

**Blaby District Council
Council**

Date of Meeting	25 July 2023
Title of Report	Local Development Scheme This is not a Key Decision and is on the Forward Plan
Lead Member	Cllr. Ben Taylor - Planning Delivery and Enforcement & Corporate Transformation
Report Author	Development Strategy Manager
Corporate Priority	All Priorities: A Place to Live; A Place to Work; A Place to Visit; People Strategy; Medium Term Financial Strategy (MTFS)

1. What is this report about?

- 1.1 This report seeks approval for the revised Blaby District Local Development Scheme (LDS), which sets out the timescales for the production of the emerging Local Plan.

2. Recommendation(s) to Council

- 2.1 That the revised Blaby District Local Development Scheme at Appendix A be approved, to become effective immediately.

3. Reason for Decisions Recommended

- 3.1 The Planning and Compulsory Purchase Act 2004, as amended, requires a Local Planning Authority to prepare and maintain a Local Development Scheme.
- 3.2 A Local Planning Authority must revise its Local Development Scheme at such times as it considers appropriate.

4. Matters to consider

- 4.1 Background

The Local Development Scheme (LDS) sets out the Council's programme for the production of the Local Plan.

The current Local Plan comprises:

1. The Local Plan (Core Strategy) Development Plan Document ('Core Strategy') (adopted February 2013), and
2. The Local Plan (Delivery) Development Plan Document ('Delivery DPD')

The emerging Local Plan will supersede the Core Strategy and Delivery DPD resulting in a single document that sets out the blueprint for development within the district.

In order to keep local communities and other stakeholders informed of local planning activity, the Council is required to prepare a Local Development Scheme (LDS) under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). In relation to the emerging Local Plan, the LDS must specify:

- what will be included in each document to be prepared and the geographical extent to which it relates;
- whether the document will be prepared jointly with one or more other local authority;
- and the timetable for the preparation of document.

The Core Strategy, which sets out the strategy for growth and the amount of development required, was adopted 10 years ago. There have been multiple changes to the planning landscape since this time including updated Government Guidance and agreement to the Strategic Growth Plan. It is therefore necessary to review and refresh the Local Plan to deliver future growth for the district.

The revised LDS, attached at Appendix A, contains the timetable with estimated timescales and milestones associated with preparing the new Local Plan and covers the period up to 2026. It supersedes the LDS agreed by Council on 8th December 2020.

Since commencement of the Local Plan review, the Council has undertaken an Issues and Options and a further Options consultation. Officers have been building upon these consultation documents and responses received to further advance the Local Plan development. This also require gathering essential evidence, many of which has been undertaken in conjunction with partner authorities across the county, on strategic matters including housing and employment needs. This work has informed the following Statement of Common Ground:

- Leicester & Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs, signed by Council 19 July 2023
- South Leicestershire Local Plan Making Statement of Comment Ground and Leicester & Leicestershire Authorities, signed by council 14 December 2021

- Statement of Common Ground relating to Warehousing & Logistics Need signed by council 14 December 2021

There is a substantial amount of additional evidence and engagement with stakeholders needed that built upon the SoCG before the Local Plan is finalised and submitted to the Secretary of State in a form that can be found 'sound' by an independent Inspector. A key piece of this evidence is the ongoing transport work that Leicestershire County Council, as the highway authority, are leading on. This is a significant and complex piece of work that is essential to the development of the Local Plan and impacts upon the timescales set out in the attached LDS. Officers are working closely with the highway authority to progress this alongside other key evidence.

A Local Planning Authority must revise its Local Development Scheme at such times as it considers appropriate. It is important to do so not only to keep local stakeholders, including the local community, aware of the timescales of the Local Plan preparation, but also to ensure that the Local Plan is produced in line with the LDS. This is a legal requirement at examination.

Section 4.4 of this report sets out the Human Resources implications and notes the limited capacity within the Development Strategy team which has impacted the progress of the Local Plan. With successful recruitment vacancies have been filled.

In consideration of the above factors, it is considered that the revised LDS timetable at Appendix A, which shows consultation on the Publication Version (the document that the Council considers ready for examination) in September and October 2022 and submission in March 2025 is a realistic timetable.

4.2 Proposal(s)

That the Revised Blaby District Local Development Scheme (Appendix A to this Report) be approved and shall take effect from 25 July 2023.

4.3 Relevant Consultations

Internal consultations have been undertaken as appropriate. Legislation does not require public consultation on this matter. The details of proposed public consultations on development plan documents are set out in the revised LDS. The LDS will be published on the council website.

