

Report to: Strategic Planning Committee



Date of Meeting 22 February 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Revised plan making timetable

Report summary:

This report seeks to provide Members with an update on the timetable for production of the new Local Plan and in so doing identifies that progress has been slower than initially envisaged in recent months such that consultation on the draft local plan should now be deferred until the autumn of 2022 rather than being in the early summer, as planned. This delay in consultation is necessary given the detailed though time consuming considerations that committee has given to the working draft plan. A delay will also provide scope for production of a more robust consultation draft plan.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- 1) That Strategic Planning Committee note the proposed amendment to the local plan making timetable (consultation proposed to now be in autumn 2022) and that a new Local Development Scheme, with a detailed plan timetable, will be brought to committee in spring 2022.**

Reason for recommendation: To ensure that Members are aware of the fundamental practical difficulties in producing and agreeing a plan that is ready for consultation in early summer 2022 and to seek agreement to defer consultation until autumn 2022.

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Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance

- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information – see links in the body of the report.

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

1 Introduction

- 1.1 In March 2021 Members agreed a Committee work programme that set out plans for a series of papers to Strategic Planning Committee during 2021 leading up to Members considering a working draft local plan in December. This work programme was completed on time.
- 1.2 The work programme then set out that for the first quarter of 2022 “The expectation is that there will be a number of matters to resolve from the 2021 workload to allow for completion of the final draft plan. This is likely to include completion of the evidence base to support the draft plan, refinement of the draft plan itself and potential for further engagement with Members prior to production of a final draft”. This would then lead to presentation of a draft plan for consultation in May/June. The work programme was in accordance with the Local Development Scheme agreed by Council in February 2021 which set out the following timeline for the Local Plan:
- Issues Consultation – starting January 2021.
 - Draft plan – consultation starting early summer 2022.
 - Publication – consultation starts October 2022.
 - Submission – March 2023.
 - Inspector’s Hearings – July 2023.
 - Adoption – February 2024.

- 1.3 Members will be aware that the working draft of the proposed new local plan was first presented to Strategic Planning Committee on the 14 December 2021. At that meeting only certain chapters of the plan were discussed. The plan has now been discussed at two further meetings on the 11th January and the 8th February 2022, however there remain parts of the document that Members have yet to debate.
- 1.4 Members' conclusions on elements of the plan including green wedges and local green spaces have broadened the scope of the work that needs to be undertaken. Members reconsideration of the settlement hierarchy which had previously been agreed also creates additional work extending the timescales for completion of a consultation draft plan and the required evidence to support it.
- 1.5 The agreed work programme did not envisage the working draft being debated over so many meetings, allow time for the scope of the work to be increased or allow for previous decisions to be revisited leading to the reworking of elements of the plan. The work programme did however note the several months of work officers will need to undertake to turn the working draft into a draft for consultation and complete the evidence to support that document.
- 1.6 Members will recall that additional resources were agreed to assist officers in meeting Members timetable for plan production with two additional posts being created in the Planning Policy Team. Unfortunately only one of these posts has been filled. Despite three rounds of recruitment we are still trying to fill the second post. A shortage of suitable and qualified candidates is the main reason for this. In addition one of the established planning officers in the team left us at the end of last year as well and we are also seeking a replacement for him.
- 1.7 In hindsight more time should have been included for Members engagement at this stage but the upshot of all of the different factors is that it will **not** now be practical for relevant paperwork to be properly considered by committee, with subsequent tasks completed by officers, to allow for consultation to occur in the early summer of 2022 as envisaged. To do so would require that all paperwork would need to be completed with follow on actions taken to allow for a decision to consult to be taken at the 5 April 2022 Strategic Planning Committee (or at another extraordinary meeting). Even if these dates could be achieved it would still be very challenging to organise a six week consultation period that would need to end by mid-July 2022 in order to avoid the school holiday summer break period.

2 Proposed new plan making timetable

- 2.1 In order to ensure that we are not consulting over the summer break period it is suggested that any formal public engagement is now deferred until autumn 2022. On this basis it would allow a more meaningful time to actively work on the draft plan preparation and gather further supporting evidence from now through to the end of August. It would also allow the detailed engagement with the work that Members are currently undertaking to continue to inform production of the draft plan.
- 2.2 We would suggest that a draft plan is brought to Strategic Planning Committee in September 2022 (committee dates are to be determined). Depending on committee dates and resolutions consultation could then start late September/early October and run for 6 – 8 weeks.

