents that may be produced.

## 2 Current Hinckley and Bosworth Local Plan

- 2.1 The adopted Hinckley and Bosworth Local Plan consists of:
  - Core Strategy (2009)
  - Hinckley Town Centre Area Action Plan (2011)
  - Earl Shilton and Barwell Area Action Plan (2014) and
  - Site Allocations and Development Management Policies (2016).
- 2.2 There are also a number of supporting Supplementary Planning Documents (SPDs ) which provide further guidance on specific themes and policies. Development Plan Documents form part of the Statutory Local Plan, which will form the legal basis for all future planning decisions in the borough. Some of the DPDs and SPDs were produced under the previous Local Development Framework (LDF) system which advocated the production of a portfolio of individual planning policy documents.
- 2.3 Following changes to the planning over the past few years the LDF system has been superseded and national policy now advocates the production of a single Local Plan for an area with and any additional development plan documents prepared only where there is clear justification or where existing DPDs or 'saved' policies remain in force. The new Local Plan will eventually replace the current suite of adopted planning documents.

### **3. Local Development Documents**

- 3.1 All documents which comprise or support the delivery of the Local Plan are Local Development Documents.

#### **Development Plan Documents**

- 3.2 Development Plan Documents (DPDs) detail the planning strategies for development within the borough. They set out policies and guidance for the use, protection and/or development of land and will normally include the allocation and designation of land for particular uses such as housing or play and open space. These must be in general conformity with government guidance, in particular the National Planning Policy Framework. DPDs carry the most weight for determining planning applications and form the 'Development Plan' for the borough in conjunction with any Neighbourhood Development Plans once made.

#### **Neighbourhood Development Plan**

- 3.3 Neighbourhood Development Plans (NDP) are community-led plans for guiding the future development and growth of a local area. They were introduced by the Localism Act (2011) and although not compulsory, once they are duly prepared and legally come into force they become a statutory document that forms part of the development plan. An NDP can be used to set a shared vision for an area, shape and direct sustainable development and set policies to aid determination of planning applications. They must be in general conformity with the strategic policies of the Local Plan and are prepared to a timescale that is set by the Parish, Town Council or Neighbourhood Forum that is producing it. As local planning authorities are not responsible for the preparation or timetabling of any NDPs that are proposed, they are not detailed in this LDS.
- 3.4 A number of parishes have or are in the process of producing Neighbourhood Plans. The Council provides officer support and advice in preparing these plans. More information about Neighbourhood Planning can be found on the borough council's web site.

#### **Supplementary Planning Documents**

- 3.5 Supplementary Planning Documents (SPDs) are documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but do not form part of the development plan.

#### **Statement of Community Involvement**

- 3.6 This Statement of Community Involvement (SCI) document sets out the standards to which the Local Planning Authority (LPA) will engage and consult the public and other stakeholders during the production of the Local Plan and when dealing with planning applications.

### **Authority Monitoring Report**

- 3.7 The council is required to monitor annually how effective its policies and proposals are. An Authority Monitoring Report (AMR) will be published by the council each year to inform LDS reviews and will be made available for public inspection.
- 3.8 As part of the monitoring process, the council will assess:
- Whether it is meeting, or is on target to meet, the milestones set out in the LDS and, if not, the reasons why
  - What impact Local Development Documents are having on other national and locally set targets
  - Whether any policies need to be reviewed or replaced to meet sustainable development objectives
  - What action needs to be taken if policies need to be replaced
- 3.9 As a result of monitoring, the council will consider what changes, if any, need to be made. If changes are appropriate, these will be brought forward through the review of the LDS.

