



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Cabinet

Tuesday, 11 June 2024

Report of Cabinet Member for Planning

Councillor Phil Dilks

## Local Development Scheme (2024 - 2027)

### Report Author

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### Purpose of Report

To approve the revised Local Development Scheme (2024 – 2027) which includes a change to the Local Plan timetable.

### Recommendations

1. That Cabinet approves the revised Local Development Scheme 2024 - 2027 (attached as Appendix A).

### Decision Information

Is this a Key Decision?	Yes
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Connecting communities Sustainable South Kesteven Enabling economic opportunities Housing Effective council
Which wards are impacted?	(All Wards);

## **1. Implications**

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance***

- 1.1 The cost of undertaking the Local Plan is included within the approved budget for the current financial year. The financial implications associated with future years will be considered as part of the Council's budget setting process.

Completed by: Paul Sutton Interim Head of Finance (Deputy Section 151 Officer)

### ***Legal and Governance***

- 1.2 The preparation of a Local Development Scheme and Local Plan are statutory requirements of the Planning and Compulsory Planning Act 2004 (as amended by the Localism Act 2011) and Town and Country Planning (Local Planning) (England) Regulations 2012. There is a need to ensure the Local Plan is up to date through a review. Failure to have an up-to-date Local Plan in place, limits the Council's ability to influence the quantum, location and quality of development in its area. The Government have made clear they expect Councils to have a Local Plan in place.
- 1.3 The Council must publicise its intended timetable for producing the Local Plan. This information is contained in the proposed Local Development Scheme which authorities should publish on their website and must be kept up to date. The Council has a legal duty to ensure that the Local Development Scheme is kept up to date. The report is returning to Cabinet due to a change in the Local Plan timetable.

Completed by: James Welbourn, Democratic Services Manager and Deputy Monitoring Officer

### ***Risk and Mitigation***

- 1.4 Publishing a Local Development Scheme and keeping it up to date is a regulatory requirement. The Council currently has a Local Development Scheme in place, but an update is required due to a timetable delay which has triggered a review of the Local Development Scheme. The delay is due to proposed amendments to the National Planning Policy Framework (NPPF) which are expected to be published by the Government 'in due course'.

Local Plans must be in conformity with the NPPF and the Council has consequently delayed publication of the Draft Local Plan to consider the proposed changes through the Local Plan Review.

Completed by: Tracey Elliott, Governance & Risk Officer

### ***Diversity and Inclusion***

- 1.5 The planning process seeks to meet the needs of our diverse community. The emerging Local Plan will be supported by evidence-based reports such as a Local Housing Needs Assessment; Gypsy & Traveller Accommodation Assessment; and Employment Land Review which will identify the accommodation and employment needs of our community up to 2041. The emerging Local Plan seeks to meet the need by identifying suitable land allocations. The planning process requires developers to meet all housing needs, providing appropriate type and sized dwellings to meet the needs of current and future households.
- 1.6 A Statement of Community Involvement was published in 2021 and explains how the council will involve and consult with the public and wider stakeholders when planning for the future of South Kesteven District. The SCI seeks to ensure that consultation will be inclusive to ensure that our diverse community are made aware of; and given the opportunity to comment on development plan documents and planning applications. This includes ensuring that the planning process is transparent and accessible.
- 1.7 An Equality Impact Assessment (EIA) will be prepared at each key stage of Local Plan preparation to ensure that the Local Plan is inclusive and celebrates diversity.
- 1.8 An Equality Impact Assessment (EIA) is not required to accompany the Local Development Scheme as policy is not being introduced. An EIA will be produced for the Local Plan to ensure that the policy and procedures are fair and will not present barriers to participation or disadvantage any protected groups.

Completed by: Carol Drury, Community Engagement Manager

### ***Climate Change***

- 1.9 The production of a Local Development Scheme has no identified impact on climate change as it is a timetable for development plan production. The Local Plan and planning system is a mechanism to support delivery on the climate change agenda and the Council's commitment to reduce the organisations' carbon footprint by at

least 30 per cent by 2030 and endeavour to become net-zero as soon as is viable before 2050. The emerging Local Plan will introduce new climate change policy evidenced by a Climate Change Study; and will be subject to a Sustainability Appraisal.

