

## Full Council

### 31<sup>st</sup> March 2022

<b>Report Title</b>	<b>North Northamptonshire Local Development Scheme</b>
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### List of Appendices

#### Appendix A – Draft Local Development Scheme

#### 1. Purpose of Report

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- 1.1. This report seeks a resolution from Full Council to adopt the North Northamptonshire Local Development Scheme as recommended by the Executive.

#### 2. Executive Summary

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- 2.1. The Council is required by legislation to prepare and publish a Local Development Scheme (LDS). An LDS is a project plan providing a timetable for the preparation of documents that make up the area's Development Plan.
- 2.2. The LDS provides detailed timetables for the Council's next programme of Development Plan Documents, including the North Northamptonshire Strategic Plan, a Gypsy and Traveller Site Allocations Policy, and the remaining stages of the Part 2 Local Plan for East Northamptonshire. Future reviews of the LDS will be necessary to ensure it remains as up to date as possible, and to add any new Development Plan Documents to be prepared, for example the North Northamptonshire Minerals and Waste Local Plan.
- 2.3. The LDS is attached at Appendix A.
- 2.4. The Planning Policy Executive Advisory Panel met on 9<sup>th</sup> December 2021 to discuss the content of the Local Development Scheme, endorsing the content with additional suggested amendments. The Executive then met on 13<sup>th</sup> December 2022 and agreed that the Draft LDS be recommended to Full Council for adoption.

### **3. Recommendations**

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- 3.1. It is recommended that Council adopt the North Northamptonshire Local Development Scheme as set out in Appendix A.

#### **Reason for Recommendation**

- 3.2. To agree a timetable for the programme of plan-making to be identified in the Local Development Scheme.
- 3.3. To ensure the Council meets its obligation under Section 15(1) of the 2004 Planning and Compulsory Purchase Act, to publish an up-to-date Local Development Scheme to meet its requirement as a local planning authority.

#### **Alternative Options Considered**

- 3.4. Not to prepare a Local Development Scheme – but this would be contrary to legislation in the form of Section 15(1) of the 2004 Planning and Compulsory Purchase Act.
- 3.5. To delay the preparation and publishing of a Local Development Scheme – but this would delay progress in preparing those Development Plan Documents the Council is preparing, and/or disadvantage those using this platform to determine when to engage in contributing towards those documents and policies the Council is actively progressing.

### **4. Report Background**

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#### **North Northamptonshire Strategic Plan**

- 4.1. Members will be aware that the Joint Core Strategy is the strategic Part 1 Local Plan for North Northamptonshire, providing strategic allocations and the strategic direction for development across the wider area. The Joint Core Strategy will be reviewed/updated through the North Northamptonshire Strategic Plan.
- 4.2. The Strategic Plan will focus on strategic matters which will, as a minimum, meet the requirement set out in the National Planning Policy Framework, to have a plan that addresses the strategic priorities for the area. The Joint Planning Committee previously agreed that the statutory plan period should be 2021-2041 with the Vision extended to 2050 to align with the Arc Spatial Framework. The Planning Policy Executive Advisory Panel received a report on 21<sup>st</sup> February 2022 and provided input into the scope of the Strategic Plan for public consultation.
- 4.3. A summary of the timetable for the Strategic Plan is provided below:
- Issues/scope Consultation - March 2022
  - Options Consultation - November 2022
  - Draft Plan Consultation - June 2023

- Publication Plan Consultation - November 2023
- Submission to the Secretary of State - April 2024
- Examination - September 2024
- Inspector's Report - April 2025
- Adoption - September 2025

### **Local Development Scheme**

- 4.4. A Local Development Scheme (LDS) is a project plan setting out the timetable for the preparation of documents that support the North Northamptonshire Strategic Plan. In previous years, the LDS was made collaboratively with each of the North Northamptonshire sovereign authorities and the North Northamptonshire Joint Planning & Delivery Unit preparing their own contributions, to be fed into a single document. Each authority and the North Northamptonshire Joint Planning Committee would adopt their individual elements. Now that North Northamptonshire Council is formed, the LDS will only need to be presented to this single authority for adoption.
- 4.5. Northamptonshire County Council would previously prepare and adopt its own LDS. Now the Minerals & Waste planning function falls within North Northamptonshire Council's remit, a new North Northamptonshire LDS should also include this planning area as well. The approach to be taken with minerals and waste is currently being considered and will be included in a future version of the LDS.
- 4.6. The development framework for North Northamptonshire is currently comprised of the following development plan documents:
- North Northamptonshire Joint Core Strategy (JCS) (Part 1 Local Plan) - adopted July 2016;
  - Part 2 Plan for the Borough Council of Wellingborough - adopted February 2019
  - Part 2 Local Plan for Corby – adopted September 2021
  - Site Specific Part 2 Local Plan for Kettering Borough – planned for adoption December 2021
  - Kettering Town Centre Area Action Plan - adopted July 2011
  - Rural North, Oundle and Thrapston Plan – adopted July 2011
  - Northamptonshire Minerals and Waste Local Plan Update – adopted July 2017
  - Saved Policies from the East Northamptonshire District Local Plan – adopted 1996
  - Northamptonshire Minerals and Waste Local Plan Update - adopted July 2017
- And the following other documents:
- North Northamptonshire Statement of Community Involvement – agreed by the Planning Policy Executive Advisory Panel for consultation 21st October 2021, the results of which to be discussed on 24th March 2022

