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Date: 15th June 2023

Dear Sir/Madam,

Cabinet – 21st June, 2023

I refer to **Agenda Item 9: Any Other Items** and attach the **Updates to timetable to the Local Development Scheme** as a Special Urgency item for consideration by Cabinet on the 21st June 2023.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: Members of the Cabinet

Councillor K. Wilson (Leader of the Council and Business and Regeneration)

Councillor C. Golby (Deputy Leader and Housing and Communities)

Councillor S. Croft (Finance and Corporate)

Councillor S. Markham (Public Services)

Councillor R. Smith (Planning and Regulation)

Councillor J. Gutteridge (Health and Environment)

Observer

Councillor C. Watkins (Leader of the Main Opposition Party)

Cabinet

Report Summary Sheet

Date: 21st June 2023
Subject: Updates to timetable to the Local Development Scheme
Portfolio: Cabinet Member for Planning and Regulation (Councillor. R. Smith)
From: Assistant Director – Planning
Summary: The purpose of this report is to propose new timetables to the Local Development Scheme (LDS) for the Borough Plan Review and for the Gypsy and Traveller Site Allocations Development Plan Document.
Recommendations: The amendments to the Local Development Scheme be noted; and IT BE RECOMMENDED TO COUNCIL THAT: The amendments to the Local Development Scheme be approved and the amended LDS be adopted.
Options: <ul style="list-style-type: none">• To endorse the recommendations.• To recommend an alternative timetable.• Not to endorse the recommendations
Reasons: To enable the Council to comply with the requirements of the Planning and Compulsory

Purchase Act 2004 (as amended) and national planning practice guidance.
<p>Consultation undertaken with Members and Officers:</p> <p>Consultation with the portfolio holder – Planning and Regulation.</p>
Subject to call-in: No.
Ward relevance: All.
Forward plan: No. However, the LDS will need to be added to the Forward Plan.

Building a Better Borough Aim: 1 and 3.
Building a Better Borough Priority: 1 and 2.
<p>Relevant statutes or policy:</p> <p>Planning and Compulsory Purchase Act 2004 (as amended) and the associated Town And Country Planning (Local Planning) (England) Regulations 2012 (as amended).</p> <p>National Planning Policy Framework (NPPF)/National Planning Policy Guidance (NPPG).</p>
Equalities implications: None.
Human resources implications: The proposed LDS timetable accounts for existing known staffing and resource levels.
<p>Financial implications: None for the amendments to the Local Development Scheme. The costs associated with progressing the Borough Plan Review and Gypsy and Traveller Site Allocations Development Plan Document would be met within existing budgets. If any additional evidence base is required/necessary, this has not been accounted for and may result in a budget pressure for 2023/24.</p>

Health Inequalities Implications: N/A.

Section 17 - Crime and Disorder Implications: N/A.

Risk management implications: None to the amendments to the Local Development Scheme.

Environmental implications: None within the Local Development Scheme, but the Borough Plan Review and Gypsy and Traveller Site Allocations Development Plan Document will need to align with the latest Government guidance on preserving and enhancing the natural environment.

Legal implications: The Borough Plan Review, and publication of the Local Development Scheme LDS, is statutory requirement under the Planning & Compulsory Purchase Act 2004 and the associated Town And Country Planning (Local Planning) (England) Regulations 2012 (as amended).

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AGENDA ITEM NO.9

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet - 21st June 2023

From: Assistant Director - Planning

Subject: Updates to timeframes within the Local Development Scheme

Portfolio: Planning and Regulation (Cllr R. Smith)

Building A Better Borough

Aim 1: Live

Priority 1: Promote residents' health and wellbeing

Priority 2: Enable appropriate housing development

Aim 3: Visit

Priority 1: Grow a strong and inclusive economy

1. Purpose of Report

1.1 The purpose of this report is to seek approval to update the timetables for the Borough Plan Review and Gypsy and Traveller Site Allocations Development Plan Documents within the Local Development Scheme (LDS) for adoption by Council at its 5th July 2023 meeting. The proposed LDS is set out in appendix A of this agenda.

2. Recommendations

2.1 The amendments to the Local Development Scheme be noted; and

2.2 It be recommended to Cabinet that the amendments to the Local Development Scheme be approved and the amended LDS be adopted.

3. Background

3.1 Background to request the timetable amendments for the Borough Plan Review

3.2 The Preferred Options consultation was carried out from the 13th June to 22nd July 2022. The intention was for the Publication document to be consulted upon in April 2023. However, the delay with the sub regional Housing and Economic Development Needs Assessment (HEDNA) has subsequently delayed the Strategic Flood Risk Assessment level 2, Strategic Transport Assessment, Employment Land Review and other related documents. Proceeding without these key documents meant

the Council would have been at substantial risk of the Plan being considered unsound if the Publication proceeded without this information. The HEDNA provided details that fed into the housing and employment needs and number of sites required for the final Borough Plan. This subsequently fed into delays with other evidence base documents.

3.3 Due to this ongoing delay, it is proposed that the Publication version is put back until September 2023 which will then have a subsequent impact in submitting the document to the Secretary of State.

