



Local Development Scheme 2022 - 2027

November 2022

Basildon Borough Council

Basildon Centre 01268 533 333
St Martins Square www.basildon.gov.uk
Basildon
SS14 1DL



BasildonCouncil



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1. Introduction

Purpose

- 1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires the Council as a Local Planning Authority (LPA) to prepare and maintain a Local Development Scheme (LDS).
- 1.2 This version was approved by Cabinet on 22 September 2022 and adopted by the Council on 17 November 2022 to come into effect on 18 November 2022.
- 1.3 The LDS is the Council's project plan and timetable for preparing a Development Plan for Basildon Borough. It sets out:
 - The Local Development Documents the Council intends to prepare.
 - Any joint development plan document to be prepared with one or more other local planning authorities.
 - The subject matter and geographical areas for each document.
 - The timetable for the preparation of each document.
- 1.3 The Local Development Scheme has two principal purposes:
 - To inform the public and stakeholders about the Local Development Documents for Basildon Borough; and
 - To set out a suitable timetable to prepare or review these documents and at what stage people can expect to be involved in the plan-making process.
- 1.4 Basildon Borough Council's first LDS was adopted in 2005 and has since been subject to eleven previous reviews. This LDS forms the twelfth review and consequently the thirteenth edition, and it replaces all previous versions.

Progress to Date

- 1.5 Since the publication of the first LDS, the Council had initially been working on the preparation of a Local Development Framework and had undertaken work on a Core Strategy document. In December 2014, the Council commenced work on a Local Plan for the Borough covering the period from 2014 to 2034.
- 1.6 The Basildon Borough Local Plan 2014 - 2034 was submitted to the Secretary of State on 28 March 2019, and an independent Planning Inspector was appointed to carry out the Local Plan Examination.
- 1.7 On 3 March 2022, the Council resolved to withdraw the Basildon Borough Local Plan 2014 - 2034 from examination. The withdrawal of the plan will give the Council an opportunity to make a new Local Plan which will seek to address current local issues.

2. The Local Development Documents

Adopted Development Plan Documents

2.1 The statutory development plan for Basildon Borough Council's administrative area comprises the following documents:

Document	Adoption Date	Period covered
Basildon District Local Plan Saved Policies	Adopted in 1998; and Saved in 2007	-
Essex Minerals Local Plan	July 2014	2012 - 2029
Essex and Southend-on-Sea Waste Local Plan	July 2017	2017 - 2032
South East (Inshore) Marine Plan	June 2021	2021 - 2041

2.2 When preparing the new Local Plan, regard will need to be given to the strategies and policies contained within the Minerals and Waste Local Plans, and the South East (Inshore) Marine Plan.

Emerging Development Plan Documents

Basildon Borough New Local Plan

2.3 Basildon Council is in the process of preparing a new Local Plan which will set out the overall planning framework to support growth and development in the Borough. The new Local Plan will cover the whole of the Basildon administrative area and include strategic priorities and long-term vision for the area. It will contain a Spatial Strategy which identifies locations for delivering strategic development needs such as housing, employment, retail, leisure, and infrastructure. It will also include strategic policies, site allocation policies, development management policies and a Policies Map for determining planning applications.

2.4 Once adopted, the new Local Plan will replace the existing Basildon District Local Plan Saved Policies 2007.

2.5 The need for additional development plan documents to supplement the Local Plan will be kept under review. For instance, additional plans can be used to set out more detailed policies for specific areas or types of development where appropriate.

South Essex Joint Strategic Framework

2.6 Future plan-making will also need to take full account of the non-statutory, strategic framework for South Essex which the Association of South Essex Local Authorities (ASELA)¹ is currently preparing. The Framework will cover the whole of the boroughs of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, and will provide the sub-regional context within which more focused local development plans will be prepared and/or reviewed.

¹ Comprising Basildon Borough Council, Brentwood Borough Council, Castle Point Borough Council, Rochford District Council, Southend-on-Sea Borough Council, Thurrock Council and Essex County Council.

