



27 June 2024

Title	Local Development Scheme
Purpose of the report	To make a decision
Report status	Public report
Report author	Mark Worringham, Planning Policy Manager
Lead Councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Healthy Environment
Recommendations	1. That the amended Local Development Scheme (Appendix 1) be agreed.

1. Executive Summary

- 1.1. A Local Development Scheme (LDS) contains the programme for production of planning policy documents, in particular the Local Plan. The most recent version of the Council's LDS was approved by this Committee on 15 November 2023 (Minute 20 refers), alongside the first consultation on the Local Plan Partial Update. There is now a need to update the LDS, in particular to adjust the programme for the Local Plan Partial Update. This is necessary to allow the completion of key evidence and to take account of changes to national policy, among other reasons. The amended LDS is included as Appendix 1.

2. Policy Context

- 2.1. It is requirement of the Planning and Compulsory Purchase Act 2004 that local planning authorities maintain a Local Development Scheme (LDS). The LDS sets out the scope and timetable for production of local development documents, including development plans and supplementary planning documents.

3. The Proposal

Current position

- 3.1 When the review of the existing adopted Local Plan was reported to this Committee on 23 March 2023 and the decision was made to proceed with a Partial Update of the Local Plan, a new version of the LDS was also approved to detail the programme for the Partial Update alongside a number of supplementary planning documents (SPDs).
- 3.2 An update of the LDS was subsequently approved by this committee on 15 November 2023 (Minute 20 refers), alongside the first consultation version of the Local Plan Partial Update. This amended some of the timescales for SPDs but did not alter the timetable for the Local Plan Partial Update production. This is the current version of the LDS.
- 3.3 The current LDS timetable for the Local Plan Partial Update production can be summarised as follows:
- Call for site nominations: April 2023
 - Regulation 18 consultation: November/December 2023 – January 2024
 - Regulation 19 consultation: August/September 2024
 - Submission: November 2024

- Examination: February/March 2025
 - Adoption: June/July 2025
- 3.4 The first two stages, the call for site nominations and Regulation 18 consultation have been carried out in accordance with the LDS.
- 3.5 As well as the Local Plan, the LDS sets out timetables for a Town Centre Public Realm Strategy SPD, a Biodiversity and Natural Environment SPD and a Sustainable Transport and Parking SPD.

Option proposed

- 3.6 The main reason for the amendments to the LDS are that changes are required to the timetable for the Local Plan Partial Update. The proposal in particular is that the Regulation 19 consultation be delayed from July to November, with the later stages, including likely adoption, moving back by a corresponding amount of time.
- 3.7 There are a number of reasons for this proposed change, which are summarised below:
- There are key pieces of evidence that are still to be completed, including around the levels of need for commercial development, flood risk and development viability;
 - There have been changes to national planning policy that need to be taken into account in policy development, in particular a ministerial statement around sustainable design policy published in December that would have implications for the policy approach contained in our Regulation 18 consultation published in November;
 - The recent consultation resulted in a number of requests, including from statutory consultees such as Natural England and the Environment Agency, to bring other policies into the scope of the update, which would have further time and resource implications; and
 - There have been other priorities that have reduced the capacity of the Planning Policy team to progress the Local Plan update, including the introduction of statutory Biodiversity Net Gain in February for major developments and April for minor developments.
- 3.8 There are some risks of this proposed delay in plan production that are worth noting.
- 3.9 Firstly, there is a risk of out of date policies on development management decisions and appeals. Where a plan is more than five years old and a review has not found that relevant policies are still up to date, national policy dictates that the presumption in favour of sustainable development will apply, which is broadly defined as a presumption in favour of development that complies with the National Planning Policy Framework (NPPF). This will mean that those policies the Council has determined are in need of an update will not be able to be applied and instead national policy will need to be used for both planning decisions and appeal decisions. In general, national policy covers the basic elements needed for decision making including policies around design, character, transport impacts and heritage. However, of particular significance will be the need to apply national policies around housing supply, which will include the national standard methodology that results in a significantly higher housing need, which will weigh in favour of residential proposals that comply with national policy.
- 3.10 The programme always included a period when the Local Plan would be more than five years old and no new policies would have been adopted. According to the initial timescale, this would have been approximately nine months (although this would have depended largely on the Planning Inspectorate). The plan was to have replacement policies that are at least submitted so that some weight could start to be applied to them. It is now expected that there would be three months without submitted policies and nine further months until replacement policies could potentially be adopted. Whilst not ideal, given the timescales of plan preparation, it is very unusual that local planning authorities are able to adopt new policies within the five year lifetime of existing policies.
- 3.11 There is also a risk of further changes to national planning policy that would have implications for our own policies. There is always a risk that, the longer the period

between stages of plan preparation, the greater the likelihood of national policy changing in a way that affects the plan. A general election will have taken place by the time the next stage of the plan is being consulted upon. It is worth being aware of the risk of changes of national policy, but the risk always exists to some degree and it does not make sense to allow this to dictate a timetable for plan production.

