

**Public
Key Decision - Yes**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Local Development Scheme March 2023
Meeting/Date: Cabinet – 21st March 2023
Executive Portfolio: Executive Councillor for Planning
Report by: Chief Planning Officer
Ward(s) affected: All Wards

Executive Summary:

The Local Development Scheme (LDS) sets out the scope of work for future development plan preparation. As agreed at the meeting of Cabinet on 24th January 2023 a replacement LDS has been written to support preparation of an updated Local Plan.

The LDS details the components of the current development plan. It summarises the plan-making process and provides an indicative timetable for preparing the Local Plan update. The primary purpose of the LDS is to make local communities and stakeholders aware of the phases of engagement opportunities that will be offered during preparation of the Local Plan. The LDS also illustrates the range of evidence base and supporting documents required and identifies the resources and risks involved.

The requirement to produce an LDS is set out in section 15 of the Planning and Compulsory Purchase Act 2004.

Recommendation(s):

The Cabinet is

RECOMMENDED

- To approve the contents of the Local Development Scheme March 2023 and bring it into immediate effect following this meeting and its call-in period.

1. PURPOSE OF THE REPORT

- 1.1 The Local Development Scheme (LDS) is a short, high level project plan that sets out what development plans the Council is going to prepare the area covered and the timetable for producing them. This report sets out the purpose and content of the proposed replacement LDS relating to preparation of the Local Plan update. It seeks agreement to the content of the LDS and for it to be brought into effect immediately.

2. BACKGROUND

- 2.1 The requirement to produce a Local Development Scheme (LDS) is set out in Regulation 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The Council's adherence to the LDS is one of the legal compliance checks applied to Local Plans at examination in public.
- 2.2 The last LDS was approved in December 2017. This was used for the examination in public of Huntingdonshire's Local Plan to 2036. It has not been updated in the interim as no development plan documents were being produced.

3. ANALYSIS

- 3.1 The replacement LDS is being brought forward now in response to the decision at the meeting of Cabinet on 24th January 2023 to commence an update to the Local Plan and preparation of a replacement LDS to support that work. Attached to this report as Appendix 1 is the proposed replacement LDS.
- 3.2 The LDS is a procedural document. Its main purpose is to provide a clear statement of the scope of any proposed development plan documents, in this instance just the proposed updated Local Plan, and the geographical extent that will be covered which is the whole district. It is a statutory requirement to produce an LDS.
- 3.3 It includes a high level project plan setting out the different stages of preparation of the Local Plan update. This helps to ensure that local communities, businesses, developers, interested organisations and infrastructure providers know when their primary opportunities for engagement will be. The minimum requirement is to provide a 3 year plan, however, a longer term indicative project plan is set out to provide a complete picture of the timeframe anticipated to complete the Local Plan update.
- 3.4 The LDS also provides information on the risks that may be faced during preparation of the Local Plan update and indicates mitigation actions that may be taken to help minimise the risks occurring and their impact. The LDS also provides a tool for budget management purposes. It indicates the nature of accompanying evidence that may be required to support the Local Plan through its required examination in public. In addition, the indicative timetable shows when the major expenditure of the examination is anticipated to be required.

- 3.5 The government published proposed reforms to national planning policy on 22nd December 2022 for consultation until 2nd March 2023. These included proposals to change the local plan-making system with the intention of producing plans more quickly. The reformed system is currently expected to be introduced in late 2024. This is proposed to introduce a requirement for preparation of a local plan update to commence within 5 years of adoption and to adopt that new plan within 30 months. Transition arrangements are proposed for those currently preparing a new plan which has reached an advanced stage by 30th June 2025; following that plans will need to be prepared under the new plan-making system.
- 3.6 There is already a requirement to monitor progress of plan preparation against the timetable set out in the LDS and to update the LDS accordingly if the anticipated programme is not being met. It is acknowledged that the LDS will need to be revised to reflect new plan-making procedures when they are introduced. However, the lengthier timetable allowed for in the attached version of the LDS will facilitate extensive earlier engagement to ensure that local communities and organisations can effectively shape the content of the updated Local Plan prior to new national requirements being introduced.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The Panel discussed the Local Development Scheme at its meeting on 1st March 2023.
- 4.2 Councillor Gardener enquired what communication parishes could expect with regards to the scheme. The Panel heard that the Council was obliged to publish the details on the website but are planning to email local parishes to notify of its publication. It was further advised that local members could help this communication by informing parishes at any upcoming meetings.
- 4.3 Following further questions from Councillors Gardener and Wells, the Panel heard that in regards to Neighbourhood Plans, the newest plan takes precedence if there is any conflict between the strategic policies. Therefore any Neighbourhood Plans in development should continue as normal. Neighbourhood Plans that then have conflicting policies with the new Local Plan could be updated after the publication of the new Local Plan.
- 4.4 Councillor Gleadow enquired if sufficient staff and resources were available to the team to undertake the work, the Panel heard that this would be carefully monitored but the team were confident that current levels were sufficient.
- 4.5 Councillor Wells enquired whether drought conditions were considered as part of the Water Cycle Study. The Panel were advised that this study would look at all elements of water management alongside climate change predictions and be considered together. The Panel further heard that

neighbouring districts would also be taken into account in case of any implications for Huntingdonshire.

- 4.6 Following the discussion, the Panel were informed that their comments would be added to the Cabinet report in order for the Cabinet to make a decision on the recommendations.

5. WHAT ACTIONS WILL BE TAKEN

- 5.1 Subject to approval, the replacement LDS will be published on the Council's website. Town and parish councils and other stakeholders will be notified by email with a link to the document.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The production of an LDS aligns with the objective 'improving housing provision' as set out in the Corporate Plan 2022/23, a key action of which is:

"Commence an update of the Local Plan. This should ensure that local planning policies include a focus on sustainability of new developments, achieving the right mix of housing sizes, types and tenures to meet the needs of residents, the quality of the built environment, creating healthy spaces and communities, public transport and digital connectivity."

- 6.2 It also aligns with the objective 'strengthening our communities' through the key action of:

"Support community planning by providing advice to Towns and Parish Councils seeking to develop or update Neighbourhood Plans".

7. LEGAL IMPLICATIONS

- 7.1 The Council is required to publish an LDS must be reviewed at least once every five years under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The LDS must be publicised and kept up to date. Planning Practice Guidance states that an LDS is expected to be reviewed annually.

8. EQUALITIES IMPACT ASSESSMENT

- 8.1 There are no direct equalities implications arising from the LDS beyond it highlighting to communities when opportunities are likely to arise to engage in preparation of the updated Local Plan. However, the Local Plan update will be accompanied by an equalities impact assessment to ensure compliance with the Equality Act 2010.

9. REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 The Local Development Scheme is an essential supporting element of starting work on preparation of an updated Local Plan. It provides clarity on the scope, extent and timetable for preparation of the plan highlighting engagement opportunities to those interested in participating in its production.

10. LIST OF APPENDICES INCLUDED

Appendix 1 – Local Development Scheme March 2023

11. BACKGROUND PAPERS

- [HDC Cabinet - Tuesday, 24th January 2023](#)
- [Planning and Compulsory Purchase Act 2004](#)
- [National Planning Practice Guidance](#)

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