2.7 The scope and timetable of the South Essex Framework is currently under review and an up-to-date timetable will be provided in a future LDS update once agreed.

Neighbourhood Development Plans

2.8 The Localism Act 2011 introduced new rights and powers which allow local communities to shape how their local areas develop and change by preparing Neighbourhood Development Plans (NDPs). They can be prepared by town, village or parish councils or by 'neighbourhood forums' in unparished areas and must be in conformity with the Local Plan for the area.

2.9 Work has commenced on a number of neighbourhood development plans within Basildon Borough. Upon each of these being 'made', they will become part of the statutory development plan for the area which they cover. There are currently four neighbourhood areas in the borough. Their status is set out below and further details for each one can be found on their websites.

Neighbourhood Area	Key dates/ Status	Website
Hovefields and Honiley Neighbourhood Area	Designated 25 May 2016 Neighbourhood Forum expired	https://www.hhnf.co.uk/
Bowers Gifford and North Benfleet Neighbourhood Area	Designated 18 July 2016 Preparing a draft Neighbourhood Plan	https://e-voice.org.uk/bgnb-parishcouncil/land-at-north-benfleet-hall/
Ramsden Bellhouse Neighbourhood Area	Designated 29 August 2018 Preparing a draft Neighbourhood Plan	https://ramsdenbellhouseparishcouncil.co.uk/neighbourhood-plan/
Noak Bridge Neighbourhood Area	Designated 22 November 2018 Preparing a draft Neighbourhood Plan	https://e-voice.org.uk/noakbridgepc/neighbourhood-plan/

2.10 Further information on neighbourhood planning in the borough can be found at: www.basildon.gov.uk/neighbourhoodplanning

Other Planning Documents

2.11 To assist in its preparation and to help determine the scope of the Local Plan preparation, the documents set out below are also relevant and will need to be prepared, updated or reviewed as required.

Community Infrastructure Levy

2.12 The Community Infrastructure Levy (CIL) is a planning charge levied on certain types of new developments and is used by local authorities to fund and deliver infrastructure needed to support new development. It is the mechanism which the Council will use in the future to ensure new development contributes towards the funding of upgrades to local and strategic infrastructure such as education, healthcare, roads to ensure the borough's growth is sustainable.

- 2.13 Whilst the CIL is a document of the Development Plan, it is subject to its own specific consultation and procedural requirements as set out in the CIL Regulations 2010 (as amended). The Levelling Up and Regeneration Bill (May 2022) also proposes to replace the current system of Community Infrastructure Levy² by introducing a new locally determined 'Infrastructure Levy' (IL) as a charge on development for infrastructure.
- 2.14 Basildon Council is yet to adopt a CIL in the borough and does not plan to introduce one until such time as it has advanced a new Local Plan and can ascertain how a proposed CIL charge would affect development viability. This will then enable the Council to set out an appropriate timetable for preparing the relevant documents. The transitional arrangements to move to any new Infrastructure Levy will also have implications on whether CIL is brought into place. The CIL or any future replacement will be prepared as a separate document, having regard to the Local Plan and its associated infrastructure requirements.

Supplementary Planning Documents

- 2.15 The Council has adopted a number of Supplementary Planning Documents (SPDs) to date. SPDs provide additional guidance on Local Plan policies and proposals.
- 2.16 To support the preparation of the Local Plan, some SPDs may be required to be updated, or additional SPDs may be required. The latest status of SPDs is available on the Council's website at: <https://www.basildon.gov.uk/adoptedplan>.

Policies Map

- 2.17 The policies map covers the whole of the Basildon Borough area, and its purpose is to illustrate sites allocated for development or protection within the Local Plan. The policies map is updated as new Development Plan Documents are prepared or revised to provide a clear visual illustration of the application of policies across the area.

