

MIDDLESBROUGH COUNCIL

LOCAL DEVELOPMENT SCHEME

(2019 – 2021)



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1. Introduction

- 1.1 Local Planning Authorities (LPAs) such as Middlesbrough Council are required to produce a Local Development Scheme (LDS). This is, in essence, a project plan that sets out the LPA's timetable and programme for the production of their Local Plan. As a result, the LDS should be the starting point for any person wishing information on the Council's plan-making activities.
- 1.2 More detailed information on the LDS is provided in section two.

2. The Local Development Scheme

2.1 As set out in paragraph 1.1, the LDS should be the starting point for any person wishing information on the Council's plan-making activities, including:

- a brief description of the Local Plan documents to be prepared (including those prepared jointly with other LPAs) and, where appropriate, the geographic area to which they relate;
- a timetable for Local Plan production that gives timings for the achievement of the following key milestones:
 - Formal commencement of plan preparation, including notification of what subject(s) the local plan will address and associated consultation on this (also known as 'Issues & Options');
 - Preferred Options (for informal public participation);
 - Publication (for formal public participation);
 - Submission to the Secretary of State for examination; and
 - Adoption (by the Council).

2.2 Progress on Local Plan preparation is subject to continuous review via the Authority's Monitoring Report (AMR). This provides an assessment of:

- progress made against the timetable and milestones; and
- the effectiveness of the policies in delivering national, regional and/or local targets.

2.3 The findings of the AMR are then used to:

- consider the need to review and amend the LDS timetable;
- identify if additional Local Plan documents are required, in order to ensure the Local Plan is responsive to changing circumstances; and
- establish whether policies require amending. For example, this may be because they are:
 - not being implemented;
 - not achieving the desired outcomes; or
 - no longer consistent with national planning policy.

2.4 This is the ninth version of the LDS Middlesbrough Council has produced since the original in 2005, and it covers the period from 2019 - 2021.

3. Middlesbrough Local Statutory Development Plan (Local Plan)

3.1 The following adopted documents form part of the current Middlesbrough Local Plan:

- **Housing Local Plan** (Adopted 2014) The Housing Local Plan replaces the housing elements of the Core Strategy (2008) and Regeneration DPD (2009), outlining the context and vision for future housing development within the town up to 2029. The Housing Local Plan contains Middlesbrough's allocated housing sites for the period 2012 - 2029. The Plan also includes policies relating to the delivery of many of these allocations, specifically those deemed of strategic importance.
- **Regeneration DPD** (Adopted 2009) - site-specific allocations for key regeneration sites, covering employment, mixed, retail, leisure, and transport uses. Likewise the Housing Local Plan, it also includes policies relating to the delivery of allocations. Policies and allocations related to housing are no longer extant however, having been superseded by those in the Housing Local Plan (see above);
- **Tees Valley Minerals and Waste Core Strategy DPD** (Adopted 2011) (prepared jointly with Darlington, Hartlepool, Redcar and Cleveland, and Stockton-on-Tees Councils) - the long-term spatial vision and strategic policies needed to achieve key objectives for minerals and waste-related development in the Tees Valley;
- **Tees Valley Minerals and Waste Policies and Sites DPD** (Adopted 2011) (prepared jointly with Darlington, Hartlepool, Redcar and Cleveland, and Stockton-on-Tees Councils) - site-specific allocations for minerals and waste-related development, and policies that will be used to assess such applications.
- **Middlesbrough Local Plan 1999** (Saved policies) Until such time as a new Local Plan is adopted, a number of 'saved' Local Plan policies remain extant;
- **Proposals Map (also known as the Policies Map)** - illustration of site-specific allocations in the Regeneration DPD and Housing Local Plan (the map will be updated as new DPDs are revised or adopted); and
- **Marton West Neighbourhood Plan (2016)** forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the designated Marton West Neighbourhood Area.

