

Thursday, 20 February 2025

Report of the Portfolio Holder for Housing, Homelessness and Planning

Revised Local Development Scheme

Exempt Information

None.

Purpose

To seek Cabinet approval in relation to the publication of the revised Local Development Scheme.

Recommendations

It is recommended that:

1. The updated Local Development Scheme in Appendix A be approved for publication.
2. Authority is delegated to the Planning Policy and Delivery Team Leader to make any minor typographical amendments to the documents before or after publication.

Executive Summary

The Council is required by legislation to publish and keep up to date a number of documents that sit alongside the local plan and provide information to the public and other stakeholders. This includes a Local Development Scheme (LDS), which enables the local community and other interested parties to keep track of the progress of development plan documents and to identify points in the process where they are able to get involved.

Since the publication of the current LDS, the Government has published an updated National Planning Policy Framework (NPPF) and the new local plan will now be required to comply with the policies of the new version of the NPPF (published in December 2024). The policies within the new NPPF will impact on the strategy for the new local plan, and therefore the timetable for delivery of the new local plan has been amended to provide additional time to take account of the changes. The draft updated LDS is included in Appendix A.

There are no direct financial, sustainability or equalities implications arising from the publication of a revised LDF.

Options Considered

The alternative option is to not publish a revised version of the document. This is not considered to be an appropriate option as a result of the timetable within the existing document no longer being up to date. As the LDS is intended to enable the public and other interested parties to keep track of development plan progress, it would be beneficial for them to have access to the most up-to-date version which reflects the most accurate timeline at the point of publication. The document is also required to be kept up to date by legislation as set out in the legal/risk implications section below.

Resource Implications

There are no resource implications directly associated with the recommendations contained within this report.

The resource implications associated with the work programme set out within the LDS are included within the document at Appendix A.

Legal/Risk Implications Background

The requirement to prepare and maintain a Local Development Scheme (LDS) is set out in Regulations 15 of the Planning and Compulsory Purchase Act 2004 (as amended) (the PCPA). The PCPA set out what must be included within a LDS as follows:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29;
- the timetable for the preparation and revision of the [F6development plan documents];
- such other matters as are prescribed.

Each of these matters, where relevant, is included within the draft document at Appendix A.

Regulations 15 of the PCPA also makes provision for the Secretary of State to prepare an LDS on behalf of any local authority who does not have an up-to-date one, and to direct the authority to bring that LDS into effect. Therefore, the risk associated with not having an up-to-date LDS is the possibility of having one imposed on the Council by the Secretary of State.

Equalities Implications

There are no equalities implications for the publication of the updated Local Development Scheme. The new local plan will be the subject of its own impact assessment.

Environment and Sustainability Implications (including climate change)

The proposals set out relate to the sustainable development of Tamworth through the delivery of a new local plan. There are no additional sustainability implications as a result of the proposals set out in this report.

Background Information

As set out above, regulation 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires a local planning authority to prepare and maintain a Local Development Scheme (LDS).

The purpose of the LDS is to allow the local community and other interested parties to keep track of progress on development plan documents. It should be made available publicly and kept up-to-date. There is no specific timeframe for review of the LDS, but the legislation states that local planning authorities should revise the LDS at such time as they consider appropriate. The current LDS was adopted in 2024 and covers the period up to 2027. Whilst the timeline set out in this current version has not yet reached its conclusion, it is no longer accurate and therefore requires updating.

The timetable set out in the current LDS is based on information available at the time of its publication on the Government's intention to reform the plan-making system and the programme for the implementation of those proposals. This included a deadline for submission of a draft local plan under the current system by the end of June 2025, and the LDS timetable was updated to reflect that.

Since the publication of the current LDS, the Government has published an updated National Planning Policy Framework (NPPF) and the new local plan will now be required to comply with the policies of the new version of the NPPF (published in December 2024). The policies within the new NPPF will impact on the strategy for the new local plan, and therefore the timetable for delivery of the new local plan has been amended to provide additional time to take account of the changes. The draft updated LDS is included in Appendix A.

The current timetable included within the LDS is based on the latest available information. However, the Government has stated an intention to introduce a new plan-making system in summer/autumn 2025. If a new system is introduced as anticipated, it is likely that this will have a further impact on the timetable for delivery of the new local plan and the LDS will likely need to be updated at that point to respond to the changes.

The recommendations were endorsed by the Infrastructure, Safety and Growth Scrutiny Committee at the meeting on 29 January 2025.

Report Author

Richard Powell – Planning Policy and Delivery Team Leader

List of Background Papers

Report of the Portfolio Holder for Housing and Planning - Local Plan Progression Options – Cabinet – 22 February 2024.

Appendices

Appendix A – Draft Local Development Scheme 2025 – 2028

Appendix B - Revised Local Development Scheme Community Impact Assessment

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