Statutory Assessments

- 2.18 The Local Plan and other statutory development plan documents are subject to a number of statutory assessments including Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Habitats Regulations Assessment (HRA), Health Impact Assessment (HIA) and Equalities Impact Assessment (EqIA). This process is an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have.
- 2.19 This involves scoping reports and assessments throughout the preparation of the Local Plan to ensure an iterative approach. These documents are published for consultation alongside the publication of each stage of the Local Plan and form a key consideration of determining soundness at Examination.

Evidence Base

- 2.20 Throughout the preparation of the new Local Plan, the Council will develop and maintain a sound evidence base covering a range of topics. The Council's evidence base will be

² With the exception of the Mayoral CIL which will continue to exist in Greater London.

supplemented by necessary research and studies undertaken by consultants on behalf of the Council. Others will be undertaken in partnership with other Local Authorities and Essex County Council to take into account any issues and opportunities affecting neighbouring areas and the wider region as appropriate. Providing a sound and comprehensive evidence base is fundamental to developing sound planning documents. The key evidence base documents will be made available to view and download from the relevant Local Plan webpage.

Statement of Community Involvement

- 2.21 Section 18 (1) of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to prepare a Statement of Community Involvement (SCI). The SCI sets out how the Council will engage with the local community and other stakeholders in plan-making and when considering planning applications, appeals and enforcement.
- 2.22 The SCI is not a development plan document and therefore its programme does not need to be specified in this LDS. There is however a legal requirement for the SCI to be reviewed at least every 5 years. The Basildon Borough Statement of Community Involvement Third Revision was adopted by the Council in October 2020 and can be found on the Council's [website](#).
- 2.23 A separate Joint SCI has been prepared by ASELA, covering joint plan-making activities only. The SCI Addendum was adopted by Basildon Council as a Local Development Document on 18 March 2021.

3. Timetable for the Local Plan

- 3.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the stages for preparing a Local Plan. The same stages would also apply to the preparation of Joint Local Plans. These stages are:
- Regulation 18 – Preparation of a Local Plan (including consultation)
 - Regulation 19 – Publication of a Local Plan (including consultation)
 - Regulation 20 – Consideration of Representations to a Local Plan
 - Regulation 22 – Submission of a Local Plan to the Secretary of State
 - Regulation 24 – Independent Examination
 - Regulation 25 – Recommendation from the Independent Examiner
 - Regulation 26 – Adoption of the Local Plan.
- 3.2 The timetable for preparing the Local Plan is set out below and will be updated with further detailed timescales as plan preparation progresses and relevant milestones are met or require amending. The table is set out in quarters for each year as follows:
- Quarter 1 (Q1) = January/February/March
 - Quarter 2 (Q2) = April/May/June
 - Quarter 3 (Q3) = July/August/September
 - Quarter 4 (Q4) = October/November/December

Basildon Borough Local Development Scheme: 2022 to 2027

Stage	Estimated Timescale
Issues and Options Consultation (Regulation 18)	Q2 2023
Draft Local Plan Consultation (Regulation 18)	Q3 2024
Publication Local Plan (Regulation 19)	Q4 2025
Submission to Secretary of State (Regulation 22)	Q2 2026
Independent Examination, including hearings, commence (Regulation 24)	Q4 2026
Recommendation from the Independent Examiner (Regulation 25)	Q3 2027
Adoption of the Local Plan (Regulation 26)	Q4 2027

