

Local Plan for Bradford

# Local Development Scheme 2014 - 2017

July 2014



City of Bradford MDC

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## **1.0 INTRODUCTION**

### **1.1 Background**

- 1.1.1 The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011 provides the legal basis for the preparation of the Local Plan. A key requirement of the 2004 Act is the need for clear and transparent programme management through the preparation of a Local Development Scheme.
- 1.1.2 The purpose of the Local Development Scheme is to set out the development plans documents to be produced and their programme for preparation.
- 1.1.3 The first LDS for Bradford was adopted in September 2005. Guidance requires the LDS to be reviewed on a regular basis to take account of progress and slippage on any documents and new policy issues. The LDS was revised in 2007 following the Secretary of State's request that all Councils to review their LDS. The revised LDS was approved by the Council on 18<sup>th</sup> December 2007.
- 1.1.4 Since the revised LDS was approved, there has been further slippage against the milestones as well as significant changes to national policy and some aspects of the Development Plan system introduced in the 2004 Act. In particular:
- The Localism Act
  - National Planning Policy Framework (NPPF) and
  - National Planning Policy Guidance (NPPG).
- 1.1.5 In light of the national planning reforms and also local circumstances and progress the Council have reviewed and updated the LDS. The revised LDS will cover the period 2014 to 2017.

### **1.2 The Development Plan System**

#### **Local Development Framework**

- 1.2.1 The current Development Plan System was established in the Planning and Compulsory Purchase Act 2004 .The Act re affirmed the importance of the development plan.
- 1.2.2 The 2004 Act introduce the 3 elements which when produced would make up the Development Plan for the Bradford District:
- Planning Policy Statements (PPS) – setting out national planning policy, produced by Government.
  - Regional Spatial Strategy (RSS) for Yorkshire and the Humber – setting out the planning policy for the region, produced by the Regional Assembly for Yorkshire and the Humber (RAYH) and issued by the government.
  - Local Development Framework (LDF) – this sets out the core strategy, planning proposals and policies for the District, and is produced at a local level by Bradford Council.

- 1.2.3 The Local Development Framework (LDF) for Bradford District was to consist of a portfolio of Local Development Documents (LDDs), which would provide the framework for delivering the spatial planning strategy for the area. There are two main types of Local Development Documents:
- 1.2.4 Development Plan Documents (DPD) – these are LDDs that will form part of the statutory development plan and will be the subject of a Public Examination by an independent Inspector. Development Plan Documents will form the statutory development plan for the Bradford District and will be the start point for the consideration of planning applications.
- 1.2.5 The LDF would progressively replace the current adopted Replacement Unitary Development Plan (October 2005), as saved.
- 1.2.6 Supplementary Planning Documents (SPD) – these are non-statutory documents that supplement policies and proposals contained in a Development Plan Document. For example, they may provide more detail to a DPD or may focus on developing a brief for a site. All SPDs will be the subject of public consultation but not a public Examination.
- Local Plan**
- 1.2.7 Since 2007 there have been significant reforms to the Planning system which have implications for the Development Plan system.
- 1.2.8 The Localism Act 2011 amended the 2004 Act. Two significant changes had an implication for what constitutes the development plan of the District.
- Regional Spatial Strategy**
- 1.2.9 The Regional Spatial Strategy (RSS) for Yorkshire and the Humber (May 2008) provided the strategic context for the preparation of LDFs in the region. The work thus far undertaken on the Core Strategy has been predicated on the need to both implement and align with the policies and strategies outlined in the RSS.
- 1.2.10 The Localism Act formally removed the RSS from the development plan system. The existing RSS however could only be revoked by order of parliament following a full Strategic Environmental Assessment which considered the impact of revocation.
- 1.2.11 The Government published the updated SEA of the proposed revocation of the Yorkshire and Humber Plan in September 2012
- 1.2.12 An order was laid before Parliament on 29 January 2013 to formally abolish the Yorkshire and Humber Plan from 22 February 2013. However, the Regional Strategy's green belt policies for York will be retained until York City Council adopts a local plan defining green belt boundaries.

- 1.2.13 The Leeds City Region Leaders Board approved an Interim statement on 21<sup>st</sup> April 2011 which agreed to continue to follow key elements of the RSS in their ongoing developments plans.
- 1.2.14 With the revocation of RSS, under the Localism Act local planning authorities as well as other prescribed bodies have a new 'Duty to Cooperate' on strategic matters which affect more than one local authority. Guidance on this is contained in the NPPF. Leeds City Region Leaders agreed the approach to be adopted to facilitate this at their meeting on 6 December 2012.
- Neighbourhood Planning Tools**
- 1.2.15 The Localism Act introduced a number of new provisions which open the opportunity to local communities to take up new decentralised powers to take responsibility and accountability to shape their areas. A number of these related to the role of communities in shaping development and growth in their communities. A package of non mandatory neighbourhood planning tools are now available for use by local communities should they choose to use them. One of these is the preparation of Neighbourhood Plans
- 1.2.16 Neighbourhood planning tools can only be used by relevant qualifying bodies. A "qualifying body" means a Parish or Town Council, or an organisation or body designated as a neighbourhood forum, authorised to act in relation to a neighbourhood area.
- 1.2.17 A neighbourhood plan can be anything from just setting out more detailed policies for their community over and above the Local Plan to starting to shape the choices over the use of land and the designation of land for housing, employment, community uses etc.
- 1.2.18 The process for preparation of a neighbourhood plan is set out in regulations. The qualifying body can then prepare a plan in consultation with their communities, business and to her interest groups.
- 1.2.19 Once a neighbourhood plan has been prepared by the qualifying body, it is submitted to the council who publish it for formal representations and appoint an independent examiner to check that it meets the right basic standards including compliance with the Local plan for the district.
- 1.2.20 If the plan is deemed acceptable following the examination by an independent person a referendum is held and with a simple majority in favour, they can become part of the development plan for the district.
- 1.2.21 Neighbourhood plans cannot be used to stop development and should not promote less development than set out in the Development Plan or undermine its strategic policies. Neighbourhood plans cannot deal with matters such as minerals and waste.
- 1.2.22 The Localism Act also amended the procedure for preparation of the Local Development Scheme and also Annual Monitoring Report.

