

# New Local Plan – Local Development Scheme

## Planning Policy Committee Thursday 27<sup>th</sup> February, 2025

Report of: Deputy Chief Executive

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Purpose: For decision

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Publication status: Open

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Wards affected: All

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### **Executive summary:**

This report seeks approval for a new Local Development Scheme, the higher-level overarching project plan to take the new Local Plan through to adoption.

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### **Recommendation to Committee:**

That the proposed new Local Development Scheme be adopted.

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### **Reasons for recommendation**

The Council is required to prepare and maintain a Local Development Scheme (LDS) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The Local Development Scheme highlights the main milestones of the new Local Plan production process.

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### **This report supports the Council's priority of:**

Creating the homes, infrastructure and environment we need

Supporting economic recovery in Tandridge

Becoming a greener, more sustainable District

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## **Introduction**

- 1 The adopted Tandridge Development Plan comprises the Tandridge Local Plan, which is made up of Tandridge District Core Strategy 2008-2026, Tandridge Local Plan Part 2: Detailed Policies 2014-2029, Neighbourhood Plans (Caterham, Chaldon and Whyteleafe, Limpsfield, Tatsfield and Woldingham) and Surrey Waste and Minerals Plans.
- 2 Under the National Planning Policy Framework (NPPF), the Council is required by law to review its Local Plan at least every five years. The Council is therefore under a legal obligation to review both parts of its adopted Local Plan.
- 3 The new Local Plan will set a vision and objectives for the District for at least 15 years post adoption and will present strategic policies for the management of the built and natural environment of the district.

## **Local Development Scheme**

- 4 It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) that a Local Development Scheme (LDS) is prepared and maintained.
- 5 The last LDS was published in June 2024. However, in the intervening period, the Government has published a new NPPF, updated Planning Practice Guidance as well as identifying further planning reform. These changes were documented in the planning reform paper presented to the January 2025 Planning Policy Committee.
- 6 Alongside the publication of the NPPF, the Government issued a directive that all local authorities must submit an updated Local Development Scheme, which is to be submitted to MHCLG within 12 weeks of the publication of the new NPPF. Therefore, a refreshed timetable needs to be prepared for the Local Plan reflecting the revised scope of work underpinning its preparation.

## **Levelling Up and Regeneration Act**

- 7 The Levelling and Regeneration Act (LURA) introduced a new plan making system. To date, the secondary legislation to enact this change has yet to be made. However, Government confirmed in July 2024 that they intend to implement the new plan making system as set out in LURA. In December 2024, they confirmed that the new system will be brought into force in 2025.
- 8 The planning reform consultation response states that plans at an early stage (i.e. not at Regulation 19 or further in the plan-making progress), on or before 12 March 2025, will be expected to be submitted for examination under the existing 2004 Act plan-making framework before December 2026. Any plan which is expected to be submitted for Examination after December 2026 should be prepared under the new provisions of the LURA 2023 on plan-making, when these come into force.
- 9 There is insufficient time available to prepare a Local Plan under the current arrangements. As such, the next iteration of the Local Plan prepared in Tandridge will be produced under the new plan-making system. The Local Development Scheme has been produced on this basis.

## **Local Government Reorganisation**

- 10 In addition to planning policy reform, the Government has also embarked on a programme of wider reform. This includes proposals to reform the local government system. Under the proposals, Local Plan making would become the responsibility of newly formed unitary authorities.
- 11 On 5 February 2025, Government confirmed that Surrey is on the fast track for reorganisation. In notifying the Council of this decision, the Government re-iterated that the Council must continue to progress its Local Plan. Universal local plan coverage is considered a priority by the Government.

