

Middlesbrough Council

Local Development Scheme 2022-2024

October 2022



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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 'Scoping' or '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 12th version of the LDS Middlesbrough Council has produced since the original in 2005, and it covers the period from 2022 - 2024.

3. Middlesbrough 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.
- **Core Strategy** (Adopted 2008) The spatial vision and strategy for the town's future development up to 2023, identifying its development needs and the broad locations where this will take place. All other subservient DPDs must be in conformity with the Core Strategy DPD. Strategic allocations and policies related to housing are no longer extant however, having been superseded by those in the Housing Local Plan (see above).
- **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);
- **Marton West Neighbourhood Plan (2021)** 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; and
- **Stainton and Thornton Neighbourhood Plan (2022)** forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the Stainton and Thornton Parish 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 two adopted Neighbourhood Plans. The modified Marton West Neighbourhood Plan was adopted by the Council in 2021, 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.
- 4.3 The Stainton and Thornton Neighbourhood Plan was adopted by the Council in June 2022 now forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the Stainton and Thornton Parish Area.
- 4.4 On the 18th 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.
- 4.5 On the 27th April 2022, the Council approved two applications from residents within the Coulby Newham area for Neighbourhood Area status, and to set-up the Coulby Newham Neighbourhood Forum, for the purpose of preparing a Neighbourhood Plan.
- 4.6 On the 7th September 2002, the Council approved an application from Nunthorpe Parish Council to establish a Neighbourhood Area in order for the Parish Council to prepare 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. The Middlesbrough Local Plan will cover the whole of the Middlesbrough administrative area and will be produced by Middlesbrough Council.
- 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. It is anticipated that it will cover all topic areas (excluding minerals and waste) although this will be established formally by the Scoping Report. Topic areas will include, economic growth, housing, the historic environment, nature conservation, open space, retail and the Town Centre, and infrastructure.
- 5.3 The proposed timetable for preparation of the Local Plan is set out in table 1 below and more detailed information can be found in appendices A and B:

Table 1: Schedule of Local Plan Documents - more detailed timetable information is provided in Appendix A and B

Stage	Timescale	Description
Scoping Report	Approval - November 2022 Consultation - December 2022 – January 2023	Formal commencement of the new Local Plan (Regulation 18)
Draft Local Plan (Preferred Options)	June 2023 Consultation June – July 2023	A non-statutory stage that provides the opportunity for the Council to set out its preferred approach and to engage with the community on the emerging policies
Publication Local Plan	October 2023 Consultation October - December 2023	Regulation 19 - Statutory stage, seeking formal representations on the Local Plan that the Council wishes to adopt (Regulation 19)
Submission	April 2024	Formal submission to the Secretary of State (Regulation 22).
Public Examination	April - August 2024	Independent Examination of the Plan to determine legal compliance and soundness. Can only be adopted if found to be sound (Regulation 24)
Adoption	September 2024	Formal adoption of the new Local Plan by the Council (Regulation 26)

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	60%	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 cross party Member Working Group.
- 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

Number	Risk	Potential Impact	Mitigating actions
1	Significant changes to National planning legislation, policy or guidance	<ul style="list-style-type: none"> Additional work may be required including evidence base to comply with new policies or guidance causes a slippage in the local plan programme 	<ul style="list-style-type: none"> Keep up to date on emerging national context and respond to changes early Respond to proposed policy shifts highlighting potential local consequences