4. Risk Management

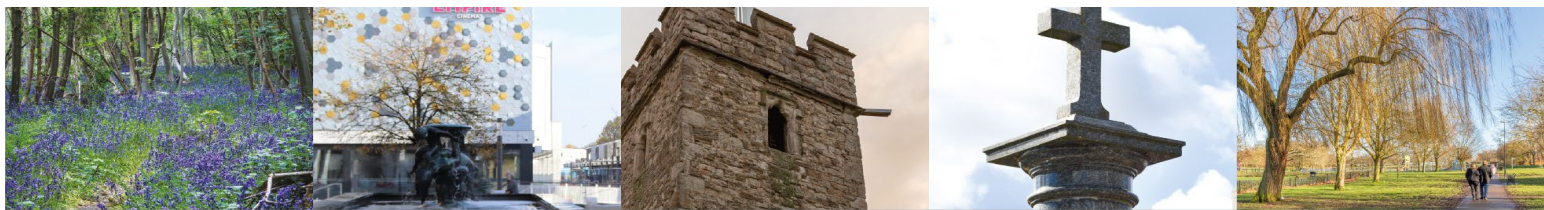
4.1 There are several factors which may impact upon the ability of the Council to keep to the timetable for the production of the Local Plan documents. The key risks and potential mitigation measures include:

Risk	Level of Risk	Proposed Mitigation
Changes to national policy, guidance, or legislation	Medium to High	Keep up-to-date with national policy and/or legislative changes Assess as soon as practicable any amendments that may be necessary to the Local Plan.
Changing political priorities	High	Effective cross-party Member engagement to allow the views and considerations of Members to be taken into account. Ensure Members have a full appreciation of the evidence base and the recommendations of officers. Where appropriate this will be supported with the provision of legal advice.
Difficulties engaging with key stakeholders and the community	Low	Prepare and implement a consultation strategy. Ongoing engagement and consultation with key stakeholders and communities at all stages of the plan-making process to ensure objectives are aligned and information is shared. Raise any problems or issues through appropriate channels.
Handling higher than expected numbers of representations	Medium to High	Engage additional staff resources during and after consultation periods with the use of external specialists if necessary.
Staff turnover, staff loss, long term sickness	Medium	This will be managed in line with Council procedures for staff retention, as well as measures such as using temporary staff, secondment opportunities, or Service Level Agreements with other Councils, where possible, to divert some of the workload and maintain staff turnover.
Lack of capacity/resources within external	Medium	The Council will maintain an open dialogue with key organisations, including PINS and ECC, to gauge

organisations, including the Planning Inspectorate (PINS) and Essex County Council (ECC) as Education and Highways Authority. E.g., PINS may be unable to deliver hearings and reports on time.		whether timescales can be met. If problems occur, which are beyond the Council's control, it will have to accept some slippage to the LDS timetable and the LDS would need to be amended accordingly in line with that advice.
Lack of capacity/resources to support preparation of Neighbourhood Plans	Medium	Early engagement with Parish Councils/community groups to anticipate workload.
Significant public opposition to development plan documents	Medium to High	Effective Member and public engagement to ensure clear communication. Robust evidence-based approach to plan preparation, including community participation.
Legal challenges to development plan documents	Medium	Seek appropriate legal advice through the preparation of the Local Plan and keep abreast of best practice. Ensure that procedures and regulatory requirements are followed.
Budget shortfalls as a result of timetable delays, examination length and/or legal challenge	Medium	Regular budget monitoring and profiling to ensure that any pressures are identified early. Ongoing engagement with S151 officer and Senior Leadership Team. Seeking external funding sources e.g., Planning Delivery Fund.

5. Monitoring and Review

- 5.1 The plan-making process is designed by legislation to be a continuous process of preparation, monitoring, and review. Section 35 of the Planning and Compulsory Purchase Act 2004 (as amended) requires every Local Planning Authority to prepare an annual report on the extent to which local planning policies are being achieved. This is known as an Authority Monitoring Report (AMR). It is expected that the findings of the AMR will, at some point, trigger the need for any full or partial review of the Local Plan should its delivery be underperforming.
- 5.2 The Council's progress in respect of plan production will also be monitored through the AMR. The AMR assesses:
- how the Council is performing against the timescales in the LDS for the preparation of development plan documents.
 - where the Council needs to update the LDS particularly in light of the above.
 - where it is necessary to update the LDS, the steps and the timetable needed for such revision.
- 5.3 Basildon Borough's AMRs are published annually and are available on the Council's website at: <https://www.basildon.gov.uk/article/2075/Authority-Monitoring-Report>.



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