

# PROPOSED REVISIONS TO LOCAL DEVELOPMENT SCHEME (THE LOCAL PLAN WORK PROGRAMME)

<b>Cabinet</b>	16 December 2021
<b>Report Author</b>	Adrian Verrall, Strategic Planning Manager
<b>Portfolio Holder</b>	Cllr Ashbee, Leader of the Council & Local Plan Portfolio holder
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Ward:</b>	N/A

## Executive Summary:

This report sets out proposed changes to the work programme for updating the adopted Local Plan.

In December 2020, following the review of the adopted Local Plan, Cabinet agreed a new LDS. The LDS needs to be updated, to reflect changes in circumstances affecting Local Plan progression.

The key elements of the Local Development Scheme (the Local Plan work programme) are set out in this report.

## Recommendation(s):

That Cabinet agrees the proposals for the revised Local Development Scheme.

## Corporate Implications

### Financial and Value for Money

There are no costs directly associated with this report. However, there will be costs associated with the preparation of the new Plan, to be funded through the Local Plan Reserve and operational budgets.

### Legal

There are no legal implications arising directly from this report. The publication of a revised LDS is in line with Government guidance and is a statutory requirement.

## **Corporate**

There are no corporate risks associated with this report. The purpose of this delay to the programme is to reduce the risk to the Local Plan process through the Examination.

## **Equality Act 2010 & Public Sector Equality Duty**

This decision does not engage the PSED, as it only relates to the Local Plan timetable and anticipated work programme, not to any proposed policies or proposals within the Plan.

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: Environment

### **1.0 Introduction and Background**

- 1.1 Every local planning authority has to “prepare and maintain” a work programme for its Local Plan-related work, known as the Local Development Scheme (LDS). This is a requirement under the Planning & Compulsory Purchase Act 2004.
- 1.2 In January 2019, the Secretary of State (SoS), issued a direction to the Council in relation to the Local Plan. Part of the direction was to amend the Council’s Local Development Scheme (LDS), to provide for the completion of a review of the Local Plan within six months of its adoption.
- 1.3 The Local Plan Inspectors' report recommended a new Local Plan review policy SP03. This also committed the Council to a review of the Local Plan within 6 months of adoption:
  - To consider the implications of climate change;
  - To review the provisions of the Plan in relation to Manston Airport in the light of a decision on the Development Consent Order;
  - To assess the implications of the Local Housing Need Methodology on housing requirements for the district;
  - To consider the provision of Gypsy & Traveller sites to meet the requirements set out in Policy HO20; and To ensure compatibility with the most recent National Planning Policy Framework.
- 1.4 The Local Plan was adopted on 9 July 2020. The review of the Local Plan was completed in December 2020, with a new LDS published.
- 1.5 This report sets out some amendments to the LDS to revise the timetable for updating the Local Plan.

## 2.0 Revisions to the LDS

- 2.1 Although significant progress has been made in developing the evidence base, some of the technical studies have taken longer to commission and report than was anticipated, in part due to the need to address GDPR and Accessibility Regs issues. These reports are now completed, but behind the original timetable.
- 2.2 Members will be aware that, during spring this year, a “call for sites” was undertaken to ascertain what land might be available to meet the future development needs of the district. However, no sites have been proposed by landowners for Gypsy and Traveller accommodation, and only a limited number of previously-developed sites have been put forward. On the basis of an initial appraisal of the submitted sites, officers are of the view that there is unlikely to be sufficient land to meet the housing requirements, in a way that complies with Government guidance (PPG “Housing and economic land availability assessment”).
- 2.3 This means that the Council will need to explore other sources of potentially suitable sites, including previously-developed land, and explore what publicly-owned sites might also be available to meet these housing and other needs. This work is already in progress.
- 2.4 Members will also be aware that one of the key reasons for the early review and update of the adopted Plan was to “...review the provisions of the Plan in relation to Manston Airport in the light of a decision on the Development Consent Order...”. At the time of writing, a final decision on the DCO has yet to be made. However, it is anticipated that this decision will be made soon, and this would provide clarity in relation to the Local Plan position on the Airport.

### Amendments to the timetable

- 2.5 It is therefore proposed that the following revisions are made to the LDS:

LP stage	LDS (Dec 2020)	Proposed
Reg 18 engagement	2021 (pre-October)	Nov 2021
Reg 18 consultation	October 2021	Nov 2022
Reg 19 publication	May 2022	Sept 2023
Submission (Reg 22)	August 2022	Nov 2023
Examination (anticipated)	(August) 2022 - (August) 2023	Nov 2023 - Nov 2024
Inspector’s Report (anticipated)	(September) 2023	November 2024
Adoption (anticipated)	(December) 2023	Feb 2025

- 2.6 Although this is a significant delay, there is little point in proceeding to any formal stages of the Local Plan process until such time as the Council can clearly demonstrate that it can meet the identified development requirements in accordance with Government guidance.

### Supplementary Planning Documents (SPDs)

- 2.7 The LDS already contains reference to two SPDs, which were commitments in the adopted Plan:

- Westwood Retail Area
- Planning Obligations & Development Contributions (review of existing SPD)

- 2.8 It is also proposed to add a number of additional SPDs, in conjunction with, or led by, other Council services, as appropriate:

- Green Infrastructure & Biodiversity Strategy - the Green Infrastructure element of this was a commitment in the Local Plan, but it is important to ensure that this work to be undertaken alongside the Council's work on the Biodiversity Strategy;
- Tree Strategy;
- Waste & Recycling in new development; and
- Heritage Strategy Action Plan.

- 2.9 It is the intention that these SPDs will be developed alongside the Local Plan and published for consultation at the same time as the draft Plan, in 2022.

## **3.0 Options**

- 3.1 Option 1 - Agree the LDS: Agreeing the new LDS would meet the requirements of the Planning Act 2004, to maintain an up-to-date LDS; or

- 3.2 Option 2 - Not agree the LDS: This would leave the Council without an up-to-date LDS, contrary to the requirements of the Planning Act 2004. One of the main reasons for the SoS' previous intervention was that the Council had not updated its LDS, and therefore not met its published work programme.

- 3.3 It is recommended that Option 1 is followed, for the reasons set out above.

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### **Annex List**

None

## **Background Papers**

*Title: Local Development Scheme December 2020*

## **Corporate Consultation**

**Finance:** *Chris Blundell (Director of Finance)*

**Legal:** *Estelle Culligan (Director of Law and Democracy)*