### **National Planning Policy Framework**

- 1.2.23 Guidance on the preparation of Development Plan Documents was previously contained within Planning Policy Statement No. 12. This document was superseded by the National Planning Policy Framework (NPPF) ; the revised guidance is provided in the Plan Making section of the NPPF. The terminology has also changed and what was previously referred to as the “Local Development Framework” is now called “The local Plan”. The NPPF is supplemented by more detailed advice in the web based National Planning Policy Guidance.
- 1.2.24 The NPPF reinforces the primacy of the development plan. The presumption in favour of sustainable development. makes clear the need for an up to date and robust Local Plan in line with NPPF.
- 1.2.25 It makes clear that each local planning authority should produce a Local Plan for its area. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.

### **1.3 The Purpose and Content of the Local Development Scheme**

- 1.3.1 The Planning and Compulsory Purchase Act (2004), the Planning Act (2008), the Localism Act (2011) and the National Planning Policy Framework (NPPF), supported by the Local Planning Regulations 2012 set out the current requirements for plan making by local authorities and the key requirements by which the LDS will be prepared.
- 1.3.2 The LDS has three main purposes:
- To describe the Development Plan Documents (DPD) which the Council intends to include as part of its Local Plan (both existing and proposed);
  - To explain their relationship to other DPDs in the Local Plan; and
  - To set out the timetables for producing DPDs.
- 1.3.3 The Council’s first LDS was brought into force in June 2005. It established the Council’s work programme priorities for development plan preparation for the timeframe of January 2005 to January 2008. The revised LDS was been prepared in light of progress and additional work priorities highlighted in the Annual Monitoring Report 2006 and covered the period January 2007 to May 2011. The LDS provides summary details of the nature and content of each LDD, the geographic area to which each LDD relates the interrelationship between documents and the timetable for document preparation. (More details are provided in sections 4 - 5 below.)
- 1.3.4 The progress in delivering the LDS programme will be reviewed annually through the Annual Monitoring Report. This will identify progress against the key milestones and highlight any new issues. The information gathered will



form part of the evidence base that is used to review whether any changes are required to the Local Development Scheme.

#### **1.4 Stakeholder and Community Involvement**

- 1.4.1 A key objective of the planning system is to strengthen community and stakeholder involvement in the preparation and revision of Local plans. The LDS programme therefore allocates time for community consultation. The aim of the LDS is to inform the public and interested parties in advance of when public consultation is likely to take place for individual documents.
- 1.4.2 Details of how the community and interested parties will be involved in Local Plan preparation is set out in a separate document that has been produced by the Council entitled 'Statement of Community Involvement' (SCI). The current SCI was adopted following examination on 29 July 2008.
- 1.4.3 In addition to the LDS the Council issues quarterly editions of 'PLAN IT' an e newspaper which provides updates on progress on key DPDs and other related work in support of the Local Plan.

### **2.0 Current Development Plan**

#### **2.1 Saved Policies**

- 2.1.1 The Replacement Unitary Development Plan adopted in October 2005 as saved is the current development plan for the District. The Secretary of State issued a Direction on 30<sup>th</sup> September 2008 setting out which policies were saved beyond 31 October 2008. The Direction sets out the policies saved.
- 2.1.2 The Council received legal advice in November 2011 to the effect that with the lapsing of RUDP Policies H1 and H2 any unimplemented housing site is no longer allocated as part of the saved statutory development plan. This was never the intention of the approach to saving policies, as approved by the Council or that of the Secretary of State in their Direction. To this end Executive on 21 November 2011 resolved to clarify the status of these sites, in particular the need to give significant weight to any such unimplemented sites based upon the work undertaken in their original allocation as part of the RUDP.
- 2.1.3 In light of the new Presumption in Favour of Development contained in the NPPF an assessment of the compliance of the saved policies was undertaken by the Council. The assessment set out to what degree the saved policies were compliant with the revised national guidance and could still be given significant weight in decision making. The Regulatory and Appeals Committee on 5 June 2014 agreed the assessment for the purposes of decision making.

### **3.0 Where Are We now**

#### **3.1 Progress Against The Revised LDS 2007**

- 3.1.1 The regulations require the LDS to be reviewed on a regular basis to take account of progress and slippage on any documents and new policy issues. The review should be linked to the production of the Annual Monitoring Report and which considers progress on meeting the programme set out in the LDS. The AMR for 2013 was published in March 2014. The latest AMR sets out the progress in developing the Bradford Local Plan against the timetable in the revised LDS.
- 3.1.2 In common with most other Local Planning Authorities there has been significant slippage on all the DPDs against the LDS. There are several reasons for this continuing delay;
- Further significant national planning reforms as noted in paragraph 1.2.7 above.
  - Ensuring a robust and up to date evidence base;
  - Reducing local government resources; and
  - Additional work pressures.
- 3.1.3 The issues highlighted above have informed the programme and timetable in this the revised LDS.

#### **3.2 Progress on Development Plan Documents**

##### **Core Strategy**

- 3.2.1 The Core Strategy has been subject to several stages of informal consultation including Issues and options ( 2007), Further issues and options (2008), and preferred option ( 2011 /2012). Each of these stages was supported by a range of evidence appropriate to the stage.
- 3.2.2 The Core Strategy has reached the Publication Draft stage. It was approved by Full Council on 10 December for submission to government for examination. Prior to submission the Core Strategy was issued for formal representations for 6 weeks beginning on 17 February. A range of new and updated key supporting evidence reports were published as background documents and are available to view and download on the Councils web site.
- ##### **Bradford City Centre AAP**
- 3.2.3 The Issues and Options for the AAP were published for consultation in August 2007 until mid November 2007. These drew upon the extensive work undertaken previously on the Masterplan and four Neighbourhood Development Frameworks and associated public consultation. Further work was then put on hold.
- 3.2.4 Work on the Bradford City Centre AAP actively began again in 2012. with the preparation of an updated Further Issues and Options Report. This considered

both the previous public consultation responses but also changes to national policy as well as local circumstances.