Completed by: Serena Brown, Sustainability and Climate Change Manager

## **2. Background to the Report**

- 2.1 South Kesteven District Council's vision, as set out in the 2024 – 2027 Corporate Plan is to be: "A thriving District to live in, work and visit". The Local Plan and Planning Service have a key role to play in realising this vision by recognising that every locality has different constraints and opportunities. The Council is committed to ensuring that the planning service does everything that it can to support our communities and to sustainable growth. This will be achieved by working proactively with our communities to ensure that development meets the needs of our business and local economy as well as recognising the importance of housing and growth to meet the needs of our residents. Having an up-to-date Local Plan means that the Council can ensure that the best development is delivered in the right places to meet the needs of our residents and to deliver the Council's ambitious growth plan.

### The Local Plan

- 2.2 Local Plans must be succinct and up-to-date providing a positive vision for the future of the area and a framework for addressing housing needs and other economic, social, and environmental priorities. The preparation of the Local Plan will usually follow the stages outlined below:
1. Evidence gathering and early consultation
  2. Call for Sites
  3. Public Consultation – key Issues and Options for the Local Plan Review
  4. Public consultation on Draft Consultative Local Plan
  5. Public Consultation on the Pre-Submission Local Plan
  6. Submission of the Local Plan to the Secretary of State for Examination
  7. Examination of Local Plan by Planning Inspectorate
  8. Adoption of Local Plan

### Local Development Scheme

- 2.3 The Planning and Compulsory Purchase Act 2004 (as amended) places a statutory duty on South Kesteven District Council to outline which documents will form part of the Council's Local Plan within a document known as the Local Development Scheme. The Local Development Scheme informs developers, landowners, agents,

and members of the public of the Council's programme for the preparation of documents and the key stages to get involved in the planning making process.

- 2.4 The Local Development Scheme should be kept up to date to reflect the Council's progress and to inform residents and stakeholders of each stage of the Local Plan Review and opportunities to participate. The Local Development Scheme at **Appendix A** covers the period 2024-2027 and updates the previous version published in May 2023.
- 2.5 The Local Development scheme published in May 2023 indicated that a Draft Local Plan would be published in Winter 2023/2024 for a consultation (number four of the stages outlined above) in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012). The Draft Local Plan consultation commenced on 29<sup>th</sup> February 2024 for 8 weeks until 25<sup>th</sup> April 2024 in conformity with the Local Development Scheme.
- 2.6 The Regulation 18 Draft Local Plan consultation attracted a positive response rate with over 1500 responses received, including responses from the public and stakeholders. To ensure that each comment is considered carefully, the Local Development Scheme's timetable has been revised (**Appendix A**) to allow the Council to process representations and incorporate any necessary changes into the Pre-Submission Local Plan before consultation. It is therefore expected that the next regulatory public consultation stage will be held in Winter 2024/2025, with submission to the Secretary of state by 30 June 2025.

#### The New Local Plan Timetable

- 2.7 The process of producing a Local Plan involves different stages, many of which require the Council to consult with stakeholders and residents. The expected timetable for key milestones in the preparation of the Local Plan and the detail of each stage is set out below. More information on each stage of plan production can be found at **Appendix B**.

Plan Stage	Regulation	Agreed timetable (May 2023)	Revised timetable (2024 Draft Local Development Scheme)	Status
Commencement of Document Preparation			April 2020	Completed
Consultation on the scope of the Plan	Regulation 18		12 October – 23 November 2020	Completed
Consultation on the Draft Local Plan	Regulation 18	Winter 2023/2024	29 February – 25 April 2024	Completed
Consultation on the Pre-Submission Local Plan	Regulation 19	Summer 2024	Winter 2024/2025	Not started
Submission	Regulation 22	Winter 2024/25	Summer 2025 (June)	Not started
Examination	Regulation 24	Winter 2024/2025 – Winter 2025/2025	Summer 2025 – Spring 2026	Not started
Inspector's Report	Regulation 25	Winter 2025/2025	Spring 2026	Not started
Adoption	Regulation 26	Spring 2026	Summer 2026	Not started

2.8 The proposed revised timetable considers the best information currently available and reflects lead in times to obtain consents and approvals to move between the different stages of the Local Plan.