4 Neighbourhood Plans

- 4.1 As the Council does not prepare neighbourhood plans and progress is dependent on the community, detailed timetable information is not available and thus cannot be included in the LDS. However, as and when neighbourhood plans are known to be under preparation, or have been adopted by the Council as part of its Local Plan, a brief synopsis will be provided (in the LDS) for information purposes.
- 4.2 Currently Middlesbrough has only one adopted Neighbourhood Plan. The Marton West Neighbourhood Plan was adopted by the Council on 30 November 2016, and now forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the designated Marton West Neighbourhood Area. A brief synopsis of the adopted Marton West Neighbourhood Plan is provided in Appendix B.
- 4.3 On the 7 March 2017 the Council approved an application from the Stainton & Thornton Parish Council to establish a Neighbourhood Area within the parish boundary. The Parish Council is now in the process of preparing its Neighbourhood Plan, and intends to submit the draft Plan to the Council in 2019.
- 4.4 In addition, on the 18 February 2019 the Council approved two applications from residents within the Gresham area for Neighbourhood Area status, and to set-up the Gresham Neighbourhood Forum, for the purpose of preparing a Neighbourhood Plan.

5 Future Local Plan timetable

- 5.1 Middlesbrough Council is preparing a new Local Plan to replace the all existing Local Plan documents with the exception of the Joint Minerals and Waste DPDs.
- 5.2 The Local Plan will replace the Housing Local Plan, the Core Strategy and the Regeneration DPDs and saved policies from the 1999 Local Plan, and will cover all topic areas (excluding minerals and waste). Topic areas will include housing, employment, the historic environment, nature conservation, open space, retail and the Town Centre, and transport.
- 5.3 The Council commenced preparation of the new Local Plan in 2016, and undertook consultation on both the Preferred Options Report and the Publication Local Plan during 2018. However, this has not progressed to the submission stage, and the Council has confirmed it will continue to prepare the Local Plan in accordance with the timetable set out below:

6. Resources and Programme Management

6.1 Local Plan preparation will be carried out by the Planning Policy Team within Planning Services. The timetable in Table 1 is based on the (assumed) staff resource set out in Table 2 below.

Table 2: Core team resources

Staff posts	% Working time	Full time or part time
Head of Planning	20%	Full time
Strategic Policy Manager	60%	Full time
Planning Policy Group Leader	80%	Part time
Principal Planning Officer	85%	Full time
Senior Planning Officer	90%	Full time
Planning Officer	90%	Full time
Planning Assistant	-	Currently Vacant
Technical Officer	60%	Full time
Conservation Officer	20%	Part time

6.2 The input of other Council Service Areas (expertise and resources) will also be required throughout preparation of the Local Plan. Private consultants will be commissioned, where appropriate to undertake specialist/technical pieces of work where deemed necessary, particularly during evidence-gathering phases.

6.3 The Strategic Policy Manager and Planning Policy Group Leader have overall responsibility for the preparation of the Local Plan, which is overseen by a core Member Working Group consisting of (but not limited to) the following:

- Mayor;
- Deputy Mayor;
- Executive Member for Regeneration;
- Executive Member for Finance and Governance;
- Chair of Planning and Development Committee; and
- Vice Chair of the Planning and Development Committee.

6.4 A budget is in place to cover the cost of work that needs to be undertaken externally by private consultants, as well as printing and other costs associated with the consultation and examination of the Local Plan.

Risk Assessment

6.5 Preparation of the Local Plan is the Planning Policy team's key priority and, consequently, takes precedence over other work. Nevertheless, there are a number of factors that could result in delaying the achievement of milestones set out in Table 1 and Appendix B. Whilst delays to plan preparation will sometimes be unavoidable, and contingency is built in to the process, it is important members of the public and stakeholders are made aware of the main risks to slippage, as well as measures the Council have, or will put in place, in order to mitigate or reduce them. These are set out below in Table 3.