- North Northamptonshire Annual Monitoring Report – published annually
  - Other local plan specific Annual Monitoring Reports for Development Plan Documents – published annually
- 4.7. Section 15(1) of the 2004 Planning and Compulsory Purchase Act requires that the *“local planning authority must prepare and maintain a scheme to be known as their local development scheme”*. Legislation simply requires that the LDS is brought into effect and published by the Local Planning Authority. To achieve this, two actions need to be carried out:
- i. the Council should resolve that the LDS is to have effect; and
  - ii. it should specify the date from which the LDS is to have effect.
- 4.8. The Council’s constitution requires that the LDS be adopted by Full Council. The Council will continue to publish updates to the plan-making timetable on its website.

## **Part 2 Local Plans**

- 4.9. Each of the sovereign authorities had been progressing their own Part 2 Local Plan policies for their areas prior to local government reorganisation in Northamptonshire:
- The Borough Council of Wellingborough adopted its Part 2 Plan in February 2019;
  - the Part 2 Local Plan for Corby was adopted in September 2021;
  - the Part 2 Local Plan for Kettering was adopted on 1<sup>st</sup> December 2021.
- 4.10. The Part 2 Local Plan for East Northamptonshire was submitted to the Secretary of State in March 2021. The Examination Hearing Sessions were expected to be held in February 2022 but have been delayed due to circumstances outside of the Council’s control. The Hearing Sessions will now commence on 6<sup>th</sup> April 2022. The timetable set out in the East Northamptonshire LDS is provided below, it’s unclear whether the enforced delay will have a knock-on effect for the remaining stages:
- Examination - February 2022
  - Inspector’s Report - August 2022
  - Adoption - December 2022

## **North Northamptonshire Gypsy and Traveller Site Allocation Policy**

- 4.11. A Gypsy and Traveller Accommodation Assessment (GTAA) for North Northamptonshire was published in March 2019. Members have indicated the desire that addressing gypsy and traveller accommodation needs should be considered on a North Northamptonshire basis. As such, with the results of the GTAA forming the basis, consultants have been engaged commence

investigating a series of initiatives aimed at delivering against the identified need. This will involve them undertaking further interviews with those families with an identified need, and those who did not take part in the first survey, but a proportional need was assumed. Options for making provision, which will be properly assessed through the development plan process and planning applications, could include existing site extensions, site intensifications, potential enforcement of sites occupied by non-travellers, and new site provision.

4.12. The projected timescale for the Gypsy and Traveller Site Allocations Policy is set out below:

- Early stakeholder and community involvement - June 2022
- Draft Plan Consultation - April 2023
- Publication Plan Consultation - Sept 2023
- Submission to the Secretary of State - February 2024
- Examination - June 2024
- Inspector's Report - Sept 2024
- Adoption - December 2024

### **Future Amendments to the LDS**

4.13. It is acknowledged that local plan policy development may be necessary in other topic areas, town centres being one. The LDS is only required to address timescales for Development Plan Documents, therefore only addresses the timescales for those Plans set out in this report. It is however possible to review the LDS at a future date.

4.14. The purpose of the LDS is to provide a timetable against which the proposed documents making up the Council's Development Plan can be viewed, allowing any parties interested in taking part in the preparation of the Plan to be notified of the programme and to be involved in its development.

4.15. It is considered important to ensure the Council is complying with the necessary tests, by agreeing and publishing a revised LDS.

## **5. Issues and Choices**

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5.1. The preparation of a development plan and the adoption and publication of a local development scheme are both statutory requirements and the Council therefore is required to produce them. There are no lawful alternative courses of action for the Council.

## **6. Next Steps**

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6.1. It will be necessary to review the LDS in future, likely to incorporate the preparation of the Minerals and Waste Local Plan for North Northamptonshire, and any other Development Plan Documents for additional topic areas.

- 6.2. The proposed draft LDS is attached at Appendix A. Council is asked to adopt the Local Development Scheme for North Northamptonshire with effect from 31<sup>st</sup> March 2022.
- 6.3. Once adopted, the document will then be included on the Council's website, available for inspection.

