

Swindon Borough Council

Swindon Borough Local Development Scheme (10th Review)

**Swindon Borough Council's programme for the preparation of
Local Development Documents**

September 2020

Contents

| | Page |
|--|-------------|
| Introduction | 2 |
| Existing Development Plan Documents | 3 |
| Future Development Plan Documents | 5 |
| Local Planning Guidance Documents | 9 |
| Other Planning Documents | 12 |
| Supporting Information | 13 |
| Appendix 1 – Glossary | 15 |
| Appendix 2 - Local Plan Review Production Risk Assessment | 17 |

Introduction

1. A Local Development Scheme (LDS) is required to be prepared by Swindon Borough Council (the Council) under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
2. The LDS must specify (among other matters) the documents which, when prepared, will comprise the Development Plan for the area. It must be made available publically and kept up-to-date. It is important that local communities and interested parties can keep track of progress.
3. The LDS sets out the timetable for the production of Development Plan Documents (DPDs) which comprise the Development Plan for the Borough, including the Local Plan, and sets out the key production and public consultation stages of DPDs. This enables the community, businesses, developers, service and infrastructure providers and other interested organisations to know which DPDs are to be prepared for the area and when they will be able to participate¹.
4. This LDS provides information about the preparation of the Swindon Borough Local Plan 2036 and related documents which will replace the Local Plan 2026 (adopted in 2015). The LDS takes into account ongoing joint working with Wiltshire Council.
5. Further documents will be added to the LDS programme as the need for them becomes apparent and resources allow.
6. The LDS is not in itself a planning policy; instead, it sets out what work will be undertaken to review existing planning policies and produce new ones for the future.
7. The Authority Monitoring Report produced by the Council will review the implementation of the LDS.
8. This LDS replaces the previous LDS published in March 2019. Changes to the LDS, since the last version was published, have been made as result of revision of the timetable for production of the Swindon Local Plan Review following public consultation. In particular:
 - the introduction of a 'standard methodology' for calculating local housing need based on population projections and local affordability ratios (house price to income);
 - this local housing need is to be expressed as a single authority housing requirement replacing the previous approach to calculate local housing need on the basis of housing market areas;

¹ Public consultations will continue to be advertised and stakeholders notified when important documents are published for public consultation, in accordance with the Statement of Community Involvement which is available here:

https://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/641/statement_of_community_involvement

- Statements of Common Ground with neighbouring local planning authorities are to become live documents which identify the strategic cross boundary matters being addressed through the plan making process;

Development Plan Documents

9. Development Plan Documents (DPDs) contain policies for the use, protection and/or development of land, usually including the allocation of land for development. These must be in general conformity with government guidance, in particular the revised National Planning Policy Framework (NPPF) 2018.
10. Together the DPDs for an area form the Development Plan for that Local Planning Authority. Section 38(6) of the Planning and Compensation Act states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
11. Foremost of the DPDs in an area is the **Local Plan**, which sets out local planning policies and identifies how land is used, determining what will be built where. A Local Plan may be a single document or a suite of Development Plan Documents (which can cover specific policy matters or specific geographical areas).
12. For a unitary authority, such as Swindon Borough, the Council has the responsibility for producing **Minerals and Waste Local Plans**. These have been produced jointly with Wiltshire Council.
13. **Neighbourhood Plans** are not compulsory. However, when duly prepared they are a statutory document that forms part of the development plan. In parished areas these are prepared by a town or parish council or councils. Neighbourhood Plans must be in general conformity with the adopted Local Plan.

Existing Development Plan Documents

14. The statutory development plan is the set of DPDs that together form the statutory basis for determining planning applications in Swindon Borough. The development plan comprises both DPDs prepared by Swindon Borough Council as local planning authority and made (adopted) Neighbourhood Plans prepared by Parish and Town Councils within Swindon.
15. On publication of this LDS, the statutory development plan for the Council comprises:

Table 1 – Swindon Borough Development Plan

| Document | Notes |
|---------------------------------|---|
| Swindon Borough Local Plan 2026 | Adopted March 2015. Sets out the spatial vision, objectives and strategy for the spatial development of Swindon and policies and allocations to deliver the vision over the period to 2026. |

