

**Nuneaton and Bedworth Borough
Council**

**Local Development Scheme
December 2021**

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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 On adoption, the Borough Plan superseded the saved policies of the 2006 Nuneaton and Bedworth Local Plan.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 remain adopted Supplementary Planning Documents (SPD) and Guidance (SPG) documents providing additional information or guidance on certain matters:
- Affordable Housing SPD (2020)
 - Air Quality SPD (2020)
 - Car Parking Standards SPD (2003)
 - 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)
 - Planning for a Healthier Area – Hot Food Takeaways SPD (2020)
 - Shopfronts and Advertisements Design Guide SPG (1994)
 - Sustainable Design and Construction SPD (2020)
- 2.3 Please note that limited weight can be afforded to the 2003 Car Parking Standards SPD and the 1994 Shopfronts and Advertisements Guide SPG due to their age, however they have never been formally revoked. It is intended that that the 2003 Car Parking Standards SPD will be replaced by the emerging Transport Demand Management Matters – Parking Standards SPD.

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 Warwickshire County Council Minerals Local Plan (1995) provides the planning policies to guide future minerals development within the County. From September 2007 the following policies were saved:
- M1 Areas of Search and Preferred Areas
 - M4 Sand and Gravel Extraction in the Context of Landbanks
 - M5 Sterilisation of Mineral Reserves
 - M6 Considerations and Constraints Affecting Mineral Extraction
 - M7 Mitigation and Planning Conditions/Agreements
 - M9 Restoration of Mineral Workings

- M10 Monitoring of Mineral Sites

The Warwickshire Minerals Plan has been submitted to the Secretary of State and examination hearings took place in October 2020. If the plan is found 'sound' and subsequently adopted, it will replace the saved Minerals Local Plan (1995) policies. Further information on the Minerals Plan can be found at www.warwickshire.gov.uk/mdf.

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. Since the consultation, the Council has undertaken a 'call for sites' which will inform the Council's Housing and Economic Land Availability Assessment (HELAA). 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 will be updating, or recommissioning, evidence over the coming months. This evidence will inform a the 'Preferred Options' stage, which is scheduled for June 2022. This timetable also allows 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	October 2022	Yes
Submit to Secretary of State	February 2023	No
Examination in Public	July 2023 - September 2023	Yes
Receipt of Inspector's Report	Jan 2024	No
Adoption	Feb 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	July 2022	No
Examination in Public	Nov 2022 – Dec 2022	Yes
Receipt of Inspector's Report	Jan 2023	No
Adoption	Feb 2023 (subject to no 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)
 - Transport Demand Management Matters – Parking Standards SPD (due for adoption in early 2022)
 - Conservation Area Appraisal and Management Plan SPDs (due for adoption in early 2022)
 - Heritage SPD
 - HSG2 Arbury Design Code 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.

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

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 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