

SOUTH EAST LINCOLNSHIRE JOINT STRATEGIC PLANNING COMMITTEE (THE JOINT COMMITTEE)

Report of the Joint Policy Unit Manager

To: Joint Committee – 06 March 2015

Author: Gary Alexander, Joint Policy Unit Manager

Subject: Draft Revised Local Development Scheme for South East Lincolnshire

Purpose: To seek approval for a revised Local Development Scheme for South East Lincolnshire

Recommendations:

It is recommended that:

- a) Members consider the contents of this report and the attached Draft Revised Local Development Scheme;
- b) agree, with or without revisions, to approve the Draft Revised Local Development Scheme; and
- c) that it shall have effect from 20 March 2014.

1.0 INTRODUCTION

- 1.1 Section 15 of the Planning & Compulsory Purchase Act 2004, as amended, requires that every local planning authority should prepare and maintain a scheme to be known as its 'Local Development Scheme' (LDS). In the case of the Joint Committee, the purpose of the LDS is to provide a public statement of its programme for the production of Local Development Documents that will comprise its South East Lincolnshire Local Plan and its 'Statement of Community Involvement' (SCI).
- 1.2 The LDS is basically a project plan that sets out key milestones in the preparation of the Local Plan and can be updated and amended as and when circumstances deem it appropriate.
- 1.3 Under the provisions of the Localism Act 2011 and The Town and Country Planning (Local Planning) (England) Regulations 2012, there are arrangements in place to govern the preparation of LDSs. LDSs relating to areas outside London no longer need to be submitted to the Secretary of State for consideration.

2.0 CURRENT LOCAL DEVELOPMENT SCHEME

- 2.1 On 28 February, 2014, the Joint Committee considered a report which reviewed work on the preparation of the South East Lincolnshire Local Plan (Local Plan) up to that point and citing other factors impacting upon plan preparation.
- 2.2 The report recommended that, in order to maximise the chances of a development plan document being found sound by an independent Inspector, further work on the

preparation of the Local Plan should proceed on the basis of the preparation of a single Local Plan for South East Lincolnshire instead of two separate development plan documents, and that the plan period be extended up to 2036.

2.3 The Joint Committee approved the above recommendations and, consequently, at the same meeting, a 'Revised Local Development Scheme March 2014' for South East Lincolnshire.

2.4 The March 2014 LDS indicated the following key milestones:

- Further public consultation to take place between October and November 2014
- Public consultation on the Draft Local Plan to take place between October and November 2015
- Submission of the Draft Local Plan to the Planning Inspectorate - December 2015
- Examination in Public - March 2016
- Adoption - August 2016.

3.0 THE NEED TO UPDATE THE LOCAL DEVELOPMENT SCHEME

3.1 This report has been prepared because Officers now consider the timetable for preparing the Local Plan, set out in the current LDS approved in February, 2014, to be unachievable. As indicated above, the current LDS sets out **December 2015** as the date for 'Submission of Draft Local Plan to the Planning Inspectorate'. It is the need to accommodate a projected slippage in reaching this milestone that has generated the requirement for the revision of the LDS.

3.2 One of the reasons for the delay in plan preparation that has occurred arises from the loss, last year, of two full-time officers from the Joint Policy Unit (out of a full establishment of only five and a half full-time equivalents). The first post became vacant in May and the second in July, and it was not possible to fill both of the vacancies until just before last Christmas. Accordingly, it has not been possible to progress significant elements of plan-preparation work, particularly in respect of sustainability appraisal, and the economy and town centres including the identification of related site options. Specifically for South Holland District, there was the creation of a backlog in housing monitoring work.

3.3 Another cause for revision has been the view, supported by viability consultants, that the next iteration of the Local Plan document should be subject to the process of 'whole plan viability assessment' (WPVA). The concept of WPVA has become increasingly important following the publication of the Government's National Planning Policy Framework (NPPF) in May 2012, in which emphasis is placed on the need for careful attention to viability and costs in plan-making and decision-taking. The NPPF states:

'To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation,

provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'

3.4 Nationally, as issues concerning the viability of development have increased, the strong recommendation from the consultants undertaking the WPVA work is that it should relate to the currently- emerging Local Plan proposals (which include a large number of site options) and then, where appropriate, inform revisions to them before approval for public consultation. Consequently, the public consultation exercise will allow consideration of relevant Local Plan policies and proposals to be informed by evidence relating to their viability. This should serve to restrict the number of objections founded on such a concern. The WPVA process was originally viewed as running parallel with plan preparation but, as now proposed, forms part of it, and, therefore, there is a need to extend the time required by 4 months.

4.0 DRAFT REVISED LOCAL DEVELOPMENT SCHEME MARCH 2015

4.1 The Draft Revised Local Development Scheme March 2015 forms **Appendix 1** to this report. It covers planned work commencing in January of this year and running through to 2017, and sets out details of the documents whose preparation will be given priority during this period.

