

Bromsgrove District Council
Planning and Regeneration

Local Development Scheme

Planning in Bromsgrove 2012-2015



SEPTEMBER 2012



Bromsgrove
District Council

www.bromsgrove.gov.uk



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Introduction

The Local Development Scheme (LDS) is a programme management plan, which sets out details of all planning policy documents which the local authority seeks to produce. The LDS outlines opportunities for public and stakeholder involvement.

The LDS has been updated to reflect:

- ▶ Localism Act 2011,
- ▶ National Planning Policy Framework 2012,
- ▶ Progress on development plan documents.

The LDS is produced under the Localism Act 2011. The legislation states that Councils must prepare and maintain a local development scheme specifying:

- ▶ the documents which are to be local development documents and development plan documents,
- ▶ the subject matter and geographical area of each document,
- ▶ any matter or area in respect of which the authority have agreed; and,
- ▶ the timetable for their preparation and revision of the documents.

The Localism Act removes the requirement to submit the LDS to the Secretary of State. It is important for Councils to publish up to date information on their progress of the LDS. Councils have flexibility to decide how best to present this information to the public.

The LDS will come into effect on 3 October 2012 by resolution of Cabinet Meeting on 3 October 2012. Figure 2 (see page 7) outlines an indicative timetable for the preparation of documents within the LDS.



Existing Policy Base

Major changes have been made to the planning system through the introduction of the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF is a framework which sets out how local planning authorities should produce planning documents that will guide the development and use of land within a local authority's boundary. The NPPF requires each Local Authority to produce a local plan for its area. Any additional development plan documents should only be used where clearly justified (NPPF, para 153).

The new chain of conformity is shown in figure 1 (see page 4) where all plans must be in conformity with the NPPF. The Localism Act (2011) set the framework for revoking existing regional strategy and structure plan policies as soon as possible, subject to the outcome of environmental assessments by the Department for Communities and Local Government (CLG). Until Orders to revoke these are approved they remain part of the statutory development plan.

Due weight should be given to relevant policies in the Bromsgrove District Local Plan 2004 according to their degree of consistency with this framework (NPPF para 215). The Secretary of State issued a direction of saved local plan policies in September 2007 which are 'relevant policies' until appropriately replaced; a list can be found on the Council's website (www.bromsgrove.gov.uk/cms/PDF/List%20of%20Saved%20Policies%20Beyond%20September%202007.pdf). The Council's existing Supplementary Planning Documents, see website, are still relevant as they provide additional design guidance for Bromsgrove District. Although not formally adopted they should be applied when consistent with the policies in the NPPF.

Under the Localism Act 2011, Neighbourhood Plans can be produced by a parish council, or an organisation or body designated as a neighbourhood forum to provide detailed guidance on specific issues. These will be subject to independent examination and a local referendum. If approved at the referendum then the Council will bring the neighbourhood plan into force. As it is parish councils or neighbourhood forums that will decide to produce Neighbourhood Plans it is not appropriate for the LDS to specify when, or for where, they will be produced.

Figure 1 - Chain of Conformity





Proposed Development Planning Documents

Bromsgrove District Council are progressing a District Plan (this is the new name for the Core Strategy) and Town Centre Area Action Plan which are based on supporting evidence. The evidence base can be accessed on the council's website (www.bromsgrove.gov.uk/strategicplanning).

Bromsgrove District Plan 2011-2030 and Proposals Map DPD

Following the successful completion of the Draft Core Strategy 2 consultation period, on 15th April 2011, the Council were seeking to produce a publication version by September/October 2012. Under the duty to cooperate provisions of the Localism Act, a formal request has now been received from Redditch Borough Council for help in accommodating the growth needs of Redditch which cannot be delivered sustainably within the Borough. Bromsgrove District council has responded to this approach and has agreed to work with Redditch on this issue. The formal request and the acknowledgement letter can be seen in the appendix 3. As a result of this an extra period of public consultation has been added to the timetable for February 2013 and other dates for production have been amended to reflect this.

The Bromsgrove District Plan will not repeat national guidance but will provide a spatial strategy specific to the needs of Bromsgrove. It will contain a set of primary policies for delivering the overall strategy and identify strategic allocations for development through the production of a proposals map. This map will illustrate broad locations for strategic development and land-use designations. They are intended to cover the period 2011-2030.

Town Centre Area Action Plan DPD

The National Planning Policy Framework seeks to ensure the vitality of centres, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. The need for a specific document to provide a comprehensive regeneration strategy for the Town Centre area is thus clearly justified. The Town Centre AAP will set out a strategy to guide the regeneration of the whole of the Town Centre and adjoining areas. This document will be in conformity with the Bromsgrove District Plan 2011-2030.