| Document | Notes |
|---|--|
| Swindon Central Area Action Plan | Adopted February 2009. Amended by the Local Plan 2026. Encompasses the Town Centre, the Railway Village, the historic Great Western Railway Works, North Star, Old Town and surrounding residential areas. |
| Wiltshire and Swindon Minerals Core Strategy | Adopted July 2009. Sets out the spatial vision, strategic objectives and strategy covering minerals provision up to 2026 including the strategic policies and proposals to deliver the vision. |
| Wiltshire and Swindon Minerals Development Control Policies DPD | Adopted September 2009. Sets out generic policies to assist in determining planning applications for minerals development up to 2026. |
| Wiltshire and Swindon Minerals Site Allocations DPD | Adopted December 2012. Identifies land for future mineral (aggregates) working and aggregate recycling facilities up to 2026 in accordance with the Swindon and Wiltshire Minerals Core Strategy. |
| Wiltshire and Swindon Waste Core Strategy | Adopted July 2009. Sets out the spatial vision, strategic objectives and strategy covering waste provision up to 2026 including the strategic policies and proposals to deliver the vision. |
| Wiltshire and Swindon Waste Development Control Policies DPD | Adopted September 2009. Sets out generic policies to assist in determining planning applications for waste development up to 2026. |
| Wiltshire and Swindon Waste Site Allocations DPD | Adopted November 2012. Identifies land for future waste management facilities and aggregate recycling facilities up to 2026 in accordance with the Swindon and Wiltshire Waste Core Strategy. |
| Wiltshire and Swindon Minerals Local Plan 2001 | Adopted November 2001. One policy (Policy 35 Preferred Areas for Sharp Sand and Gravel) continues to be saved. |
| Wroughton Neighbourhood Plan | Made July 2016. |
| Highworth Neighbourhood Plan | Made July 2017. |
| South Marston Village Neighbourhood Plan | Made November 2017 |
| Hannington Parish Neighbourhood Plan | Made November 2018 |

16. In addition, two further Neighbourhood Plans are awaiting referendum:
 - a. Blunsdon East Neighbourhood Plan
 - b. Stratton St Margaret Neighbourhood Plan
17. Accompanying the Development Plan is the Swindon Borough Policies Map which is a geographical representation of the policies on an Ordnance Survey base.

Future Development Plan Documents

18. The Council is working on a review of its Local Plan and associated Development Plan Documents.

Swindon Borough Local Plan – Review (2036)

19. In accord with the recommendations in the Local Plan 2026 Inspector's Report, the Council's priority is to review the Local Plan, providing a new strategic context for development up to 2036. It will determine the level and direction for future growth. It will include the allocation of a range sites to meet the identified need, a review of existing development management policies, and strategic guidance for the production of future neighbourhood plans.
20. The following table sets out the content, coverage and timetable for the preparation of the Local Plan 2036 (the timetable is also illustrated in Figure 1 below).

| Swindon Borough Local Plan Review (2016-2036) | |
|---|--|
| Role and subject | <p>This document will set out the overall development strategy for the period 2016 to 2036 for Swindon Borough. It will include strategic policies as well as locations for housing (including market, affordable, self- build, specialist and gypsy and traveller accommodation), employment sites and the identification of key supporting infrastructure.</p> <p>It will not be the purpose of the review to change or remove strategic objectives or policies that remain in accordance with national policy and support the delivery of sustainable development.</p> <p>The review will also include updating existing Local Plan development management policies to ensure their continued consistency with national policy and relevance to the development strategy.</p> |
| Geographical coverage | Swindon Borough |
| Document type/status | Development plan document |
| Chain of conformity | National policy |
| Replaces | Swindon Borough Local Plan 2026, Swindon Central Area Action Plan (2009) |
| Timetable – Key Stage | |
| Public consultation on scope & issues (Regulation 18) | Commenced Nov 2017 |
| Public consultation on Preferred Options (Regulation 18) | Commenced July 2019 |
| Public Consultation on Pre-submission (Regulation 19) | Commenced December 2019 |
| Public Consultation on Revised Pre-submission (2 nd Regulation 19) | June 2021 |
| Submission to Secretary of State (Regulation 22) | October 2021 |
| Examination in Public (Regulation 24) | Q1 2022 |
| Inspector's Report (Regulation 25) | Q2 2022 |
| Adoption (Regulation 26) | Q3 2022 |

(Regulation references taken from The Town and Country Planning (Local Planning) (England) Regulations 2012)

Note: The above shows the quarter that public consultation will commence, however the consultation period may run over into the subsequent quarter. The standard period for consultation is 6 weeks, but this may be extended over holiday periods.

21. The key milestone is the point at which the document is submitted to the Secretary of State and/or examination. Full Council is required to approve the DPD for submission and finally adopt the plan as per the Council constitution.