4.2 As a consequence of the considerations set out in Section 3 of this report, it is now proposed to amend the key milestones as follows:

- Public consultation on an Interim Statement between **October and November 2015**
- Submission of the Draft Local Plan to the Planning Inspectorate in **August 2016**
- Examination in Public - **November 2016**
- Adoption - **February 2017**.

4.3 Subject to favourable circumstances following submission, over which both the Joint Committee and the Joint Policy Unit have no control, the Examination could commence in November 2016, with adoption of the Local Plan taking place in early 2017.

4.4 Members are advised that the precise timing of milestones after submission are dependent upon the availability of Planning Inspectorate resources at the time and the nature of any concerns about the contents of the Local Plan raised by objectors and/or the Inspector. This latter point will be influenced to a great extent by the robustness of the approach to Local Plan preparation and compliance with procedural requirements including the Duty to Cooperate, and whether it is sound.

4.5 To this end, both Boston Borough and South Holland District Councils are being supported by specialist consultants to assist in the project management of the Local Plan. This should provide comfort to Members that the final stages of Local Plan preparation are fully aligned with this revised LDS (subject to Members' approval) and avoid further slippage.

4.6 A revised timetable for plan preparation up to adoption of the Local Plan is featured in the attached **Appendix 1**.

5.0 VIEWS OF THE HEAD OF BUILT ENVIRONMENT AND DEVELOPMENT FOR BOSTON BOROUGH COUNCIL, THE PLANNING MANAGER FOR BRECKLAND COUNCIL AND SOUTH HOLLAND DISTRICT COUNCIL, AND OTHER CONSULTEES

5.1 The Head of Built Environment and Development for Boston Borough Council and the Planning Manager for Breckland Council and South Holland District Council have been consulted, and have provided the following joint response:

‘It is regrettable that our ability to submit our Local Plan to the Planning Inspectorate for examination, now to be in August 2016 rather than the previously proposed December of this year, has been affected. The ongoing lack of a five-year housing supply in both our Districts increasingly risks developments coming forward in locations that are not necessarily of our choosing, although our effective Development Control/Management sections and robust application of our current saved Local Plan policies do, we consider, reduce that risk considerably. We support the revised Local Development Scheme and appreciate that a successful and sound Local Plan that meets all the tests at an Examination is a considerable challenge and requires careful work. However, we would not wish to see any further slippage of the timetable and, with the Joint Committee’s support, will work closely with the planning teams to ensure that the milestones set out in the LDS are achieved.’

5.2 The Monitoring Officer for Breckland Council and South Holland District Council has been consulted and no comments received.

5.3 The Monitoring Officer for Boston Borough Council has been consulted and no comments received.

5.4 The s151 Officer for Breckland Council and South Holland District Council has been consulted and no comments received.

5.5 The s151 Officer for Boston Borough Council has been consulted and no comments received.

5.6 The Lincolnshire County Council Strategic Planning Manager, Monitoring Officer and s151 Officer have been consulted and no comments received.

6.0 OPTIONS

6.1 Members can:

- accept the contents of the Draft LDS; or
- request amendments to it.

7.0 REASONS FOR RECOMMENDATIONS

7.1 There is a need to make certain that every opportunity is taken to ensure that the Local Plan will be found sound at examination; and there is a current statutory

requirement for the Joint Committee to revise its LDS at such time as it considers appropriate.

8.0 IMPLICATIONS

- 8.1 **Risk:** There are risks associated with extending the length of time without an adopted Local Plan in place, but these are outweighed by the consequences of having the Local Plan found unsound at Examination.
- 8.2 **Financial:** There are no direct financial implications arising from the recommendations to this report.
- 8.3 **Legal:** See para 7.1
- 8.4 **Equality and Diversity:** There are no direct equality and diversity implications arising from the recommendations to this report. However, it is a requirement of the LDS, and indeed all Local Plan documents, that equality and diversity issues are fully considered and taken on board. The SCI ensures that all Local Plan documents involve widespread consultation and the full participation of residents and businesses within both Boston Borough and South Holland District. The views, needs and aspirations of each district's diverse population will in this manner be reflected in subsequent plans and policies aimed at meeting the various needs of all societal groupings.

9.0 WARDS/COMMUNITIES AFFECTED

- 9.1 The implications of the proposed new Local Plan documents affect all wards/communities.

Background papers - None

Lead Contact Officer

Name/Post: Gary Alexander, South East Lincolnshire Joint Policy Unit Manager
Telephone Number: 01775 761161
Email: info@sholland.gov.uk

Appendices attached to this report:

Appendix 1: Draft Revised Local Development Scheme March 2015