

CORPORATE LEADERSHIP TEAM'S
REPORT TO CABINET

04 February 2025

Report Title: Local Development Scheme (2025 – 2028)

Submitted by: Deputy Chief Executive

Portfolios: Strategic Planning

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The report seeks approval for an update to the Council's Local Development Scheme (2025 – 2028) which sets out the timetable for the preparation of a new Local Plan for the Borough.			
<u>Recommendation</u>			
That Cabinet:			
1. Approves the update to the Council's Local Development Scheme ("LDS") for the period 2025 – 2028.			
<u>Reasons</u>			
The Deputy Prime Minister has asked following the publication of a new National Planning Policy Framework in December 2024, that all local planning authorities produce and publish an updated LDS, setting out the timetable for the preparation of a new Local Plan in accordance with the Framework. The LDS should be agreed by the 6 March 2025 and shared with Government.			

1. Background

- 1.1** A Local Plan sets the vision and framework for how the Borough will grow and develop. It sets out targets for the number of jobs and homes to be delivered in the Borough and an overarching spatial strategy to guide development to sustainable locations. The Borough Council has been preparing a Local Plan since 2021 having regard to relevant national guidance and a detailed evidence base. On the 20 December 2024, the Council submitted its Local Plan (2020-2040) for public examination to the Secretary of State.
- 1.2** The submission of the Local Plan (2020-2040) was in line with the Council's current LDS (2023-2026), which envisaged submission of the Local Plan for examination by the end of the 2024 calendar year, with examination taking place throughout 2025 and adoption of the Plan assumed in the last quarter of 2025. The timetable and progress of the examination is now a matter for the Inspector appointed to consider the soundness and legal compliance of the

Local Plan. Information on the Local Plan examination can be found on dedicated planning policy pages of the Borough Council's website which will be updated throughout the examination process.

- 1.3** A revised version of the National Planning Policy Framework ("NPPF") was published on the 12 December 2024. This has implications for the preparation of Local Plans amongst other planning matters, including the timing of plan preparation and their content. As part of a package of announcements made at the launch of the revised NPPF, the Deputy Prime Minister has asked all local planning authorities to produce an updated LDS within 12 weeks of the publication of the NPPF (i.e. by no later than 6 March 2025).

2. Issues

- 2.1** Attached at Appendix 1 is an updated LDS which sets out the proposed programme, between 2025 and 2028 for a new Local Plan. This is a public document which will provide information for interested parties on the timetable for preparation of a new Local Plan for the Borough.
- 2.2** The LDS sets out the proposed approach to a new local plan. For the avoidance of any doubt, the revisions to the current approved LDS do not impact on the emerging Local Plan (2020-2040) and the fact that this has been submitted for examination.
- 2.3** The timing of the update to the LDS comes from a request from the Deputy Prime Minister. The updated LDS should include clear, realistic, and specific dates for consultation and submission of the Local Plan. There may shortly be further revisions made to the Local Plan making system in respect of new local plans, taken forward through provisions in regulations associated with the Levelling Up and Regeneration Act. This uncertainty means that the timetable in the revised LDS may be subject to change with consequently a further update likely to be brought back to Cabinet later in the year.
- 2.4** In line with the provisions of the December 2024 NPPF (paragraphs 234b & 236 respectively) for local plan making, where a local plan has been submitted for examination on or before the 12 March 2025 and the emerging Plan provides for less than 80% of local housing need, the Local Planning Authority will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (as soon as the relevant provisions are brought into force in 2025) in order to address any shortfall in housing need. This is the current position of the Council, and this LDS responds to this and sets out the Council's indicative programme for producing a new Local Plan. The need for and progress on a new Local Plan, beyond the Plan submitted for examination, will be dependent on the regulations provided for under the Levelling Up and Regeneration Act 2023.

3. Recommendation

- 3.1** That Cabinet approves the updated LDS for the period 2025 – 2028.

4. Reasons

- 4.1 The Deputy Prime Minister has asked for all local planning authorities to produce an updated LDS by the 6th of March 2025, which sets out the timetable for the preparation of a new Local Plan.

5. Options Considered

- 5.1 The option of not to proceed with a new Local Plan and to cease work is not considered a reasonable option as the Council has a statutory duty to prepare development plan documents. Other consequences are the possibility without a forward supply of development sites that the Council fails to demonstrate a 5-year land supply and respond to the requirements of the recently updated NPPF (December 2024). This would result in planning applications being submitted and requiring to be determined in line with the presumption of sustainable development and being permitted unless strong reasons exist to indicate otherwise.

6. Legal and Statutory Implications

- 6.1 In accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) the Council has a statutory duty to prepare planning policies and maintain an up to-date development plan. Secondary legislation contained in the Town and Country Planning (Local Planning) (England) Regulations 2012 provides additional guidance on Plan making.
- 6.2 As noted in the December 2024 version of the NPPF, provisions are to be brought forward for a revised plan-making system through regulations associated with the Levelling Up and Regeneration Act and Local Planning Authorities will be expected to begin work on a new Plan, under these provisions. The regulations are expected to be brought into force in 2025.
- 6.3 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 made available publicly and kept up to date. Local planning authorities are asked to publish their LDS on their website.

7. Equality Impact Assessment

- 7.1 The LDS sets a timetable for a new Local Plan and has no direct implications. An Equality Impact Assessment will be conducted during the preparation of the Local Plan.

8. Financial and Resource Implications

- 8.1 Following approval of the LDS, a report will be brought back to Cabinet later in 2025 to consider the costs of producing a new Local Plan. As noted above, further information is expected this calendar year, through regulations associated with the implementation of the Levelling Up and Regeneration Act, on how the government intend the revised local plan making system to work which may require a further iteration of the LDS to be prepared. Future reports

on the new Local Plan will provide additional information on Plan preparation costs.

9. Major Risks & Mitigation

- 9.1** That the emerging Local Plan (2020-2040) is found unsound at examination which may have implications for the timing of the preparation of a new Local Plan. Appropriate steps have and are being taken to minimise the risk through the provision of a comprehensive evidence base and legal and consultancy support.
- 9.2** The Levelling Up and Regeneration Act will have implications for how Local Plans are made. Changes to the NPPF have already resulted in changes to policy guidance on matters including Greenbelt, with the introduction of the term “Grey belt.” Updates and implications of other changes which affect local planning policy issued by national government will be kept under review.

10. UN Sustainable Development Goals (UNSDG)

- 10.1** As the Local Plan is primarily focused on the use of land, overall levels of growth and the relationship to the environment and infrastructure then a number of the UN Sustainable Development Goals will overlap with the aims of the Plan.



11. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council

We will make investment to diversify our income and think entrepreneurially.

One Digital Council

We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

In line with the intentions of Government, a new Plan is anticipated to be produced in accordance with digital principles and approach.

One Green Council

We will deliver on our commitments to a net zero future and make all decisions with sustainability as a driving principle.

A new Local Plan will seek to support the Council's ambition around a net zero future.

12. **Key Decision Information**

12.1 This report provides an update on the Local Plan / decision reports associated with the Local Plan will affect all wards in the Borough.

13. **Earlier Cabinet/Committee Resolutions**

13.1 Full Council decision on the emerging Final Draft Local Plan (24 July 2024) - <https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=152&MId=3860&Ver=4>

14. **List of Appendices**

14.1 Appendix 1: Newcastle-under-Lyme Borough Council's Local Development Scheme 2025 - 2028

15. **Background Papers**

15.1 Information on the Borough Local Plan (2020-2040) can be found here: - [Local plan examination – Newcastle-under-Lyme Borough Council](#)