## **7. Implications (including financial implications)**

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### **7.1. Resources, Financial and Transformation**

- 7.1.1. The costs of progressing each of the Local Plan documents is accounted for within the Planning Policy budget. The Planning Policy team is currently carrying a number of vacancies, but a review of the service and strengthening of the establishment is planned. This is taking place in consultation with the Executive Director of Finance. There are no further specific resources or financial implications arising from this report.

### **7.2. Legal and Governance**

- 7.2.1. The LDS is required under Section 15(1) of the Planning and Compulsory Purchase Act 2004. Formulating the timetables within the LDS, keeping them up-to-date, and making it publicly available on the Council's website will ensure that the Council complies with the necessary tests in preparing a Local Plan for Examination.
- 7.2.2. In terms of governance, Development Plan Documents will be reported to the Planning Policy Executive Advisory Panel throughout their development. In addition, the Executive Member for Growth and Regeneration will be provided with regular briefs on the progress being made.
- 7.2.3. The adoption of the LDS has been reserved to Council in the Council's Constitution.

### **7.3. Relevant Policies and Plans**

- 7.3.1. The Local Development Scheme plays an important role in formally setting out the Council's timetable for the preparation of its Development Plan Documents. It is then these documents that play a major part in helping to deliver two main objectives identified in the Council's Corporate Plan. These being commitment 3: Safe and thriving places – to enable a thriving and successful economy that shapes great places to live, learn, work and visit. Also, commitment 4: Green, sustainable environment – to take a lead on improving the green environment, making the area more sustainable for generations to come.

## **7.4. Risk**

7.4.1. The risks from setting out an LDS are often associated with that of slippage to those plans identified within it. Every effort has been made to be as realistic as possible, yet also challenge the programme in terms of progress. Causes of delay are varied but can include loss of key staff, time appointing consultant input; complexity of evidence; expansive consultation responses and complexity; planning reforms; progress with the Oxford-Cambridge Arc Spatial Framework; competing priorities; to name but a few. It is also recognised that some issues of developing policy may need to be added to the LDS, the fact that these are not included within this one does not mean they cannot be added in the future, it just means a timetable has not been identified yet.

7.4.2. In March 2020, the Government set a 'clear deadline' of December 2023 for all authorities to have up-to-date Local Plans in place. Government can intervene in Local Plan processes where they consider there is a lack of progress being made, plans are out of date, or there are high housing pressures and intervention would have an impact. It is considered that the risk of this is very low in North Northamptonshire. There will be a package of up-to-date Part 2 Local Plans in place and substantial progress will have been made in preparing the Strategic Plan within the wider context of the Arc Spatial Framework. As previously discussed by the Joint Planning Committee, a significant number of policies in the Joint Core Strategy are still considered to be working effectively in the development management process.

## **7.5. Consultation**

7.5.1. No consultation is necessary in agreeing an LDS, consultation is however a fundamental part in the development of each of the Development Plan Documents.

## **7.6. Equality Implications**

7.6.1. The Council is committed to treating people fairly, in line with The Equality Act 2010. An Equality Screening Assessment has been prepared which concluded the Local Development Scheme has no impact, and therefore an Equality Impact Assessment was not necessary. It also noted that the Council seeks to engage with "Hard to Reach" groups through the preparation of the Development Plan Documents listed within the Local Development Scheme.

## **7.7. Climate Impact**

7.7.1. Climate change and sustainability will be fundamental considerations throughout the preparation of Development Plan Documents and Neighbourhood Plans, identified within the LDS.

## **7.8. Community Impact**

7.8.1. The Local Development Scheme has limited direct community impact, but the Development Pan Documents and the timetables contained within it do.

Consultation with the community will be a significant part of the development of those documents, and the policies contained within them will have an impact on shaping places.

## **7.9. Crime and Disorder Impact**

- 7.9.1. It is recognised that under Section 17 of the Crime and Disorder Act 1998, the Council has equal statutory responsibility with the Police to exercise its various functions with 'due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area'. This includes the functions of planning. There are no implications identified as a result of the preparation of the Local Development Scheme (LDS). However, the Northamptonshire Police Designing Out Crime Officer will be consulted on all documents detailed within the LDS.

## **8. Background Papers**

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- 8.1. Planning Policy Executive Advisory Panel – 9<sup>th</sup> December 2021 – Item 05 Local Development Scheme  
<https://northnorthants.moderngov.co.uk/documents/g280/Public%20reports%20pack%2009th-Dec-2021%2009.30%20EAP%20Planning%20Policy.pdf?T=10>
- 8.2. Executive – 13<sup>th</sup> January 2022 – Item 08 Local Development Scheme  
<https://northnorthants.moderngov.co.uk/documents/g329/Public%20reports%20pack%2013th-Jan-2022%2010.00%20Executive.pdf?T=10>
- 8.3. Section 15(1) of the 2004 Planning and Compulsory Purchase Act  
<https://www.legislation.gov.uk/ukpga/2004/5/section/15>