

# PLANNING POLICY AND LOCAL PLAN COMMITTEE

27 FEBRUARY 2024

## REPORT OF THE DIRECTOR (PLANNING)

### A.2 LOCAL DEVELOPMENT SCHEME 2024-2027

(Report prepared by Paul Woods)

#### PART 1 – KEY INFORMATION

##### **PURPOSE OF THE REPORT**

To seek the Planning Policy & Local Plan Committee's agreement to publish a new 'Local Development Scheme' (LDS), updating the proposed timetable for preparing Planning documents including the Local Plan Review and the Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community (TCBGC).

##### **EXECUTIVE SUMMARY**

The purpose of the Local Development Scheme (LDS) is to set out an indicative timetable for preparing key Planning documents. It is particularly useful for members of the public, partner organisations and third parties to understand the broad programme of work and how the Council proposes to resource and manage it.

The LDS covers the review of the Local Plan, the preparation and adoption of Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD), and the production of other key planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption. Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to, and can therefore forward plan and organise their time and resources accordingly.

The Planning Policy & Local Plan Committee agreed to commence the mandatory five-year review of the Local Plan at its meeting of 20<sup>th</sup> December 2023. The timetable for this work, which is set out in the LDS, takes into account the Government's proposals to reform the Plan-making system and the deadline of June 2025 for the submission of a Local Plan prepared under the current system.

The indicative timetable for the Garden Community DPD has also been updated to reflect the most recent stages of work that have been completed and the anticipated timeframes for the Examination in Public – with adoption of the DPD anticipated in the winter of 2024.

##### **RECOMMENDATION**

**That the Planning Policy and Local Plan Committee approves the updated Local Development Scheme (LDS) 2024-2027 (attached as Appendix 1) for publication on the**

**Council's website and for submission to the Secretary of State in accordance with the Written Ministerial Statement published on 19<sup>th</sup> December 2023.**

## **PART 2 – IMPLICATIONS OF THE DECISION**

### **DELIVERING PRIORITIES**

Priorities within the Corporate Plan 2024-2028 (Our Vision) include promoting pride in our area and services to residents, raising aspirations and creating opportunities, championing our local environment, working with partners to improve quality of life, promoting our heritage offer, and financial sustainability and openness. Having an up-to-date framework of Planning policies, other Planning documents and supplementary guidance in place is critical to achieving such priorities and the LDS is a requirement of Local Authorities to set out the timescales and resources required to achieve that.

### **RESOURCES AND RISK**

The Local Development Scheme (LDS) has been prepared by the Council's Officers in the Planning Policy Team within the agreed Local Plan Budget. The LDS itself identifies the resources required to progress the Local Plan Review and the Garden Community DPD. Without an up to date LDS containing a realistic timetable for reviewing the Local Plan and preparing other Planning documents, it will be difficult to ensure the Council makes the most efficient use of its resources.

The LDS itself contains an assessment that identifies the possible risks to delivering the Local Plan Review and other Planning documents on time and the likelihood and potential impact of these risks which include public opposition, the loss or turnover of Planning staff, a financial shortfall, changing political priorities and legal challenges.

### **LEGAL**

Every Local Planning Authority must prepare and maintain a Local Development Scheme (LDS) in accordance with section 15 of Planning and Compulsory Purchase Act 2004 (as amended). The LDS is the Council's rolling project plan (often covering a period of three years) for producing its Local Development Documents and sets out a timetable for their delivery.

The LDS must specify (among other matters) the development plan documents (such as Local Plans) which, when prepared, will comprise part of the Development Plan for the area. Local Planning Authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans. The Local Development Scheme must be made available publicly and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.

### **OTHER IMPLICATIONS**

**Area or Ward affected:** All wards.

**Consultation/Public Engagement:** The Local Development Scheme (LDS) sets out the anticipated timetable for public consultation on the Local Plan Update and other planning documents.

## **PART 3 – SUPPORTING INFORMATION**

### **Background**

The Local Development Scheme (LDS) is designed to set out the process for preparing key Planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption for the Local Plan Review and the Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD). Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to and can organise their time and resources accordingly. The LDS is usually updated to cover three-year cycles of Plan preparation.

In his Written Ministerial Statement, made on 19<sup>th</sup> December 2023 ([link](#)), the Secretary of State for Levelling Up, Housing and Communities instructed Local Planning Authorities to make sure they have an up-to-date plan timetable in place within 12 weeks of the publication of the new NPPF, and to provide a copy to his department. The timetable referred to is included within the LDS, and it is therefore proposed to submit this document to the Department for Levelling Up, Housing and Communities (DLUHC) at the same time as it is published on the Council's website.

Following the adoption of Section 1 of the Local Plan in January 2021 and Section 2 in January 2022, the main focus of the LDS is now the mandatory five-year review of the Local Plan as well as the TCBGC DPD.

The review of the Local Plan will follow the same statutory process as the preparation of the Local Plan itself. A the provision timetable which covers the period 2024-2026 is proposed, enabling the updated Local Plan to be submitted to the Secretary of State by June 2025, and examined by a Planning Inspector and adopted before January 2026.

The timetable for the Garden Community DPD has also been updated, reflecting the stages that have now been completed to date and the revised timescale for the next steps, include the Examination of the DPD in the Spring of 2024. Adoption of the DPD is anticipated in the winter of 2024.

The LDS includes broad timescales for the following Supplementary Planning Documents, Neighbourhood Plans and other guidance.

- Hartley Gardens SPD
- Elmstead Neighbourhood Plan and Neighbourhood Development Order
- Ardleigh Neighbourhood Plan
- Brightlingsea Neighbourhood Plan
- Community Infrastructure Levy (CIL) Charging Schedule

## **APPENDICES**

### **Appendix 1 – Local Development Scheme (LDS) 2024-2027.**