## **4. Other Key Plans and Strategies**

### **Leicester and Leicestershire Strategic Growth Plan**

- 4.1 Hinckley and Bosworth is part of the defined wider housing market for Leicestershire. Currently the nine local authorities in Leicester and Leicestershire and the Local Enterprise Partnership are working together to determine the future need for homes and jobs and agree how these should be distributed across Leicester and Leicestershire districts. A Strategic Growth Plan is being jointly prepared to demonstrate these needs and detail how jobs and homes can be planned for in a coordinated way through local plans. There are three distinct phases to development of the Strategic Growth Plan, these being:
- Strategic Growth Statement – Summer 2016
  - Draft Strategic Growth Plan – Summer 2017
  - Final Strategic Growth Plan – Autumn 2017
- 4.2 The Strategic Growth Plan is a positive response to the Duty to Cooperate requirement introduced by the Localism Act 2011. The broader strategy and jobs and homes figures contained in the Strategic

Growth Plan and its timetable for production will directly influence development of the next Hinckley and Bosworth Local Plan. Therefore, the relationship between work on the Strategic Growth Plan and preparation of the Local Plan is an important one and is recognised in the risk considerations in Section 7.

### **Minerals and Waste Local Plans**

- 4.3 Leicestershire County Council is responsible for preparing Minerals and Waste Local Plans and determining planning applications for minerals and waste uses across Leicestershire. The current planning framework comprises the Waste Core Strategy and Development Control Policies and Minerals Core Strategy and Development Control Policies DPDs (adopted 2009) and some 'saved' policies from the Waste Local Plan (adopted 2002). The County Council consulted upon the scope of the new Minerals and Waste Local Plan in November 2013 – January 2014.

### **Local Transport Plan**

- 4.4 Leicestershire County Council, as the highways authority is responsible for preparing the Local Transport Plan (LTP). LTP 3 was published in 2011 and sets out the highways authority will seek to ensure that transport continues to play its important role in helping Leicestershire to continue to be a prosperous, safe and attractive County.
- 4.5 A number of other important Borough Council, County Council and external strategies and evidence base documents are also taken into account when preparing DPDs and SPDs. The documents are considered during the scoping of a DPD/SPD and throughout the Sustainability Appraisal process.

## **5. Programme of work 2016 – 2019**

- 5.1 The council's priority over the above three year period is to prepare and submit for examination a single Local Plan.
- 5.2 The Local Plan will use the existing suite of adopted development plan documents as the baseline strategy and vision for Hinckley and Bosworth to 2036 and will compile new, up to date robust evidence and undertake wide ranging consultation to review these documents to check they are still appropriate and meet current government policy and guidance. Existing commitments for housing, employment and other land uses will be taken into account and the new plan will also identify further sites in the borough to meet identified needs of its communities. The Local Plan will also include specific policies to aid the determination of planning applications for the development of land and buildings as well as an updated proposals map. The new Local Plan on its adoption will supersede documents and policies which currently make up the local development plan.