Swindon and Wiltshire Joint Working

22. In accordance with Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) local authorities must engage constructively, actively and on an ongoing basis in any process by means of which development plan documents are prepared. This is termed the 'duty to cooperate'. It states that cooperation should take account of the most appropriate functional geographies, which would include housing market areas (HMAs) and functional economic market areas (FEMAs). This provided the momentum for joint working with Wiltshire and the proposed Joint Spatial Framework (see below).
23. NPPF2018 now requires local authorities to "maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these". National Planning Practice Guidance outlines what a statement of common ground should contain and explains that it should be "maintained on an on-going basis throughout the plan making process".
24. A statement of common ground can identify matters that are agreed, yet to be agreed, or further information that is required before matters can be agreed. It will identify those areas where cooperation is required to deliver the strategic policies of both authorities. To this extent it will cover many of the elements previously intended to be included within the Swindon and Wiltshire Joint Spatial Framework as detailed in the previous LDS (2017).
25. A Statement of Common Ground will therefore be prepared between Wiltshire and Swindon to confirm the extent of joint working between the two authorities, including:
 - whether the proposed housing requirements for Swindon Borough Council and Wiltshire Council can be accommodated within each authority's boundaries and if not the extent of the shortfall in provision.
 - whether the proposed employment land requirement identified in the Swindon and Wiltshire Functional Economic Market Assessment can be accommodated within each authority's boundaries and if not the extent of the shortfall in provision, and
 - whether there are other cross boundary strategic issues that should be addressed through joint working including infrastructure provision to support growth.
26. The Statement of Common Ground should be subject to ongoing review. The scope of the Joint Spatial Framework will be determined by the Statement of Common Ground. It may be reduced in scope compared to that previously

proposed, for example, it may focus on employment land and infrastructure delivery.

Minerals and Waste Development Plan Documents

27. As unitary authorities, both Swindon Borough Council and Wiltshire Council are the local planning authority responsible for minerals and waste. Each Council is the designated Mineral Planning Authority (MPA) and Waste Planning Authority (WPA) for its respective administrative area and has, among other duties, responsibility for preparing, monitoring and reviewing a Minerals and/or Waste Local Plan (previously referred to as Development Plan Documents).
28. As outlined in Table 1, Wiltshire Council and Swindon Borough Council have, historically, collaborated successfully in the preparation and adoption of a complete set of Minerals and Waste Development Plan Documents. These plans are being implemented and monitored through the Annual Monitoring Report (AMR) process.
29. A review has been undertaken to determine whether it is necessary to update the Minerals and Waste DPDs, taking into consideration changes to local circumstances and national policy that have occurred since the DPDs were adopted.
30. The evaluation of the Minerals and Waste DPDs has identified several policies that are either partially inconsistent or inconsistent with the NPPF (or NPPW). In particular, policies that relate to the provision to be made for the supply of minerals or capacity to meet waste management needs are based on an evidence base that is outdated either by passage of time or changes to the plan-making system and planning practice. Consequently, there is a requirement to review the DPDs in full.
31. A programme for the full update of the minerals and/or waste plans will therefore need to be developed for a subsequent iteration of the two authorities respective Local Development Schemes. Consideration will need to be given to the nature of joint working between the two authorities, which in turn will be reflected in the Statement of Common Ground.

Development Plan Documents Prepared by Others

32. At the time of writing a number of **Neighbourhood Plans** are being prepared in Swindon Borough. They are prepared in a timescale that is set by the parish councils, not the Council, and therefore the timetable for their preparation is not contained within this LDS. The following Neighbourhood Plans are currently in preparation (stage reached):
 - Blunsdon St Andrew - East (awaiting referendum)
 - Stratton St Margaret (awaiting referendum)

Local Planning Guidance Documents

Existing local planning guidance documents

33. **Supplementary Planning Documents (SPDs)** are not part of the statutory Development Plan but provide additional guidance on matters covered by Development Plan Documents. They are not subject to independent examination but have significant material weight in the determination of planning applications. The preparation of Supplementary Planning Documents involves evidence gathering, an initial draft and public consultation. They may be subject to Sustainability Appraisal. On publication of this LDS the adopted Swindon Borough SPDs are:
- **Residential Extensions and Alterations SPD.** This SPD amplifies Policy DE1 of the adopted Swindon Borough Local Plan 2026 by providing detailed guidance to assist in achieving high quality development and protect amenity.
 - **Inclusive Design Access for All SPD.** This SPD amplifies Policy DE1 of the adopted Swindon Borough Local Plan 2026 by providing guidance to assist in achieving high quality and inclusive design for all development; including individual buildings, public and private spaces.
 - **Swindon Residential Design Guide SPD.** The purpose of this SPD is to expand upon Policy DE1: High Quality Design (Swindon Borough Local Plan 2026) and to assist with implementation of this policy in accordance with the National Planning Policy Framework (NPPF). The SPD builds on previous guidance to provide a clear set of principles and guidelines to ensure high quality design, and to shape new development in line with the Council's Strategic Planning Objectives on Design Quality, the placemaking ambitions within the Borough's Corporate vision and in accordance with the core principles of the NPPF.
 - **Swindon Design Guide.** The Design Guide covers all aspects of design focusing on specific types of development and specific areas.
 - **Shopfronts Coding Guidance.** The Shopfronts Coding Guidance Note will be applied whenever planning consent is required for a new or amended shopfront.
 - **New Eastern Villages Planning Obligations SPD.** This SPD sets out Swindon Borough Council's approach to securing, by planning obligations, the infrastructure required as a consequence of developments in the New Eastern Villages. The approach detailed seeks to achieve the effective delivery of infrastructure to enable sustainable growth at the New Eastern Villages to ensure the right infrastructure is delivered in the right place, at the right time. The SPD provides more detailed advice and guidance on Local Plan Policies IN1 (Infrastructure Provision), SD3 (Development Management), NC3 (New Eastern Villages) and RA3 (South Marston).