2	<p>Capacity of Local Plan Team to deliver the Local Plan to the agreed timetable due to:</p> <ul style="list-style-type: none"> • small size of team; • the potential of Local Plan Project Team being required to do other unforeseen work; or • the volume of work being greater than anticipated, for example higher level of representations than expected, or significant interest in preparing Neighbourhood Plans. 	<ul style="list-style-type: none"> • Diverts members of the team from the Development Plan and causes a slippage in the programme • Cost implications 	<ul style="list-style-type: none"> • Ensure timetable is realistic but has some flexibility built in • Monitor progress against LDS • Consider additional resources/ re-prioritisation of work • Appoint external consultants for certain elements of the work programme, in particular the evidence base. • Manage and develop the staff to reduce the skills shortage. • Ensure recruitment to vacant positions as soon as is practicable. • Ensure the Development Plan remains a priority • Identify key staff to be 'shielded' from other work
3	<p>Evidence base not robust or out of date</p>	<ul style="list-style-type: none"> • Evidence base challenged/ undermined • Plan is found to be unsound 	<ul style="list-style-type: none"> • Ongoing monitoring and review of evidence base to ensure to is up to date and relevant • Keep up to date with national changes to evidence base requirements
4	<p>Community engagement results in a significant level of representations being made, either numerically or in the nature of the issues raised. Either scenario could require a significant amount</p>	<ul style="list-style-type: none"> • Delay in Plan preparation and potential slippage in Local Plan timetable 	<ul style="list-style-type: none"> • Engagement and Communication Strategy to be developed. • SCI updated March 2020 to ensure appropriate

	of officer time to analyse and address.		<p>methods are used at each stage of plan preparation.</p> <ul style="list-style-type: none"> • Ensure staff resource is available to assess representations in a timely manner. • Ensure ongoing dialogue with Member steering group. • It is considered possible, despite the Council's best endeavours, that consensus may not be reached with regard to some policies/allocations and this may need to be resolved through the independent examination.
5	Insufficient budgetary provision to finance the Local Plan	<ul style="list-style-type: none"> • Work cannot be progressed • Objectives on quality compromised 	<ul style="list-style-type: none"> • Local Plan budget is in place • Budget/cost to be kept under review
6	Delays in political decision making	Slippage in timetable and key milestones.	<ul style="list-style-type: none"> • Elected Members are involved at an early stage in the preparation process. • A cross-party Steering Group has been set-up to help resolve any issues and secure political 'buy-in' ahead of committee decisions. • Ensure that Members are fully briefed and consulted prior to formal decision making
7	Submitted document fails test of soundness or duty to cooperate	Document cannot be adopted without additional work	<ul style="list-style-type: none"> • Ensure the Development Plan is sound, founded

			<p>on a robust evidence base with sustainability appraisal and well audited community and stakeholder engagement</p> <ul style="list-style-type: none">• Maintain joint working arrangements and proactively engage with Local Plans for neighbouring local authorities• Consider the need for external health check prior to submission of a document
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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, green and blue infrastructure, 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: • NPPF
Timetable <i>(Denotes key milestones)</i>	<ul style="list-style-type: none"> • <i>Commence preparation of the Local Plan – November 2022</i> • <i>Preferred Options and stakeholder involvement/public participation – June –July 2023.</i> • <i>Publish Local Plan for a period of no less than six weeks October –December 2023</i> • Consider representations made during publication stage – January 2024 • <i>Submit Local Plan to Secretary of State – April 2024</i> • <i>Pre-examination meeting – April/May 2024 (if required).</i> • <i>Examination – April-August 2024</i> • Receipt of Inspector’s report – November 2024. • Adoption of Local Plan -December 2024.
Arrangements for production	<ul style="list-style-type: none"> • Lead organisation/department - Planning Policy Team, Middlesbrough Council. • Other Council Input – Economic Growth and Infrastructure, Education, Capital Projects, Environment, and Streetscene. • 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	<ul style="list-style-type: none"> • Any need to review the Local Plan will be identified in the AMR.

Appendix B: Indicative timetable for the preparation of Middlesbrough Local Plan

Document	2022												2023												2024											
	J	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
Local Plan																																				
Policies Map																																				

Legend

	Evidence gathering, preparation of document		Preparation of Publication Local Plan (regulation 19) document		Adoption (Regulation 26)
	Scoping (Regulation 18) Consultation		Publication Local Plan (Regulation 19) Consultation		Inspectors Report
	Assessment of Scoping responses and preparation of Preferred Options		Submission of Local Plan for Examination to Secretary of State (Regulation 22)		Update of policies map
	Preferred Options Consultation		Examination in Public (Regulation 24)		