



Eastleigh House
Upper Market Street
Eastleigh SO50 9YN

21 September 2016

CABINET

Tuesday, 27 September 2016

SUPPLEMENTARY PAPERS ENCLOSED

Item 3. Local Development Scheme for 2011-2036 Local Plan (Pages 1 - 18)

TO: Councillors House, Winstanley, Airey, A Broadhurst, Craig, Kyrle, Pretty and Sollitt

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CABINET

27 September 2016

LOCAL DEVELOPMENT SCHEME FOR 2011-2036 LOCAL PLAN

Report of the Planning Policy and implementation Manager

RECOMMENDATIONS

It is recommended that the Local Development Scheme attached at Appendix 1 be adopted and brought into effect immediately.

Summary

For the Local Plan to be found sound, it must be prepared in accordance with the Council's Local Development Scheme (LDS). The borough's most recent LDS (the programme for preparing a Local Plan) was last updated in April 2015. Following the identification of further work through the Issues and Options consultation a new LDS is therefore required to provide the future programme for preparing this document. The new LDS is attached at Appendix 1 to this report.

Statutory Powers

Planning and Compulsory Purchase Act 2004

Planning Act 2008

Localism Act 2011

Town and Country Planning (Local Planning) (England) Regulations 2012

Introduction

1. It is a legislative requirement and part of the tests of soundness that a Local Plan is prepared in accordance with the Council's Local Development Scheme (LDS). A local planning authority must set out the timetable for producing or reviewing its Local Plan in its LDS.
2. An LDS was most recently prepared in April 2015. The LDS must be made available public and kept up-to-date. It is therefore necessary to prepare a new updated LDS to provide the timetable for this continued work.

Local Development Scheme (LDS)

3. This new LDS sets out the intended programme for the continued preparation of the Eastleigh Borough Local Plan 2011-2036.
4. In accordance with the previous LDS (April 2015) the Council undertook consultation on strategic issues and options for broad development areas in December 2015-February 2016.
5. The consultation responses and key findings were reported to Members and noted at the Cabinet meeting of 16 June 2016. It was reported that the Local Plan timetable will require an update as a result of the consultation responses and the requirement to commission additional evidence base work to support the options for housing and employment development in the borough.
6. The report on the way forward for the Local Plan considered by Cabinet and Council in July 2016 identified a range of evidence required to support the Plan, including -
 - An analysis of gaps to address the settlement pattern in the borough;
 - A landscape sensitivity assessment;
 - Further work on transport modelling and deliverable transport improvements;
 - An assessment of the ecological and environmental impacts of new development;
 - The impacts of Starter Homes and other factors on the housing strategy for this borough;
 - Work on the viability of development;
 - A full Infrastructure Delivery Plan identifying the infrastructure needed to support delivery of the Plan and the mechanism for securing its delivery;
 - Investigating environmental limits of development in this borough, including the capacity of waste water treatment works; and
 - An assessment of the green infrastructure of the borough to ensure a high quality environment is maintained.
7. Some of this evidence needs to be prepared in cooperation with a range of partners including neighbouring authorities. Following further consideration of the amount of work required the LDS has been redrafted.
8. The intention is to keep all parties informed through the process. Members will be aware the report considered by Cabinet and Council on 21 July 2016 noted the potential for strategic scale development to contribute towards the

Borough's development needs. Work is underway investigating further the feasibility and deliverability of the areas noted in that report and the intention is to report back to Members on progress by the end of 2016, with the implications for the Local Plan.

9. The revised LDS proposes further full consultation with communities and interested parties and organisations on the proposed submission plan commencing in May 2017. At that time the consultation would be conducted in accordance with the requirements set out in the Council's Statement of Community Involvement, which is available on the Council's website.
10. The aim would then be to submit the Plan in September 2017, following which the Examination of the Plan would be the responsibility of the Planning Inspectorate and the process run according to the Inspector's requirements and timetable. However the intention is for the plan to be adopted in June 2018.
11. Whilst there is a strong desire for a new Plan to be brought forward as quickly as possible, there is a need for robustness in the evidence base, decision-making, and the process of producing the document, which means that it is not considered feasible to bring the Plan forward any quicker than set out in the attached timetable.
12. The timetable set out in the LDS is considered extremely challenging but has been set to demonstrate to all parties the Council's willingness to address the planning issues facing the Borough and bring certainty to communities. Progress against the project milestones will continue to be monitored. The LDS itself is a tool to manage the complex process and may require updating if necessary to ensure that all the issues in the production of the Plan are adequately addressed.
13. Having an up to date local plan is an essential for the planning of the local area, and for delivery of the Corporate Plan priorities. Preparing the Local Plan is a priority for the Council and a number of service areas will need to contribute to ensure it reflects the Council's economic development, sustainability and other strategic aims. The preparation of the Local Plan is a shared endeavour therefore and this commitment is reflected in the Council's Future Eastleigh programme.
14. The new version of the LDS is attached at Appendix 1 to this report.

