



# **Breckland Local Plan Review Local Development Scheme**

**August 2022**

# 1. Introduction

## Background

- 1.1 The government requires local planning authorities to prepare a Local Development Scheme (LDS). The LDS is a five-year project plan and this version covers the period 2020-2025. The purpose of an LDS includes setting out the timetable for the delivery of Council produced planning policy documents. These are often referred to as Development Plan Documents or Local Plans. During the period 2021-2025, the Council intends to complete a partial review relating to Policy INF 03 of the Breckland Local Plan (November 2019) and to complete a significant amount of work on a Full Update of the whole Plan. The Reviews will affect the whole of Breckland District.
- 1.2 This LDS contains a timetable for the delivery of the 2 reviews to inform local people and stakeholders of the key milestones in their production.
- 1.3 The LDS was formally approved by Cabinet on September 20, 2021. This iteration of the LDS supersedes that version to reflect the decision of the Cabinet on 25 July 2022 on the Local Plan Partial Review.

## 2. The Existing Development Plan

- 2.1 Development Plans are an important part of the English planning system and are needed to guide the local decision-making process for land uses and development proposals.
- 2.2 At September 2021, the Development Plan for Breckland comprised  
***Breckland Local Plan and associated Policies Map (November 2019)***
- 2.3 Breckland District Council adopted the Breckland Local Plan on November 28<sup>th</sup>, 2019, to replace the suite of plans produced as part of the Local Development Framework process and is now in the process of undertaking a Local Plan review. The Local Plan sets out the framework for development within the District until 2036. It includes a spatial vision, objectives, and key policies. It also includes an associated 'Policies Map' that sets out the geographical extent of key designations and site-specific proposals set out in the local plan.

Further information on the Local Plan can be found at the following link:

<https://www.breckland.gov.uk/adoption>

- ***Core Strategy and Development Control Policies (2009) (Saved policies)***
- ***Thetford Area Action Plan (2012) (Saved policies)***

Further information on these plans can be found at the following link:

<https://www.breckland.gov.uk/previous-local-plan>

- ***Attleborough Neighbourhood Plan 2016-2036 (January 2018)***
- ***Croxton, Brettenham and Kilverstone Neighbourhood Plan 2017-2036 (January 2019)***
- ***Mattishall Neighbourhood Plan 2017 – 2036 (November 2017)***
- ***Swaffham Neighbourhood Plan 2016 - 2036 (May 2019)***
- ***Swanton Morley Neighbourhood Plan 2016 - 2036 (December 2019)***
- ***Yaxham Neighbourhood Plan 2016 – 2036 (June 2017)***
- ***Saham Toney Neighbourhood Plan 2019 - 2036 (November 2021)***
- ***New Buckenham Neighbourhood Plan 2017 -2036 (July 2022)***

2.4 The Localism Act (2011) provides the opportunity for communities to prepare Neighbourhood Plans to guide further development that they may wish to see in their communities. Neighbourhood Plans, once adopted, form part of the Development Plan for the area and are used in the determination of Planning Applications. Neighbourhood Plans<sup>1</sup> are prepared by Town and Parish Councils to address key local priorities. Their key milestones are specific to each document. The regulations do not require neighbourhood plans to be included within the LDS.

2.5 Neighbourhood Development Plans are prepared by Parish Councils and the plans are subject to consultation, independent examination, and referendum. The plans must be in general conformity with the strategic policies of the adopted local plan and should have regard to any emerging Local Plan.

2.6 A neighbourhood area has to be designated for a Neighbourhood Development Plan to be produced. In total, 13 Parish Councils (1 joint with 3 parishes) have designated Neighbourhood Areas. To date, 8 Neighbourhood Plans have been made and the remaining 7 are at various stages of preparation.

