

Environment and Communities Committee

Date of Meeting:	10 November 2022
Report Title:	Local Development Scheme 2022
Report of:	Jayne Traverse, Executive Director of Place
Report Reference No:	EC/14/22-23
Ward(s) Affected:	All wards

1. Purpose of Report

- 1.1. This report seeks approval for an update to the Council's Local Development Scheme ("LDS") and the establishment of a Member Reference Group to support the preparation of the Local Plan Update.

2. Executive Summary

- 2.1 The report seeks the approval of an updated LDS to replace the Council's current LDS which covers the period 2020 to 2022. The updated LDS is proposed to cover the period 2022-2027 and sets out the timetable for preparing the Minerals and Waste Plan and Local Plan Update. It also highlights the anticipated adoption of the Site Allocations and Development Policies Document by the end of this calendar year.
- 2.2 The report also recommends that a Local Plan Member Reference Group is established to act as an informal sounding board to support the preparation of the Local Plan Update.

3. Recommendations

- 3.1. To approve and bring into effect the updated Local Development Scheme 2022-2027 provided in Appendix 1.
- 3.2. To establish a Local Plan Member Reference Group to support the preparation of the Local Plan with the Terms of Reference provided in Appendix 2.

4. Reasons for Recommendations

- 4.1. It is a legal requirement for the Council to prepare and maintain a LDS. National planning guidance indicates that the LDS should be regularly

reviewed, kept up to date and made publicly available so that local communities and interested parties can keep track of the Council's progress in preparing its Local Plan.

- 4.2. A Local Plan Member Reference Group will act as an informal sounding board and support the preparation of the Local Plan.

5. Other Options Considered

- 5.1. There is no other option for the Council other than to update its LDS. The current LDS runs to 2022. Councils are required to prepare and maintain a LDS under section 15 of the Planning and Compulsory Purchase Act 2004.
- 5.2. The Local Plan could be prepared without a Member Reference Group, however the benefit from having an informal Member sounding board to support the development of the Plan would not be achieved.

6. Background

- 6.1. Appended to this report is an updated LDS setting out the proposed programme, between 2022 and 2027, for the preparation of documents intended to form part of the Council's Local Plan¹. It would replace the current LDS which covers the period 2020-22.
- 6.2. LDSs enable local communities, businesses, developers, service and infrastructure providers, alongside other interested parties, to find out what Local Plan documents are proposed and the timetable for their preparation.
- 6.3. The Council must also report progress against the LDS, which is done annually through the Authority Monitoring Report.
- 6.4. The proposed LDS:
- identifies the final stages towards adopting the Site Allocations and Development Policies Document;
 - reflects the change in approach towards the preparation of, and timetable for, the Minerals and Waste Plan;
 - includes a timetable for the Local Plan Update; and
 - removes the Crewe Hub Area Action Plan from the schedule of future Local Plan documents.

Site Allocations and Development Policies Document

- 6.5. The Site Allocations and Development Policies Document forms the second part of the Council's Local Plan 2010-30. It contains non-strategic policies to guide planning decisions and allocate additional sites for development to assist in meeting the overall development requirements set out in the Local Plan Strategy. It is at an advanced stage of preparation. The receipt of the

¹ The Cheshire East Local Plan does not cover the portion of the borough located within the Peak District National Park. The National Park is subject to the Park Authority's planning policies.

Inspector's Report following the public examination of the Plan is expected shortly. The Council received the Inspector's Report on 17 October 2022, enabling it to proceed and adopt the Plan with Main Modifications. This will be considered by Full Council on 14 December.

Minerals and Waste Plan

- 6.6.** The proposed LDS 2022-2027 reflects the revised approach towards the preparation of the Minerals and Waste Plan and its indicative timetable, considered at the Committee's meeting on 1 July 2022.