Financial Implications

15. Significant financial resources have been made available to the Local Plan project to facilitate its delivery as quickly as possible. The anticipated future costs of the Plan will be met within the committed resources of the Planning Policy & Implementation section and the Council's Development and Local Plan reserve.

Risk Assessment

16. If the Council does not have an up-to-date LDS, or a Local Plan prepared in accordance with it, there is a high risk that the Local Plan will be found unsound, and will not be able to progress to adoption.
17. The Government has made it clear that an increase in the level of new housebuilding is a priority. It is vital that the Council has an up to date Local Plan in place as soon as possible, alongside a five-year housing land supply, in order to avoid the risk of development proposals not in accordance with the Council's preferred direction being submitted and approved on appeal.
18. As with all local plans, the development strategy may face serious challenges from both the development industry and other interested parties. It is therefore essential that the plan is under-pinned by a robust and up to date evidence base and reasoned justification.
19. The Housing and Planning Act 2016 conferred additional powers on the Secretary of State regarding the ability to direct to preparation of all or part of a Local Plan. Officers have visited CLG to discuss progress with the Plan and this emerging timetable. From those discussions, it is clear that to mitigate the risk of direct intervention from CLG the Council should expedite the delivery of the Local Plan as quickly as possible in accordance with a credible, deliverable timetable.

Equality and Diversity Implications

20. This LDS sets out the Council's intention to prepare a Local Plan for the borough that is readily accessible, takes into account community aspirations and accords with national policy.
21. An equalities impact assessment will be undertaken and the outcomes published alongside the proposed submission plan. Previous assessments in relation to the 2011-2029 Local Plan identified no potentially adverse impacts for any particular group.

Conclusion

22. The continued preparation of a new Local Plan to cover the period 2011-2036 requires a new LDS to set out the broad timetable, and key milestones, for this work. The proposed timetable strikes a balance between seeking to meet short term development pressures, including a five year supply of housing land, whilst ensuring that a robust evidence base is prepared to inform a Local Plan which has been prepared with meaningful engagement with local communities and interested parties. It is recommended that the revised LDS at Appendix 1 to this report should be adopted and brought into effect immediately.

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Appendices Attached: 1
Report No

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information:

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Local Development Scheme 2016

September 2016

A plan-making programme for Eastleigh Borough

1. Introduction

- 1.1. The Planning and Compulsory Purchase Act 2004 requires each local planning authority to produce a Local Development Scheme (LDS), which is essentially a work programme for the preparation of new planning policy documents¹.
- 1.2. This document covers the whole administrative area of Eastleigh Borough. It is the starting point for the community and other stakeholders in order to find out which planning policy documents the Council intends to produce, and the timescale for their preparation.
- 1.3. The Localism Act 2011, National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) require that each local planning authority should now produce a local plan for its area. Since 2015 Eastleigh Borough Council has been working towards preparation of a local plan for the period 2011 – 2036.
- 1.4. To see the latest progress against the LDS timetable, view our webpage at www.eastleigh.gov.uk/lp36.