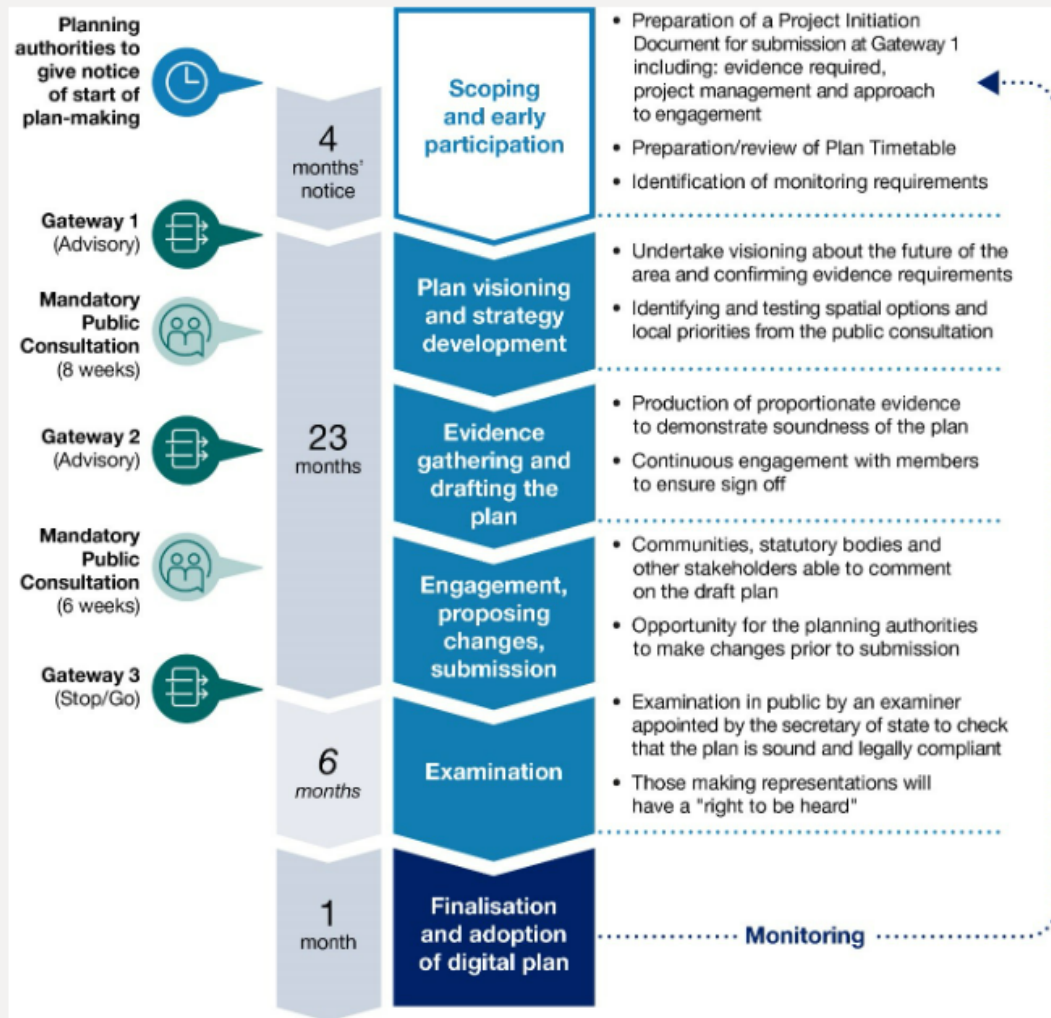
## **Proposed plan making timetable**

- 12 Following on from above, a new LDS has been prepared, setting out the key stages of work and the indicative timetable. The new LDS lists other Development Plan Documents that exist and provides an overview of work undertaken by outside partners, namely Surrey County Council and Neighbourhood Planning Groups. The LDS is appended to this report.
- 13 Progress against the milestones identified in the LDS will be monitored going forward through the Authority Monitoring Report.
- 14 The programme sets out the key stages of work to take the local plan to Examination. These are based on the indicative local plan preparation periods published by Government<sup>1</sup>, as shown overleaf.
- 15 Substantial levels of additional work will sit behind these key stages of plan making and there are a significant number of dependency links through and across many of the separate work areas.

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<sup>1</sup> [Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms - GOV.UK](#)

**Figure 1: The new 30 month plan timeframe**



16 The high-level programme proposed is as follows:

Preparatory evidence gathering and scoping	March 2025 to September 2025
Scoping and early participation (Gateway 1 expected to take place in March 2026)	September 2025 to March 2026
Plan visioning and strategy development (including first consultation)	April 2026 to October 2026
Evidence gathering and drafting the plan (including advisory Gateway 2)	October 2026 to April 2027
Engagement, proposing changes and submission of the plan (including second consultation)	April 2027 to December 2027
Examination	January 2028 to June 2028
Finalisation and Adoption	July 2028

- 17 It should be noted that the proposed timetable depends on work progressing in a timely and smooth manner and the necessary staff resources being available. Any significant changes in policy direction or substantial deviations in the content of the draft plan could delay production.
- 18 This Local Plan timetable is likely to be influenced by external factors such as the proposed Local Government Reorganisation. The level of engagement from external stakeholders and consultees with the Plan will also affect the amount of effort required and has the potential to affect the timetable.