Document profiles of the development plan documents are in appendix 1.

A Community Infrastructure Levy needs to be considered as a possible future plan once the Bromsgrove District Plan 2011 is in place.

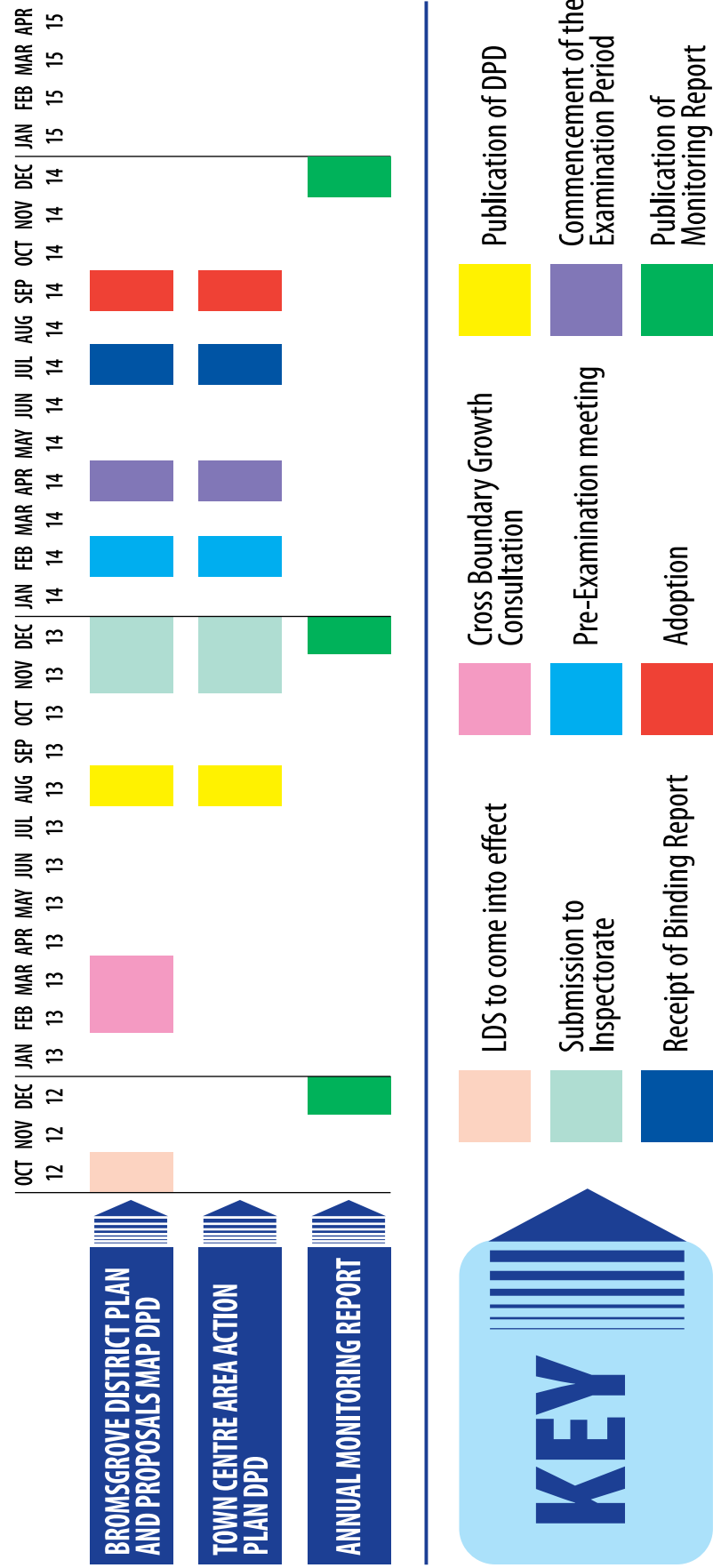


Timetable

The chart (Figure 2, see page 7) indicates the timetable for the production of the Development Plan Documents. Further profiles on the documents are contained in Appendix 1.

The chart identifies the key dates in the process although the dates are only an indication at this stage, further information will be provided on the publication consultation as the process moves on. The Examination date is subject to consultation with the Planning Inspectorate, the body responsible for holding examinations into local plans.