2. About the area

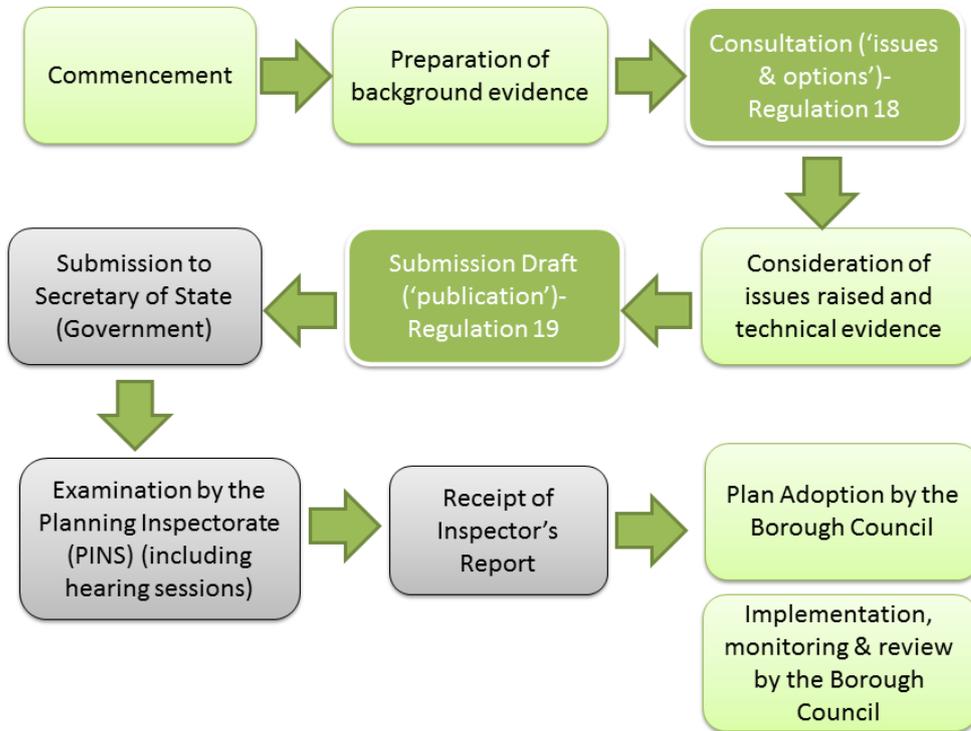
- 2.1. Eastleigh Borough adjoins the eastern and northern boundaries of the city of Southampton, bordering Test Valley Borough to the north-west, Winchester and the South Downs National Park to the north and north east Fareham Borough to the south east (with a shared boundary along the River Hamble and its estuary) and the New Forest to the south-west via a shared boundary in Southampton Water.
- 2.2. The main centre in the Borough is Eastleigh. The Borough includes two other large urban areas – Chandler's Ford and Hedge End – and some sizeable settlements at Bishopstoke, Fair Oak, Horton Heath, West End, Bursledon, Botley, Hamble and Netley. The Borough is predominantly suburban in character, reflecting many of the pressures that might be expected in a location bordering a major city. It also retains some areas of countryside that are locally significant because of the separation they provide between settlements and also their biodiversity and landscape characteristics.

3. Policy Framework

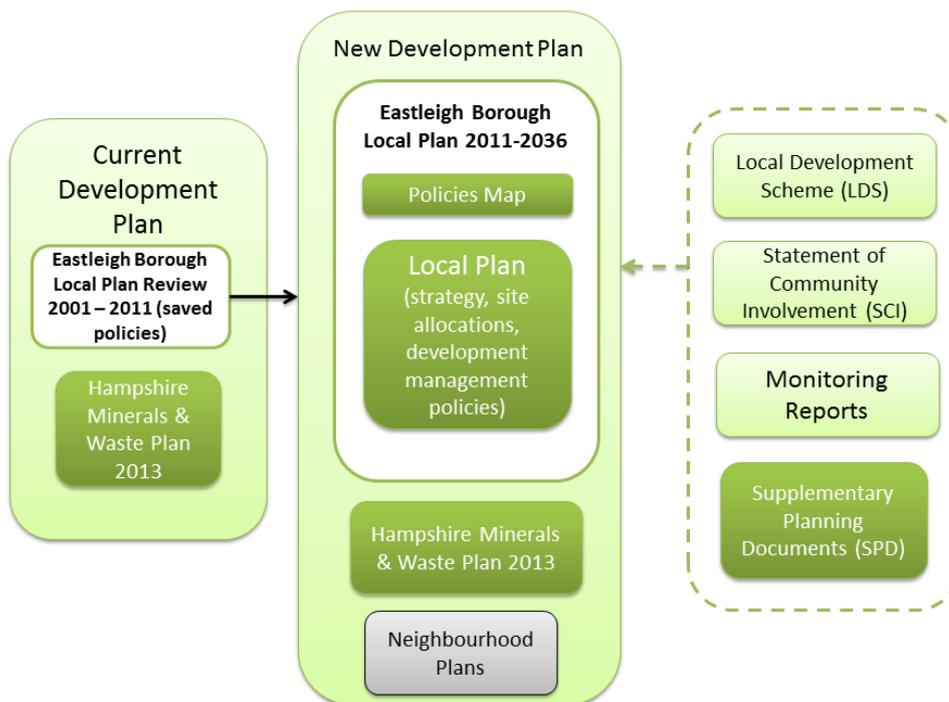
¹ A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

