

## BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

<b>TO:</b> Babergh Council Mid Suffolk Council	<b>REPORT NUMBER:</b> <b>BC/18/14</b>
<b>FROM:</b> Cabinet Member for Planning	<b>DATE OF MEETINGS:</b> BDC 24 July 2018 MSDC 26 July 2018
<b>OFFICER:</b> Robert Hobbs, Corporate Manager – Strategic Planning	<b>KEY DECISION REF NO.</b> CNL11

### LOCAL DEVELOPMENT SCHEME UPDATE

#### 1. PURPOSE OF REPORT

- 1.1 The Councils are legally required to prepare and maintain a local development scheme (LDS), which is the local planning authority's work programme for the preparation of development plan documents.
- 1.2 A review of the LDS is proposed to revise the timetable for the preparation of the Joint Local Plan to reflect further consultation on the document, to be able to incorporate changes to national planning policy within the Joint Local Plan, and to broadly align the timetable with local plan preparation in neighbouring local authorities in the Ipswich Housing Market Area.
- 1.3 This review extends the Joint Local Plan timetable from submission of the draft plan in the summer of 2018 to the proposal being submission of the draft plan in the spring of 2019. The Councils undertook public consultation on a Regulation 18 Issues and Options document between 21<sup>st</sup> August and 10<sup>th</sup> November 2017. A series of Member workshops took place between March and May to discuss strategic policy matters. The strategic planning team are now drafting the next version of the plan.

#### 2. OPTIONS CONSIDERED

- 2.1 Option 1 is to not revise the LDS. However, the timetable for the Joint Local Plan within this document is out-of-date and does not reflect the current proposal to undertake an additional stage of public consultation as outlined in paragraph 1.2 of this report.
- 2.2 Option 2 is to agree the revised timetable for the preparation of the Joint Local Plan and to bring the revised LDS into effect by 31<sup>st</sup> July 2018.

<b>3.</b>	<b>RECOMMENDATION</b>
3.1	Council is asked to agree the revised timetable for the preparation of the Joint Local Plan and to bring the revised Local Development Scheme into effect by 31 <sup>st</sup> July 2018.
<b>REASON FOR DECISION</b>	
<b>To bring the timetable for the preparation of the Joint Local Plan up-to-date and agree with the proposed stages contained within it. The Local Development Scheme will be referred to at the Examination in Public stage.</b>	

#### **4. KEY INFORMATION**

- 4.1 The existing LDS published in March 2017 identifies a timetable for the preparation of the Joint Local Plan that is now out-of-date. Furthermore, it does not contain an additional stage in the plan-making process that is beneficial to enable the Councils to engage effectively with interested parties, to ensure compliance with revisions to national planning policy made through a revised National Planning Policy Framework (NPPF) and be in broad alignment with local plan preparation in neighbouring local authorities in the Ipswich Housing Market Area.
- 4.2 It is proposed that a new LDS is published in July 2018 that details a new timetable that the Councils can work to as they progress to a submission draft of the Joint Local Plan in March 2019. This involves the publication of a further Regulation 18 draft Joint Local Plan in the autumn of 2018 for public consultation, which contains detailed policies and site allocations supported by detailed evidence, particularly in respect of infrastructure delivery. The benefit of a Regulation 18 public consultation is it allows the Councils to be able to respond to and make any amendments to the Joint Local Plan necessary following the consultation before any Examination in Public.
- 4.3 The Regulation 19 draft submission version is proposed to be published in March 2019 at which point it will be material and have greater weight in the determination of planning applications. A technical public consultation on the appropriateness of the plan, referred to as 'soundness', and its legal compliance is then undertaken where representations are invited. Representations are then submitted with the Joint Local Plan to the Government for an Examination in Public.
- 4.4 The benefits of a revised LDS are a more up-to-date timetable that enables stakeholders to have a clear position on the Joint Local Plan preparation and those benefits outlined in paragraph 4.1. Broad alignment with the neighbouring local authorities in the Ipswich Housing Market Area is important in preparing the Statement of Common Ground, which is likely to be required by the Government following revisions to the NPPF.
- 4.5 As a result of effective public consultation between August and November 2017 on the emerging Joint Local Plan, the Councils received almost 14,000 comments from 1,370 respondents, which has prolonged the timetable.

- 4.6 The proposed revisions to the LDS enable the Councils to have undertaken effective engagement in respect of the preferred policies and the choice of sites to be allocated within the Joint Local Plan, to respond to national legislative and policy changes particularly the housing requirement, and to respond to any further comments made at the next stage of public consultation.

## 5. LINKS TO JOINT STRATEGIC PLAN

- 5.1 The LDS is consistent with the Councils' priority areas of 'Economy and Environment' and 'Housing' as the Joint Local Plan will help to deliver the strategic outcomes of 'Housing delivery – More of the right type of homes, of the right tenure in the right place' and 'Business growth and increased productivity – Encourage development of employment sites and other business growth, of the right type, in the right place and encourage investment in skills and innovation in order to increase productivity', through its policies and site allocations.