Figure 2 - Timetable for production of Development Plan Documents





Appendix 1

Document Profiles

Bromsgrove District Plan and Proposals Map DPD

| | | |
|------------------------------------|--|--|
| <p>Document Details</p> | <p>Role and Content</p> <p>Status</p> <p>Position in chain of conformity</p> <p>Geographic coverage</p> | <p>Will set out the vision, spatial strategy and core policies for the spatial development of the District including strategic allocations.</p> <p>Development Plan Document.</p> <p>Conforms with National Planning Policy Framework.</p> <p>District Wide.</p> |
| <p>Indicative Timetable</p> | <p>Cross Boundary Growth Consultation</p> <p>Publication of Bromsgrove District Plan</p> <p>Submission of Bromsgrove District Plan to Secretary of State</p> <p>Pre Examination meeting</p> <p>Examination Hearings</p> <p>Receipt of Binding Report</p> <p>Adoption date</p> | <p>February 2013</p> <p>July 2013</p> <p>November 2013</p> <p>February 2014</p> <p>April 2014</p> <p>July 2014</p> <p>September 2014</p> |

Town Centre Area Action Plan AAP

| | | |
|-----------------------------|---|---|
| Development Details | <p>Role and Content</p> <p>Status</p> <p>Position in chain of conformity</p> <p>Geographic coverage</p> | <p>This document will provide a comprehensive land use strategy for Bromsgrove Town Centre.</p> <p>Development Plan Document.</p> <p>Conforms with Bromsgrove District Plan.</p> <p>Bromsgrove Town Centre</p> |
| Indicative Timetable | <p>Publication of AAP</p> <p>Submission of AAP to Secretary of State</p> <p>Pre Examination meeting</p> <p>Examination Hearings</p> <p>Receipt of Binding Report</p> <p>Adoption date</p> | <p>July 2013 (TBC)</p> <p>December 2013 (TBC)</p> <p>February 2014 (TBC)</p> <p>April 2014 (TBC)</p> <p>July 2014 (TBC)</p> <p>September 2014 (TBC)</p> |



Appendix 2 Jargon Guide

Adoption: The point at which the final agreed version of a document comes into use.

Area Action Plan: A type of Development Plan Document (DPD) which covers a specific area in need of improvement and/or conservation.

Core Strategy (or Local Plan): The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

County Structure Plan: The Structure Plan remains part of the development plan until they are abolished by Order using powers taken in the Localism Act. It establishes a strategic policy framework for development and land use planning.

Department for Communities and Local Government: The Department sets policy on supporting local government; communities and neighbourhoods; regeneration; housing; planning, building and the environment; and fire.

Development Plan Documents: The complete suite of planning documents at the local level subject to independent examination.

Examination: Independent inquiry into the soundness of a draft Local Plan chaired by an Inspector appointed by the Secretary of State.

Localism Act 2011: An Act to make provision about the functions and procedures of local and certain other authorities.

Local Development Scheme: This document is a project plan for the production of local planning policy documents.

National Planning Policy Framework: Document setting out the Government's economic, environmental and social planning policies for England, published 27 March 2012.

Neighbourhood plans: A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

Proposals Map: A map that shows the spatial extent of adopted planning policies and proposals affecting Bromsgrove District.

Publication: Point at which a draft Local Plan is issued for consultation prior to its submission to the Secretary of State for examination.

Regional Strategies: Regional strategies remain part of the development plan until they are abolished by Order using powers taken in the Localism Act. It is the government's clear policy intention to revoke the regional strategies outside of London, subject to the outcome of the environmental assessments that are currently being undertaken.

Saved policies: Adopted policies which remain in force pending their replacement by the Local Plan.

Submission: Following the publication and ensuing consultation the point at which a draft Local Plan is submitted to the Secretary of State along with representations the received for examination.

Supplementary Planning Documents: A Local Development Document which adds detail to policies and proposals contained within Development Plan Documents. Documents must be clearly justified.

Supplementary Planning Guidance: Documents, which supplement policies within the Local Plan and have been produced and adopted through public consultation. SPGs will continue to have status until they are reviewed and replaced by new Supplementary Planning Documents. They are capable of being a material consideration in planning decisions.

Strategic Environmental Assessment: A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.



A p p e n d i x 3

F o r m a l R e q u e s t L e t t e r s

See next 3 pages for copies of request letters.

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Councillor Bill Hartnett
Leader of the Council
Redditch Borough Council

Thursday 5th July 2012

Dear Roger,

Duty to Co-operate – Bromsgrove District Council and Redditch Borough Council

The Localism Act (S. 110) inserted a new section into the Planning and Compensation Act 2004 (S. 33A) called the 'Duty to Co-operate'. The 'Duty to Co-operate' is a legal obligation, which requires local authorities to co-operate with each other in relation to planning for sustainable development, in particular the preparation of development plan documents relating to a strategic matter.