- **New Eastern Villages Framework Travel Plan SPD.** This SPD sets out Swindon Borough Council's approach to securing the travel plan measures required by planning obligations as a consequence of development at the New Eastern Villages. The approach detailed within the SPD seeks to achieve the effective delivery of residential, workplace and educational travel plans to enable sustainable growth at the New Eastern Villages, and to ensure the correct supporting transport infrastructure is delivered in the right place, at the right time.
 - **New Eastern Villages Sustainable Drainage Systems (SuDS) Vision SPD.** To ensure a cohesive approach to SuDS across the New Eastern Villages development, this SPD has been produced to inform pre-application discussions and assist with the formulation of masterplans. It also provides guidance on effective design solutions for SuDS schemes to encourage current planning applications to create high-quality sustainable communities.
 - **New Eastern Villages Island Bridge Vision SPD.** This SPD sets out the vision for a cohesive network between the development islands at the New Eastern Villages where not already provided by developers. It has been produced to inform pre-application discussions and assist with the formulation of masterplans. Finally the document sets out the principles of design for the bridge structures as well as Environment Agency minimum technical requirements.
 - **New Eastern Villages (NEV) Green Infrastructure SPD.** This SPD seeks to provide a framework to ensure the delivery of an integrated and connected green infrastructure network and green spaces at the New Eastern Villages to support an environment where safe, healthy communities can be created. The document sets out the strengths and opportunities for a range of green infrastructure typologies that should be secured throughout the New Eastern Villages. Finally the SPD provides guidance on the delivery of strategic green infrastructure for each village to assist with formulation of masterplans for developers.
 - **Travel Plans SPD.** This provides a guide for developers in Swindon for the delivery of sustainable transport objectives.
34. The Council also has adopted a number of other Local Planning Policy Documents which are also not part of the statutory Development but provide additional guidance. On publication of this LDS these are:
- **Affordable Housing Development Control Guidance Note.** This statement sets out the Council's position for adopted guidance that underpins Policy HA2: Affordable Housing in the adopted Swindon Borough Local Plan 2026. This is to be used as a material consideration to the determination of relevant planning applications.
 - **Archaeology Supplementary Planning Guidance (SPG).** This SPG provides guidance to developers, architects, agents and landowners where their development proposals impact on archaeological remains.

- **Buildings of Significant Local interest SPG.** This SPG sets out the criteria for assessing proposals affecting buildings of significant local interest).
- **Community Forest SPG.** This SPG seeks to ensure that, where applicable, the aims and objectives of the Community Forest are incorporated into development proposals.
- **Conservation Areas SPG.** This SPG provides the background to the designation of the Borough's conservation areas and to list the architectural, historic and environmental elements that have formed the framework for the Council's Conservation Area Appraisals.
- **Landscape Character Areas SPG.** This SPG provides guidance on the characteristics of each of the Borough's Landscape Character Areas that should be addressed when considering development proposals within them.
- **Listed Buildings SPG.** This SPG provides advice on the repair and alteration of listed buildings, including the use of appropriate materials, and the detailed design of individual features.
- **Noise and Residential Development SPG.** This SPG provides advice for developers to assist in protecting future occupiers of residential development from noise sources.
- **Open space and new housing development SPG.** This SPG provides guidance on open space and new housing development.
- **Tree Protection On Development Sites SPG.** This SPG provides guidance in respect of the preservation of appropriate trees within development schemes.
- **Guidance Note on Nature Conservation.**
- **Swindon Borough Parking Standards.**
- **Street Trading and Ancillary Retail Kiosks' Design Management Guidance Note (DMGN).** (This complements the existing policy documents, which relate to town centre regeneration, as well as providing more detail of the specifics of street trading - with the overall aim of working towards a more inviting town centre).