- 3.1. Work is currently underway to progress a new Local Plan. Until this is adopted by the Council the **Development Plan** for Eastleigh Borough will consist of the existing **saved policies in the adopted Local Plan Review** (adopted May 2006). After the adoption of the Eastleigh Borough Local Plan 2011-2036, the saved policies of the Eastleigh Borough Local Plan Review 2001 – 2011 will cease to have effect. The policies are available online at: www.eastleigh.gov.uk/planning-building/planning-policy-and-implementation/local-plan/adopted-local-plan.aspx
- 3.2. The Development Plan will also consist of the adopted **Hampshire Minerals and Waste Plan**. The Hampshire Authorities (Hampshire County Council and its partner authorities - Portsmouth City Council, Southampton City Council, New Forest National Park Authority and the South Downs National Park Authority) adopted the Hampshire Minerals & Waste Plan October 2013.
- 3.3. The Localism Act 2011 has changed the nature and process of planning policy. It introduces a change in terminology from Local Development Framework to Local Plan and introduces the new system of Neighbourhood Planning.
- 3.4. In March 2012, the government published the National Planning Policy Framework (NPPF) which replaces almost all existing national planning policy and guidance. The principles of the Local Development Framework (LDF) system remain, but the emphasis in the NPPF is now on each local planning authority (LPA) producing an up to date Local Plan for its area. This can comprise existing adopted development plan documents under the LDF system, or can involve the production of new Local Plan documents, depending on the local context. Existing development plan documents can be reviewed in whole or in part to respond flexibly to changing circumstances.
- 3.5. The National Planning Policy Framework (NPPF) states that the development plan for an area includes the local plan and **neighbourhood plans** that have been made for the area. The local plan will provide the framework for local communities who are preparing a neighbourhood plan. These set out a specific local vision for an area and planning policies for the use and development of land.
- 3.6. Responsibility for preparing a neighbourhood plan is that of the local town or parish council (or neighbourhood forum). Neighbourhood plans need to conform to national planning policies and the strategic policies of the local plan. They form part of the statutory development plan against which all planning applications should be determined.
- 3.7. If necessary the Council can also produce **supplementary planning documents** (SPDs) to provide more detailed guidance on the implementation of topic and site- or area-specific policies and proposals. The Council is also preparing and updating background papers to set out the technical evidence base for the policies and proposals.

3.8. The procedure for preparation and review of Local Plans is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The diagram below aims to illustrate this statutory process for plan preparation.



3.9. In the future, once the new Eastleigh Borough Local Plan 2011-2036 has been adopted, the development plan will comprise of the Eastleigh Borough Local Plan 2011-2036 and the Hampshire Minerals and Waste Plan adopted in 2013, along with any neighbourhood plans which have been adopted.



4. The requirement for a new plan-making programme

- 4.1. The Council previously prepared a new Local Plan to cover the period 2011-2029. The Government's Planning Inspector published a report in February 2015, failing to support the Local Plan on the basis that insufficient housing was being provided. This prevents the Council from adopting the document, but the 2011-2029 Local Plan does remain the latest full expression of the Council's policies for use of land.
- 4.2. The previous Local Plan went through four wide ranging public consultations; the Council is already aware of the views of many of the Borough's organisations and communities and, the broad development strategy was set by the previous Plan. Retention of gaps is a clear priority for the Council and local communities and the Council has published an updated Corporate Plan that gives tackling congestion as a high level priority.
- 4.3. The NPPF requires Local Plan policies to be up to date to ensure that local planning authorities are well placed in relation to the new presumption in favour of sustainable development. Where policies are out of date or silent on an issue, it may be difficult for the Council to use its planning powers to secure the best outcome from proposed development schemes. The Council's Local Plan will provide such an up to date Local Plan for the area.
- 4.4. This LDS will replace the current LDS which was published April 2015 which committed the Council to preparation of a new Local Plan 2011-2036. In accordance with the April 2015 LDS the following public consultations were undertaken:
- Issues and Options consultation document for the Eastleigh Borough Local Plan 2011 – 2036 was published for public consultation on 23 December 2015, with a closing date for representations of 17 February 2016.
 - Statement of Community Involvement (Nov 2015) was subject to public consultation in June and July 2015.
- 4.5. In addition, the Council published three evidence studies for a four week consultation during June-July 2015:
- Eastleigh Housing Needs Study (June, 2015) JG Consulting.
 - Eastleigh Gypsy, Traveller and Traveling Showpeople Accommodation Assessment (May, 2015), Opinion Research Services
 - Economy and Employment Land Briefing Note (June 2015), Eastleigh Borough Council