- 3.2.5 The Further Issues and Options Paper was approved for consultation by Executive in January 2013 and was issued together with the supporting documents, for consultation from 15 March 2013 for 12 weeks.

#### **Shipley and Canal Road Corridor Area Action Plan**

- 3.2.6 In August 2010, the Council commissioned consultants, BDP, to prepare the Shipley and Canal Road Corridor Masterplan to provide the sound basis for the AAP.
- 3.2.7 The purpose of the commission was not to prepare an AAP, but to produce a strategic masterplan in support of the AAP process. The Development Plan Team will be producing the AAP and will incorporate the baseline evidence and masterplan options into the statutory AAP process.
- 3.2.8 The Draft Masterplan Options Report and technical evidence base studies were published in early 2012. Public consultation comments on the Draft Masterplan Options Report informed the Strategic Development Framework which has informed the work on the AAP. The Strategic Development Framework is available to view on the Councils website.
- 3.2.9 A Shipley & Canal Road Corridor AAP Issues and Options report was prepared in 2012 and approved for consultation at Executive on 15 January 2013. It was issued together with the supporting documents, for consultation for 11 weeks starting on 15 March 2013.
- 3.2.10 Further technical evidence has been commissioned to inform the work towards a preferred option reports for both AAPs

#### **Waste Management DPD**

- 3.2.11 Formal work commenced on the Waste Management DPD with the preparation of the Issues and Options report. This took as its start point national and Regional Policy together with the emerging approach in the Core Strategy. The Issues and Options report was the subject of public consultation from November 2009 through to January 2010.
- 3.2.12 The Council considered the formal representations in developing its Preferred Approach, which was approved for public consultation at Executive on 14 January 2011. The report was published for consultation between 21<sup>st</sup> January and 1 April 2011.
- 3.2.13 The finalisation of the publication draft is awaiting the completion of a evidence update issued for comment in July 2014.

## **Community Infrastructure Levy (CIL)**

- 3.2.14 Section 206 of the Planning Act 2008 confers the power on Local Authorities to introduce a new charge on most types of new development in their area, known as 'Community Infrastructure Levy' (CIL). The proceeds of this charge will be spent on local infrastructure to support the development of an area.
- 3.2.15 A report introducing Community Infrastructure Levy (CIL) was taken to Executive on 22nd July 2011 which gave authorisation to commence work on CIL. In late 2012 consultants DTZ were appointed to assist with preparation of the community infrastructure levy – economic viability assessment.
- 3.2.16 The work conducted to date on CIL economic viability assessment does demonstrate the ability to generate some CIL income in parts of the District which would assist in maximising contributions towards community infrastructure such as education provision and open space. Following recent amendments to CIL regulations and recent case law, the Council reappointed consultant DTZ in May 2014 to:-
1. Review implications of amended CIL Regulations and updated case law (expected to be published in late January 2014)
  2. Update of Market Assessment and Review Appraisal Assumptions (including email consultation with developers).
  3. Update to the Area wide Viability Modelling
  4. Sampling of up to 10 housing and employment sites and production of separate bespoke development appraisal to test CIL
  5. Production of final Economic Viability Assessment incorporating area wide and site sampling
  6. Preparation of Preliminary Draft Charging Schedule and Charging Zone Map in partnership with officers
  7. Review of representations and advice on any changes from consultation of Preliminary Charging Schedule
- 3.2.17 The viability assessment will be undertaken in the context of and in conformity with the current national legislation and regulations (as amended) and Government guidance. It is anticipated that the viability assessment report will be completed by October 2014. The Council will then consider the next steps with regard to CIL at a future meeting of the Executive.

## **3.3 Progress on Supplementary Planning Documents**

- 3.3.1 Several Supplementary Planning Documents as set out in the Local Development Scheme have not been progressed and the need for them has been reconsidered in the LDS review as well as any new SPDs in support of the emerging Local Plan. Those not to be progressed are:
- Open Space and Built Recreation Facilities SPD
  - Affordable Housing SPD
  - Tree Protection SPD
  - Housing Supply SPD

3.3.2 Several new SPDs have been adopted beyond those identified in the LDS, namely:

- Sustainable Design Guide (Adopted 28 February 2006)
- City Centre Design Guide (Adopted 21 March 2006)
- Planning For Crime Prevention (Adopted 26 June 2007)
- Planning Obligations (Adopted 25 October 2007)
- Menston Housing Sites (Adopted 25 October 2007)
- Shopfront Design Guide (Adopted 19 December 2007)
- City Centre Affordable Housing (Adopted 1 October 2008)
- Landscape Character (Adopted 1 October 2008)
- Householder (Adopted 12 April 2012)
- Shop Keepers Guide to Securing Their Premises (Adopted 19 December 2012)

3.3.3 In addition the Council is progressing work on three further SPDs in response to local priorities and in support of the emerging Local Plan:

3.3.4

- Hot food takeaways
- Housing Design Guidance
- Management & Mitigation of impacts of development on South Pennine Moors SPA/SAC

#### 3.4 Progress on Neighbourhood Plans

3.4.1 The Council approved four applications for Neighbourhood Area designation at Executive on 5 November 2013 following public consultation. The four approved areas were submitted by the following Parish Councils:

- Burley-in Wharfedale;
- Haworth, Cross Roads & Stanbury;
- Ilkley; and
- Oxenhope.

3.4.2 These neighbourhood plans are at an early stage and the scope and content will be developed over the next 12 months.

3.4.3 The Council has received 3 further Neighbourhood Area Applications for the following Parish Council Areas:

- Menston
- Steeton and Eastburn PC, jointly with Silsden TC
- Wilsden

3.4.4 These are in the process of being considered prior to publication for comment.

3.4.5 Further Parish and Town Councils are still considering whether or not to pursue the community planning tools under the Localism Act.