Future local planning guidance documents

35. The following Supplementary Planning Documents are being or will be prepared:
- Revised Parking Standards (*Awaiting adoption – Q3 2020*)
 - Swindon's Railway Conservation Area Appraisal and Management Plan - Consultation Q3 2020
 - Local Heritage Assets SPD (*TBC*)
 - Local Heritage Assets at Risk SPD (*TBC*)

- Other Conservation Appraisals Review (*TBC*)

Other Planning Documents

Local Development Orders

36. **Local Development Orders** (LDOs) are made by local planning authorities and give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a local planning authority. They create certainty and save time and money for those involved in the planning process. On publication of this LDS the adopted Swindon Borough LDOs are:
- Local Development Orders in support of a low carbon Swindon covering the following elements:
 1. Non-domestic air source heat pumps and district heating installations (this LDO applies Boroughwide)
 2. Hydrogen and electric car fuelling installations (this LDO applies on multiple sites)
 3. Pre-identified sites for solar arrays and solar farms (this LDO applies on multiple sites)
 - Local development orders for employment sites at:
 - Blagrove Business Park
 - BMW Plant Swindon
 - Dorcan Industrial Estate
 - Groundwell Industrial Estate
 - Honda Plant Swindon
 - Keypoint
 - South Marston Industrial Estate
 - Local development order for Victoria Road. (An LDO has been prepared for the Victoria Road area to complement the redevelopment scheme being advanced at the College Site in helping deliver the regeneration of the wider Victoria Road/Regent Circus area).
 - Local development order for house extensions. (The House Extensions LDO applies to rear house extension planning applications in the Borough that are deemed low impact and in compliance with the Council's house extensions planning guidance. The LDO extends "Permitted Development" rights for qualifying rear house extensions. The LDO does not remove any of the nationally set "Permitted Development" rights).

- Local development orders to deliver assisted living bungalows. (The Council has adopted Local Development Orders to help deliver assisted living bungalows on the following sites:
 - Land at end of Linden Avenue/Sycamore Grove, Pinehurst
 - Land behind Bembridge Close/Beaufort Green, Park North

Infrastructure Delivery Plan

37. An update of the Infrastructure Delivery Plan will be made to provide up-to-date guidance on the infrastructure required to support planned development and as part of the Local Plan Review.

Community Infrastructure Charging Schedule

38. The Community Infrastructure Levy (CIL) Charging Schedule will be reviewed in line with the review of the Local Plan, or the monitoring process indicates an earlier review, or as a response to legislative changes. CIL charging schedules are not formally part of the relevant Plan, but charging schedules and relevant plans should inform and be generally consistent with each other. The process for preparing a CIL Charging Schedule is similar to that which applies to the Local Plan. Guidance on the CIL is available on the Planning Practice Guidance website: <https://www.gov.uk/guidance/community-infrastructure-levy>. The Section 106 Planning Obligations Supplementary Planning Document will be reviewed in line with the CIL review.

Statement of Community Involvement

39. The Statement of Community Involvement (SCI) was updated in February 2019 and sets out the way we communicate with our businesses and communities on the preparation of planning documents and the determination of planning applications.

Authority Monitoring Report

40. Local planning authorities are required to prepare and publish an Authority Monitoring Report (AMR) on the progress of their development plans. It is anticipated that the Council will produce an AMR every 12 months and that this will be made available to the public on the Council's website. The AMR is not subject to public consultation.

Supporting Information

Duty to Co-operate in the preparation of development plan documents

41. Throughout the preparation of the Local Plan Review process the Council will exercise its duty to co-operate with neighbouring authorities, focusing on the key cross boundary and strategic issues highlighted by the evidence base.

42. The duty to co-operate was introduced through the Localism Act 2011 and requires councils and public bodies to 'engage constructively, actively and on an ongoing basis' in the preparation of Local Plan documents, including in the preparation of evidence to underpin these documents. The duty relates to sustainable development or use of land that has a significant impact on at least two local planning areas. Issues that may not be able to be wholly addressed by one local planning authority working alone are set in paragraph 25 in the NPPF.
43. The NPPF states that Local Authorities should consider producing joint planning policies to address some of these strategic matters, as well as informal strategies such as joint infrastructure and investment plans. A joint approach will not be required where an issue can be addressed adequately within one administrative boundary. When compiling its scheme of work, the council considers and discusses with neighbouring authorities whether production of joint documents is a sensible course of action, such as with minerals and waste planning. The decisions of such considerations will be carefully recorded, clear justification by way of an explanation of the strategic context behind the course of action taken will be set out and, where necessary, a memorandum of understanding between the bodies published.