5. Project Management

- 5.1. In order to ensure that the preparation of planning policy documents is undertaken in a focussed and coherent manner, a project management approach is being taken to the coordination of the work.
- 5.2. The Gantt Chart at Figure 1 below identifies how Local Plan documents will be prepared and when key milestones are expected to be met. Following the Planning Act 2008, it is no longer necessary to include details of proposed Supplementary Planning Documents and other planning documents within an LDS, so only the Local Plan is shown in Figure 1.
- 5.3. The project management approach enables the undertaking of clear and accurate monitoring which will inform the Authorities' Monitoring Report (AMR). This process will feed into the regular review of the Local Development Scheme and ensure that it continues to be relevant and up-to-date.

6. Emerging Local Plan 2011-2036

- 6.1. Since 2015 work has progressed on a Local Plan for Eastleigh Borough covering the plan period 2011-2036. This new LDS is an opportunity to reconsider the deliverability of the timetable and evaluate the most effective way of delivering the Local Plan.
- 6.2. Due to the need to 'roll forward' the plan evidence and resulting plan policies and spatial strategy to 2036, a substantial amount of additional time and resources is required. This is necessary to ensure the most sustainable and deliverable locations for proposed development are included and justified in the Plan. The Council have tested different timetable scenarios and it is recommended that the Plan be prepared and published in accordance with the timetable shown below in Figure 1.
- 6.3. A number of background studies and technical supporting documents will be drawn upon to inform the development of the Local Plan and demonstrated that the policies and strategies are justified (i.e. based on sound, credible evidence). The evidence base covers topic areas such as biodiversity, environmental protection, local housing strategies and transport plans. These will be refreshed and updated as necessary.
- 6.4. The Council will seek to work closely with neighbouring authorities under the Duty to Co-operate on the preparation of the Local Plan. Technical studies may be undertaken jointly where this is deemed to be appropriate. Indeed, a number of relevant studies have been published on behalf of the Partnership for Urban South Hampshire (PUSH)- see http://www.push.gov.uk/work/planning-and-infrastructure/push_spatial_position_statement_to_2034-2.htm .

- 6.5. In addition, all Local Plans are subject to Strategic Environmental Assessment and Sustainability Appraisal as well as an Equalities Impact Assessment.
- 6.6. The Local Plan Review will be supported by the production of a Community Infrastructure Levy Charging Schedule, which sets a charge per square metre of development of some types and in some locations to help fund certain infrastructure. Supplementary Planning Documents will be produced where it is appropriate to provide additional guidance in support of the policies in the plan.

Table 1: Eastleigh Borough Local Plan preparation

Document title	Eastleigh Borough Local Plan 2011-2036
Role & Content	<p>To set out the vision, strategic objectives and spatial strategy for the area up to 2036 and the policies for achieving the strategic vision.</p> <p>Will make clear what is intended to happen in Eastleigh Borough over the plan period 2011-2036, where and when this will occur and how it will be delivered. This will be done by setting out broad locations and specific allocations of land for different purposes; through designations showing areas where particular opportunities or considerations apply (such as protected habitats); and through criteria-based policies to be taken into account when considering development proposals.</p> <p>Illustrated by key diagram and a new Ordnance Survey-based Policies Map. Will define urban areas, gaps and new site allocations and include core development management policies. Will contain a reasoned justification of the policies contained in the Local Plan.</p>
Geographic Coverage	The entire administrative area of Eastleigh Borough.
Status	Local Plan as described by The Town and Country Planning (Local Planning) (England) Regulations 2012
Stakeholder and Community Involvement	The Statement of Community Involvement (SCI) sets out the standard mechanisms for community involvement. This Local Plan will be prepared in light of the views of the community and other stakeholders.
Monitoring and review mechanisms	Monitored on an annual basis as part of the Authority Monitoring Report.
Intended timetable for producing the Local Plan	
Commencement	June 2015
Evidence Gathering	June 2015- December 2015
Issues & Options consultation (Regulation 18)	December 2015- February 2016
Consideration of consultation responses, evidence gathering and testing options. Identification of a preferred approach.	March 2016-April 2017
Pre-Submission Publication stage (Regulation 19)	May-June 2017
Submission to Secretary of State	September 2017
Examination (including public hearing sessions) <i>*If consultation on modifications is required, this may add 4-5 months to the timetable after the Examination hearings</i>	October 2017-January 2018
Receipt of Inspector's Report	April 2018
Adoption	June 2018