## **4.0 SCHEDULE OF PROPOSED LOCAL DEVELOPMENT DOCUMENTS**

### **4.1 Proposed Development Plan Documents and SPDS**

4.1.1 It is intended that the DPDs listed below are to be produced by Bradford Council in the next three years:

- Core Strategy (DPD)
- Allocations (DPD)
- Bradford City Centre Area Action Plan (DPD)
- Shipley and Canal Road Corridor Area Action Plan (DPD)
- Bradford Waste Management Plan (DPD)
- Policies Map (DPD)

4.1.2 Details for each of the DPDs are set out in the Table 1. They provide a brief description of the content of each document, and the key milestones for document preparation from early public consultation through to adoption.

4.1.3 Table 2 sets out the details of the SPDs to be produced over the next 12 months. The need for further SPDs will be considered as the Local Plan develops.

**TABLE 1 PROFILES OF DEVELOPMENT PLAN DOCUMENTS**

<b>Development Plan Document</b>	<b>Description, Geographical Area and Conformity</b>	<b>Current Stage and timetable</b>
<b>Core Strategy</b>	<p><b>Description:</b> Strategic document setting out the Spatial Vision and Objectives for meeting known and anticipated development requirements. It will include:</p> <ul style="list-style-type: none"> <li>• Strategic policies to guide broad locations for land use</li> <li>• Establish objectively assessed housing need</li> <li>• Monitoring and implementation framework</li> <li>• range of thematic policies supporting development strategy and providing more detailed information</li> </ul> <p><b>Geographical Area:</b> District Wide</p> <p><b>Conformity:</b> NPPF</p>	<p>Publication Draft – February /March 2014</p> <p>Submission – September 2014</p> <p>Examination – January 2015</p> <p>Adoption – July 2015</p>
<b>Allocations</b>	<p><b>Description:</b> To identify sites proposed to be developed for housing and employment in order to meet the vision and objectives of the Core Strategy and Policies HO1, HO3 and EC3, including the related Green Belt Review. It will also designate a range of other elements in line with the Core Strategy including Green space and supporting infrastructure such as transport improvement lines</p> <p><b>Geographical Area:</b> District Wide apart from the two Area Action Plan areas and dependent on any Neighbourhood Plans.</p> <p><b>Conformity:</b> Core Strategy &amp; NPPF</p>	<p>Issues &amp; Options –December 2014</p> <p>Preferred Option – December 2015</p> <p>Publication Draft – September 2016</p> <p>Submission – December 2016</p> <p>Examination – April 2017</p> <p>Adoption – November 2017</p>
<b>Bradford City Area Action Plan</b>	<p><b>Description:</b> Provide the statutory basis for the implementation of the City Centre Masterplan and associated four neighbourhood plans. Provide the spatial expression to deliver the identified sites and areas of change and constraint.</p>	<p>Preferred Option – December 2014</p> <p>Publication Draft – July 2015</p> <p>Submission – October 2015</p>

	<p><b>Geographical Area:</b> Former Urban Regeneration company Boundary</p> <p><b>Conformity:</b> Core Strategy &amp; NPPF</p>	<p>Examination – April 2016</p> <p>Adoption –January 2017</p>
<b>Shipley &amp; Canal Road Corridor Area Action Plan</b>	<p><b>Description:</b> Provide the spatial expression to deliver the regeneration and redevelopment of the Canal Road Corridor and north and east of Shipley. It will also support of the re-introduction of the canal and other major transport infrastructure. It will identify sites and areas of change and constraint.</p> <p><b>Geographical Area:</b> From Bradford City Centre (Urban Regeneration Company boundary) along Canal Road corridor to Shipley (including North and East Shipley).</p> <p><b>Conformity:</b> Core Strategy &amp; NPPF</p>	<p>Preferred Option – December 2014</p> <p>Publication Draft – July 2015</p> <p>Submission – October 2015</p> <p>Examination – April 2016</p> <p>Adoption –January 2017</p>
<b>Waste Management</b>	<p><b>Description:</b> Sets out the Council's spatial strategy for dealing with waste within the District. Identify waste management sites for dealing with the different streams of waste.</p> <p><b>Geographical Area:</b> District wide</p> <p><b>Conformity:</b> Core Strategy &amp; NPPF</p>	<p>Publication Draft – February 2015</p> <p>Submission – May 2015</p> <p>Examination – September 2015</p> <p>Adoption –March 2016</p>



**TABLE 2 PROFILES OF SUPPLEMENTARY PLANNING DOCUMENTS**

<b>Supplementary Planning Document</b>	<b>Description, Geographical Area and Conformity</b>	<b>Current Stage and timetable</b>
<b>Hot Food Takeaway</b>	<p><b>Description:</b> Sets out principles for considering new hot food takeaways. Seeks to take account of possible impacts on health and limit the provision of new facilities in certain sensitive locations.</p> <p><b>Geographical Area:</b> District Wide</p> <p><b>Conformity:</b> NPPF</p>	<p>Commencement – January 2014</p> <p>Public consultation – August 2014</p> <p>Adoption – December 2014</p>
<b>Housing Design Guidance</b>	<p><b>Description:</b> Sets out principles to support good design of new housing development in support of Core Strategy policy SC9 and related design and housing policies.</p> <p><b>Geographical Area:</b> District Wide</p> <p><b>Conformity:</b> NPPF</p>	<p>Commencement – January 2014</p> <p>Public consultation – January 2015</p> <p>Adoption – June 2015</p>
<b>Management &amp; Mitigation of impacts of development on South Pennine Moors SPA/SAC</b>	<p><b>Description:</b> Sets out principles and detailed approach for management and mitigation required to ensure development proposals comply with Core Strategy policy SC8. In particular it will set out types of mitigation solutions and possible requirements to be made both onsite and off site.</p> <p><b>Geographical Area:</b> District Wide</p> <p><b>Conformity:</b> NPPF</p>	<p>Commencement – July 2014</p> <p>Public consultation – November 2014</p> <p>Adoption – March 2015</p>

## **4.0 PROGRAMME OF PROPOSED LOCAL DEVELOPMENT DOCUMENTS**

- 4.1 The timetable for the production of Local Plan Documents is highlighted in three separate Gantt Charts illustrated in tables 3, 4 and 5 below. Table 3 illustrates the key stages for producing Development Plan Documents, Table 4 illustrates the key stages for introducing the Community Infrastructure Levy and table 5 illustrates the key stages for producing Supplementary Planning Documents.