Risk assessment

44. Risk assessment will be undertaken during the LDS period by senior managers and will consider mitigation and contingency measures that may need to be implemented in order to ensure that sound DPDs are prepared and developed in a timely manner. Significant risks that have been identified include:
 - failure to secure consensus with members leading to key milestones being missed
 - changes to legislation and regulations delaying the plan making process
 - lack of an appropriate and up-to-date evidence base
 - insufficient resources (financial and staff) at critical points in the process

A more detailed risk assessment for the Local Plan Review is included at Appendix 2.

Appendix 1 - GLOSSARY

A guide to the terminology used in this document

Authority Monitoring Report (AMR) - A report on how the council is performing in terms of the Local Development Framework. It includes a review of the Local Development Scheme's timetable and monitors the success of development plan document policies.

Community Infrastructure Levy (CIL) - A charge levied by the council on new development to fund the provision of infrastructure and wider community benefits. In order to charge the levy, the council must have an adopted CIL Charging Schedule. As of April 2015 when the CIL Charging Schedule became effective, CIL is the primary mechanism for securing financial contributions from developers.

Community Infrastructure Levy Charging Schedule - A document that sets out the council's charges on development to provide funds to support the delivery of infrastructure. The Charging Schedule must be based upon a robust evidence base (linked to the Infrastructure Delivery Plan and robust viability assessments) and subjected to meaningful consultation. The Schedule is examined by an independently appointed assessor (generally the Planning Inspectorate); and if found sound, the council can then charge CIL. Swindon Borough's CIL Charging Schedule became effective in April 2015.

Development Plan Document (DPD) - A document setting out the council's planning policies and proposals. They are subject to community involvement, consultation and independent examination. A sustainability appraisal is required for each development plan document.

Gypsy and Traveller Accommodation Assessment (GTAA) - An assessment of the accommodation needs of gypsies and travellers.

Local Development Document (LDD) - The documents that set out planning policies for specific topics or areas, which make up the Local Development Framework.

Local Development Scheme (LDS) - A timetable for the preparation of local development documents.

Local Plan - A Development Plan Document setting out the spatial vision and strategic objectives of the planning framework for an area.

National Planning Policy Framework - The National Planning Policy Framework was published on 27 March 2012 and revised in July 2018. The framework gives guidance to

local councils in drawing up local plans and on making decisions on planning applications. This is a key part of the government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

Neighbourhood Planning - The Localism Act, which received Royal Assent on 15 November 2011, introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans.

Sustainability Appraisal (SA) - This is required under national legislation for development plan documents and include consideration of social and economic impacts as well as impacts on the environment. Sustainability Appraisals are designed to incorporate the Strategic Environmental Assessment process (see below).

Statement of Community Involvement (SCI) - This is a document which sets out how the council will consult and involve the public at every stage in the production of the Local Development Framework. It also applies to major development control applications. The SCI is not a development plan document.

Strategic Environmental Assessment (SEA) - An appraisal of the impacts of policies and proposals on economic, social and environmental issues, required by European legislation.

Supplementary Planning Document (SPD) - A Local Development Document which provides additional advice and information relating to specific policy or proposals in a Development Plan Document.

Appendix 2 - Local Plan Review Production Risk Assessment

| Risk | Likelihood | Impact | Score | Response / Mitigation |
|---|-------------------|---------------|-----------------------|--|
| <p>Staff resources, including Planning Policy team absences (e.g. sickness) reducing capacity, affecting delivery timescales.</p> <p>Other workload that the Policy team may be required to accommodate which is not directly related to the Local Plan but which would divert resources away from core work activity. There may be issues in resourcing supporting staff input from other teams within the Council including transport, drainage or conservation.</p> | 2 (Medium) | 2 (Medium) | 4 (Medium) | <p>Every effort will be made to rationalise workloads and to make use of staff in other sections where their skills are appropriate to the task, notably development management, housing and highways. Close working with management/portfolio holder will ensure that non-essential work streams are minimised to keep the team to programme. Specific studies will be undertaken by external specialist consultants where necessary. Short term contracts will be considered where appropriate, together with secondments with neighbouring authorities. Early engagement with other teams within the Council will take place to agree the requirement for their involvement in the project.</p> |
| <p>Availability of the Planning Inspectorate (PINS) for joint/concurrent examination. Once the Local Plan is submitted, its progress is heavily dependent on the ability of the Planning Inspectorate to provide the resources required. The timetable for the preparation and adoption of Local Plans depends on the capacity of the Planning Inspectorate to undertake examinations at the appropriate time. This risk is increased for conjoined examinations.</p> | 1 (Low) | 2 (Medium) | 2 (Low) | <p>Every effort will be made to seek early confirmation from PINS that the proposed timings are acceptable. Officers will liaise with PINS on the timetable and provide them with early notification of when the Councils intend to submit.</p> |

