

<b>REPORT TO:</b>	<b>Planning Policy Committee 18 March 2025</b>
<b>SUBJECT:</b>	<b>Arun District Council Local Development Scheme 2025 - 2028</b>
<b>LEAD OFFICER:</b>	<b>Zac Ellwood (Interim Head of Planning Policy)</b>
<b>LEAD MEMBER:</b>	Cllr Gill Yeates – Chairman of Planning Policy Committee
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
The recommendations support:-	
<ul style="list-style-type: none"> <li>• Improve the Wellbeing of Arun;</li> <li>• Delivering the right homes in the right places.</li> </ul>	
<b>DIRECTORATE POLICY CONTEXT:</b>	
The proposals will help to enhance the quality of the natural and built environment, protect the district’s natural and heritage assets and to promote economic growth in a sustainable manner, striking a balance between the need for development and the protection of scarce resources.	
<b>FINANCIAL SUMMARY:</b>	
There are no direct financial implications arising from this proposed update to the Local Development Scheme itself. The costs of the plan will need to be met from within the current revenue budget, £120,000 has been allocated within the 2025/26 budget and will be reviewed as part of the monthly budget monitoring process.	

## **1. PURPOSE OF REPORT**

- 1.1. This report seeks the Committee’s agreement to recommend to Full Council, adoption of an updated Local Development Scheme (LDS).

## **2. RECOMMENDATIONS**

- 2.1 That the Planning Policy Committee
- i. Recommends to Full Council that the draft Local Development Scheme March 2025 for the period 2025-2028 (as set out in Background Paper 1) be adopted; and
  - ii. That authority be delegated to the Group Head of Planning, in consultation with the Chair of Planning Policy Committee, to undertake minor updating and drafting of any amendments required to the LDS prior to publication of the final, approved version on the council’s website.

### 3. EXECUTIVE SUMMARY

- 3.1. The council is required to produce, and keep up to date, a Local Development Scheme (LDS). The LDS provides a work programme for the production of those Development Plan Documents to be prepared over a three-year period and is monitored in the Authority Monitoring Report and used for resource planning by PINS (the Planning Inspectorate).
- 3.2. The current LDS was adopted by Full Council on 8 November 2023. In light of the significant recent changes to the NPPF, the Deputy Prime Minister has asked that all local planning authorities produce an updated Local Development Scheme (LDS) within 12 weeks of the publication of the NPPF on 12 December 2024 (i.e. by no later than 6 March 2025). They have advised that the updated LDS should include clear, realistic, and specific dates for consultation and submission of the local plan. As the current Arun District Council Local Development Scheme (LDS) was last updated in November 2023 and was intended to cover the period up to 2025, the LDS is in need of updating this year.
- 3.3. The current LDS anticipates a final adoption date of December 2026. However, this timetable was based on the situation prevailing at the time of its production (November 2023), and circumstances have changed significantly since then and even in a stable planning environment meeting this target would have been very challenging to achieve.
- 3.4. The revised LDS (Background Paper 1) sets out updated timescales for the production of the Local Plan update. The summary table is reproduced below:

Timetable.	Regulation 18(1) Direction of Travel consultation (Issues & Options).	March to September 2024 (completed)
	Initial evidence gathering period, plan visioning, strategy development, and drafting the plan.	January 2025 to March 2026
	Reg 18 (2) (or LURA equivalent) Draft DPD consultation (Policies & Allocations)	April to September 2026
	Regulation 19 (or LURA equivalent) Publication consultation.	April to September 2027
	Reg 22 (or LURA equivalent) Submission to Secretary of State.	January 2028
	Examination.	March 2028
	Inspector's Report Received.	April to June 2028
	Adoption.	Summer 2028

### 4. DETAIL

- 4.1. The LDS sets out revised proposed key dates for the Arun Local Plan update, including the various consultation stages, pre-submission, document publication, formal submission and examination and, ultimately, its adoption in 2028.

- 4.2. The Local Plan timetable has been updated from that anticipated in the 2023 Local Development Scheme and, on the basis that, due to the level of evidence work involved, the Local Plan cannot be submitted before December 2026, it is acknowledged that the Plan will, therefore, need to be prepared under the provisions of the Levelling Up and Regeneration Act 2023 (LURA). This proposes substantial changes to the process for taking Local Plans forward.
- 4.3. The Levelling Up and Regeneration Act (LURA) 2023 paves the way for reforms to the plan-making process and the form and content of local plans. In 2023, the previous Government consulted on some of the detail of these reforms. It is expected that many of these proposals will be carried forward by the new government, but the full implications of the reforms will not be known until more information (including secondary legislation) is published. The Government has indicated that there will be a consultation on future policy changes in Spring 2025 and a new plan-making system will be implemented later in 2025. This does put us in a difficult position in terms of being able to produce a detailed and reliable timetable for the delivery of a new Local Plan and the timescales set out in the revised Local Development Scheme are, therefore, liable to change.
- 4.4. In addition, in December 2024 the Government published the English Devolution White Paper announcing the facilitation of a programme of local government reorganisation. This may have implications for how the new Local Plan is prepared. The government has specified the updated LDS should include clear, realistic and specific dates for consultation and submission. However, it is important to note that, as further details on the planned reforms to plan-making are published and the potential outcomes of changes resulting from the English Devolution White Paper are known, the LDS may need to be reviewed.
- 4.5. Further, current uncertainty relates to the publication of National Development Management Policies (NDMPs), which the Minister for Housing announced last year, but have yet to transpire. The NDMPs could have a significant impact on the scope and content of the Local Plan and the evidence base needed to support it. Local Authorities will, understandably, be reluctant to expend significant resource at this time in developing local policies on issues that might be replaced by these NDMPs and may wish to pause certain activities. This is one of the reasons why the timetable set out in the updated LDS (Background Paper 1) does not envisage formal submission of the Plan for Examination until early 2028.
- 4.6. Local Plans will not be able to repeat or conflict with the NDMPs. The Government intend to consult on future policy changes, including a set of national policies for decision making in Spring 2025. On this basis, the scope of local plans will be limited to 'locally specific' matters. The LURA 2023 sets out the following requirements for local plans. Local plans must:
- Be designed to secure that the use and development of land in the LPA's area contributes to the mitigation of, and adaptation to, climate change;
  - Take account of any local nature recovery strategy;
  - Take account of an assessment of the amount, and type, of housing that is needed in the LPA's area, including affordable housing.