Table 3: Risk assessment

Code	Main Risks	Current Mitigation	Future Mitigation
001	Political change/instability at the national level, impacting on government decision-making and policies and the impact of a Purdah period.	<ul style="list-style-type: none"> • Ensure flexibility in the Local Plan timetable to account for election by keeping LDS under review. 	<ul style="list-style-type: none"> • Keep up-to-date with any changes to Government policy.
002	The scope of major projects changing during the preparation of the Local Plan, meaning that emerging policies are no longer deliverable and/or do not	<ul style="list-style-type: none"> • Planning to have sight of any changes to scope reports in draft to manage impacts on the Local Plan. • Planning to be included 	Seek sign off on new Local Plan policies by Project Board/relevant Project Manager

	accurately reflect projects.	<p>within the Project Boards at the Masterplan development stage for TMIV, Centre Square, Middlehaven and the Railway Station.</p> <ul style="list-style-type: none"> • Write flexible policies within the Local Plan to take account of minor changes to projects. 	
003	Retention of existing affordable housing policy could be criticised by the Planning Inspectorate when they undertake the examination and could result in an unsound judgement of the Local Plan.	<ul style="list-style-type: none"> • Framework in place and commitment to spend S106 and deliver affordable housing. • Affordable Housing Strategy identifies sites for delivery. 	<ul style="list-style-type: none"> • Continue to keep the framework under review. • Ensure Local Plan policy wording is NPPF compliant.
004	An adopted green infrastructure strategy not being in place to inform preparation of the Local Plan.	<ul style="list-style-type: none"> • Begin preparation of a green infrastructure strategy as soon as practicable 	<ul style="list-style-type: none"> • Ensure appropriate consultation on the strategy with stakeholders and residents. • Work closely with the Member Working Group to ensure the GI Strategy reflects the Council's priorities.
005	Uncertainty around future education requirements creates uncertainty around content of the Local Plan.	<ul style="list-style-type: none"> • Strategic School Place Planning Group in place with representation from department. 	<ul style="list-style-type: none"> • Manage the wording in the Local Plan so it acknowledges new developments that may or may not create education demand. • Review and update the School Place Strategy. • Develop School Funding Strategy. • Policy to safeguard for land for future education use.
006	Transport needs assessment process is not in place and therefore not aligned to the Local Plan which may impact on deliverability of draft sites.	<ul style="list-style-type: none"> • Early discussions have already taken place with Highways England in relation to the new Local Plan and likely impacts on the strategic road network. 	<ul style="list-style-type: none"> • Appoint consultants to prepare transport needs assessment. • Timescales are to be aligned to the Local Plan.
007	The Combined Authority Strategic Transport Plan could impact upon the Local Plan.	<ul style="list-style-type: none"> • Close working with the TV-CA on the Strategic Transport Plan 	<ul style="list-style-type: none"> • Regular updates provided to Head of Planning to ensure the Local Plan takes account of any impacts.
008	That infrastructure delivery does not keep pace with development.	<ul style="list-style-type: none"> • Infrastructure Delivery Plan in place. 	<ul style="list-style-type: none"> • Revise and update IDP alongside Local Plan. • Parking and Bus Strategies to be refreshed and taken into consideration through the Local Plan.
009	TVCA Housing agenda being developed which may impact on housing priorities.	<ul style="list-style-type: none"> • Members of relevant groups in TVCA. 	<ul style="list-style-type: none"> • Local Plan takes account of TVCA priorities.
010	Adverse public opinion affecting Local Plan preparation.	<ul style="list-style-type: none"> • Statement of Community Involvement in place detailing the extent of public consultation on the Local Plan. 	<ul style="list-style-type: none"> • Engagement and Communication Strategy to be developed. • Update SCI to ensure appropriate methods are used at each stage of plan preparation.
011	Council-owned sites cannot come forward that have not been formally been released yet.	<ul style="list-style-type: none"> • Valuation and Estates consulted • Early consultation with CMT and Local Plan Member Working Group 	<p>Formal sign off process to be implemented to confirm site availability</p>
012	Potential additional budget pressure of £100k in 2021/22 due to the examination costs for the Local Plan	-	<ul style="list-style-type: none"> • Explore options to manage with Finance.
013	Capacity to deliver the Local	-	<ul style="list-style-type: none"> • Appoint external consultants

	Plan due to small team and lack of specific expertise in some areas.		<p>for certain elements of the work programme, in particular the evidence base.</p> <ul style="list-style-type: none"> • Manage and develop the staff to reduce the skills shortage. • Ensure recruitment to vacant positions as soon as is practicable.
014	Potential political implications of delivering the Local Plan.	-	<ul style="list-style-type: none"> • Engage with Members to gain understanding of the Council's priorities. • Seek direction from the Member Working Group and input from Members of Planning Committee. • Ensure evidence upon which to base the Local Plan remains up-to-date.

