

LOCAL PLAN TIMETABLE

Cabinet - 7 July 2022

Report of: Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

Status: For Consideration, Development & Conservation Advisory Committee / For Decision, Cabinet

Also considered by:

- Development & Conservation Advisory Committee, 5 July 2022

Key Decision: Yes

Portfolio Holder: Cllr. Julia Thornton

Contact Officer: Hannah Gooden, Ext. 7178

Recommendation to DCAC:

To consider the proposed Local Plan timetable and recommend its approval to Cabinet.

Recommendation to Cabinet:

To approve the Local Plan timetable.

Reason for recommendation: To update the Local Plan work programme to reflect the current timetable for the production of the Local Plan.

Introduction and Background

- 1 This report outlines the proposed timetable for the Local Plan. This is known as the Local Development Scheme (LDS).
- 2 The Local Development Scheme (LDS) is the document that sets out the Council's proposals and timetable for the production of the Local Plan. The LDS no longer has to be submitted to the Secretary of State for approval, but has to be made available and published on the Council's website. This is so that local communities and interested parties can keep track of progress.
- 3 The Council's current LDS was approved by Cabinet last year. However, it is an iterative, rolling project programme which needs to be regularly reviewed and updated to reflect the current proposed timetable for

evidence base production and consultation. This revision (please see the chart below) has been prepared to bring the timetable up to date.

- 4 The revised timetable strengthens our plan-making position, to ensure we have a robust, well-informed and consulted plan, which reinforces our previous strategy. It will ensure that we maximise the potential benefits to communities, including promoting resilient town centres and ensuring development is supported by suitable infrastructure and transport. The revised timetable also further strengthens protection for the Green Belt by ensuring that all non-Green Belt options, including the potential contribution from neighbouring land under the Duty to Co-operate, are optimised. These discussions with our neighbours need to take place before determining whether exceptional circumstances exist to justify Green Belt release.
- 5 Officers are acutely aware of the changes to the planning system proposed in the emerging Levelling Up and Regeneration Bill and the resulting uncertainty that this creates for plan making. Notwithstanding any changes to national legislation and guidance, an up to date plan is and will continue to be the most effective mechanism for managing development in our District. A pause in the plan making process to wait for national guidelines to catch up is not recommended. Current circumstances do, however, reinforce the need for a degree of agility in the programme to incorporate change, whether this emerges at a national level or as a result of evidence base updates.

Proposed Timetable

- 6 The LDS proposes the following timetable:

2022				2023				2024			
Spring	Sum	Autumn	Winter	Spring	Sum	Autumn	Winter	Spring	Sum	Autumn	Winter
Evidence Base / Call for Sites / Policy Prep	Informal Consultn (Reg. 18)	Reviewing Reps / Evidence Base / Policy Prep		Draft Local Plan Consultn (Reg. 18)		Review Reps/ Policy Prep	Pre-submission Publication (Reg. 19)	Submission (Reg. 22)	Examination		

- 7 Evidence base preparation and policy preparation (spring-summer 2022). This will include ongoing work on a number of evidence base studies, including:
 - Strategic Flood Risk Assessment (due to complete June)
 - Gypsy and Traveller Accommodation Assessment (due to complete July)
 - Economic Needs Study (due to complete July)
 - Green Belt Stage 2 Assessment (due to complete August)
 - Infrastructure Delivery Plan and District-wide Transport Study (due to complete September)

These evidence base documents, together with those which are already complete, will be used to inform policy preparation.

Discussions with neighbouring authorities and statutory providers are ongoing, in relation to the Duty to Co-operate, and will continue throughout the plan-making process. The Council also undertakes regular check-in meetings with the government department (DLUHC) to ensure our plan-making remains on track.

- 8 Informal consultation (Regulation 18) will take place in autumn 2022. This will consist of an initial 6-week consultation on the draft plan. This draft plan will focus on maximising opportunities within urban areas. This will be followed by a period of further policy preparation, reviewing the representations, undertaking Duty to Co-operate discussions, concluding evidence base work and refining the policies within the Local Plan.
- 9 A further (Regulation 18) consultation will take place in autumn 2023. This will build on the previous draft plan, and will, where necessary and where exceptional circumstances can be demonstrated, consider Green Belt sites.
- 10 Pre-submission publication (Regulation 19) will take place in spring 2024, for final representations, which are then provided to the examining Inspector. This stage of the plan making process asks for specific comments on legal compliance, soundness and whether the duty to co-operate has been met.
- 11 Representations received under Regulation 19 will be reviewed and the Plan documents prepared for submission. Given the focus on legal compliance and the duty to co-operate, it is important that officers have sufficient time to consider representations on these matters and if necessary, discuss the issues with relevant parties, including those who raised concerns.
- 12 The timetable assumes that no significant concerns are raised at this stage and the Council can proceed to submitting the plan for adoption. Officers will seek to meet this timescale by addressing as many issues as possible during the previous Regulation 18 stages. However, we cannot assume a predetermined outcome. In the event that significant issues are raised, it may be necessary to consider further rounds of consultation.
- 13 Submission (Regulation 22) is shown in summer 2024. The plan will be considered by Full Council for submission to the Secretary of State, for an examination which will be carried out by the Planning Inspectorate (PINS). Examination will take place in 2024. The timetable for the examination and hearings is at the discretion of PINS.

Conclusion

14 This report outlines the proposed update to the Local Development Scheme (LDS) which sets out the work programme for the production of the Local Plan.

Other options Considered and/or rejected

The current LDS is out of date and it cannot remain unchanged. The reasons for the changes in its content and programme are explained above.

Key Implications

Financial

No additional costs to the Council arise from the amendment of the LDS. Evidence base work is funded from the Council's Local Plan reserve.

Legal Implications and Risk Assessment Statement.

All local authorities are required to produce an LDS to set out their timetable for the production of planning policy documents.

Local authorities are required to have an up-to-date Local Plan in place by December 2023. The government may intervene where local authorities fail to meet this deadline in accordance with the existing statutory powers, considering appropriate action on a case-by-case basis. It is suggested that provided the Local Plan preparation has progressed as scheduled and Plan publication and submission is programmed for early 2024, the risk of intervention is minimal.

National changes in the plan-making system proposed through the Levelling Up and Regeneration Bill will be kept under review.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Sevenoaks District Council aims to effectively involve the community in the development of all Local Plan documents, in line with the Statement of Community Involvement.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices - None

Background papers - [Previous Report to Advisory Committee](#)

Richard Morris
Deputy Chief Executive and Chief Officer - Planning & Regulatory Services