3.12 The proposed amended timetable as set out in the draft LDS (in tracked changes format in Appendix 1) is as follows:

- Regulation 19 consultation (proposed submission draft) – November 2024-January 2025
- Submission – end February 2025
- Examination – May/June 2025
- Adoption – September/October 2025

3.13 There are also some changes to the timetable for production of SPDs, largely to ensure that there is adequate resource available at those times to progress the Local Plan.

Other options considered

3.12 The main alternative option would be to not publish a new version of the LDS and aim instead to keep to the consultation timetable published. However, the necessary evidence is simply not available at this point to allow progress in line with the published timetable. There is no scope for significant post-consultation amendments without including a further consultation stage, and a lack of the necessary evidence would mean that the published plan would not be sound and would be unlikely to succeed at public examination.

4. Contribution to Strategic Aims

4.1. The Local Plan Partial Update and associated documents, through setting out the way Reading will develop to 2041, will contribute to the following priorities in the Corporate Plan 2022/25:

- Healthy environment: through ensuring that policies are up to date to achieve the highest environmental standards in development, respond to the Environment Act and incorporate the approach of the Local Transport Plan;
- Thriving communities: through ensuring that housing needs are met insofar as possible, including affordable housing of the right tenure to meet Reading's needs; and
- Inclusive economy: through updating policies to meet development needs for economic development uses.

5. Environmental and Climate Implications

5.1. There is a requirement to undertake a sustainability appraisal of each stage of a Local Plan document. The relevant stages of the Local Plan Partial Update will therefore be accompanied by a sustainability appraisal of each policy, proposal and alternative option against a range of sustainability objectives covering environmental, economic and social matters.

5.2. The Regulation 18 stage of the Local Plan Partial Update proposed a number of changes to policies that would have environmental and climate implications. In particular, it proposed improvements to policies around energy efficiency of new developments to help to address the climate emergency. The proposed changes to the timetable will mean a delay in being able to introduce such policy changes (subject to those changes being found to be sound and legally compliant at examination). This is likely to mean that some additional planning applications would need to be judged against the existing policies. Those policies are still relatively strong compared to other authorities in terms of energy efficient design and construction, and the duration of the delay is short, but there is nevertheless a modest implication that should be noted.

6. Community Engagement

- 6.1. No community engagement is required on the LDS itself.
- 6.2. The LDS sets out when specific consultation and community engagement will take place on individual documents. Consultation will need to take place in accordance with the Council's adopted Statement of Community Involvement, which was adopted in March 2014. The proposed changes to the LDS do not reduce the amount and extent of opportunities for community engagement.

7. Equality Implications

- 7.1 Whilst the content of the Local Plan and other planning policy documents detailed in the LDS may have equality implications, the timetable for their production is unlikely to have particular equality implications.

8. Other Relevant Considerations

- 8.1 There are none

9. Legal Implications

- 9.1. Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) states that local planning authorities must prepare and maintain a Local Development Scheme. The LDS should specify:

- The local development documents that will be development plan documents;
- The subject matter and geographical area of the documents;
- Which documents are to be prepared jointly;
- Any matter or area for which the authority has agreed a joint committee;
- The timetable for the preparation of Local Development Documents; and
- Any other prescribed matters.

- 9.2 The Levelling-Up and Regeneration Act 2023 replaced Local Development Schemes with a new Local Plan Timetable, but this requirement has not yet commenced.

10. Financial Implications

- 10.1 There are no particular financial implications of the proposed changes to the LDS. The net cost of the Local Plan is reflected in existing budgets and the proposed changes in the timetable do not result in any additional costs. There are some changes to when the main costs of progressing the Local Plan Partial Update will arise, but they will be slight and are unlikely to make a significant difference between financial years.

11. Timetable for Implementation

- 11.1. The timetable for carrying out the Local Plan Partial Update is set out in the amended LDS.

12. Background Papers

- 12.1. There are none.

Appendices

1. Local Development Scheme June 2024 (tracked changes version)