Appendix A: Profile of the future Local Plan

Middlesbrough Local Plan	
Document details	<ul style="list-style-type: none"> • Role: the identification of strategic and site-specific policies related to employment, housing, the historic environment, education, nature conservation, open space, retail and the Town Centre, transport, and other infrastructure requirements. • Geographic coverage: Borough-wide. • Status: DPD (comprising part of the Local Plan). • Chain of conformity: <ul style="list-style-type: none"> - NPPF
Timetable <i>(Denotes key milestones)</i>	<ul style="list-style-type: none"> • <i>Commence preparation of the Local Plan – July 2019.</i> • <i>Preferred Options and stakeholder involvement/public participation – April/June 2020.</i> • <i>Publish Local Plan for a period of no less than six weeks – October/November 2020.</i> • Consider representations made during publication stage – November 2020. • <i>Submit Local Plan to Secretary of State – December 2020.</i> • <i>Pre-examination meeting – January 2021 (if required).</i> • <i>Examination – February 2021.</i> • Receipt of Inspector's report – March/April 2021. • Adoption of Local Plan – May 2021.
Arrangements for production	<ul style="list-style-type: none"> • Lead organisation/department - Planning Policy Team, Middlesbrough Council. • Other Council Input - Economic Development, Education, Environment, Streetscene, and Transport and Infrastructure. • Management arrangements - Planning Policy and Local Plan Member Working Group. • Evidence base - see section eight. • Resources required - standard resource requirement for producing a DPD. • Approach to involving stakeholders and the community - in line with the standards set out in the SCI.
Review	Any need to review the Local Plan will be identified in the AMR.

As referred to in paragraph 4.1, as the Council does not prepare neighbourhood plans and progress is dependent on the community, detailed timetable information is not available and thus cannot be included in the LDS. At the time of publication of this LDS only one Neighbourhood Plan has been adopted by the Council. A brief synopsis of the Neighbourhood Plan, is provided below for information purposes.

Neighbourhood Plans (Adopted)	Synopsis
<p>Marton West Neighbourhood Plan (Adopted November 2016).</p>	<p>The main aims of this Plan are to maintain Marton West with the same ethos and character that currently exists, but to welcome incremental changes that will sustain and enhance its facilities and contribute to a greater sense of community and neighbourliness.</p> <p>The Marton West Neighbourhood Plan is to be reviewed to incorporate recent changes to the Ward and Neighbourhood Area boundary.</p>
Recent Neighbourhood Area Designations	Neighbourhood Plan Progress Update
<p>Stainton and Thornton Neighbourhood Plan (Approved Neighbourhood Area status 7 March 2017).</p>	<p>Intended submission of draft Neighbourhood Plan to the Council – 2019 (summer).</p>
<p>Gresham Neighbourhood Plan (Approved Neighbourhood Area and Forum status 18 February 2019).</p>	<p>Intended submission of draft Neighbourhood Plan to the Council – Not yet known.</p>

Appendix B: Indicative timetable for the preparation of Local Plan

	2019				2020				2021			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Local Plan			DE	DE (SI)	DE (SI)	PO (SI/PP)	PO (SI/PP)	P/S (SI/PP)	E	IR A		

Key:

Pre-production phase <ul style="list-style-type: none"> • Development of evidence (DE) 	Production phase <ul style="list-style-type: none"> • Preparation of DPD • Preferred Options (PO) • Stakeholder Involvement/Public participation on DPD (SI/PP) • Publication (P) • Preparation of Submission DPD 	Examination phase <ul style="list-style-type: none"> • Submission to Secretary of State (S) • Examination (E) • Inspector's Report (IR) • Adoption (A)
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