**Table 3 LOCAL PLAN: DEVELOPMENT PLAN DOCUMENTS**

Document Title	2014							2015							2016							2017																							
	J	J	A	S	O	N	D		F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D		
Core Strategy DPD				S	#							R		F																															
Allocations DPD																			E								F																		
Bradford City Centre Area Action Plan DPD																																													
Shipley/Canal Rd AAP																																													
Bradford Waste Management DPD																																													

**KEY**


Commencement  
Issues & Options  
Preferred Option/Approach  
Publication Draft (6 weeks)  
Examination  
Adoption

E - Executive  
F- Full Council preceded by Executive  
S- Submission  
R - Inspectors report  
# Pre Examination Meeting

**Table 4 LOCAL PLAN: Community Infrastructure Levy**

Document Title	2014							2015							2016							2017									
	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Community Infrastructure Levy							E					F				S				R		F									

**KEY**

	Commencement	E - Executive
	Preliminary Draft Charging Schedule	F- Full Council preceded by Executive
	Draft Charging Schedule	S- Submission
	Examination	R - Inspectors report
	Adoption	# Pre Examination Meeting

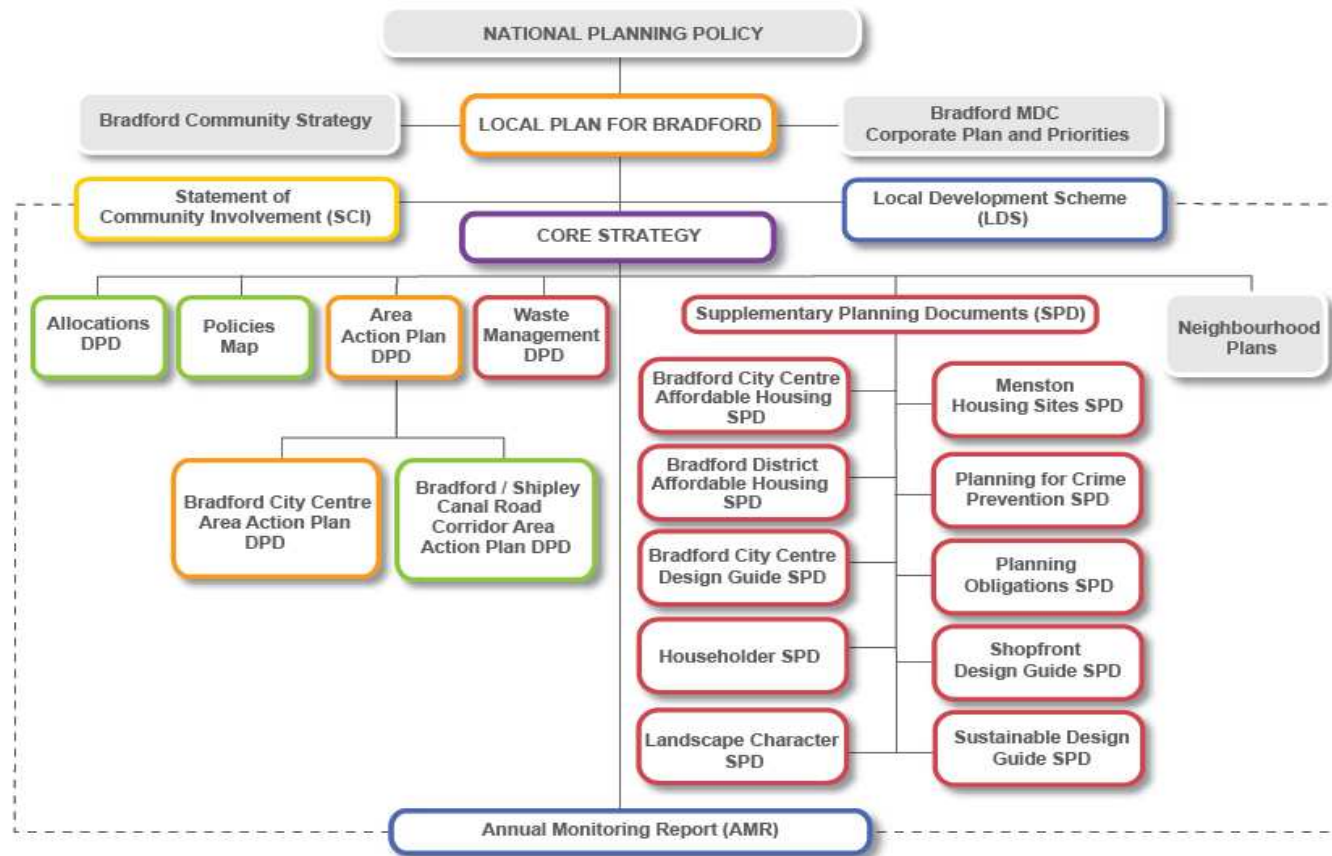
**TABLE 5 SUPPLEMENTARY PLANNING DOCUMENTS**

Document Title	2014 J	F	M	A	M	J	J	A	S	O	N	D	2015 J	F	M	A	M	J	J	A	S	O	N	D
Hot food takeaway																								
Housing Design Guide																								
Management & Mitigation of impacts of development on South Pennine Moors SPA/SAC																								

**KEY**

	Commencement of Process - Evidence Gathering and Preparation of Draft SPD
	Public Participation on Draft SPD and Sustainability Appraisal Report for Public Comment
	Consideration of Representations and Finalise SPD
	Estimated Adoption

Figure 1 Relationship between Local Plan Documents and related planning elements



## **6.0 MONITORING AND REVIEW**

6.1.1 A key aspect of the planning system is the process for monitoring and review of the progress of preparing Local Plans, and the effectiveness of implementing policies and proposals contained within it. It is a requirement of the 2004 Act that the Council produces an Annual Monitoring Report (AMR). The AMR will cover the period 1<sup>st</sup> April – 31<sup>st</sup> March. The AMR assesses:

- How the Council is performing in meeting key milestones and targets for Local Plan preparation as set out in the Local Development Scheme;
- The extent to which policies in the Local Plan are being achieved, and where they are not, the reasons why;
- The impact Local Plan policies are having on local policy targets, and any other targets identified;
- Whether policies in the Local Plan need to be replaced/adjusted because they are not working as intended.