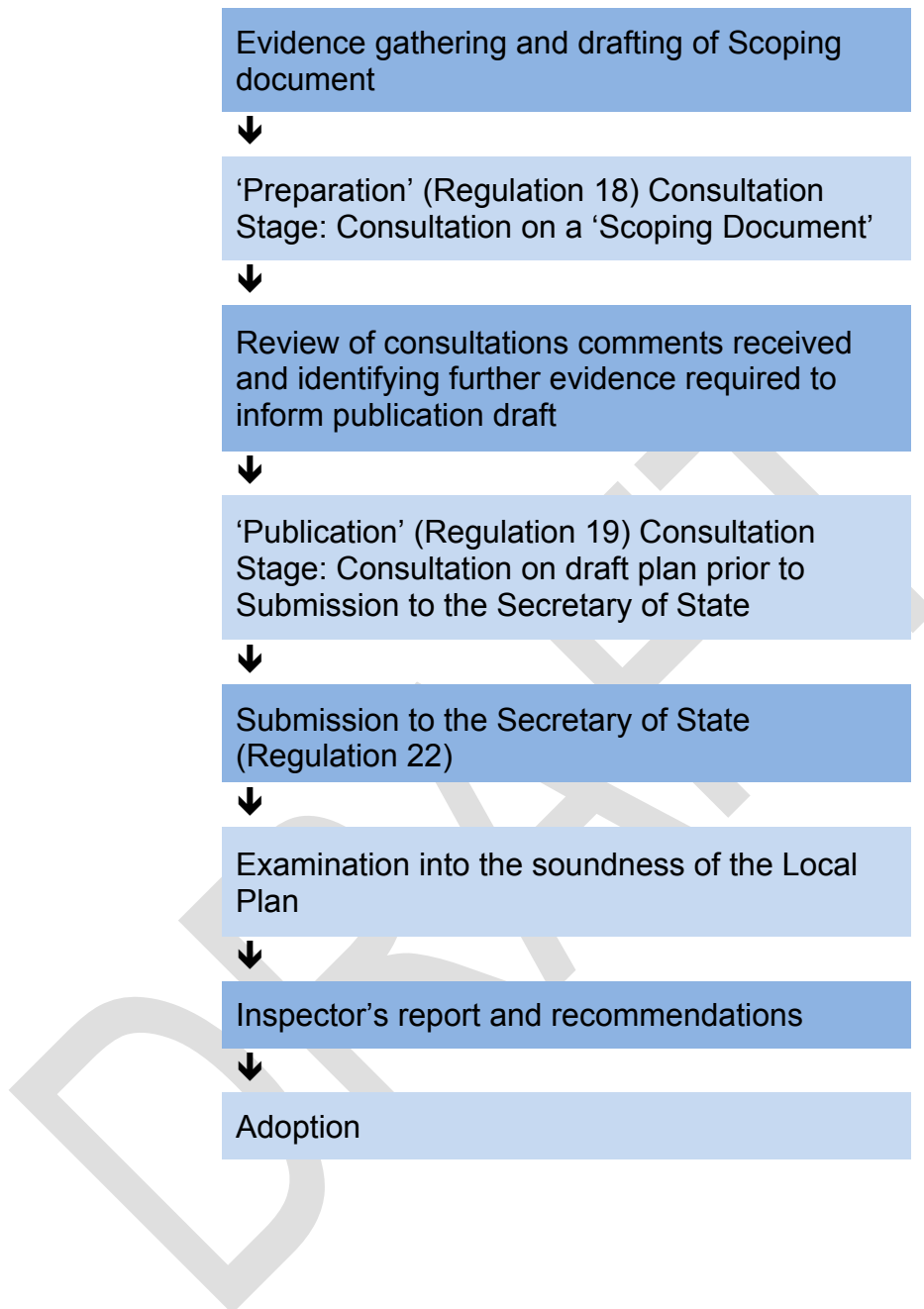
- 5.3 As with past individual development plan documents, the new Local Plan will be produced in stages with several opportunities for the public and other interested parties to participate in the decision-making process on a wide range of planning issues. In concert with this, the council will continue to engage with specific prescribed bodies such as national agencies, service providers and neighbouring local authorities in line with the Duty to Cooperate requirements.
- 5.4 Although legislation no longer requires council's to undertake three formal stages of public consultation on the preparation of a Local Plan, it is still felt that this approach presents the most appropriate method of undertaking effective engagement. Section eight contains a detailed preparation profile but the key milestones for the Local Plan are as follows:

<b>Stage</b>	<b>Target date</b>
Regulation 18 public consultation on the scope, key issues and options of the Local Plan	January – February 2017
Draft Plan public consultation	August to September 2017
Proposed pre-submission document public consultation	March – April 2018
Submission to the Secretary of State for Independent Examination	July 2018
Examination hearings	November 2018
Adoption by Full Council	April 2019

- 5.5 The timetable for production could change during preparation of the Local Plan. Where this occurs this would necessitate an update to the LDS.
- 5.6 Full details in relation to the regulatory and consultation requirements for production of a Local Plan can be found in the Town and Country Planning (Local Planning) (England) Regulations 2012. However for information the process of producing DPDs is summarised in Figure 1 below:



*Figure 1: Stages for Preparing a Development Plan Document*



- 6.1 The LDS programme for the preparation of the Local Plan is provided in Appendix 1. It identifies the delivery of the Local Plan as the priority along with potential Supplementary Planning Documents considered necessary to amplify local planning policy.
- 6.2 The Local Plan (2016 – 2036) for the borough will therefore comprise of the following:
- **The Local Plan Development Plan Document** provides the strategic policies in order to deliver the vision for Hinckley and Bosworth borough up to 2036. It will take account of the Strategic Growth Plan for Leicester and Leicestershire and will include the identification of sites to meet any recognised development needs as well as land use designations and policies by which to determine planning applications. The Local Plan will eventually replace the current suite of adopted Development Plan Documents.
  - **Infrastructure Planning and Developer Contributions SPD** will set out how the council will approach securing planning obligations from developers towards a range of infrastructure to support the delivery of truly sustainable development. This SPD will include, but will not be limited to:
    - Transport
    - Affordable Housing
    - Education
    - Health
    - Play and Open Space
    - Sport and Recreation
    - Waste Management
    - Library Services
    - Emergency Services
    - Utilities
    - Telecommunications
    - Public realm

The document will supersede the following Supplementary Planning Documents:

- Play and Open Space Developer Contributions SPD (2008)
  - Affordable Housing SPD (2011)
- **Design Supplementary Planning Document (SPD)** will provide a guide for the future development of the towns, villages and wider rural areas in Hinckley and Bosworth Borough. The intention is not

to make the prescriptive in terms of requirements or standards, rather it will seek to encourage developers and designers to think about the context of the site and how a development might contribute to and enhance an area. Potentially the SPD may include urban design principles and the planning context for enriching the public realm, particularly where there are heritage considerations, with any resultant contributions requirement contained in the comprehensive Infrastructure Planning and Developer Contributions SPD. The aim is to ensure high quality development throughout the district regardless of scale or location. National guidance and good practice from other sources will be signposted alongside more detailed local guidance specific to particular areas that can respond to rather than detract from local character enhance.

- 6.3 The Hinckley and Bosworth Policies Map (including inset plans) will be updated to illustrate Development Plan Documents as they are adopted.

#### **Changes to the LDS Programme since 2015**

- 6.4 A number of changes have been made to the LDS programme from 2015, accommodating the council's approach to preparing and reviewing its Local Plan and a review of the Supplementary Planning Documents. The most significant changes are summarised below and set out in Table 1.
- 6.5 **The Site Allocations and Development Management Policies DPD** Following the hearing sessions held in September and October 2015 and the Main Modifications consultation earlier this year, the council received the Inspector's Report in May 2016. The final Site allocations and Development Management Policies DPD was considered and adopted by Full Council in July 2016. The Site Allocations and Development Management Policies DPD now forms part of Hinckley and Bosworth Borough's Local Plan.
- 6.6 **The Gypsy and Traveller Allocations DPD** was programmed to begin in September 2015, with an initial consultation on a scoping document in early 2016. Due to changes to the definition of gypsies and travellers by Central Government, significant changes are needed to the Borough Council's evidence to support the development of this document. The timescales have therefore not been met and due to the slippage, it is considered appropriate to include allocations for gypsy and traveller provision in the Local Plan review where relevant.
- 6.8 The Hinckley and Bosworth **Local Plan Review** was originally programmed to commence in December 2014. Work on the evidence base to inform the plan was started in the form of a Strategic Housing Market Assessment which was completed in June 2014. Significant work was not started on the Local Plan in December 2014 as planned as it was decided to focus resources on the completion of the Site Allocations and Development Management Policies DPD as a further

round of consultation was required on the document prior to submission, which was not foreseen when the 2013 timetable was compiled. Now that the Site Allocations and Development Management Policies DPD has been completed and adopted, the LDS is being reviewed in order to refresh the programming of the preparation of a single Local Plan.