3.4 Background to the request for the timetable amendments for the Gypsy and Traveller Site Allocations Development Plan Document

3.5 The consultation for the Issues and Options for the Gypsy and Traveller Site Allocations Development Plan Document (DPD) was carried out from the 11th June 2021 until the 6th August 2021 and the Publication document was consulted upon between the 28th January 2022 and 25th March 2022. The current LDS states that Examination of the DPD would be carried out in October 2022 which was duly carried out but that the Inspectors report was predicted to be received in December 2022 with a likely adoption in January 2023. Discussions have been ongoing with the Inspector including Main Modifications which will require re-assessment against the Sustainability Appraisal and Habitat Regulation Assessment. The Main Modifications are likely to be finalised in June 2023 but will necessitate a new period of public consultation. After the completion of this, the responses will need to be evaluated by the Inspector before the Inspector will issue their report.

4 Timetable implications

4.1 The existing timetable for the Borough Plan production is set out in the Council's published Local Development Scheme (LDS). (Appendix B). This was adopted at Full Council on the 14th December 2022.

4.2 Having regard to the issues raised, the work to address them and outstanding evidence base work to be updated and finalised; the alternative timetable for the Borough Plan Review work is proposed to be as follows:

Borough Plan Review DPD

Stage	Timescale	Opportunity for Public Involvement
Commencement/ scoping	June 2019 – May 2021	No
Issues and Options Consultation	May 2021	Yes
Consultation on Preferred Options	June 2022	Yes
Publication (Regulation 19) consultation	September 2023	Yes
Submission to Secretary of State	December 2023	No
Examination in Public (dependent on Planning Inspectorate's work programme)		Yes
Receipt of Inspector's Report (dependent on Planning Inspectorate's work programme)		No
Adoption (prediction only – dependent on Planning Inspectorate's work programme)	June 2024 (subject to no Main Modifications consultation)	No

4.3 The existing timetable for the Publication of the Gypsy and Traveller Site Allocations Development Plan Document is also set out in the Council's published Local Development Scheme (LDS). It is proposed to change the last three stages of the timetable as follows:

Gypsy and Traveller Site Allocation DPD

Stage	Timescale	Opportunity for Public Involvement
Issues and Options consultation	May 2021	Yes
Publication (Regulation 19) consultation	Jan 2022	Yes
Submit to Secretary of State	June 2022	No
Examination in Public	October 2022	Yes
Consultation on Main Modifications	July/August 2023	Yes
Receipt of Inspector's Report (Prediction only – dependent on Planning Inspectorate's work programme)	October 2023	No
Adoption (Prediction only – dependent on Planning	December 2023 (subject to no issues	No

Stage	Timescale	Opportunity for Public Involvement
Inspectorate's work programme)	with the Main Modifications consultation).	

5 Conclusion

5.1 The amendments to the Local Development Scheme be noted; and it be recommended to Council that: The amendments to the Local Development Scheme be approved and the new Local Development Scheme be adopted.

6 Appendices

Appendix A – Proposed Local Development Scheme (June 2023).

Appendix B – Current Local Development Scheme (December 2022).

7 Background Papers

The existing adopted Local Development Scheme can be found at: https://www.nuneatonandbedworth.gov.uk/downloads/download/410/local_development_scheme

Nuneaton and Bedworth Borough Council

Local Development Scheme June 2023

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1. INTRODUCTION

1.1 This Local Development Scheme (LDS) has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended). The LDS has two main functions:

1. To identify the current planning policy documents that are being applied in Nuneaton and Bedworth.
2. To provide a three year project plan that outlines what the replacement planning policy documents will be and their stages of preparation.

1.2 The document is divided into the following sections:

- ***Existing Planning Policy***

Section 2 of the document provides an overview of the existing planning policy documents and guidance that cover the Borough.

- ***Documents to be Prepared***

Section 3 outlines the type and function of the documents that the Council will produce in forthcoming years.

- ***Supporting Statement***

Section 4 makes reference to the evidence base which will be used to inform emerging policy along with the Sustainability Appraisal work that will be required. A programme for monitoring and reviewing documents, the political framework for approval, the resources available and an assessment of the risks associated with the delivery of the LDS are also identified.

1.3 The Council's Authority Monitoring Report is produced annually and is required to assess Development Plan Document progress against the targets and milestones in the LDS. Where the milestones have not been met, up-to-date information will be provided on the Council's webpages.

2. EXISTING PLANNING POLICY DOCUMENTS

Local planning policies

- 2.1 The Nuneaton and Bedworth Borough Plan was adopted on 11th June 2019. On adoption, the Borough Plan superseded the saved policies of the 2006 Nuneaton and Bedworth Local Plan. The Council has committed to a review of the Plan following its adoption in order to consider the implications of the updated National Planning Policy Framework and associated guidance.
- 2.2 There are adopted Supplementary Planning Documents (SPD) and Guidance (SPG) documents providing additional information or guidance on certain matters. These include:
- Affordable Housing SPD (2020)
 - Air Quality SPD (2020)
 - Concept Plan SPDs (for each of the strategic housing and employment allocations) (2020)
 - Health Impact Assessment SPD (2021)
 - Open Space and Green Infrastructure SPD (2021)
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 - Sustainable Design and Construction SPD (2020)
 - Transport Demand Management Matters – Parking Standards SPD (2022)
 - Conservation Area Appraisal and Management Plan SPDs (2022)
 - HSG2 Arbury Design Code SPD (2022)
 - First Homes Interim Policy Statement (2022)
- 2.3 Please note that limited weight can be afforded to 1994 Shopfronts and Advertisements Guide SPG due to its age, however it has never been formally revoked.

