

## Wiltshire Council

### Cabinet

13 December 2022

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**Subject:** Update of Local Development Scheme

**Cabinet Member:** Cllr Nick Botterill - Cabinet Member for Finance, Development Management and Strategic Planning

**Key Decision:** Non Key

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#### **Executive Summary**

This report proposes an update to the Council's Local Development Scheme, which was last updated in November 2021. It includes revised timelines for both the Gypsies and Travellers Plan and Wiltshire Local Plan Review (LPR) and reflects an updated plan period to 2038 in response to the consultation and further work being undertaken on housing need and employment evidence following Cabinet in June 2021. The next key stage will be publication of draft plans for consultation (Regulation 19 stage), with the LPR consultation scheduled to commence Q3 2023 and the Gypsies and Travellers Plan scheduled for Q4 2023.

The Wiltshire Local Plan is one of the most significant strategic documents for the council and will pave the way for sustainable growth and environmental protection to 2038. Updating the Council's Local Plan is therefore a key priority. Whilst good progress is being made, additional time is needed to ensure that the LPR is underpinned by a robust and sound evidence base before it is tested at Examination in Public. For the Gypsies and Travellers Plan, the main reason for delay relates to the need to provide a suitable range of sites in the right locations to meet the identified need.

A further update to the LDS will be required in due course once a scoping exercise has been conducted to identify a suitable way of updating strategic planning documents relating to minerals and waste.

#### **Proposal(s)**

##### **That Cabinet:**

- (i) Approves the revised Local Development Scheme and that this is brought into effect through publication on the Council's website.**
- (ii) Authorises the Chief Planning Officer in consultation with the Cabinet Member for Finance, Development Management and Strategic Planning to make minor amendments to the Local Development Scheme, where necessary, before publication.**

**Reason for Proposal(s)**

The Council as Local Planning Authority has a legal duty to maintain its Local Development Scheme. In the light of the public interest in the Local Plan, this update to the LDS has been brought to Cabinet for approval.

**Terence Herbert**  
**Chief Executive**

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### Purpose of Report

1. To seek approval for a revised Local Development Scheme (LDS).

### Relevance to the Council's Business Plan

2. To plan for the needs of our growing communities from an economic, environmental, and social perspective the Local Plan aligns with the four missions of the 2022 to 2032 Business Plan - Thriving Economy, Resilient Society, Sustainable Environment and Empowered People. The importance of updating the Local Plan to provide an effective policy framework for sustainable growth of Wiltshire is explicitly mentioned.

### Background

3. The Local Planning Authority has a duty under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) to prepare and maintain their LDS; and make it publicly available (see legal section below).
4. The LDS must specify the Development Plan Documents, which are prioritised for production by Wiltshire Council including their subject matter and timelines for preparation. Local Plans are Development Plan Documents. Once adopted, these documents will comprise part of the development plan for Wiltshire. Government guidance encourages councils to ensure that the LDS includes details of 'made' neighbourhood plans, which also form part of the development plan for the area.
5. The current [LDS](#) was most recently updated in November 2021. This sets out updated timelines for both the Wiltshire Local Plan Review and Gypsies and Travellers Plan, both of which are under preparation. An update was necessary to reset the timelines in the light of delays caused by Covid-19 and further work required in response to the consultation as resolved by Cabinet on [29 June 2021](#). It also reaffirmed the council's commitment to review minerals and waste policies, setting out the details of the review process. Both plans were due to have reached the Regulation 19 consultation stage this year, with the LPR late 2022.

### Main Considerations for the Council

6. The Local Plan is a key statutory document, and a vital part of ensuring that sufficient homes and jobs are provided within Wiltshire. Updating the adopted

Wiltshire Core Strategy (2015) is therefore a priority for the council. Since November 2021, whilst good progress has been made on both the Wiltshire Local Plan Review and Gypsies and Travellers Plan further work is needed leading up to the consultation on the draft plans to ensure their policies are based on sound and robust evidence. For the Gypsies and Travellers Plan, the main reason for delay relates to the need to provide a suitable range of sites in the right locations to meet the identified need. It is therefore important that updated timelines are published through an updated LDS to provide clarity and transparency to stakeholders.

7. The revised version of the LDS, including key dates, is set out in **Appendix 1**. The next key stage will be publication of draft plans for consultation (Regulation 19 stage), with the LPR consultation scheduled to commence Q3 2023 and the Gypsies and Travellers Plan scheduled for Q4 2023.
8. In response to the public consultation and the further work that has been carried out in relation to Wiltshire's housing need and employment evidence, the plan horizon for both plans is being extended by two years to look ahead to 2038. This is reflected in the revised LDS. Aligned to this is updating the base date of both plans from 2016 to 2020 for the Wiltshire Local Plan Review and 2022 for the Gypsy and Traveller Plan in line with the published Gypsy and Traveller Accommodation Assessment. The revised adoption date set out in the LDS means that the plan period may be slightly shorter than the 15 year period from adoption referred to in national policy. The legislative requirement for plans to be reviewed every 5 years provides the opportunity to extend a plan period further.
9. In addition to the changes to the timelines and plan period, updates are provided to the summary of neighbourhood plans that have been made and now form part of the development plan and those that have progressed to an advanced stage.
10. A further update to the LDS will be required in due course once a scoping exercise has been conducted to identify a suitable way of updating strategic planning documents relating to minerals and waste.