## 6. FINANCIAL IMPLICATIONS

Revenue/Capital/ Expenditure/Income Item	Total	2017/18	2018/19	2019/20
BDC – Local Plan preparation: Professional and Consultancy Fees		£96,284	£111,873	£50,840
MSDC – Local Plan preparation: Professional and Consultancy Fees		£107,329	£96,627	£62,130
Net Effect		£203,613	£208,500	£112,970

- 6.1 The costs of the Joint Local Plan preparation are met through the financial planning process. The revisions to the LDS introduce a further round of public consultation. However as noted in section 4, this would enable the Councils to engage effectively with interested parties, to ensure compliance with revisions to national planning policy made through a revised NPPF and be in broad alignment with local plan preparation in neighbouring local authorities in the Ipswich Housing Market Area. This would also have the potential to reduce costs at an examination in public, for example the length of the examination.
- 6.2 The Joint Local Plan budget also includes provision for the appointment of consultants to undertake the detailed evidence work required to support the preparation of the Plan through to Examination, which is detailed above. The 2017/18 figures include an underspend carried forward from 2016/17, which was £45,448 for Babergh and £45,195 for Mid Suffolk. The 2018/19 figures include an underspend carried forward from 2017/18, which was £61,033 for Babergh and £34,497 for Mid Suffolk. The 2019/20 figures are the current base budget, which is to be reviewed alongside anticipated Examination costs in 2019/20.

## 7. LEGAL IMPLICATIONS

- 7.1 The LDS must be revised at such times as the local planning authority thinks appropriate or at the direction of the Secretary of State. To bring the LDS into effect, the local planning authority must resolve that the scheme is to have effect and in the resolution specify the date from which the scheme is to have effect.

## 8. RISK MANAGEMENT

- 8.1 This report is most closely linked with the Council's Corporate / Significant Business Risk No. 1b 'If we do not have a sufficient, appropriate supply of land available in the right locations, then we may be unable to meet housing needs in the district'. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
<p>Detail of evidence required to inform the preparation of a sound Local Plan to Examination as a result of changes to national policy and legislation.</p> <p>If additional detailed infrastructure and viability evidence work is not undertaken in accordance with emerging national planning policy, there is a risk that this work needs to be undertaken during the Examination or that the Joint Local Plan is found unsound.</p>	2 – Unlikely	3 – Bad	<p>Members to agree to the publication of a revised LDS (July 2018) with a timetable that allows for more detailed infrastructure and viability assessments to be undertaken to inform proposed site allocations. Ensure close working with infrastructure providers to obtain the detailed information required. Briefs prepared for the appointment of consultants to undertake evidence base assessments.</p>
<p>If the Councils do not undertake a second Regulation 18 consultation then there is a risk that an Examination of the document may find some elements of the plan have not been developed enough between Regulation 18 and Regulation 19, and the Councils will not be able to fully respond to changes to national planning policy or responses to further consultation.</p>	2 – Unlikely	3 – Bad	<p>Members to agree the publication of a revised LDS (July 2018) with a timetable that includes an additional stage of plan preparation and public consultation.</p>

If the LDS is not updated it will be out-of-date and the Councils would not be in accordance with it at examination.	2 – Unlikely	2 – Noticeable (should the Joint Local Plan not be prepared in accordance with the LDS).	Members to agree to the publication of a revised LDS (July 2018).
The expected level of engagement of stakeholders in the plan preparation prior to publication of consultation drafts extends the time taken to produce the Joint Local Plan.	3 – Probable	3 – Bad	Programme of engagement agreed with stakeholders and its effect on the Joint Local Plan timetable explained. Project management tools to keep timetable on track.
Service delivery affected by reduced level of staff.	3 – Probable	3 – Bad	Recruitment currently being undertaken for multiple roles. Prioritisation of the Joint Local Plan over other workloads.

## 9. CONSULTATIONS

- 9.1 There are no statutory requirements for public consultation as part of the preparation of an LDS.

## 10. EQUALITY ANALYSIS

- 10.1 Equality Impact Assessment (EIA) not required. This will be undertaken for the Joint Local Plan.

## 11. ENVIRONMENTAL IMPLICATIONS

- 11.1 The Joint Local Plan will be accompanied by a Strategic Environmental Assessment incorporating a Sustainability Appraisal document.

## 12. APPENDICES

Title	Location
(a) Proposed Babergh and Mid Suffolk Joint Local Development Scheme (July 2018)	Attached
(b) Babergh and Mid Suffolk Joint Local Development Scheme (March 2017)	<a href="http://www.babergh.gov.uk/assets/Strategic-Planning/BMSDC-LDS2017.pdf">http://www.babergh.gov.uk/assets/Strategic-Planning/BMSDC-LDS2017.pdf</a> <a href="http://www.midsuffolk.gov.uk/assets/Strategic-Planning/BMSDC-LDS2017.pdf">http://www.midsuffolk.gov.uk/assets/Strategic-Planning/BMSDC-LDS2017.pdf</a>
(c) Babergh and Mid Suffolk Joint Local Plan: Consultation Document (August 2017),	<a href="http://www.babergh.gov.uk/assets/Strategic-Planning/JLP-Reg-18-Docs/BMSDC-Joint-Local-Plan-Consultation-Document-August-2017.pdf">http://www.babergh.gov.uk/assets/Strategic-Planning/JLP-Reg-18-Docs/BMSDC-Joint-Local-Plan-Consultation-Document-August-2017.pdf</a> <a href="http://www.midsuffolk.gov.uk/assets/Strategic-Planning/JLP-Reg-18-Docs/BMSDC-Joint-Local-Plan-Consultation-Document-August-2017.pdf">http://www.midsuffolk.gov.uk/assets/Strategic-Planning/JLP-Reg-18-Docs/BMSDC-Joint-Local-Plan-Consultation-Document-August-2017.pdf</a>

## 13. BACKGROUND DOCUMENTS

13.1 As appended.