Local Plan Update

- 6.7.** The Committee considered the review of the Local Plan Strategy at its meeting on 1 July 2022 and decided that an update to it was necessary. It was also agreed that a further report be brought back to a subsequent meeting with a revised LDS setting out the timetable for the Update.
- 6.8.** It was highlighted that the Update would be extensive and include the setting of development requirements beyond 2030 necessitating changes to a number of key strategic policies. Given that national planning policy requires strategic policies within local plans to look ahead over a minimum 15-year period from adoption, it is expected that the new Plan period will extend into the 2040s.
- 6.9.** The Local Plan Update will be informed by a range of reports and studies. Recognising the important role that planning policy has in the achievement of sustainable development, the preparation of the Plan will need to closely involve teams across the Council and outside organisations. The Plan will also be developed through several rounds of wider public consultation. Revisions to local planning policy will be of interest to all elected members who will be kept informed on the Plan's progress and advised of opportunities to input into the Plan's development.
- 6.10.** The draft LDS identifies a five-year programme to prepare and adopt the Local Plan Update. The programme includes three rounds of public consultation – Issues and Options (4th quarter 2023), First Draft (4th quarter 2024) and Publication Draft (4th quarter 2025). A twelve-month public examination is identified following the submission of the Plan to the Secretary of State. Adoption is envisaged towards the end of 2027. The timetable represents a best estimate and circumstances may arise that necessitate refinements to it. For example, the way in which local plans are prepared is likely to be changed through future national planning reforms.
- 6.11.** To assist the preparation of the Plan, it is recommended that a Local Plan Member Reference Group is established to act as an informal sounding board. It would consider the findings of emerging background evidence and discuss potential future policy options, providing informal feedback to officers. It would not have any decision-making powers. Formal decisions

regarding the Plan would be made by the Environment and Communities Committee or Full Council². Draft Terms of Reference for the Group are appended to this report.

Crewe Hub Area Action Plan

- 6.12.** The proposed LDS also reflects the decision by the Council's Corporate Policy Committee in November 2021 to withdraw the Crewe Hub Area Action Plan.

7. Consultation and Engagement

- 7.1.** The LDS assists local communities and interested parties to keep track of the Council's progress in preparing its Local Plan. It identifies the timing of consultation stages where representations to emerging plans can be made.

8. Implications

8.1. Legal

- 8.1.1.** Section 15 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare and maintain a LDS specifying, among other things, the documents which will become part of the local plan for their area and the timetable for their preparation. A LDS must be made publicly available so that local communities and interested parties can keep track of plan-making progress.

8.2. Finance

- 8.2.1.** The preparation of the Local Plan Update will require some consultancy and external legal support. The Minerals and Waste Plan may also require such support, but to a more limited degree. The Council will also incur costs from the examination of the Minerals and Waste Plan, anticipated to take place in 2024. These relate to the Inspector's costs and the appointment of a Programme Officer. It is expected that all these costs can be met through the Strategic Planning revenue budget and reserve.
- 8.2.2.** The examination of the Local Plan Update, currently forecasted to substantively take place during 2027 will give rise to further costs. These costs may exceed the Strategic Planning revenue budget and reserve. A request will be made through the Medium-Term Financial Strategy process if additional budget is needed.

8.3. Policy

- 8.3.1.** The LDS identifies the programme for preparing Local Plan policies.

8.4. Equality

² Planning legislation requires that the decisions to submit a local plan for examination and adopt a local plan are made at a Full Council meeting.

8.4.1. Local plans will be accompanied and informed by an integrated Sustainability Appraisal incorporating an Equality Impact Assessment.

8.5. Human Resources

8.5.1. There are no additional human resource implications arising from this report.

8.6. Risk Management

8.6.1. The preparation of a local plan is a significant undertaking and appropriate risk management will be carried out as an integral part of its project management.

8.7. Rural Communities

8.7.1. Planning policies will cover the whole of the borough, including appropriate policies for the rural area.

8.8. Children and Young People/Cared for Children

8.8.1. Future planning policies will carefully consider the needs of all sections of the community and support their well-being.

8.9. Public Health

8.9.1. Good health will be an important objective that future planning policies will seek to support.

8.10. Climate Change

8.10.1. Future planning policies will provide an opportunity to go further with measures to mitigate climate change, having regard to national planning policy.

Access to Information	
Contact Officer:	Jeremy Owens jeremy.owens@cheshireeast.gov.uk
Appendices:	Appendix 1 Draft Cheshire East Local Development Scheme 2022-2027 Appendix 2 Local Plan Member Reference Group Draft Terms of Reference
Background Papers:	Further information about the examination of the Site Allocations and Development Policies Document can be obtained via this link: https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire_east_local_plan/site-allocations-and-policies/sadpd-examination/sadpd-examination.aspx

Further information about the Minerals and Waste Plan can be obtained via this link (scroll to Item 8):

<http://moderngov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=962&MId=9277&Ver=4>

Further information about the review of the Local Plan Strategy can be obtained via this link (scroll to Item 9):

<http://moderngov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=962&MId=9277&Ver=4>