### **Overview and Scrutiny Engagement**

11. On 20 September 2022, the Environment Select Committee received a presentation on progress with the Wiltshire Local Plan Review and Gypsies and Travellers Plan. During this meeting, the Committee was advised that the timelines for both Plans were being reviewed and an updated LDS would be published. It also provided an overview of the process and the tests that the Plan would go through at the examination stage reinforcing the importance of developing a robust and sound evidence base.

### **Safeguarding Implications**

12. There are no direct safeguarding implications arising from the proposal.

### **Public Health Implications**

13. There are no direct public health implications arising from producing an updated LDS. Planning has at its heart sustainable development to meet the employment, housing and infrastructure needs of the community to help foster their wellbeing.

## **Procurement Implications**

14. There are no direct procurement implications for the revisions to the LDS itself. However, there are for the overall preparation of the Plans, which have previously been considered including commissioning appropriate evidence to support the plan making process. Where such procurement implications continue to arise, these requirements will be undertaken in accordance with procurement and contracting Regulations, and in consultation with the Commercial and Procurement team.

## **Equalities Impact of the Proposal**

15. There are no direct equalities implications arising from the review of the LDS. Maintaining an up-to-date Local Plan will help ensure that the needs of our growing communities, including the gypsy and traveller community, in so far as they relate to the development plan, are planned for and addressed. Any direct impacts that may arise as part of the Wiltshire Local Plan Review and Gypsies and Travellers Plan will be documented separately through specific assessments as part of the preparation of these Plans.

## **Environmental and Climate Change Considerations**

16. There are no direct environmental and climate change considerations that result from the review of the LDS. However, both are an integral part of plan making and direct impacts are being considered as the plans are progressed.

## **Workforce Implications**

17. Delivery of the plans to the timescales set out in the LDS will have workforce implications for services across the Council. Resources will need to be aligned to ensure that there is capacity to complete the different stages of the Plan's preparation, which will be absorbed within the current capacity of services.

## **Risks that may arise if the proposed decision and related work is not taken**

18. There are no specific risks associated with updating the LDS. The greater risk arises if there is insufficient time to develop a robust evidence base, which can save time at the later stages of the process.
19. The November 2021 LDS indicated that the Gypsies and Travellers Plan and Wiltshire Local Plan Review would be published for consultation Q2 and Q4, 2022 respectively. This now needs to be revised and a fresh timescale made publicly available. For the Local Plan to be found sound at examination it must be in line with an up-to-date LDS.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

20. In addition to the above, a dedicated project manager is working with officers on the Wiltshire Local Plan Review and the Gypsies and Travellers Plan also. Risks associated with the Local Plan are contained within the corporate risk register.

## **Financial Implications**

21. The Spatial Planning Service has a 2022/23 Revenue budget for the Local Plan of £0.247m and there is a Local Plan Earmarked Reserve of £0.649m. The 2022/23 quarter two spend is forecast to be £0.556m, with a draw down in 2022/23 of £0.309m from the Local Plan Earmarked Reserve to balance the position. This would leave a balance of £0.340m on the Local Plan Earmarked Reserve for future years.
22. The Local Plan Earmarked Reserve is intended to operate as a revolving fund alongside the Revenue budget until the plan is approved, with budget transfers in and out over the Medium Term Financial Strategy period to manage the financial requirements of the programme in each financial year.
23. A forecast has been undertaken and the Revenue budget and Local Plan Earmarked Reserve are forecast to be sufficient to cover ongoing evidential, consultation and examination costs up to 2025/26.
24. Increasing inflation is a risk and will be continually monitored through the budget monitoring process, with any favourable or adverse variances reported through this mechanism.
25. Adoption of both plans will bring forward new sites for housing, thereby enabling the Council to benefit from revenue associated with the delivery of new homes including contributing to the Council's 'Council Tax base' and New Homes Bonus. The Local Plan will also bring forward new sites for employment, which will enable the Council to benefit from Business Rates revenue.

## **Legal Implications**

26. Section 15(1) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) (PCPA) requires the Local Planning Authority to prepare and maintain a Local Development Scheme (LDS). The up to date text and copy of any amendments to the scheme need to be made available to the public (section 15 (9A) PCPA). This is done through publication on the Council's website.
27. Once adopted the plans identified in the LDS will form the statutory development plan for Wiltshire alongside the existing adopted development plan documents, and made neighbourhood plans, comprising the development plan for Wiltshire.

## **Options Considered**

28. The options for the Council are limited. It is important that the LDS is kept up to date, as set out in legal implications above.

## **Conclusions**

29. The LDS should be periodically reviewed in line with legislation to ensure it remains up to date and there is clarity for interested parties on the plans under preparation to update the Local Plan.

**Nic Thomas, Chief Planning Officer**

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## **Appendices**

Appendix 1: Draft Wiltshire Local Development Scheme, December 2022