4.7 The Government may prescribe further matters for Local Plans through regulations. Therefore, until further detail on the proposed reforms is published, the Council is unable to confirm the scope and contents of the new Local Plan. When preparing a Plan, the Council has to carry out certain activities, including:

- Preparing a suite of research and evidence to support the new Local Plan.
- Formal stages of public consultation as we prepare the draft Plan.
- Engagement with a wide range of public bodies and infrastructure providers.
- Demonstrating the new Plan is sustainable and protects species and habitats.
- Demonstrating compliance with Equality Act 2010/Human Rights Act 1998.

4.8 The requirements for the above activities have changed through the LURA 2023 or are expected to change as part of the wider planning reforms, for example:

- The streamlining of the evidence requirements for new Local Plans.
- Removal of current Duty to Cooperate, replaced with a new 'alignment policy.'
- The LURA secures powers to replace the existing system of environment assessment (including sustainability appraisals) with a new form of environment assessment known as Environment Outcome Reports (EOR).
- Two formal mandatory public consultations at particular stages of process.
- Introduction of mandatory gateway assessments ('gateways') to process.

4.9 The LURA itself does not prescribe timescales for plan making as these are to be brought forward in regulations, however, the government's July 2023 consultation on the implementation of plan-making reforms indicates that LPAs will be required to prepare and adopt a plan within 30 months (see draft timetable with indicative plan stages in Figure 1, below) and to start work on new plans by,

at the latest, 5 years after adoption of their previous plan.

Figure 1 – The proposed 30-month plan preparation timeframe (Source: Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms (July 2023)<sup>17</sup>



<sup>17</sup> <https://www.gov.uk/government/consultations/plan-making-reforms-consultation-on-implementation/levelling-up-and-regeneration-bill-consultation-on-implementation-of-plan-making-reforms#chapter2>

## 5. CONCLUSION

5.1. The update to the LDS will help to ensure that Arun maintains effective and timely preparation of its development plan so that development management decisions relating to development within the district accord with up-to-date development plans, consistent with national policy and sustainable development. However, proposed changes in legislation and the devolution agenda do create uncertainties and the draft Local Plan timetable in the updated Arun District Council Local Development Scheme 2025 has been prepared on the basis of what we consider to be a realistic and achievable timeframe, in the circumstances. It is liable to change.

## 6. CONSULTATION

6.1. The council is not required to consult on the LDS which is the authority's plan making timetable.

## 7. OPTIONS AVAILABLE

7.1. The range of options available are to;

- approve the LDS March 2025 to ensure a 'sound' development plan is prepared to guide future growth and infrastructure provision;
- or not to approve the LDS March 2025, with the risk that planning decisions are not in accordance with an up-to-date development plan and determined by appeal.

## **8. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

- 8.1 There are no direct financial implications arising from this proposed update to the Local Development Scheme itself. The costs of the plan will need to be met from within the current revenue budget, £120,000 has been allocated within the 2025/26 budget and will be reviewed as part of the monthly budget monitoring process.

## **9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

- 9.1. Section 15 of the Planning and Compulsory Purchase Act, 2004 as amended by the Localism Act 2011 requires the council to prepare and maintain a Local Development Scheme, and the report sets out the procedure to enable it to be updated. There are no Governance or legal implications arising from this update.

## **10. HUMAN RESOURCES IMPACT**

- 10.1. There are no implications arising for Human Resources.

## **11. HEALTH & SAFETY IMPACT**

- 11.1. There are no direct implications for Health & Safety.

## **12. PROPERTY & ESTATES IMPACT**

- 12.1. There are no direct implications for council property.

## **13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE**

- 13.1. There are no direct adverse implications arising from preparing and adopting the LDS for Equalities/Social Value. However, the programmed plan making may give rise to such positive and adverse implications but is subject to Sustainability Appraisal and Equalities Appraisal during plan preparation and community consultation, to ensure that adverse effects are mitigated.

## **14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

- 14.1. There are no direct adverse implications arising from preparing and adopting the updated LDS for Climate Change. However, the associated plan making may give rise to such positive and adverse implications but is subject to Sustainability Appraisal Environment Assessment and Habitats Regulation Assessment during its preparation and community consultation, to ensure that adverse effects are mitigated.

## **15. CRIME AND DISORDER REDUCTION IMPACT**

15.1. There are no direct adverse implications for Crime and Disorder. However, the council has a legislative obligation to consider the impact on crime and disorder in all development plans and projects within the district.

## **16. HUMAN RIGHTS IMPACT**

16.1. There are no direct adverse implications for Human Rights.

## **17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS**

17.1. There are no implications for FOI/Data Protection.

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### **CONTACT OFFICER:-**

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### **BACKGROUND DOCUMENTS:**

Background Paper 1: Draft Arun Local Development Scheme (LDS) 2025 to 2028