6.1.2 The AMR will therefore highlight any changes that need to be made to Local Plan, such changes, where necessary, will then be reflected in subsequent reviews of the LDS rolling work programme.

## **7.0 SUPPORTING STATEMENT**

### **7.1 Explanation and Justification of the Approach Set Out in the LDS**

#### **Development Plan Documents**

7.1.1 While the NPPF requires a single Local Plan for the District, the Council believe there are sufficient local circumstances to continue with the separate Development Plan Documents set out in the LDS. This reflects a number of key considerations:

- the significant progress made on the Core Strategy
- Imperative for a robust and up to date strategic policy including a new housing requirement us put in place following RSS revocation
- Cost in updating evidence if Core Strategy were put on hold to wait for allocations to catch up.
- Progress made to date on Waste management DPD
- Need for more detailed AAPs for two key regeneration areas which have make progress in advance of the Allocations DPD

7.1.2 The Core Strategy will provide a comprehensive and up to date policy framework both for the other DPDs but development management. With the revocation of RSS it is important that the strategic development strategy for the district including the locally objectively assessed housing requirement is refreshed and adopted sooner rather than later.

- 7.1.4 The Council is then committed to progressing the Allocations DPD in line with the Core Strategy and off the back of a second SHLAA update.

### **Supplementary Development Plans**

- 7.1.5 Given the current focus on getting in place an up to date Local Plan and also guidance in NPPF, only a limited number of SPDs has been identified in this LDS which reflect major priority issues. The Hot Food Takeaway SPD reflects the concern to address significant local health concerns in the population in particular young people. The Housing Design guidance recognises that with a need to significantly increase the housing delivery to meet needs comes a need to ensure that development is of a good design quality in line with guidance in NPPF. A third SPD relates to the management and mitigation in support of emerging Core Strategy Policy SC8 which seeks to ensure the protection of the South Pennine Moors Special Protection Area.

### **Linkages with the Community Strategy and Other Strategies**

- 7.1.6 The Council published the '2020 Vision' in March 2000. It identified the long-term vision for the whole District. The Vision is economic led, but recognises that to be sustainable, economic regeneration must go hand in hand with environmental improvements and progress on issues such as education, health, housing, culture, citizenship and community safety. The 2020 vision was refreshed in early 2006 alongside the community Strategy.
- 7.1.7 The latest Community Strategy for the Bradford District 'set out how the Vision would be achieved around the following key priorities:
- A vibrant economy and a prosperous District.
  - Children and young people.
  - Safer and stronger communities.
  - Healthier communities and older people.
  - Making it happen.
- 7.1.8 Both the updated 2020 Vision and the Community Strategy have informed the emerging Core Strategy.
- 7.1.9 The Local Plan will provide the spatial strategy for the implementation and delivery of aspects of the Community Strategy that relate to the use and development of land. There will be a clear link between the Local Plan, and both the Vision and Community Strategy. Therefore each DPD will seek to express, in land use terms, those elements of the Community Strategy that relate to the development and use of land. In particular the Core Strategy will adopt the vision of the Community Strategy.
- 7.1.10 The Local Plan will also have regard to other relevant policies, strategies and programmes. The Council has a number of strategies, which it has drawn up solely or with partners, which have land use implications. Where these are relevant they will be taken into account in drawn up the Local Plan.



## **Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA)**

7.1.11 All new development plan documents must comply with the requirements of the EU Directive 2001/42/EC to undertake a Strategic Environmental Assessment. The Government has issued guidance on how to incorporate SEA into a single sustainability appraisal process.

7.1.12 The objectives of the SEA Directive are:

- High level of environmental protection
- Integration of environment into preparation and adoption of plans/programmes
- Promoting sustainable development

7.1.13 The emphasis of the process set out in the directive are on:

- Collecting and presenting baseline environmental information.
- Predicting the significant environmental effects of the plan and addressing them during its preparation.
- Identifying strategic alternatives and their effects.
- Consulting the public and 'authorities' with environmental responsibilities as part of the assessment process.
- Monitoring the actual effects of the plan during implementation.

7.1.14 The Directive relates to a range of plans and programmes. The main plans caught under the requirements will be those linked to spatial planning such as the Local Plan and the Local Transport Plan. However, a large number of other plans that the Council produces are potentially affected by the Directive e.g. Community Strategy and local regeneration plans/frameworks etc. Therefore the Council will seek to establish a corporate approach in terms of methodology, baseline information, and involving key stakeholders and the public.

7.1.15 The SEA/SA will be fully integrated into the production of all the DPDs from the start, inline with national good practice advice. Each document will be appraised to a level appropriate to the type of DPD and taking account of any previous SA of related documents. The SA/SEA for the Core Strategy will set the core approach for SA/SEA for all Local Plan documents.

### **Evidence Base**

7.1.16 NPPF states that all Local Plans should be based upon up to date and relevant evidence to formulate the policies in the Plan. The evidence for the Core Strategy has been prepared, reviewed and updated over the lifetime of the plan preparation. The Evidence Library contains all the evidence which supports the Core Strategy: See following link:

[http://www.bradford.gov.uk/bmdc/the\\_environment/planning\\_service/local\\_development\\_framework/evidence\\_base\\_introduction.htm](http://www.bradford.gov.uk/bmdc/the_environment/planning_service/local_development_framework/evidence_base_introduction.htm)

7.1.17 This evidence will be updated when necessary as part of the monitoring and review process of the plan. The other DPDs will develop additional evidence as appropriate to underpin their soundness.