| Risk | Likelihood | Impact | Score | Response / Mitigation |
|---|-------------------|---------------|-----------------------|---|
| Changing national policy, guidance and evidence. Changes to national planning policy, guidance or legislation can generate new issues or produce additional, unforeseen requirements. Such changes could potentially impact on deadlines, or force the Councils to revisit evidence or re-consult on changes made to the plan. | 3 (High) | 2 (Medium) | 6 (High) | The Council will ensure officers keep up-to-date with emerging changes and the latest national guidance and best practice, revising the Local Plan timetable if necessary, and ensuring adequate budgetary provision for consultancy support if required. External support may be used to deliver new work or evidence base addendums if required. |
| New data becoming available. Unexpected or unknown issues arising during the preparation of the evidence base, plan preparation or sustainability appraisal could have implications for the plan reviews, in particular the spatial strategy. Evidence will need to be as up to date as reasonably possible. | 2 (Medium) | 2 (Medium) | 4 (Medium) | Evidence may need to be amended if significant new data becomes available, taking a proportionate approach. Only significant changes in official government projections should justify changes to the strategy, though some tweaks to policy may be necessary. Parts of the previous Local Plan/Core Strategy evidence base may require a refresh to update existing information and ensure it remains fit for purpose. The policy team will mitigate this situation by undertaking an evidence base audit and project managing across the various evidence base disciplines to ensure that new information is disseminated as it becomes available. Officers and/or consultants will produce evidence base updates or addendums where necessary. Consultation windows will be used as an opportunity for interested parties to raise their concerns, frontloading issues at an early stage of plan-making, providing the Councils with the opportunity to accommodate changes or rebut criticisms where necessary. |

| Risk | Likelihood | Impact | Score | Response / Mitigation |
|--|--------------------|-----------------------|------------------------------|---|
| <p>Failure to meet the tests of soundness and legal compliance. All proposals and policies need to be justified to be found sound. There are also legal requirements relating to the duty to cooperate, Sustainability Appraisal and Habitats Regulations Assessment.</p> | <p>1 (Low)</p> | <p>3 (High)</p> | <p>3 (Medium)</p> | <p>Officers will attend relevant training or seminars on best practice, as well as maintaining a dialogue with the Planning Inspectorate and neighbouring authorities and other partners under the duty to cooperate. Consultants appointed to undertake specific studies will be required to ensure their work accords with national policy and guidance. All evidence will be robust and officers will make use of the Planning Advisory Service soundness and legal self-assessment toolkit, including commissioning critical friend support where necessary. Officers will follow the NPPF and Planning Practice Guidance and adhere to all applicable legislation.</p> |
| <p>Funding for evidence. Resources are not available to commission specific evidence base work.</p> | <p>1 (Low)</p> | <p>2 (Medium)</p> | <p>2 (Low)</p> | <p>Officers will undertake an evidence base audit identifying the evidence base documents that need to be refreshed or commissioned, and will cross-reference these to the skills, experience and resources available within the Councils. This will result in the efficient use of consultants only where absolutely necessary due to a lack of internal expertise or capacity. For joint working, costs will be shared by the two Councils which should lead to efficiencies and economies of scale.</p> |

| Risk | Likelihood | Impact | Score | Response / Mitigation |
|---|-------------------|---------------|--------------------|---|
| Consultants not delivering within agreed timescales. Additional costs could also be incurred for out-of-scope work. This could result in delays to plan-making. | 1 (Low) | 2 (Medium) | 2 (Low) | Timescales and expectations will be made clear to consultants within the project brief and reinforced at inception. Experience within the policy team of preparing briefs and managing consultants will minimise slippage. Should slippage begin to occur, the problem will be identified quickly and the consultants engaged with to find a solution. |
| Cooperation with other external bodies. Plan making requires cooperation, consultation and engagement with external bodies. The Duty to Cooperate needs to be met throughout the plan-making process and before Examination in Public takes place. Failure on the part of external bodies to respond in time or to provide adequate responses (requiring subsequent clarification) could cause significant delay to work programmes. | 1 (Low) | 2 (Medium) | 2 (Low) | Officers will identify all relevant Duty to Cooperate partners and maintain an ongoing dialogue with them to ensure the duty to cooperate is met, recording meetings and the outcome of those meetings in a standard template. For joint working on evidence, clear working arrangements with other bodies will be required with strong programme management. |