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## 7 MANAGEMENT OF DEVELOPMENT PLAN PREPARATION

### **Project Management and Resources**

- 7.1 The Planning Policy Team is responsible for preparing the Local Plan and coordinating work required to support the delivery of the documents set out in this LDS on a day to day basis. The council will work closely with colleagues from other Service Areas and external agencies to prepare evidence base documents and inform policies in the Local Plan.
- 7.2 Consultants will be engaged on specific projects to provide technical expertise or where there is a need for independent advice. Some work will be undertaken in conjunction with Leicestershire County Council particularly to identify infrastructure and highways requirements and where opportunities arise with other districts to avoid duplication of effort across the county such as the preparation of; Strategic Housing Market Assessment or Strategic Flood Risk Assessment.
- 7.3 The council makes annual contributions from its revenue budget to an earmarked reserve to fund the plan preparation process. The Development Services department has a business plan which provides a framework for project delivery and this plan is reviewed annually.
- 7.4 Resource and financial implications have been considered through the preparation of this LDS. The Planning Policy Team, at its current staffing levels will be able to sufficiently resource the preparation of the Local Plan Review. Furthermore the council could continue to explore appropriate opportunities for joint working with neighbouring authorities.
- 7.5 The profiles in Section 4 identify management responsibilities for each area of work.
- 7.6 Regular meetings are held between the Chief Planning and Development Officer and the Planning Policy Manager to ensure lines of communication are working and to review progress of plan preparation.
- 7.7 Progress on the LDS programme and the preparation of the Local Plan will be reported at various Senior Management and Member briefings as and when considered necessary. Furthermore, DPDs are subject to consideration and approval through the relevant committee process prior to consultation at each stage. The levels of political responsibility include the following:

- Consideration at the Planning Policy Member Working Party as and when required throughout the preparation of DPDs and SPDs, including evidence base documents.
- Council Resolution required for consultation, submission and adoption stages

### Risk Assessment

7.8 In preparing the LDS a risk assessment has been carried out to identify key factors that could impact on the ability of the council to deliver the Local Plan in line with the specified programme. The key risks and mitigation measures include:

Identified Risk	Level of Risk	Potential Mitigation
Staff resources	Medium/High	<p>Consider options for increasing capacity/resources, including filling vacant posts and/or recruiting temporary staff.</p> <p>Look at joint working arrangements with other local authorities and other agencies.</p> <p>Review timescales where capacity issues arise.</p>
Changes to national policy and/or legislation	Medium/High	<p>Keep up to date with national policy and/or legislative change.</p> <p>Make appropriate changes to emerging plans and policies as necessary and undertake further evidence gathering and consultation where required.</p> <p>Review timescales where necessary.</p>
Lack of capacity/resources within external organisations	Medium	<p>Early and ongoing engagement with key organisations will help to identify capacity</p>

including the Planning Inspectorate		<p>issues should they seem likely.</p> <p>Enter into a Service Level Agreement with the Planning Inspectorate.</p> <p>Review timescales where necessary.</p>
Political issues	Low/Medium	<p>Have in place robust political management arrangements.</p> <p>Early and ongoing dialogue with Members, particularly at key stages of the plan preparation.</p>
Financial considerations	Low - High	<p>Continue to make annual contributions to Local Plan preparation reserve.</p> <p>Keep the Development Services department business plan up to date.</p>
Slippage in strategic evidence gathering/planning timetable or other Duty to Cooperate matters	Medium/High	<p>Continued representation and engagement in strategic work will ensure any slippage is identified early.</p> <p>Review timescales where necessary.</p>
Legal compliance and soundness tests not met at examination or post examination legal challenge	High	<p>Ensure legal and procedural requirements as set out in the relevant regulations have been met.</p> <p>Seek appropriate legal advice as necessary.</p>

## 8 LOCAL DEVELOPMENT DOCUMENT PROFILES

### 8.1 Local Plan Development Plan Document

<b>OVERVIEW</b>	
<b>Role and subject</b>	The Local Plan will set out the overall development strategy for Hinckley and Bosworth Borough for the period up to 2036. It will include strategic policies and allocate sites to meet identified development needs such as for homes, jobs retail, recreation/open space, nature conservation and other required land uses as identified by evidence. It will provide appropriate policies and guidance by which to determine planning applications for example design guidance, conservation and protection of natural resources.
<b>Geographical coverage</b>	Borough-wide
<b>Document type</b>	Development Plan Document
<b>Chain of conformity</b>	It must be in conformity with the National Planning Policy Framework and reflect the Leicester and Leicestershire Strategic Growth Plan
<b>TIMETABLE</b>	
<b>Stage</b>	<b>Target date</b>
Document preparation and stakeholder engagement	January to December 2016
Consultation on the Scope and Issues and Options	January – February 2017
Consideration of representations and Stakeholder discussions	March - July 2017
Public consultation on Draft Plan	August to September 2017
Pre-Submission Modifications public consultation	March – April 2018
Submission to Secretary of State	July 2018
Estimated programmed date for examination	November 2018
<b>Programmed date for adoption</b>	April 2019