## **7.2 Managing the Process**

### **Managing resources**

7.2.1 The Planning and Transport Strategy Service will take the lead in producing the Local Plan. There are 3 dedicated teams working on the Local Plan comprised of 14.5 FTE

7.2.2 Further resources are available within the Planning Service, including the Landscape, Conservation and Design Group. A dedicated Transport Policy Team provides a specialist transport input as required.

7.2.3 The Service will work collaboratively and also draw on the resources and expertise within wider Council services for example Development Services, Economic Development, and Housing. Other Council services will also contribute as appropriate depending on the nature of the nature of the DPD.

7.2.4 Where the Council does not have the technical expertise and/or capacity it has employed specialist consultants to provide support. These have normally taken form of self contained evidence reports e.g. Strategic Housing Market Assessment and Housing Requirement Study in support of the Core Strategy.

7.2.5 A report on the resources required to produce the then Local Plan was considered by the Councils Executive in April 2011. The Council allocated a non recurring funding payment of £833K towards the LDF and £120K towards the Waste DPD for 2009/2010. The under spend due to slippage in the programme was carried forward into subsequent years. The Council provided a further non recurring funding payment support the progress of the Local Plan of £360k in 14/15. The funding for the Local Plan for 14/15 with the carry over of previous under spend is £760k This provides non staffing funding for the following types of activity in support of the Local Plan:

- Preparation of technical evidence and appraisals
- Consultation and engagement
- Examination and adoption

7.2.6 The Local Plan is supported by a financial plan which profiles the anticipated spend required to support the non staffing elements of the Local Plan. The current estimated minimum financial requirement for completion of the Local Plan as set out in this LDS is £1.383M.

7.2.7 Sources of additional funds to cover the total cost of the plan are being considered and if further resources are needed, these will be determined as part of the 2015/16 Budget Process.

## **Programme Management**

- 7.2.8 The Strategic Director Regeneration and Culture has the overall responsibility for preparing the Local Plan. Day to day management will normally be the Planning and Transport Strategy Manager, reporting to the Assistant Director Planning Transportation and Highways.
- 7.2.9 A Local Plan Officer Group with representation from the key Council service areas provides a strategic steer, alignment and linkage to corporate priorities/programmes etc. The core membership includes the representation from:
- Planning
  - Transport Planning
  - Economic Development
  - Housing
  - Corporate support
  - Culture, Tourism and Sport

## **Political Management**

- 7.2.10 For all the DPDs the process for their approval will be as follows:
- Decisions on informal early consultation such as scoping and issues and options work will be approved by the Assistant Director Planning, Transportation and Highways in consultation with Executive Portfolio holder responsible for Planning.
  - Preferred Options documents will go to Executive through the Assistant Director Planning, Transportation and Highways in consultation with Executive Portfolio holder responsible for Planning.
  - Full Council resolution required for submission stages.
  - Full Council resolution required for adoption stages.
- 7.2.11 For all SPDs the process for their approval will be as follows:
- Assistant Director PTH in consultation with Executive Portfolio holder responsible for Planning to approve for consultation draft SPD.
  - The Executive to approve for adoption by Regulatory and Appeals Committee

There will be regular progress reports to the Council's Executive on progress in preparing Local Plan.

## **Risk Assessment**

- 7.2.12 There are several areas of risk in preparing the Local Plan as set out in the LDS. The key areas of risk are listed in Table 6 below. This identifies the risk factor, the impact of the risk if it occurs, the nature of that impact, the probability of the risk happening and the mitigation or contingency for dealing with the risk.

**Table 6: RISK ASSESSMENT**

<b>Risk</b>	<b>Nature of Impact</b>	<b>Impact L/M/H</b>	<b>Probability L/M/H</b>	<b>Mitigation /Contingency</b>
Change to national policy.	Additional work to comply with new policies causing slippage	H	M	Keep up to date with new guidance as published and anticipate new guidance based on DCLG forward plan. Respond early to any significant changes. Integrate into LDS review process.
Failure to comply with Duty to cooperate. Duty requires ongoing positive engagement with key bodies such as adjacent Councils on cross boundary issues in the Local Plan.	Slippage Soundness	M	M	Ongoing work through the Leeds City Region ( LCR) officer and member arrangements in line with the LCR Statement of Cooperation.  Early scoping of strategic issues and potential impacts and instigate arrangements for liaison and ongoing work with key bodies and ensure ongoing and positive engagement and collaborative and cooperative working arrangements on key issues.
Volume of work greater than anticipated e.g. submitted representations or work arising from sustainability appraisal.	Slippage in programme	M	M	Allow for a challenging but realistic timetable for Local Plan documents with a degree of flexibility built in.  Develop robust project plans for each DPD using the Planning Advisory Service Tool Kit and Self Assessment and emerging good practice and experience.  Monitor progress against LDS and review if necessary.  Consider additional resources either from within the Council or bringing in outside resources where appropriate through collaborative working and

<b>Risk</b>	<b>Nature of Impact</b>	<b>Impact L/M/H</b>	<b>Probability L/M/H</b>	<b>Mitigation /Contingency</b>
				selective use of consultants on specialist areas.
Lack of in-house skills for specialised areas of policy work /sustainability appraisal /background studies.	Slows progress in programme  Evidence base compromised	M	M	Undertake a competency audit for key programme areas and identify gaps linked to project plans for each DPD.  Review other Council resources.  Commission external support for one off projects
Development plan team required to undertake other unforeseen work.	Programme slippage	M	M	Ensure Local Plan given corporate recognition and priority for staff time and resources.
Staff retention and recruitment.	Slow progress leading to programme slippage	H	M	Seek to fill vacant positions with appropriately qualified staff quickly.  Adopt flexible working arrangements.  Call on wider corporate resources to fill temporary gaps.  Use of external consultants
Local Plan programme too ambitious.	Key milestones not met	H	M	LDS prepared with emerging good practice and knowledge from other LPAs and Planning Advisory Service, which has informed an ambitious but realistic timetable than the first LDS.
Planning Inspectorate unable to meet the timescale for examination and reporting.	Examination and/or report delayed  Key milestones	H	M	The capacity of PINS is not something that the Council can directly influence. However the programme has been designed to reduce the inevitable peaks of activity particularly around submission of DPDs. Bradford is seen by