**2.9 It is important to note that the Local Plan is timetabled to be submitted to the Secretary of State before the government-imposed deadline of 30 June 2025, to ensure that the Local Plan is considered under the existing legal framework.**

#### Next Steps

2.10 The next steps are:

- Implementation of the new Local Plan timetable and project plan.
- Notify key stakeholders including, all District Councillors and the Town and Parish Council.
- In accordance with regulatory requirements, if approved, the Local Development Scheme will be published onto the Council's website; and

- Whilst the Council is under no obligation to inform the Secretary of State of timescales for Local Plan production, the Council considers it prudent to notify the Secretary of State, via the Planning Inspectorate, of the revised Local Development Scheme and timetable for submission to ensure that the Planning Inspectorate can adequately resource the Local Plan examination.
- 2.11 The Local Development Scheme will be monitored and considered on an annual basis through the Authority Monitoring Report (AMR), which sets out the list of documents included and considers any changes and updates.

### **3. Key Considerations**

- 3.1 The Council has a legal duty to keep the Local Development Scheme up to date and to publish onto the Council's website. The previously agreed timetable is out of date and requires amending.
- 3.2 **Other than the timetable, no other key changes have been made to the Local Development Scheme.**

### **4. Other Options Considered**

- 4.1 The alternative of not reviewing the Local Development Scheme has been discounted. Failing to keep the Local Development Scheme up to date would contravene the statutory requirements of the Planning and Compulsory Planning Act 2004 (as amended by the Localism Act 2011) and Town and Country Planning (Local Planning) (England) Regulations 12.

### **5. Reasons for the Recommendations**

- 5.1 The reason for the recommendation is to ensure the Council is providing an up-to-date position and an accurate timeline for the production of development plan documents. This will ensure that the Council is acting in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended). Maintaining an up-to-date Local Development Scheme will ensure a transparent process. This is important because the local community and others with an interest in the district can be kept aware of development plan production and stages of consultation.
- 5.2 Supporting the continuity of the planning function in South Kesteven will aid the recovery of the local economy and the economic resilience of the district by providing greater certainty and confidence for future investment and development.

## **6. Consultation**

- 6.1 Consultation on the Local Development Scheme is not a regulatory requirement.
- 6.2 A key element to the preparation of the Local Plan Review is the Council's approach to consulting and engaging the community on the South Kesteven Local Plan. The Local Plan goes through several stages of preparation. It is important to clearly set out how and when people can become involved in the process, which is the purpose of the Local Development Scheme. Significant consultation will be undertaken throughout all the stages of preparing and producing the Local Plan Review and timescales for consultation are set out in the Local Development Scheme. In undertaking consultation, the Council must comply with its adopted Statement of Community Involvement (SCI).

## **7. Background Papers**

- 7.1 List any background papers and where they can be accessed:
- Local Development Scheme (October 2023)  
[https://www.southkesteven.gov.uk/sites/default/files/2023-08/Local\\_Development\\_Scheme\\_2023-2026.pdf](https://www.southkesteven.gov.uk/sites/default/files/2023-08/Local_Development_Scheme_2023-2026.pdf)
  - Statement of Community Involvement 2021  
[https://www.southkesteven.gov.uk/sites/default/files/2023-08/Final\\_SCI\\_2021.pdf](https://www.southkesteven.gov.uk/sites/default/files/2023-08/Final_SCI_2021.pdf)
  - National Planning Policy Framework  
[https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf)

## **8. Appendices**

- 8.1 Appendix A: Local Development Scheme (June 2024)
- 8.2 Appendix B: Stages of Local Plan Production