Warwickshire planning policies

- 2.4 Warwickshire County Council adopted a Waste Core Strategy Development Plan Document on 9th July 2013. This strategy guides the future strategy and development of all new waste facilities in the County up to 2028.
- 2.5 The adopted Warwickshire County Council Minerals Local Plan (2018-2032) provides the planning policies to guide future minerals development within the County. Further information on the Minerals Plan can be viewed at:
https://warwickshire-consult.objective.co.uk/portal/warwickshire_minerals_plan_examination_website

3. THE EMERGING PLANNING POLICY FRAMEWORK

- 3.1 This section identifies how the Council will deliver its future planning policy framework which comprises Development Plan Documents. The timetable forecasts provided below are the best estimates available at the time of publication. Where the milestones have not been met, up-to-date information will be provided on the Council's webpages. Periodic updates will also be provided to the Council's Borough Plan Committee, which meets on a quarterly basis.

Development Plan Documents

Borough Plan Review

- 3.2 The Council has committed to undertaking a review of the adopted Borough Plan following updates to the National Planning Policy Framework. All aspects of the updated NPPF will need to be re-examined, but in particular the updated 'standard method' for assessing housing need and associated Housing Delivery Test have changed how Local Plans calculate housing requirements and will be central to the Borough Plan Review.
- 3.3 The Borough Plan Review 'Issues and Options' consultation document explored key policy issues in detail as well as potential options for addressing the issues. Such issues included meeting housing and employment needs, infrastructure delivery, town centre regeneration, Green Belt, climate change adaptation/mitigation, biodiversity, sustainable transportation and design. The Council also undertook a 'call for sites' which informed the Preferred Options. The Borough Plan Review will need to be underpinned by robust and up-to-date evidence to ensure 'soundness' and legal compliance for the examination stage. On that basis, officers have considered the evidence requirements and are updating and recommissioning the evidence base. Some of this evidence informed the Preferred Options stage, which was consulted upon in June and July 2022. Some of the evidence base is still outstanding and together with the responses from the Preferred Options stage will feed into the Publication version. The amended timetable will also allow some flexibility for the Council to review any potential changes to the planning system. The Council will continue to monitor any proposed legislative or policy changes.

Stage	Timescale	Opportunity for Public Involvement
Commencement/ scoping	June 2019 – May 2021	No
Issues and Options Consultation	May 2021	Yes
Consultation on Preferred Options	June 2022	Yes
Publication (Regulation 19) consultation	September 2023	Yes
Submission to Secretary of	December 2023	No

Stage	Timescale	Opportunity for Public Involvement
State		
Examination in Public (dependent on Planning Inspectorate's work programme)		Yes
Receipt of Inspector's Report (dependent on Planning Inspectorate's work programme)		No
Adoption (prediction only – dependent on Planning Inspectorate's work programme)	June 2024 (subject to no Main Modifications consultation)	No

Table 1: Borough Plan Review Timetable

Policies Map

- 3.4 The purpose of the Policies Map is to illustrate the main proposals, designations and area based policies covering the Borough. The Policies Map will be developed alongside the Borough Plan Review and other DPDs. The map will be reviewed as each additional new policy document is produced.

Gypsy and Traveller Site Allocations DPD

- 3.5 The purpose of this policy document is to allocate sites to meet the Borough's identified need. The estimated timetable for developing the document is:

Stage	Timescale	Opportunity for Public Involvement
Issues and Options consultation	May 2021	Yes
Publication (Regulation 19) consultation	Jan 2022	Yes
Submit to Secretary of State	June 2022	No
Examination in Public	October 2022	Yes
Consultation on Main Modifications	July/August 2023	Yes
Receipt of Inspector's Report (Prediction only – dependent on Planning Inspectorate's work programme)	October 2023	No
Adoption (Prediction only – dependent on Planning Inspectorate's work programme)	December 2023 (subject to no issues with the Main Modifications consultation)).	No

Table 2: Gypsy and Traveller Site Allocations Timetable

Community Infrastructure Levy

- 3.6 The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities on new development in their area.
- 3.7 In 2020, consultants Dixon Searle Partnership were appointed to develop a draft charging schedule of rates, based on updated viability analysis. The proposed charging rates were included in a Draft Charging Schedule and this was consulted on in October 2020.
- 3.8 Further detailed analysis was undertaken following the consultation process to compare how the proposed CIL rates would compare with the existing 'section 106' (s106) arrangements by assessing different planning applications of various types and sizes. It was concluded that for strategic scale developments, existing s106 processes would generate significantly more infrastructure funding than CIL, although CIL may generate more funding for smaller scale developments. Given the administrative burdens and costs associated with CIL implementation, it was considered that CIL may not be beneficial in the round compared to existing s106 arrangements. On the 26th May 2021, the Council's Cabinet resolved¹ that the CIL Charging Schedule should not be submitted to the Secretary of State for independent examination. The Council will continue to monitor emerging legislation and policy changes (e.g. the potential National Infrastructure Levy proposed as part of the 'Planning for the Future') and review whether a revised Levy approach is appropriate for the Council to pursue.