- 2.3 The plan that we would be consulting on would fall under the Regulation 18 stage of plan making, see [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk) The Regulation 18 stage of consultation does not refer to consultation on a specific document or specific draft of a plan, rather it applies to any consultation or engagement work that is undertaken to support plan preparation that falls before the Regulation 19 stage of plan making (see below). Whilst the form and nature of consultation (at Regulation 18) could take a number of shapes it is recommended that we should aim, as part of this stage of work, to consult on an advanced draft of a plan but with a number of key options presented to enable meaningful engagement and debate.
- 2.4 A further issue that will require decision is whether a further call for sites should be undertaken alongside the proposed consultation. Members will be aware that there is a significant shortfall in housing sites to meet the identified housing need and one way of addressing this would be to undertake a further call for sites either across the whole district or in a more targeted way to see if further suitable sites come forward. If Members were minded to pursue this approach then the time needed to set up such a call for sites and publicise this would also need to be factored into a revised timetable.
- 2.5 Following this new plan making timetable would mean that the subsequent stage of plan making, the Publication Plan - under Regulation 19 of the plan making regulations, would be prepared in the first half of 2023 and finalised over the summer months. The plan could then come to Committee in September or October 2023 with a resolution sought to undertake public consultation. It should be noted that this Publication version of the plan is the plan that is sent to the Planning inspectorate, along with representations received on its consultation and a full comprehensive evidence base for plan examination. It would be hoped that submission for Examination would be in early 2024 with adoption later in the year.
- 2.6 Subject to members agreeing that the revised timetable is appropriate the intent would be to bring a revised formal plan making timetable, in the form of new Local Development Scheme, to Strategic Planning Committee in the late Spring of 2022.

3 Local plan making work up until September 2022

- 3.1 One benefit of deferring consultation on the draft plan until later in 2022 is that it allows more time to undertake and complete further work on plan making and therefore secure a more considered, robust and justified local plan. Some key considerations are set out below.

Further consideration of the working draft plan

- 3.2 Understandably, and quite reasonably, Strategic Planning Committee has given careful consideration to the Working draft local plan. With a new plan making timetable it will give committee more time to continue with consideration of the working draft plan to ensure that a consultation draft plan will incorporate member wishes.

Evaluation of development site options and meeting a housing shortfall

- 3.3 Of particular importance for the draft local plan will be the identification and allocation of suitable sites to accommodate development needs. A number of land agents/prospective

developers made presentations to committee on 25 and 26 January 2022. This proved to be a useful and informative exercise though there were other promoters of sites that were not selected to make presentations or have subsequently advised they were not aware of opportunities.

- 3.4 Having more time to consider site development options, and gathering more evidence in respect of sites, will allow for a more complete understanding of development options. Critically, as well, the Working draft local plan currently indicates a housing shortfall in allocations of over 1,000 new homes. There are challenges in identifying appropriate land to meet this shortfall and potentially also any additional shortfall should suggested or possible allocations in the Working drat plan not be carried forward. More time to consider site development options would be desirable.

Potential for additional focussed engagement/consultation

- 3.5 Moving straight to a draft plan for consultation (as currently/previously timetabled) could have allowed for speedy plan production. However, it raises matters around whether there could be benefits in specific tailored engagement activities prior to arriving at a draft plan in autumn 2022. In previous plan making work we have, for example, engaged specifically with Town and Parish Council's in respect of assessing potential development site options. Taking a little longer over plan preparation could open up potential, for example, for such engagement again.
- 3.6 There have also be concerns raised by some, at the local community level, involved in neighbourhood plan making and specifically in respect of whether the current working draft local plan takes sufficient account of neighbourhood plans. Having more time to work on the draft local plan would provide scope for further engagement with neighbourhood plan groups.

Further evidence gathering

- 3.7 Local Plans need to be informed and underpinned by robust evidence. Whilst the Council has evidence that is proportionate to meet the needs of the working draft plan it is clear that further evidence will be needed as plan making progresses. It is desirable that key evidence is in place in support of the consultation draft plan. A number of studies that will ultimately be needed for the local plan have however seen some delays in commissioning and production. Members discussions have also added to the evidence base required with Members particularly keen to identify more green wedges in the district for which additional evidence work will be required.

Potential changes to the planning system

- 3.8 The plan making work that we are undertaking at present is based very much on the planning regime as it currently exists. We have, however, been aware of possible changes to the plan making system and planning more generally. The Government have suggested that stalled changes, from 2021, may be forthcoming (or at least started) in 2022. A qualified delay in producing the local plan gives scope to see if any changes may come through, or be highlighted by Government, and as such give scope to make possible adjustments to the local plan that could be appropriate.

3.9 A further matter that is highlighted is that housing requirements set by Government may change in the course of 2022. Should requirement levels go down then it could make it easier, and save on work requirements, to identify appropriate land for development. Of course if numbers were to go up it would add extra challenges.

4 Conclusions

4.1 In conclusion, noting matters raised in this paper in respect of:

- ongoing Strategic Planning Committee consideration;
- matters around arriving at decisions on plan content;
- On-going recruitment issues;
- further consideration of development site options;
- possible scope for more detailed engagement;
- need for further evidence gathering; and
- potential changes to the plan making system

it is recommended that consultation on a draft plan is deferred to Autumn 2022 with time taken over the coming months to ensure that the plan is more robust and more fully considered and endorsed by members ahead of consultation starting.

Financial Implications

The development of the local plan has been considered during the budget setting and approval process in each year, any underspends resulting from delays will be carried forward to cover any delayed expenditure items.

Legal Implications

There are no legal implications other than as set out in this consultative report.