Further information on these neighbourhood plans can be found at the following link:

<https://www.breckland.gov.uk/article/4284/Neighbourhood-Plans>

*Norfolk Minerals and Waste Local Plan 2013-2030 (July 2016)*

2.8 The adopted Norfolk Minerals and Waste Development Framework contains the following three minerals and waste planning policy documents and a policies map. These documents contain policies for use in making decisions on planning applications for mineral extraction and associated development and waste management facilities, and in the selection of specific site allocations in Norfolk:

- Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (adopted September 2011)
  - Minerals Site Specific Allocations Development Plan Document (DPD) (adopted October 2013, amendments adopted December 2017)
  - Waste Site Specific Allocations Development Plan Document (DPD) (adopted October 2013)
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- Revised PDF policies map and the revised interactive policies map which includes the Site-Specific Allocations and an interactive map of Mineral Safeguarding Areas.

Further information on these neighbourhood plans can be found at the following link:

<https://www.breckland.gov.uk/article/4284/Neighbourhood-Plans>

- 2.10 The County Council is preparing a Norfolk Minerals and Waste Local Plan Review, to consolidate the three adopted plans into one Local Plan, ensure that the policies within them remain up-to-date and to extend the plan period to the end of 2036.

<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/minerals-and-waste-planning-policies/norfolk-minerals-and-waste-local-plan-review>

### **Other Planning Documents**

- 2.11 In addition to the above components of the Development Plan, there are other key planning documents that the Council can produce. These include:

- Supplementary Planning Documents – these set out further information, interpretation or clarification regarding existing planning policies and are produced and adopted by the Council in accordance with government requirements
- Planning policy guidance – these set out further information, interpretation or clarification regarding existing planning policies but have not been produced to meet government Supplementary Planning Document requirements
- Statement of Community Involvement – a procedural document that sets out the methods for consultation and engagement with the public and stakeholders. This includes consultation and engagement during the production of Local Plans, the production of Neighbourhood Development Plans, and the Development Management process.
- Authority Monitoring Reports – a procedural document, produced on an annual basis that monitors performance against the Local Plan.

- 2.12 In Breckland the Planning Team are currently preparing a supplementary planning document on Affordable Housing (in conjunction with the Council's Housing Team).

- 2.13 The Council also prepares two additional documents: a Statement of Community Involvement detailing how people will be involved in the planning system; and a Monitoring Report that considers how effectively the Local Plan policies are being implemented.

### 3 Overview of Local Development Documents to be produced

#### Partial Review

- 3.1 The Local Plan was found sound following independent examination and was adopted by Full Council on 28 November 2019. The Plan contains Policy INF 03. This requires an immediate review of the local plan covering 4 key areas.
- 3.2 The Policy states:

#### **Policy INF 03: Local Plan Policy Review**

**The Council will undertake an immediate partial review of the Plan, with regard to the following matters**

- **Policy HOU 01 Development Requirements (minimum): To consider housing need and the subsequent strategy for meeting the identified need.**
- **Policy HOU 08 Gypsy and Travellers: To consider the needs of nontravelling gypsy and travellers and identify suitable provision to meet such a need.**
- **Policy HOU 10 Technical Design Standards for New Homes: To consider the accessibility of homes standards.**
- **Policy EC 01 Economic Development: To consider the effect of the dualling of the A47 on the Plan's economic strategy.**

**The partial review of the Plan will be submitted for examination 3 years after the date of adoption of this Plan or by November 2022, whichever is soonest. In the event that the review is not submitted for examination by this time, then the Council's policies that relate to the supply of housing, economic development and gypsy and travellers will be deemed to be out-of-date.**