Supplementary Planning Documents (SPDs)

- 3.9 The Council is also preparing a number of SPDs that provide more detailed advice and guidance in relation to the implementation and interpretation of planning policies set out in the Borough Plan/DPDs. SPDs are not subject to examination but are subject to public consultation. Currently, the following SPDs are due to be progressed:
- Town Centres SPD (to be progressed alongside the Borough Plan Review).
 - Heritage SPD.
- 3.10 If it becomes apparent that additional SPDs are required (i.e. to provide necessary clarity to adopted policies), further information will be provided on the Council's Planning Policy webpages.

4. EVIDENCE, RESOURCING AND RISK

Evidence Base

¹ <https://www.nuneatonandbedworth.gov.uk/meetings/meeting/2293/cabinet>

4.1 Development Plan Documents must be based on up-to-date, robust evidence for them to be considered sound. In preparing the policy documents there is a need to undertake technical research and other background work. This work will be undertaken by the Council as well as external consultants on behalf of the Council where information of a specialist nature is required or where the time needed to undertake the work is not available in-house. All background/technical documents will be made available alongside the policy document to which they relate. Details of the existing evidence base can be found on the Council's Planning Policy webpages.

Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)

4.2 Notwithstanding the planning reforms proposed in the 'Planning for the Future' White Paper, existing legislation requires that all DPDs will be subject to a SA (which incorporates SEA). The purpose of SA/SEA is to assess the likely environmental, economic and social implications of the policies/ proposals in the documents. External groups and organisations are consulted on the SA and invited to contribute to the appraisal. The key stages of SA preparation are provided in table 5 below.

Stage	Key tasks
<u>Stage A</u> – Development of the SA framework and production of Scoping Report	<ul style="list-style-type: none"> • Identify other relevant policies, plans, programmes and sustainability objectives • Collect baseline information • Identify sustainability issues and problems • Develop the SA framework • Consult on the scope of the sustainability appraisal
<u>Stage B</u> – Appraisal of plan options	<ul style="list-style-type: none"> • Test the Plan objectives against the SA framework • Develop the plan options including reasonable alternatives • Assess the likely effects of each of the options • Consider ways of mitigating adverse effects and maximising beneficial effects • Propose measures to monitor the significant effects of implementing the plan
<u>Stage C</u> – Preparation of the final SA report	<ul style="list-style-type: none"> • Produce the final SA report based on the final plan ('Publication' version), documenting the appraisal process
<u>Stage D</u> – Consultation on the SA report	<ul style="list-style-type: none"> • Consult on the options/policies and SA report at the 'Publication' (regulation 19) stage
<u>Stage E</u> – Post adoption monitoring	<ul style="list-style-type: none"> • Prepare and publish post adoption statement • Monitor significant effects of implementing the Plan • Respond to adverse effects

Table 5: SA process

4.3 SPDs are exempt from the requirements for SA. Unless significant environmental effects are likely to result from implementation of the SPD, SEA is not required.

Monitoring

- 4.4 The process of monitoring and review is an important part of the current planning system. Central to this is an Authority Monitoring Report (AMR) which will be published by December each year. The AMR will:
- Identify how well the Council is performing when assessed against the targets/ milestones set out in the LDS.
 - Examine the success of planning policies through the use of key indicators and targets.
 - Advise on the need to review the LDS and amend/ revise policies contained in policy documents.

Political Framework

- 4.5 Before submission to the Secretary of State for consideration, or formal adoption by the Council (in the case of SPDs), each document in the planning policy framework will require political approval. The level of approval will be determined by the status of the document and the stage it has reached in the preparation process. Listed in table 6 below are the levels of approval different types of document will require at different stages of their preparation.

Document	Stage of Preparation	Level of Approval
Local Development Scheme	Publication	Cabinet Full Council
Development Plan Documents	Issues and Options consultation Publication consultation Submission to Secretary of State Adoption	Cabinet Cabinet Cabinet & Full Council Cabinet & Full Council
Supplementary Planning Documents	Consultation on Draft SPD Adoption	Cabinet Full Council
Authority Monitoring Report	Publication	-

Table 6: Political Approval Framework

Resources

- 4.6 The work associated with the production of the planning policy framework, its monitoring and review will primarily be undertaken by the Planning Policy team with contributions from other services within the Council as and when required. Input from the Council's other services will be particularly valuable at the evidence gathering stage of policy development to help ensure that the Council's other Plans/ Strategies are integrated into the planning policy

framework. In preparing documents, specialist services provided by consultants will also be utilised where necessary.

- 4.7 The cost of producing the planning policy framework is currently being met through the existing service budget. Both staffing and budgetary resources will need to be monitored to ensure that there is adequate provision to enable the delivery of the LDS.