4.4 Significant Issues

Legal Implications

The Council has to comply with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended), which requires local planning authorities to prepare and maintain a LDS.

Human Resource Implications

At the start of July, the Development Strategy Team became fully staffed for the first time in three and a half years, having operated with significantly reduced capacity for a considerable period, due to market recruitment challenges. This has had a significant impact on progressing the Local Plan. Contributions will also be required for other teams within the Council at the appropriate stages of producing the plan.

5. What will it cost and are there opportunities for savings?

- 5.1 The costs for Local Plan preparation, including staffing, are already allowed for in the budget for 2023/34. Budgeting beyond this will consider and take account of the need for any further expenses to be incurred in relation to preparing the new Local Plan.

Opportunities to save money will continue to be considered throughout the preparation of the new Local Plan, including pursuing joint working with neighbouring authorities on suitable evidence base work, where possible.

6. What are the risks and how can they be reduced?

6.1

Current Risk	Actions to reduce the risks
Staff turnover / loss / long term absence	<ul style="list-style-type: none">• Provide appropriate training to encourage staff retention.• Provide a varied workload to keep staff engaged and motivated.• Recruitment to commence as soon as the current post holder submits their notice (subject to available funding).• Employ agency staff/ consultants to cover periods of absence (subject to available funding).• Re-deploy suitable staff from the Development Services Team should opportunities arise.
Evidence gathering delays	<ul style="list-style-type: none">• The Local Plan relies on substantial evidence on a range of issues.• Provide resources and funding to complete evidence gathering.• Encourage early engagement to secure evidence.
Web accessibility / IT technical constraints	<ul style="list-style-type: none">• Implementing service plan and transformation programme and working with support services to remove blockages
Ongoing changes to the national planning guidance and transition period.	<ul style="list-style-type: none">• Monitor Government statements to pre-empt legislation and policy changes.• Take a flexible policy approach where appropriate.

	<ul style="list-style-type: none"> • Transitional arrangements in emerging statute and legislation
Competing work priorities	<ul style="list-style-type: none"> • Recognise importance of Local Plan. • Monitor progress and give priority to milestones in the Local Development Scheme. • Bring in additional resources if needed.
Cross boundary strategic issues in the Leicester and Leicestershire Housing Market Area	<ul style="list-style-type: none"> • Officers will continue to remain engaged in discussions with colleagues from across the authorities in Leicester and Leicestershire to understand any implications there may be for Blaby District, and take action as appropriate in a timely manner. The new Local Plan will take account of and plan for any emerging cross boundary strategic issues in Leicester and Leicestershire.
Examination Process – Soundness of DPDs.	<ul style="list-style-type: none"> • Work closely with Department for Levelling Up, Housing and Communities (DLUHC) and the Planning Inspectorate (PINS). • Follow procedures set out in the Planning Acts, Regulations, NPPF and the Planning Practice Guidance.
Duty to Co-operate failure	<ul style="list-style-type: none"> • Continue to work with local authorities within the Housing Market Area and other partners on strategic, cross boundary matters and prepare Statements of Common Grounds, as appropriate.

7. Other options considered

- 7.1 Not bringing the revised LDS into effect at this time would leave the Council without an up to date programme for the production of Development Plan Documents. This option has been considered and rejected because the Planning and Compulsory Purchase Act 2004 (as amended), requires a Local Planning Authority to prepare and maintain a Local Development Scheme.

8. Environmental impact

- 8.1 The Local Plan sets out the blueprint for growth and change for the District. It is accompanied by a Sustainability Appraisal and Habitat Regulation Assessment Screening. The Local Development Scheme sets the timetable for producing the Local Plan and therefore has indirect environmental consequences on the built and natural environment. The LDS informs the rate at which new policies and potential allocations are brought forward. This has environmental impacts because policies will seek to protect the built, historic and natural environment and proposed allocations can have direct impacts on the environment.

9. Other significant issues

- 9.1 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern. The author has also considered issues related to Equality and Human Rights along with the Performance and Systems Manager. As the amendments to the LDS relate to the timetable rather than policies and proposals within the Local Plan, there are no Equality or Human Rights implications identified. However, the Local Plan that is produced in accordance with the LDS will require an impact assessment, which will be completed at the time of production.

10. Appendix

- 10.1 Appendix A – Revised Local Development Scheme (July 2023)

11. Background paper(s)

- 11.1 None

12. Report author's contact details

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