| Risk | Likelihood | Impact | Score | Response / Mitigation |
|---|-------------------|---------------|--------------------|---|
| <p>Difficulties in working with Infrastructure providers within our timescales. Infrastructure providers may have different priorities in terms of resource deployment leading to uncertainty about infrastructure requirements. Development planned through the Local Plan could have significant impacts on infrastructure requirements. If proposed allocations change late in the plan process it may be difficult to adjust infrastructure plans in time.</p> | 1 (Low) | 2 (Medium) | 2 (Low) | Officers will aim to provide clarity on the quantum and location of development to infrastructure providers as early in the plan-making process as possible so that they can identify infrastructure constraints and requirements. Ongoing liaison with infrastructure providers and developers will take place. |
| <p>Large number of representations received during consultation periods. Logging and responding to a large number of representations could generate a significant amount of work, affecting resourcing of other projects and inputs into the Local Plan-making process.</p> | 2 (Medium) | 1 (Low) | 2 (Low) | The Councils will procure and make use on-line consultation response system to automate the processing of consultation responses as far as possible. Representations that are not submitted through the online system (e.g. by email or letter) will have to be manually entered, which is a time consuming task. Depending on the number of non-electronic comments received it may be necessary to bring in other staff, or temporary assistance, to record these comments. |
| <p>Delays resulting from a legal challenge. A legal challenge to the Local Plan and the process for its development is a possibility given the possibility of significant public and/or developer opposition. The impact of this on the timetable could be significant if the challenge has substance.</p> | 1 (Low) | 2 (Medium) | 2 (Low) | Officers will follow the Planning Practice Guidance and PAS Plan Making Manual to ensure compliance with legal requirements and that risk of challenge is minimised. Officers will seek advice and assistance from Legal where necessary. |

| Risk | Likelihood | Impact | Score | Response / Mitigation |
|--|-------------------|---------------|-----------------------|--|
| Lack of political consensus or not making decisions in a timely way. Given the significant public interest in the local plan elected members may feel they are no in a position to make a decision. | 2 (Medium) | 3 (High) | 6 (High) | Close working with management/portfolio holder/Joint Working Group/Leaders Advisory Group will be required to ensure that the decision-makers are aware of the evidence, issues and options for the Local plan and what the impacts would likely be, in order to enable them to make an informed decision. Where agreement cannot be achieved there may be a need for further consultation or evidence gathering to recommend a way forward. |
| Late changes to proposals. There are a number of factors that could result in changes to the plan's proposals at a time which could result in delay. These factors include change of political direction, viability of infrastructure, development proposals and applications and impacts of plans being prepared by neighbouring authorities. A clear and early strategic steer on growth levels is needed to enable the plan to be developed to timetable (e.g. planning for infrastructure). | 2 (Medium) | 2 (Medium) | 4 (Medium) | Early involvement of members through the Joint Working Group, Joint Strategic Economic Committee, Leaders Advisory Group and Cabinet will be required in confirming growth levels to be planned for and location of development. Ensuring that the evidence base is robust and capturing the views of duty to cooperate partners will assist in creating a sound footing and certainty for plan-making. |
| Submission of appeals on strategic greenfield development sites leading to team members dedicating time to support the preparation of appeal statements, proofs of evidence, additional evidence gathering, preparation for and attendance at hearings/public inquiries. | 3 (Medium) | 2 (Medium) | 6 (Medium) | Officer time will be managed effectively. If necessary, external support could be used to represent the Council at appeal to limit the impact on plan-making work. |

| Risk | Likelihood | Impact | Score | Response / Mitigation |
|---|--------------------|-----------------------|---------------------------|--|
| <p>Ensuring that infrastructure provision is viable and agreeing a complementary approach to CIL/S106. Depending on the spatial strategy chosen there is the potential for the need for infrastructure to be provided across LPA boundaries. The two Councils currently operate separate CIL charging schedules which may need to be aligned, whilst S106 pooling restrictions affect the deliverability of infrastructure where numerous sites come forward together. The viability of sites will need to be assessed to ensure that infrastructure provision is deliverable.</p> | <p>1 (Low)</p> | <p>2 (Medium)</p> | <p>2 (Low)</p> | <p>Complete CIL/S106 viability work early in process. Commence discussions with infrastructure providers early to assess requirements and potential costs. Prioritise essential infrastructure requirements as necessary. Encourage land pooling where necessary to avoid S106 pooling restriction issues.</p> |