- 3.3 The Partial Review relates solely to Policy INF 03 and supporting text seeking amendments to extend the 'November 2022 date to match the agreed Local Development Scheme for the Substantive Review (once completed). Officers consider that this approach provides for a more robust approach. This option includes also continuing to work on a more Substantive Review which will extend the plan period beyond 2036 to 2041. Work will continue in parallel to the substantive review.
- 3.4 The partial Review must follow the same statutory stages as a full review. This would be a truncated process comprising:
- Publication of the Council's intent to Review Policy INF 03, making it clear that it has reviewed whether the Policy needs updating and the reasons why it does in accordance with paragraph 33 of the NPPF.
  - A clear statement that the approach will be twin tracked, considering Policy INF 03 in the shorter term and the Plan, as a whole, by the date agreed in the new Local Development Scheme for the completion of the Substantive Review.
  - Compiling the appropriate Evidence base

- The publication of its intentions with appropriate supporting documentation and an updated Local Development Scheme will form the Regulation 18 stage. This will require notifying various bodies and persons of the subject of a local plan which they propose to prepare and invite representations from them on what a plan with that subject ought to contain. This will require setting out how Policy INF 03 would be modified.
- Preparation and consultation on the Regulation 19 Plan including Sustainability Appraisal and Habitats Regulation Assessment and Equality Impact Assessment work
- Examination
- Adoption

3.5 There is a greater likelihood of the suggested approach being found 'sound' if the Council can demonstrate that it is making significant progress on a wider review. Therefore, a timetable for both reviews have been prepared and are set out in this Local Development Scheme.

### **Full Update**

3.6 The Full Update must, under the current process, follow these statutory stages:

- The first stage of plan-making (Regulation 18 Notification) requires the notification to interested parties of the proposed subjects to be included in the Local Plan, and to invite comments.
- Identification and consultation on the scope of the Plan by identifying issues and opportunities, and translating these into aims, objectives, and an overall vision for the District and each of the larger settlements.
- Appraisal of a range of policy and site options and publication and consultation on preferred choices for inclusion in the First Draft Local Plan consultation document. This includes all alternative options considered to enable people to see why a particular approach has been chosen.
- Regulation 18 also includes preparation and consultation on Plan including Sustainability Appraisal and Habitats Regulation Assessment and Equality Impact Assessment work
- Regulation 19 is where the proposed policies and site allocations are published in a Final Draft Local Plan document.
- Following consultation, the Final Draft Local Plan will be submitted to the Secretary of State for independent examination.
- Regulations 22-26 of the Local Planning Regulations involve the submission of the Draft Local Plan to the Secretary of State for independent examination, the examination hearings and subsequent consultation on any required changes to the Plan before it can be adopted for use - if it is found to be 'sound' by the Inspector.

### **Future Resources and Timetable**

3.7 In order to agree a robust timetable for the Full Update it will be critical to have sufficient financial and staffing resources in place by 2022. To minimise the risk of the Partial Review being found unsound at examination, it will be critical for the Council to agree a robust timetable for the completion of the Full Update, at the same time as the timetable for the preparation of the Partial

Review. It will be important for the Council to have submitted the Partial Review for examination before the November 2022 date set out in Policy INF 03.

- 3.8 In accordance with the NPPF local plans should be reviewed every 5 years. This needs to be balanced with the fact that both the process for preparing and content of the Plan will change over the next 2 – 3 years and the timetable should be flexible enough to take account of these changes. Over the next year it is likely that the Council will have better information on the implications of the planning bill and likely content of the plans and processes including greater digitisation and methods of community engagement. This can be fed into a review of the Local Development Scheme as required.

#### **4 Timetable and Resources**

- 4.1 The timetables for both the partial and full update need careful consideration. Critical factors in agreeing timetables are as follows:

- Available financial resources
- Available staffing resources
- It is critical that the Council sets a timetable that is supported by both a financial and staff resource committed appropriate to minimise risks to delivery.
- It is also critical that the Council sets a timetable for the full update that can satisfy an inspector, considering the partial review, that the council is committed to completing a full update within a reasonable timeframe.

- 4.2 It is critical that the Council sets a timetable that reflects possible changes to the planning system and does not commit to potentially abortive and costly work too early in the preparation process or seek to progress the Review too quickly. This needs to be balanced with the current expectation in the NPPF that requires Plans to be reviewed every 5 years (November 2024).