Risk Assessment

- 4.8 This LDS has been drafted on the basis of what is considered deliverable, based on information available at the time of drafting. Nevertheless there are a number of risks which could jeopardise the Council's ability to deliver the documents that make up the planning policy framework within the timeframe identified (such as the proposed Government planning reforms). The Council has however attempted to minimise the risks by putting in place mitigation measures. The risks, their rating (in terms of likelihood and impact) and the mitigation measures that have been put in place to moderate and manage the risks are summarised in the table 7. The risk rating scores included are net risk scores and account for risk control and mitigation measures.

Risk	Likelihood (L)	Impact (I)	Rating (L x I)	Mitigation Measures
Internal Resources	2	3	6	<ul style="list-style-type: none"> • Early identification of budget requirements. • Keep budget under review.
Staff Turnover (Loss of staff and difficulty to recruit replacements, reflecting national shortage)	3	2	6	<ul style="list-style-type: none"> • Advertise posts as soon as possible to minimise length of vacancy. • Appoint consultants.
Additional Unforeseen Work/ Pressure on Staff Time	3	2	6	<ul style="list-style-type: none"> • Work associated with delivery of DPDs and SPDs prioritised within work programme.
Lack of In House Expertise for Specialist Areas of Work (E.g. Sustainable Appraisal, background work)	2	3	6	<ul style="list-style-type: none"> • Employ consultants to undertake work. • Train staff where appropriate.
Capacity of External Organisations (Planning Inspectorate (PINs) and Statutory Consultees)	2	3	6	Capacity is outside the Council's control but will minimise impact by: <ul style="list-style-type: none"> • Sending organisations a copy of LDS so aware of timetable. • Maintain Service Level Agreement with PINs. • Consult statutory consultees as early as possible.
New/ Replacement Government Policies and Guidance (E.g. Planning for the Future White Paper, revised NPPF/NPPG)	3	3	9	<ul style="list-style-type: none"> • Keep up to date on emerging policies and guidance to enable early response to changes
Political Decision Making	3	3	9	<ul style="list-style-type: none"> • Early involvement of Members in preparation of documents to maximise support.
Significant Opposition to Policy or Proposal	3	3	9	<ul style="list-style-type: none"> • Early and effective engagement in the consultation process (however it is unlikely that consensus will be reached between all stakeholders).
Timing of Committee Meetings (Dates of meetings only set on annual basis)	3	1	3	<ul style="list-style-type: none"> • Where necessary special meetings can be called.
Soundness of DPDs	3	3	9	<ul style="list-style-type: none"> • Documents to be based on robust evidence. • Community engagement undertaken in line with the Statement of Community Involvement. • Sustainability Appraisal undertaken. • Carry out soundness self assessment. • Work closely with PINs.
Legal Challenge	3	3	9	<ul style="list-style-type: none"> • Ensure 2004 Act and associated regulations followed. • Implement audit trail of processes and procedures.

Table 7: Risks associated with delivery of LDS

Key to Scoring

Likelihood

1. Low
2. Significant
3. High
4. Very High

Impact

1. Low
2. Moderate
3. Serious
4. Major

Rating

- 1 - 4 Low (green)
- 5 - 9 Medium (orange)
- 10+ High (red)

5. CONTACT DETAILS

5.1 For more information on this Local Development Scheme please contact: -

Planning Policy Team
Nuneaton and Bedworth Borough Council
Town Hall
Coton Road
Nuneaton
CV11 5AA

Tel: 024 7637 6328

Email: planning.policy@nuneatonandbedworth.gov.uk.

5.2 This document, and all other documents that make up the Planning Policy Framework, can be made available to view upon request at the Town Hall reception. Please check the Council's webpages² for the latest opening times and whether appointments are required. All documents will also be available on the Council's website: www.nuneatonandbedworth.gov.uk

²

https://www.nuneatonandbedworth.gov.uk/info/20052/get_involved_with_us/271/contacting_and_visiting_us

Nuneaton and Bedworth Borough Council

Local Development Scheme December 2022

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1. INTRODUCTION

1.1 This Local Development Scheme (LDS) has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended). The LDS has two main functions:

1. To identify the current planning policy documents that are being applied in Nuneaton and Bedworth.
2. To provide a three year project plan that outlines what the replacement planning policy documents will be and their stages of preparation.

1.2 The document is divided into the following sections:

- **Existing Planning Policy**
Section 2 of the document provides an overview of the existing planning policy documents and guidance that cover the Borough.
- **Documents to be Prepared**
Section 3 outlines the type and function of the documents that the Council will produce in forthcoming years.
- **Supporting Statement**
Section 4 makes reference to the evidence base which will be used to inform emerging policy along with the Sustainability Appraisal work that will be required. A programme for monitoring and reviewing documents, the political framework for approval, the resources available and an assessment of the risks associated with the delivery of the LDS are also identified.

1.3 The Council's Authority Monitoring Report is produced annually and is required to assess Development Plan Document progress against the targets and milestones in the LDS. Where the milestones have not been met, up-to-date information will be provided on the Council's webpages.

