



**Report to: Place and Economic Development Committee, 24<sup>th</sup> January 2022**

**Report of: Corporate Director - Planning and Governance**

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**Subject: SOUTH WORCESTERSHIRE LOCAL DEVELOPMENT SCHEME 2021-2024**

**1. Recommendation**

- 1.1 That the Committee recommend that Council approve the South Worcestershire Local Development Scheme 2021-2024 set out at Appendix 1 to come into effect from 1<sup>st</sup> March 2022.**
- 1.2 That delegated authority is given to the Corporate Director - Planning and Governance in consultation with the Chair and Vice Chair of Place and Economic Development Committee to make minor amendments to the LDS prior to publication.**

**2. Background**

- 2.1 This report explains the proposed changes to the Local Development Scheme (LDS). Previously, the LDS has been produced on an individual local authority basis. This LDS update has been produced on a combined South Worcestershire basis. Specifically, it sets out the reasons for the proposed timetable changes to the South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations Development Plan Document (TTSPSAD DPD).
- 2.2 Section 15 of The Planning and Compulsory Purchase Act 2004, as amended, sets out the requirement for Local Planning Authorities to prepare and maintain a scheme of planning policy documents that it intends to produce. The Local Development Scheme (LDS) has two main purposes:
- To inform the public about the preparation and adoption of planning documents; and
  - To establish and reflect council priorities and enable work programmes to be set for the preparation of the documents.
- 2.3 The most recent LDSs for the SWCs were adopted in October 2021, principally to reflect the timetable implications arising from a further national lockdown in 2021 and delays to the production of key evidence base updates relating to infrastructure and viability relating to the South Worcestershire Development Plan Review (SWDPR). The timetable for the TTSPSAD DPD was also updated (see section 3 below).
- 2.4 National Planning Practice Guidance (NPPG) states that LDSs should be reviewed at least annually.

The January 2022 LDSs will cover the period 2021-2024. It is important that the LDS is updated regularly as when DPDs are examined one of the tests to be passed is whether the DPD has been prepared in accordance with the timetable in the LDS.

2.5 The revised LDS includes the following main changes:

- Updates to the timetable of the TTSPSAD DPD.

### **3. Travellers and Travelling Showpeople Policies and Site Allocations DPD**

3.1 In accordance with the October 2021 LDS, it was intended for the TTSPSAD DPD to go out to public consultation (Regulation 19) in January to February 2022.

3.2 The DPD was subject to a public consultation on the Preferred Options from May to July 2021 and the revised timescale was agreed as follows:

- Publication public consultation (Reg 19) – January to February 2022
- Submission to Planning Inspectorate (Reg 22) – June 2022
- Independent Examination (Reg 24) – September 2022 – January 2023<sup>1</sup>
- Receipt of the Inspector’s Report (Reg 25) – April / May 2023<sup>2</sup>
- Adoption – July 2023

3.3 However, at a meeting of the Joint Advisory Panel on the 17<sup>th</sup> November 2021, it was acknowledged that there were insufficient sites within the DPD to meet the identified need and further consideration was needed. As a consequence, it is no longer possible to progress the TTSPSAD DPD to the Regulation 19 (Publication) stage in January/February 2022.

3.4 Accordingly, it has been determined that the TTSPSAD DPD will be taken through the committee cycles following the Worcester City local elections in May/June 2022, with the Regulation 19 public consultation commencing in July/August 2022.

3.5 The revised timescale is now proposed as follows:

- Publication public consultation (Reg 19) – July to August 2022
- Submission to Planning Inspectorate (Reg 22) – December 2022
- Independent Examination (Reg 24) – March 2023<sup>3</sup>
- Receipt of the Inspector’s Report (Reg 25) – May 2023<sup>4</sup>
- Adoption (Reg 26) – July 2023

### **4. Other LDS Updates**

#### **Community Infrastructure Levy (CIL) Charging Schedules Review**

4.1 As stated in section 4 of the LDS update, a review of the South Worcestershire Councils’ CIL Charging Schedules will be undertaken in 2022.

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<sup>1</sup> Timeframe is dependent upon availability and scheduling at the Planning Inspectorate.

<sup>2</sup> A ‘Main Modifications’ consultation may be required at this stage of the plan-making process subject to the Inspector’s examination findings.

<sup>3</sup> Timeframe is dependent upon availability and scheduling at the Planning Inspectorate.

<sup>4</sup> A ‘Main Modifications’ consultation may be required at this stage of the plan-making process subject to the Inspector’s examination findings.

A timetable for the project will be confirmed in early 2022, with the work being carried out to support the production of the SWDPR.

## **5. LDS Review Process**

- 5.1 It is best practice to review the LDS annually and where required to extend/update the work programme for a 12-month period and ensure a rolling three-year work programme is maintained. This LDS revision sets out key milestones up until December 2024.

## **6. Preferred Option**

- 6.1 The preferred option is to approve the LDS set out at Appendix 1 to this report to come into effect from 1<sup>st</sup> March 2022.

## **7. Alternative Options Considered**

- 7.1 The alternative option is to continue to work to the current LDS and not approve a revised version at this time. However, the NPPG requires authorities to review their LDS at least annually and it has always been considered best practice to do so. There is also a requirement to prepare DPDs in accordance with an up-to-date LDS, and therefore not keeping the LDS up to date could have negative consequences for the examination of the DPDs.

## **8. Implications**

### **8.1 Financial and Budgetary Implications**

There are financial implications associated with preparing the documents set out within the LDS, most notably the SWDPR. Continuing to work jointly across south Worcestershire enables costs to be shared. The biggest cost is staff resources but in addition to this, costs will be incurred in updating the evidence base to support a plan review. However, the principle of reviewing the SWDP has already been agreed; the current iteration of the LDS provides clarity in relation to the anticipated timetable through to adoption of the DPDs.

### **8.2 Legal and Governance Implications**

The preparation of the LDS is a statutory requirement under The Planning and Compulsory Purchase Act 2004, as amended.

### **8.3 Risk Implications**

Not maintaining an up-to-date Local Plan could result in planning by appeal, particularly given that the SWDP is now more than five years old. Not maintaining an up-to-date LDS could have negative consequences for the examination of the DPDs.

### **8.4 Corporate/Policy Implications**

The LDS itself does not establish policy, however it provides a clear project plan for the preparation of the City Council's planning policy documents.

### **8.5 Equality Implications**

An Equality Impact Assessment is not required for the production of the LDS as it is simply the project plan for preparing planning documents and does not in itself contain any policies. Local Development Documents are themselves subject to Equality Impact Assessment at the appropriate plan making stages.

8.6 Human Resources Implications  
None.

8.7 Health and Safety Implications  
None.

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**Background Papers:** None  
**Appendix 1: South Worcestershire Local Development Scheme (2021-2024)**