The Act defines a strategic matter (within subsection 4) as "*sustainable development or use of land that has or would have a significant impact on at least two planning areas*".

As you are aware, Redditch Borough's boundary is very close to the existing urban area, therefore restricting the capacity of the Borough to sustainably accommodate all identified development need within its boundaries. Redditch Borough Council considers that development need which cannot be accommodated within the Borough boundary could be sustainably located to the north/ north-west of Redditch, in Bromsgrove District, preferably contiguous to the boundary.

The Duty to Co-operate is a legal requirement of the plan making process. Both authorities must address the Duty in order for the two emerging plans to be found 'sound' at examination.

The National Planning Policy Framework (NPPF) (paragraph 181) states that '*Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination*'. In accordance with this, local authorities will have to provide evidence that they have complied with the legal duty. The Planning Advisory Service (PAS) has suggested that there are various forms of evidence that can be produced to demonstrate the compliance with the Duty to Co-operate including:

- Memorandum of understanding;
- Statement of common ground;
- Shared or common evidence bases;

- Agrees shared policies; and
- Joint plans

PAS advises that evidence should be as formal as possible and must be reasonable and proportionate.

It is important to address this issue as soon as possible in the plan making process. The Planning Inspectorate (PINS) has clearly stated that they are unable to assist Local Authorities in resolving problems with the Duty to Co-operate, and that all issues must be resolved before plans are submitted for examination. This is evidenced in their most recent involvement with the City of York Core Strategy. In this instance the Inspector felt that not enough work had been done to identify the cross boundary sites that would be critical to the delivery of the plan. As a result, the City of York intends to withdraw its Core Strategy in order to allow time to prepare the additional evidence required.

It is the intention of this letter to establish the first formal agreement of joint working under the new 'Duty to Co-operate'. It would be very helpful if you could respond in agreement to this letter in order to progress with the collation of joint evidence to underpin what I hope will be two 'sound' plans.

Please do not hesitate to contact me if you wish to discuss this further.

Kind regards

A handwritten signature in black ink, appearing to read "Bill Hartnett", with a stylized flourish at the end.

Councillor Bill Hartnett
Leader of the Council
Redditch Borough Council



Bromsgrove
District Council

www.bromsgrove.gov.uk

Our ref: RH/WR

3rd August 2012

Councillor Bill Hartnett
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Dear Bill,

Duty To Co-operate - Bromsgrove District Council and Redditch Borough Council

I write in response to your letter of the 5th July concerning the above.

Bromsgrove District Council is fully aware of its responsibility under the Duty to Co-operate introduced by the recent legislative changes, and with this in mind the Council will be happy to formally open discussions with Redditch Borough Council.

As you are aware, the issue of Bromsgrove District accommodating some of the growth needs of Redditch Borough within its administrative boundaries, is one which has challenged both Councils for a number of years without any resolution. Your request for joint working is a step closer to securing some certainty on this issue allowing both Councils to prepare and adopt sound development plans. As such Bromsgrove District Council officers have been instructed to continue working with Redditch Borough Council officers, in an attempt to find a mutually acceptable solution of accommodating the element of Redditch's growth needs which cannot be met within the Borough's boundaries.

I look forward to meeting to discuss the outcome of this work shortly.

Yours sincerely,

Cllr Roger Hollingworth
Leader of Bromsgrove District Council



Contact Details

We welcome your comments on the contents of this document.
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For further information you can also visit the Strategic Planning
Section website at:

www.bromsgrove.gov.uk/strategicplanning



We will consider reasonable requests to provide this document in accessible formats such as large print, Braille, Moon, audio CD or tape or on computer CD

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"İngilizce için yardıma ihtiyacınız var mı?" 01527 881288 numarayı arayıp Worcestershire HUB, Bromsgrove ile irtibata geçin

"ইংরেজির জন্য সাহায্য চাই?" 01527 881288 নম্বরে উস্টাশায়ার হাব [HUB] ব্রমসগ্রভ [Bromsgrove]-এ টেলিফোন করুন

"ਅੰਗਰੇਜ਼ੀ ਵਿਚ ਮੱਦਦ ਚਾਹੁੰਦੇ ਹੋ?" ਵੁਰਸੈਸਟਰਸ਼ਾਇਰ ਹੱਬ [HUB] ਨੂੰ ਬਰੋਮਸਗਰੋ [Bromsgrove] ਵਿਖੇ 01527 881288 'ਤੇ ਟੈਲੀਫੋਨ ਕਰੋ

"انگریزی میں مدد چاہتے ہیں؟" ورسیسٹر شائر ہب [HUB]، برومزگرو [Bromsgrove] میں 01527 881288 پر رابطہ کریں



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