## **Risks**

- 19 As set out in the LDS, the production of a Local Plan is subject to a number of potential risks in terms of delivery, timing and budget. These are primarily centred around issues relating to:
  - Staff resources. Maintaining a sufficiently experienced core team, supported by specialist work from interims or consultants will be necessary to keep to the timetable set out in this report.
  - Technical skills: The process of producing a Local Plan requires a wide range of skills including planning policy, ecology, finance, viability, urban design, water, flooding, infrastructure, transport and other specialist area. The timetable relies on the required expertise being available, either in-house or through the procurement of specialist advice or consultants.
  - Changing politics, legislation and policy: Any significant changes in any of these arenas has the potential to delay the overall programme and increase the costs of production for the Local Plan.
  - Evidence base. Careful project planning will be necessary to minimise the potential that the completion of evidence base work streams does not add unnecessary delay or costs to Local Plan production.
  - Consultation, engagement and Duty to Cooperate. A robust approach to all of these elements will be necessary to meet legal requirements; alongside careful project planning to ensure that these processes do not derail the Local Plan programme.
  - Finance. With a very tight budget to carry out Local Plan production, as well as wider planning services, it will be necessary to prioritise spend, practice good project management for individual workstreams and undertake regular review of the overall budget.
- 20 The LDS sets out appropriate mitigation strategies to minimise the level of risk. Officers will keep the committee apprised of any issues should they arise.

## **Implications of Recommended Option**

### **Comments of the Chief Finance Officer**

- 21 In the approved budget for 2024/25, the Council has assigned £511k to deliver all planning policy work. It is assumed that a similar amount is likely to be available in future years.
- 22 As well as the Local Plan, this budget has to fund all other planning policy service delivery commitments. These include supporting neighbourhood planning, monitoring duties, regulatory duties such as maintaining a Brownfield Land Register and Self and Custom Build Register, and workstreams associated with the natural environment, including Biodiversity Net Gain, flooding and National Landscapes. This budget must also cover regular costs faced by the service, such as contributions to Surrey Hills and High Weald AONB Management Boards.
- 23 The workload and therefore the associated costs linked with the production of a Local Plan fluctuates over the course of time. As part of the Council's prudent financial planning, any annual underspend of the planning policy budget has been placed in a reserve for the Local Plan. This money is ringfenced and will not be used for any other expenditure. The Council therefore has reserves to support the development of the Local Plan in addition to the annual budget.
- 24 As a result of this financial strategy, the Council currently has c.£1m in its Local Plan reserve to supplement the annual budget.
- 25 The restricted budget for planning policy matters, and the Council's overall financial constraints, means that any new local plan must be developed with strict control over costs and with clear oversight and scrutiny by the Committee. The Council is in the early stages of planning work related to the Local Plan. This will be developed transparently, initially through discussion with the Committee Chair and Vice Chair, then the Planning Policy Working Group and Committee. Each element within the Local Plan will include a definition of:
- The purpose and expected outcomes of the work package.
  - How the work package will be delivered and whether external support will be necessary.
  - The cost of the work package and the time period over which that cost will be incurred.
  - Whether working with neighbouring councils on shared matters could achieve economies of scale.
  - The procurement route needed for the work package, including oversight by the Council's Deputy Chief Executive, Monitoring Officer and Section 151 Officer.
- 26 Regular updates on the finances of planning policy will be brought to Committee.

## **Comments of the Head of Legal Services**

The Council as the local planning authority is required to prepare and maintain a scheme to be known as their local development scheme under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area (development plan documents), the subject matter and geographical area to which each document is to relate and the timetable for the preparation and revision of those documents.

Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that in the preparation of a local plan the local planning authority must notify certain bodies and persons of the subject of a local plan and invite them to make representations to the local planning authority about what a local plan with the subject ought to contain (and then must take any representations made to such invitations into account when preparing the plan). Persons at this stage include such residents or other persons carrying on business in the local planning authority's areas from which the local planning authority consider it appropriate to invite representations and it is for the local planning authority therefore to consider the appropriate persons and methods for consultation at this stage; and such consultation may take a more focused form.

Whereas under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 there are requirements for publication of proposed submission documents and a formal representations procedure (which must be for a period of not less than 6 weeks) to take place before the local plan is submitted to the Secretary of State for examination. The local planning authority will still need to ensure that reasonable alternatives have been adequately considered through plan-making.

## **Other implications**

There are no human resources, property, risk management, ward, climate emergency and sustainability, value for money implications arising from this report. Any climate change impacts would be addressed within the overall Impact Assessments suite of reports including the Sustainability Appraisal.

## **Equality and Diversity Implications**

There are no equality and diversity impacts associated with this report. Any such impacts would be addressed within the overall Impact Assessments suite of reports including the Sustainability Appraisal, Equalities Impact Assessment and Habitats Regulation Assessment which will be produced to support the Local Plan.

## **Appendices**

Appendix A – Local Development Scheme

## **Background papers**

None

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