Figure 1: Timetable for Local Plan preparation

	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	April 2017	May 2017	June 2017	July 2017	Aug 2017	Sept 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	April 2018	May 2018	June 2018	
Evidence studies/ Plan preparation/ stakeholder engagement	■	■	■	■	■	■	■	■															
Publication/Pre-submission consultation (Reg 19)									P	P													
Process consultation representations											■	■											
Submission to Secretary of State (Reg 22)													S										
Examination (Regs 23 & 24) (including hearings)														■	■	■	■	■	■	■	■	■	■
Examination (post-hearing processes) including Inspector's report to Council (fact check)																		■	■	■	■	■	■
Inspector's Final Report																					■	■	■
Preparation of Plan adoption documentation																						■	■
Adoption																							A

Public consultation periods	■
Eastleigh Borough Council timescales	■
Planning Inspectorate (PINS) process (indicative)	■

7. Other documents

7.1. Other documents will be published to complement and add detail to the Local Plan documents. Details of these will be placed on line at www.eastleigh.gov.uk/localplan and updates as the project progresses.

8. Glossary

Authority Monitoring Report (AMR): a document produced each year showing progress in achieving the timetable set out in the LDS, and with implementation of Local Plan policies.

Development Plan: the Local Plan document together with any adopted Neighbourhood Plans constitute the statutory development plan.

Development Plan Document (DPD): a name given to a range of policy plans that are subject to independent examination, and are shown geographically on an adopted Proposals Map. DPDs include policies for the development and use of land, site specific allocations, and environmental, social, design and economic objectives which relate to the development and use of land. The National Planning Policy Framework states that all policies and proposals should be included in one DPD known as a local plan, and only exceptionally should it be necessary to prepare other DPDs or supplementary planning documents.

Development Management Policies: these constitute a suite of criteria-based policies which are required to ensure that all development within an area meets the spatial vision and objectives set out in the Local Plan.

Examination: a local planning authority must submit a Local Plan for independent examination to the Secretary of State, publish a notice and invite representations, to be made within a specified period of at least six weeks.

Local Development Scheme (LDS): a public statement of the Borough Council's programme for the production of development plan document(s) (the local plan).

Local Plan: the formal document that sets out the planning policy in an area.

National Planning Policy Framework (NPPF): a simplified set of national policies published by the government in March 2012 that replaces government guidance formerly contained in planning policy guidance notes (PPGs) and planning policy statements (PPSs).

Neighbourhood Planning: In CBC the bodies who can produce neighbourhood plans are Town and Parish Councils. There are two types of documents that can be produced. Neighbourhood Plans which may allocate land for development and/or

include policies against which planning applications are judged and Neighbourhood Development Orders which can grant planning permission for a specific type of development.

Partnership for Urban South Hampshire (PUSH): PUSH is a voluntary partnership of the unitary authorities of Portsmouth and Southampton; Hampshire County Council and district authorities of Eastleigh, East Hampshire, Fareham, Gosport, Havant, Test Valley and Winchester. It has been established to deliver sustainable, economic-led growth and regeneration in south Hampshire. Isle of Wight Council has recently joined the partnership, and New Forest District Council has also re-joined.

Policies Map: the adopted policies map illustrates on a base map at a registered scale all the policies contained in Local Plan documents, together with any saved policies. It must be revised as each new Local Plan or Neighbourhood Plan is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted policies map accompany submitted local plan documents in the form of a submission policies map.

Regulations: Town & Country Planning (Local Planning) (England) Regulations 2012. Regulations which set out the statutory requirements for preparing local plans.

Site Allocations: allocations of sites for specific or mixed uses or developments to be contained in Local Plan documents. Policies will identify any specific requirements for individual proposals.

Sustainability Appraisal (SA): a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Local Plans. This process incorporates the requirements of the Strategic Environmental Assessment Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

Statement of Community Involvement (SCI): document that sets out the standards to be achieved by the Borough Council in involving the community in the preparation, alteration and continuing review of all local development documents (LDDs) and planning applications.

Supplementary Planning Document (SPD): provide supplementary information in respect of the policies in Local Plan documents or a saved policy. They do not form part of the Development Plan and are not subject to independent examination.

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