2. EXISTING PLANNING POLICY DOCUMENTS

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https://warwickshire-consult.objective.co.uk/portal/warwickshire_minerals_plan_examination_website

3. THE EMERGING PLANNING POLICY FRAMEWORK

- 3.1 This section identifies how the Council will deliver its future planning policy framework which comprises Development Plan Documents. The timetable forecasts provided below are the best estimates available at the time of publication. Where the milestones have not been met, up-to-date information will be provided on the Council's webpages. Periodic updates will also be provided to the Council's Borough Plan Committee, which meets on a quarterly basis.

Development Plan Documents

Borough Plan Review

- 3.2 The Council has committed to undertaking a review of the adopted Borough Plan following updates to the National Planning Policy Framework. All aspects of the updated NPPF will need to be re-examined, but in particular the updated 'standard method' for assessing housing need and associated Housing Delivery Test have changed how Local Plans calculate housing requirements and will be central to the Borough Plan Review.
- 3.3 The Borough Plan Review 'Issues and Options' consultation document explored key policy issues in detail as well as potential options for addressing the issues. Such issues included meeting housing and employment needs, infrastructure delivery, town centre regeneration, green belt, climate change adaptation/mitigation, biodiversity, sustainable transportation and design. The Council also undertook a 'call for sites' which informed the Preferred Options. The Borough Plan Review will need to be underpinned by robust and up-to-date evidence to ensure 'soundness' and legal compliance for the examination stage. On that basis, officers have considered the evidence requirements and are updating and recommissioning the evidence base. Some of this evidence informed the Preferred Options stage, which was consulted upon in June and July 2022. Some of the evidence base is still outstanding and together with the responses from the Preferred Options stage will feed into the Publication version. The amended timetable will also allow some flexibility for the Council to review any potential changes to the planning system. The Council will continue to monitor any proposed legislative or policy changes.

Stage	Timescale	Opportunity for Public Involvement
Commencement/ scoping	June 2019 – May 2021	No
Issues and Options Consultation	May 2021	Yes
Consultation on Preferred Options	June 2022	Yes
Publication (Regulation 19) consultation	April 2023	Yes
Submission to Secretary of State	August 2023	No

Stage	Timescale	Opportunity for Public Involvement
Examination in Public		Yes
Receipt of Inspector's Report		No
Adoption (prediction only – dependent on Planning Inspectorate's work programme)	June 2024 (subject to no Main Modifications consultation)	No

Table 1: Borough Plan Review Timetable

Policies Map

- 3.4 The purpose of the Policies Map is to illustrate the main proposals, designations and area based policies covering the Borough. The Policies Map will be developed alongside the Borough Plan Review and other DPDs. The map will be reviewed as each additional new policy document is produced.

Gypsy and Traveller Site Allocations DPD

- 3.5 The purpose of this policy document is to allocate sites to meet the Borough's identified need. The estimated timetable for developing the document is:

Stage	Timescale	Opportunity for Public Involvement
Issues and Options consultation	May 2021	Yes
Publication (Regulation 19) consultation	Jan 2022	Yes
Submit to Secretary of State	June 2022	No
Examination in Public	October 2022	Yes
Receipt of Inspector's Report (Prediction only – dependent on Planning Inspectorate's work programme)	December 2022	No
Adoption (Prediction only – dependent on Planning Inspectorate's work programme)	January 2023 (subject to no Main Modifications consultation) and dates of Cabinet and Full Council).	No

Table 2: Gypsy and Traveller Site Allocations Timetable

Community Infrastructure Levy

- 3.6 The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities on new development in their area.

- 3.7 In 2020, consultants Dixon Searle Partnership were appointed to develop a draft charging schedule of rates, based on updated viability analysis. The proposed charging rates were included in a Draft Charging Schedule and this was consulted on in October 2020.
- 3.8 Further detailed analysis was undertaken following the consultation process to compare how the proposed CIL rates would compare with the existing 'section 106' (s106) arrangements by assessing different planning applications of various types and sizes. It was concluded that for strategic scale developments, existing s106 processes would generate significantly more infrastructure funding than CIL, although CIL may generate more funding for smaller scale developments. Given the administrative burdens and costs associated with CIL implementation, it was considered that CIL may not be beneficial in the round compared to existing s106 arrangements. On the 26th May 2021, the Council's Cabinet resolved¹ that the CIL Charging Schedule should not be submitted to the Secretary of State for independent examination. The Council will continue to monitor emerging legislation and policy changes (e.g. the potential National Infrastructure Levy proposed as part of the 'Planning for the Future') and review whether a revised Levy approach is appropriate for the Council to pursue.

Supplementary Planning Documents (SPDs)

- 3.8 The Council is also preparing a number of SPDs that provide more detailed advice and guidance in relation to the implementation and interpretation of planning policies set out in the Borough Plan/DPDs. SPDs are not subject to examination but are subject to public consultation. Currently, the following SPDs are due to be progressed:
- Town Centres SPD (to be progressed alongside the Borough Plan Review).
 - Heritage SPD.
- 3.9 If it becomes apparent that additional SPDs are required (i.e. to provide necessary clarity to adopted policies), further information will be provided on the Council's Planning Policy webpages.

