

Executive Report

Ward(s) affected: All

Report of Strategic Services Director

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Local Development Scheme 2021

Executive Summary

This report seeks the Executive's approval of an updated Local Development Scheme (LDS) for the new Local Plan: development management policies. The LDS sets the timetable for plan production and opportunities for stakeholders to be involved in the process.

As a Development Plan Document (DPD), the Local Plan: development management policies must be prepared in accordance with the statutory process. As such there are a number of stages that it must go through, including a number of public consultations. The LDS sets out these key milestones for the forthcoming Guildford borough Local Plan: development management policies.

Recommendation to Executive

That the Executive approves the Local Development Scheme, as set out in Appendix 1 to this report, and that it comes into effect from 3 November 2021.

Reason for Recommendation:

To progress the new Guildford borough Local Plan: development management policies by having a LDS with an up-to-date timetable for the Local Plan.

Is the report (or part of it) exempt from publication? No

1. Purpose of Report

- 1.1 An up-to-date LDS is required to progress the new Local Plan: development management policies for Guildford borough. This document sets out a timetable for preparing the documents that make up the Council's development plan (namely the Local Plan).
- 1.2 As set out in the Planning and Compulsory Purchase Act 2004 (as amended), the Council has a statutory requirement to prepare Local Plan documents in

accordance with the timetable in the LDS. Officers have revised the timetable for the Local Plan: development management policies, and this report asks the Executive to approve the updated document.

2. Strategic Priorities

- 2.1 The updated LDS is an essential pre-requisite to achieving the new Local Plan: development management policies, which will contain a suite of planning policies that support the achievement of the Council's strategic priorities.

3. Background

- 3.1 An LDS is required by the Planning and Compulsory Purchase Act 2004 (as amended). The LDS must specify the local plans which, when prepared, will comprise part of the development plan for the area.
- 3.2 The LDS is the timetable and project plan for the production of the new Local Plan. It explains what documents the Council intends to prepare and when, in order to plan for future development in the borough.
- 3.3 The Council adopted the previous LDS on 24 March 2020 prior to the Regulation 18 consultation on Part 2 of the Local Plan - the Local Plan: development management policies. Significant member engagement through the cross party Local Plan Panel together with some delays to key parts of the evidence base has resulted in a delay to the envisaged timetable (from March/April 2021 to November/December 2021) which therefore needs to be updated prior to the commencement of the Regulation 19 consultation. A further reason for the delay is that the Regulation 18 consultation was delayed by a couple of months due to COVID and the need to adopt an updated Statement of Community Involvement prior to consultation. The milestones following the Regulation 18 consultation were not amended in the previous LDS to take account of this delay.

4. Consideration of the timetable

- 4.1 The LDS at present assumes that there will be only one Regulation 19 consultation. This accords with the minimum statutory requirements in producing a new Local Plan. Whilst the changes between Regulation 18 and Regulation 19 consultation versions can be significant, main modifications cannot be made to the Regulation 19 consultation version and the version that is subsequently submitted to the Secretary of State (the Submission Local Plan). For this reason, if main modifications are considered necessary then a further Regulation 19 consultation would need to be undertaken and this would result in a delay to the process.

5. Scope of the new Local Plan

- 5.1 The Local Plan: development management policies will provide the more detailed policies to be used by Development Management in the determination of planning applications. Once adopted it will supersede all the extant Local Plan 2003 policies and will form part of the Council's development plan.

6. Consultations

6.1 The timetable has been shared with the Portfolio holder.

7. Key Risks

7.1 The risks of delay to the process as a result of the need for further consultation are covered above in para 4.1.

7.2 Significant changes to legislation, in particular the emerging Planning Bill, could also necessitate revisiting policies and potentially further consultation.

8. Financial Implications

8.1 There are no financial implications associated with this report.

8.2 The Regulation 19 Consultation on the Local Plan: Development Management Policies report contains all the financial implications of the consultation itself.

9. Legal Implications

9.1 A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). This must specify the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. The Local Development Scheme must be kept up-to-date and made publicly available.

9.2 Under the Council's Constitution and in accordance with section 9D Local Government Act 2000, the Executive has the power to make decisions in relation to the coming into effect of the Local Development Scheme.

10. Human Resource Implications

10.1 There are no HR implications.

11. Equality and Diversity Implications

11.1 All public authorities are required by the Equalities Act 2010 to specifically consider the likely impact of their policy, procedure or practice on certain groups in the society.

11.2 It is our responsibility to ensure that our policies, procedures and service delivery do not discriminate, including indirectly, on any sector of society. Council policies, procedures and service delivery may have differential impacts on certain groups with protected characteristics, and these will be highlighted in the Equalities Impact Assessment (EqIA) screening. Likely differential impacts must be highlighted, and described, as some may be positive. Where likely significant adverse differential impacts are identified, consideration should be given to opportunities to reduce or mitigate this through a full equalities impact assessment.

- 11.3 There is no requirement for an EqIA on the LDS. An EqIA screening has been undertaken on the emerging Local Plan: development management policies.

12. Climate Change/Sustainability Implications

- 12.1 The updated LDS is an essential pre-requisite to achieving the Local Plan: development management policies. The new Local Plan will contain a suite of planning policies that contribute to the achievement of climate change objectives.

13. Conclusion

- 13.1 Having an up-to-date LDS is a fundamental requirement to enable the Council to progress the new Local Plan through to adoption. It is important that members of the public and other interested parties know the Council's timetable for producing our Local Plan, and how and when they can get involved.

14. Appendices

Appendix 1: Guildford Borough Council Local Development Scheme 2021