- 4.3 The production of the new Local Plan will follow the full statutory processes, including the preparation of a Sustainability Appraisal, public participation, and other regulatory requirements. The Local Plan will be subject to Examination by an independent Inspector.

- 4.4 The documents that Breckland Council proposes to prepare are as follows:

- (1) The new Local Plan,
- (2) Policies Maps,
- (3) A Statement of Community Involvement
- (4) A 5 Year Housing Land Statement in accordance with the requirements of the NPPF.

- 4.5 Appendix 1 sets out the timetable for the preparation of the Local Plan Review.

#### **Availability of the LDS**

- 4.2 The Council is required by the regulations to make the LDS available to the public. Copies are available for inspection at the Council's offices in Dereham.

The LDS is also available to view on the Planning Policy pages of the Council's website [[www.breckland.gov.uk](http://www.breckland.gov.uk)].

## Appendix 1: Timetable

Coverage: District Wide		Partial	Full Update
Governance: Local Plan Working Group / Cabinet / Full Council			
A	Commencement of Preparation	Q3 2021	Q3 2021
	<i>Time Taken</i>	1 month	1 month
B	Scoping of the Review	Q3 2021	Q3 2021 2022 – Q1
	<i>Time Taken</i>	1 month	3 months
C	Prepare revised local development scheme (Cabinet approval)	Q3 2021	Q3 2021
	<i>Time Taken</i>	2 months	2 months
D	Prepare and consult on Statement of Community Involvement (Cabinet approval)	Q3- Q4 2021	Q3- Q4 2021
	<i>Time Taken</i>	2 months	2 months
E	Sustainability Appraisal Scoping Report and preparation (including consultation) (Prepared externally)	Q4 2021 -Q4 2022	Q1 2022 -Q3 2026
	<i>Time Taken</i>	Throughout process	Throughout process
F	Collation of evidence base	Q3 2021 -Q4 2021	Q3 2021 -Q1 2024
	<i>Time Taken</i>	1 month	3 years
G	Prepare Call for Sites (Working Group and Cabinet)		Q4 2021
	<i>Time Taken</i>		2 months
H	Consult on Call for Sites and processing of responses		June 2022 – December 2022
	<i>Time Taken</i>		7 months
I	First Conversation Consultation (Issues and Options) preparation and Cabinet approval (Regulation 18)		July 2022 – December 2022
	<i>Time Taken</i>		6 months
J	First Conversation Consultation (Issues and Options) consultation and processing of responses (Regulation 18)		January 2023 – April 2023
	<i>Time Taken</i>		16 weeks
K	Preferred Options and draft Plan preparation and Council approval (Regulation 18)		March 2023 - September 2023 -
	<i>Time Taken</i>		7 months
L	Preferred options and draft Plan consultation and processing of responses (Regulation 18)		October 2023 – January 2024
	<i>Time Taken</i>		16 weeks

M	Publication Draft Council preparation and approval for Submission (Regulation 19) (working Group and Cabinet)	Q2 2022	December 2023 - June 2024
	<i>Time Taken</i>	2 months	7 months
N	Publication Draft consultation and processing of responses (Regulation 19)	Q3 2022	July 2024 – September 2024
	<i>Time Taken</i>		12 weeks
O	Approval of Submission Draft (working Group and Cabinet)	Q3 2022	November 2024
	<i>Time Taken</i>		1 month
P	Submission for examination (Regulation 22)	Q3 2022	December 2024
	<i>Time Taken</i>		1 month
Q	Examination / Modifications (Regulations 23, 24)	Q4 2022	Q3 2025
	<i>Time Taken</i>	1 month	12- 18 months
R	Adoption (Regulation 26) (Council)	Q1 2023	Q1 2027
	<i>Time Taken</i>	1 month	2 months