<b>ARRANGEMENTS FOR PRODUCTION</b>	
<b>Organisational lead</b>	The Planning Policy Team
<b>Management arrangements</b>	The Planning Policy Team will co-ordinate and manage work on a day to day basis. Elected Members will be briefed at pertinent stages in order to inform recommendations to relevant meetings as appropriate.
<b>External resources</b>	Formal and informal consultation responses from external stakeholders and service and infrastructure providers. Consultants to assist with the preparation of evidence based documents and attendance at examination as required.
<b>Stakeholder and community involvement</b>	Stakeholder and community engagement and consultation will be essential at each stage of production and the arrangements for this will be in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
<b>Monitoring and review</b>	The DPD will be subject to regular monitoring and review to test the effectiveness of the policies and delivery of site allocations and the findings reported on an annual basis through the Authority Monitoring Report.

4.5 **Infrastructure Planning and Developer Contributions  
Supplementary Planning Document**

<b>OVERVIEW</b>	
<b>Role and subject</b>	The purpose of the SPD will be to set out how the council will approach securing planning obligations from developers towards a range of infrastructure to support the delivery of truly sustainable development.
<b>Geographical coverage</b>	Borough-wide
<b>Status</b>	Supplementary Planning Document
<b>Priority</b>	Medium
<b>Chain of conformity</b>	Must be in conformity with relevant policy within the Local Plan DPD.
<b>ARRANGEMENTS FOR PRODUCTION</b>	
<b>Organisational lead</b>	The Planning Policy Team
<b>Management arrangements</b>	The Policy Team will co-ordinate and manage work on a day to day basis. Senior Management and Members will be regularly briefed and offer an opportunity to inform recommendations to Executive and other Council meetings as appropriate.
<b>External resources</b>	No external resources are required to prepare the SPD as it will be prepared internally. However external stakeholders will be contacted to gather the evidence to inform the contents of the SPD.
<b>Stakeholder and community involvement</b>	As described above the SPD will be compiled in conjunction with key stakeholders to inform the contents.  A draft SPD will be subject to a formal consultation exercise in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
<b>Monitoring and review</b>	The effectiveness of the policies and delivery of the relevant DPDs will be monitored on an annual basis through the Authority Monitoring Report. The implications of any changes to relevant plan policies to the SPD as a result of monitoring will be considered.

#### 4.6 Design Supplementary Planning Document

<b>OVERVIEW</b>	
<b>Role and subject</b>	<p>The SPD will provide guidance for developers and designers where good design in context can contribute to and enhance areas in the borough, especially with regard to the public realm</p> <p>The SPD will supplement relevant policy within the Local Plan DPD.</p>
<b>Geographical coverage</b>	Borough-wide
<b>Status</b>	Supplementary Planning Document
<b>Priority</b>	Medium
<b>Chain of conformity</b>	Must be in conformity with relevant policy within the Local Plan DPD.
<b>ARRANGEMENTS FOR PRODUCTION</b>	
<b>Organisational lead</b>	The Planning Policy Team
<b>Management Arrangements</b>	The Policy Team will co-ordinate and manage work on a day to day basis. Senior Management and Members will be regularly briefed and offer an opportunity to inform recommendations to Executive and other Council meetings as appropriate.
<b>External resources</b>	None anticipated – SPD to be prepared internally
<b>Stakeholder and community involvement</b>	A draft SPD will be subject to a formal consultation exercise in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
<b>Monitoring and review</b>	The effectiveness of the policies and delivery of the relevant DPDs will be monitored on an annual basis through the Authority Monitoring Report. The implications of any changes to relevant plan policies to the SPD as a result of monitoring will be considered.