Risk	Nature of Impact	Impact L/M/H	Probability L/M/H	Mitigation /Contingency
	not met			Government and PINs as a priority LPA. Both PINS have been notified regarding the programme and are aware of document timings for Core Strategy .
DPD fails soundness test.	DPD not adopted	H	L	<p>Ensure DPDs are sound by ensuring robust evidence base, sustainability appraisal appropriate to the DPD, public involvement in line with SCI.</p> <p>Develop robust project plans for each DPD using the Planning Advisory Service Tool Kit and emerging good practice and experience. Use PAS self assessment at key stages to check 'soundness'. Access PAS support and training packages</p> <p>Use of pre submission Inspectors visits.</p>
Legal Challenge.	Adopted DPD quashed in whole or in part	H	L	<p>Ensure the DPDs are 'sound', in that they are founded upon a robust evidence base, sustainability appraisal appropriate to the DPD, public involvement inline with SCI.</p> <p>Seek legal advice including from specialist Counsel on major areas of risk both in terms of content and process.</p>
Inability of key stakeholders, agencies and bodies to cope with demand and fail to deliver on time.	<p>Weaken evidence to underpin DPDs at key stages</p> <p>Slippage of programme</p>	M	M	<p>Close liaison with all key stakeholders involving sending them a copy of the LDS and involve them in planning the key stages at the earliest opportunity so they can programme work.</p> <p>Develop robust project plans for each DPD using the Planning Advisory Service Tool Kit and emerging</p>

<b>Risk</b>	<b>Nature of Impact</b>	<b>Impact L/M/H</b>	<b>Probability L/M/H</b>	<b>Mitigation /Contingency</b>
				good practice and experience.
Political uncertainty.	Lack of commitment to programme Programme slippage	M	M	Make planning central to delivery of Corporate objectives. Briefing all members as to importance of Local Plan and Planning generally. Engagement with all members throughout the preparation process.
Inability to recruit external contractors.	Programme slippage Weaken evidence base	H	M	Plan the programme of key activities involving the need for consultants at the earliest opportunity. Develop draft briefs and test the market in terms of capacity informally.

## APPENDIX ONE

### GLOSSARY OF TERMS

**Area Action Plan (AAP)** – These are Development Plan Documents that provide a planning framework for an area of the District where significant change or conservation is needed.

**Annual Monitoring Report (AMR)** – This is a Report that the Council is required to prepare as part of the Local Plan. The Report will annually assess the extent to which policies in Local Development Documents are being achieved.

**Community Strategy** - This is a District wide strategy that is prepared by Bradford Council and Partners (public, private, voluntary and community organisations). The strategy contains a vision and action plan for achieving the social, economic and environmental aspirations, needs and priorities of the local community. The document is reviewed and updated annually to monitor progress, identify any problems and take account of changes in circumstances.

**Core Strategy** – This is a Development Plan Document that provides the strategic planning framework for the district. It sets out the long-term spatial vision for the District, and the strategic objectives and policies to deliver that vision. The strategy contains core policies, a monitoring and an implementation framework. All other Development Plan Documents that form the Local Plan must be in conformity with the Core Strategy.

**Development Plan Document (DPD)** – These are Local Development Documents that are part of the Local Plan. They form the statutory development plan for the district and are subject of an independent examination. They include the following: Core Strategy, Site Allocations, Area Action Plans, and a Proposals Map.

**Local Development Document (LDD)** – These are the individual documents that make up the Local Plan. They comprise of Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

**Local Development Framework (LDF)** – This is the old name of the portfolio of Local Development Documents, the Annual Monitoring Report and Local Development Scheme that together provide the framework for delivering the spatial planning strategy for the District. Now replaced in NPPF by the term Local Plan.

**Local Development Scheme (LDS)** – This is a three-year rolling work programme setting out the Council's timetable for preparing each Local Development Document. The Scheme is revised regularly in light of outcomes from the Annual Monitoring Report..

**Local Plan** – title of statutory development plan which NPPF recommends to be a single document but can where justified comprise of several Development Plan Documents. Previously known as the Local Development Framework

**National Planning Policy Framework** – New consolidated national planning policy which replaces previous individual Planning Policy Statements.



**Regional Spatial Strategy (RSS)** – A document that was prepared by the Yorkshire and Humber Regional Assembly and approved by the First Secretary of State. The RSS provided a spatial planning framework for the region that informed the preparation of the LDFs. The RSS was formally revoked in February 2013.

**Replacement Unitary Development Plan (RUDP)** – This is the current development plan for the district, adopted in the October 2005 and saved in 2008 by the Secretary of State. The report of 5 June 2014 Regulatory and Appeals Committee approved an assessment of the compliance of the saved policies with the more recent national policy contained in NPPF.

**Statement of Community Involvement (SCI)** – This sets out the standards that the Council intends to achieve in involving the community and stakeholders in the preparation, alteration and review of all Local Development Documents and development control decisions. The Statement of Community Involvement is not a Development Plan Document, nor is it the subject of a sustainability appraisal.

**Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA)** – This is a generic term used internationally to describe the environmental assessment of policies, plans and programmes, and is required by European Directive (EU Directive 2001/42/EC). The directive will apply to all Local Development Documents (except the Statement of Community Involvement) as a means to ensure that they reflect sustainable development objectives/principles. An integrated approach to SEA and Sustainability Appraisal will be required to avoid duplication in the plan making process.

**Supplementary Planning Document (SPD)** – These are Local Development Documents that are part of the Local Plan. They provide supplementary guidance to policies and proposals contained in Development Plan Documents, however, they do not form part of the statutory plan, nor are they subject to an independent examination.

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