4. EVIDENCE, RESOURCING AND RISK

Evidence Base

- 4.1 Development Plan Documents must be based on up-to-date, robust evidence for them to be considered sound. In preparing the policy documents there is a need to undertake technical research and other background work. This work will be undertaken by the Council as well as external consultants on behalf of the Council where information of a specialist nature is required or where the

¹ <https://www.nuneatonandbedworth.gov.uk/meetings/meeting/2293/cabinet>

time needed to undertake the work is not available in-house. All background/ technical documents will be made available alongside the policy document to which they relate. Details of the existing evidence base can be found on the Council’s Planning Policy webpages.

Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)

4.2 Notwithstanding the planning reforms proposed in the ‘Planning for the Future’ White Paper, existing legislation requires that all DPDs will be subject to a SA (which incorporates SEA). The purpose of SA/SEA is to assess the likely environmental, economic and social implications of the policies/ proposals in the documents. External groups and organisations are consulted on the SA and invited to contribute to the appraisal. The key stages of SA preparation are provided in table 5 below.

Stage	Key tasks
<u>Stage A</u> – Development of the SA framework and production of Scoping Report	<ul style="list-style-type: none"> • Identify other relevant policies, plans, programmes and sustainability objectives • Collect baseline information • Identify sustainability issues and problems • Develop the SA framework • Consult on the scope of the sustainability appraisal
<u>Stage B</u> – Appraisal of plan options	<ul style="list-style-type: none"> • Test the Plan objectives against the SA framework • Develop the plan options including reasonable alternatives • Assess the likely effects of each of the options • Consider ways of mitigating adverse effects and maximising beneficial effects • Propose measures to monitor the significant effects of implementing the plan
<u>Stage C</u> – Preparation of the final SA report	<ul style="list-style-type: none"> • Produce the final SA report based on the final plan (‘Publication’ version), documenting the appraisal process
<u>Stage D</u> – Consultation on the SA report	<ul style="list-style-type: none"> • Consult on the options/policies and SA report at the ‘Publication’ (regulation 19) stage
<u>Stage E</u> – Post adoption monitoring	<ul style="list-style-type: none"> • Prepare and publish post adoption statement • Monitor significant effects of implementing the Plan • Respond to adverse effects

Table 5: SA process

4.3 SPDs are exempt from the requirements for SA. Unless significant environmental effects are likely to result from implementation of the SPD, SEA is not required.

Monitoring

- 4.4 The process of monitoring and review is an important part of the current planning system. Central to this is an Authority Monitoring Report (AMR) which will be published by December each year. The AMR will:
- Identify how well the Council is performing when assessed against the targets/ milestones set out in the LDS.
 - Examine the success of planning policies through the use of key indicators and targets.
 - Advise on the need to review the LDS and amend/ revise policies contained in policy documents.

Political Framework

- 4.5 Before submission to the Secretary of State for consideration, or formal adoption by the Council (in the case of SPDs), each document in the planning policy framework will require political approval. The level of approval will be determined by the status of the document and the stage it has reached in the preparation process. Listed in table 6 below are the levels of approval different types of document will require at different stages of their preparation.

Document	Stage of Preparation	Level of Approval
Local Development Scheme	Publication	Cabinet Full Council
Development Plan Documents	Issues and Options consultation Publication consultation Submission to Secretary of State Adoption	Cabinet Cabinet Cabinet & Full Council Cabinet & Full Council
Supplementary Planning Documents	Consultation on Draft SPD Adoption	Cabinet Full Council
Authority Monitoring Report	Publication	-

Table 6: Political Approval Framework

Resources

- 4.6 The work associated with the production of the planning policy framework, its monitoring and review will primarily be undertaken by the Planning Policy team with contributions from other services within the Council as and when required. Input from the Council's other services will be particularly valuable at the evidence gathering stage of policy development to help ensure that the Council's other Plans/ Strategies are integrated into the planning policy framework. In preparing documents, specialist services provided by consultants will also be utilised where necessary.
- 4.7 The cost of producing the planning policy framework is currently being met through the existing service budget. Both staffing and budgetary resources

will need to be monitored to ensure that there is adequate provision to enable the delivery of the LDS.

Risk Assessment

- 4.8 This LDS has been drafted on the basis of what is considered deliverable, based on information available at the time of drafting. Nevertheless there are a number of risks which could jeopardise the Council's ability to deliver the documents that make up the planning policy framework within the timeframe identified (such as the proposed Government planning reforms). The Council has however attempted to minimise the risks by putting in place mitigation measures. The risks, their rating (in terms of likelihood and impact) and the mitigation measures that have been put in place to moderate and manage the risks are summarised in the table 7. The risk rating scores included are net risk scores and account for risk control and mitigation measures.

Risk	Likelihood (L)	Impact (I)	Rating (L x I)	Mitigation Measures
Internal Resources	2	3	6	<ul style="list-style-type: none"> • Early identification of budget requirements. • Keep budget under review.
Staff Turnover (Loss of staff and difficulty to recruit replacements, reflecting national shortage)	3	2	6	<ul style="list-style-type: none"> • Advertise posts as soon as possible to minimise length of vacancy. • Appoint consultants.
Additional Unforeseen Work/ Pressure on Staff Time	3	2	6	<ul style="list-style-type: none"> • Work associated with delivery of DPDs and SPDs prioritised within work programme.
Lack of In House Expertise for Specialist Areas of Work (E.g. Sustainable Appraisal, background work)	2	3	6	<ul style="list-style-type: none"> • Employ consultants to undertake work. • Train staff where appropriate.
Capacity of External Organisations (Planning Inspectorate (PINs) and Statutory Consultees)	2	3	6	Capacity is outside the Council's control but will minimise impact by: <ul style="list-style-type: none"> • Sending organisations a copy of LDS so aware of timetable. • Maintain Service Level Agreement with PINs. • Consult statutory consultees as early as possible.
New/ Replacement Government Policies and Guidance (E.g. Planning for the Future White Paper, revised NPPF/NPPG)	3	3	9	<ul style="list-style-type: none"> • Keep up to date on emerging policies and guidance to enable early response to changes
Political Decision Making	3	3	9	<ul style="list-style-type: none"> • Early involvement of Members in preparation of documents to maximise support.
Significant Opposition to Policy or Proposal	3	3	9	<ul style="list-style-type: none"> • Early and effective engagement in the consultation process (however it is unlikely that consensus will be reached between all stakeholders).
Timing of Committee Meetings (Dates of meetings only set on annual basis)	3	1	3	<ul style="list-style-type: none"> • Where necessary special meetings can be called.
Soundness of DPDs	3	3	9	<ul style="list-style-type: none"> • Documents to be based on robust evidence. • Community engagement undertaken in line with the Statement of Community Involvement. • Sustainability Appraisal undertaken. • Carry out soundness self assessment. • Work closely with PINs.
Legal Challenge	3	3	9	<ul style="list-style-type: none"> • Ensure 2004 Act and associated regulations followed. • Implement audit trail of processes and procedures.

Table 7: Risks associated with delivery of LDS

Key to Scoring

Likelihood

1. Low
2. Significant
3. High
4. Very High

Impact

1. Low
2. Moderate
3. Serious
4. Major

Rating

- 1 - 4 Low (green)
- 5 - 9 Medium (orange)
- 10+ High (red)

5. CONTACT DETAILS

5.1 For more information on this Local Development Scheme please contact: -

Planning Policy Team
Nuneaton and Bedworth Borough Council
Town Hall
Coton Road
Nuneaton
CV11 5AA

Tel: 024 7637 6328

Email: planning.policy@nuneatonandbedworth.gov.uk.

5.2 This document, and all other documents that make up the Planning Policy Framework, can be made available to view upon request at the Town Hall reception. Please check the Council's webpages² for the latest opening times and whether appointments are required. All documents will also be available on the Council's website: www.nuneatonandbedworth.gov.uk

²

https://www.nuneatonandbedworth.gov.uk/info/20052/get_involved_with_us/271/contacting_and_visiting_us

NUNEATON AND BEDWORTH BOROUGH COUNCIL

**CONSTITUTION PART 4B.16: SPECIAL URGENCY REQUEST TO CHAIR OF
OVERVIEW & SCRUTINY PANEL**

1. This notice is a formal request about Special Urgency Decisions expected to be considered by Cabinet, individual Cabinet Members or employees where it has been impracticable either to give at least 28 clear days' notice of the intention to make the Decision.
2. The Schedule below sets out those decisions where the agreement of the Chair of the relevant Overview and Scrutiny Panel is sought that the matter for decision is urgent and cannot reasonably be deferred.
3. The proposed date of the decision set out in column 1 of the Schedule. Information about the decision-maker and the subject matter of the Decision are found in columns 2 and 3 respectively.
4. The reason(s) why the Decision is urgent and cannot reasonably be deferred is/are set out in column 4 of the Schedule. Details of the relevant Overview and Scrutiny Panel are in column 5.
5. The Chair is asked to consider the request and indicate whether he or she agrees or disagrees that the matter for decision is urgent and cannot reasonably be deferred.

Chief Executive

Dated: 14/06/2023

As Chair of Business, Regeneration and Planning OSP, I have considered the following proposed decisions:

1 Date of proposed decision	2 Details of decision- maker	3 Matter about which Key Decision to be made	4 Reason(s)why the Key Decision is urgent and cannot reasonably be deferred.	5 Relevant Overview and Scrutiny Panel
21/06/23	Cabinet	Local Development Scheme (LSD) which sets out the timescales for the Borough Plan Review.	The Local Development Scheme needs to be up to date, in the public domain and adopted prior to any public consultation on the Borough Plan Review taking place. The Regulation 19 Publication Version of the Borough Plan Review is scheduled to go to Borough Plan Committee on 12 th July and Cabinet on 26 th July with consultation to follow in September. The current Local Development Scheme sets out that the Publication Draft will be consulted on in April and therefore needs updating and adopting prior to consultation in September. The LDS needs to go to both Cabinet and Full Council and therefore to meet these meetings and not delay consultation given the summer recess, the LDS cannot be deferred to the next cabinet meeting.	Business, Regeneration and Planning OSP

I agree that the making of the decision(s) referred to above is urgent and cannot reasonably be deferred for the reasons set out in Column 4 of the Schedule.

Signed: J. Clarke

Chair of Business, Regeneration and Planning OSP

Date: 14/06/2023