



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	FULL COUNCIL - 24 JANUARY 2024
Subject	COTSWOLD DISTRICT LOCAL PLAN UPDATE
Wards affected	ALL
Accountable member	Councillor Juliet Layton, Cabinet Member for Planning and Regulatory Services Email: juliet.layton@cotswold.gov.uk
Accountable officer	Charlie Jackson, Assistant Director for Planning and Sustainability Email: charlie.jackson@cotswold.gov.uk
Report author	James Brain, Forward Planning Manager Email: james.brain@cotswold.gov.uk
Summary/Purpose	To consider the recommendation to start preparing a new local plan for the period 2026 to 2041 and to consult on a first stage document that includes development strategy options for distributing future growth in the district. To consider the formation of a new cross party working group that will examine strategic growth in Moreton-in-Marsh.
Annexes	Annex A: Cotswold District Local Plan (2026-2041): Vision, Objectives and Development Strategy consultation document. Annex B: Updating the Adopted Local Plan – the scenarios. Annex C: Moreton-in-Marsh Working Group: Terms of Reference. Annex D: Local Development Scheme
Recommendation/s	That Council resolves to: <ol style="list-style-type: none">1. Begin the preparation of a new Local Plan that would extend the plan period from 31 March 2031 to 31 March 2041 and approves the consultation document, as presented at Annex A, to be published for a six week public consultation;2. Delegate authority to the Forward Planning Manager, in consultation with the Cabinet Member for Planning and Regulatory Services, to agree questionnaires and make minor and typographical corrections to the consultation documents prior to being published for public engagement.3. Note upcoming national policy changes and the impact this may have on the preparation of the Local Plan at Annex B;4. Approve the formation of a Moreton-in-Marsh Working Group and approves the Terms of Reference at Annex C; and5. Approve the Local Development Scheme as presented at Annex D.



COTSWOLD
DISTRICT COUNCIL

Corporate priorities	To update the adopted Cotswold District Local Plan to make it green to the core.
Key Decision	YES
Exempt	NO
Consultees/ Consultation	<p>The following Publica / council teams have been consulted: Development Management, Economic Development; Heritage, Design and Ecology; Strategic Housing; Housing; Parking; Climate Action; Estates; and Senior Management.</p> <p>The following external organisations and groups have been consulted on aspects of the consultation documents: Gloucestershire County Council, neighbouring local planning authorities, landowners and agents.</p>



1. EXECUTIVE SUMMARY

- 1.1. The substantive purpose of this report is to recommend that the council continues to update its adopted Local Plan while, simultaneously, beginning preparation of a new Local Plan (2026 – 2041) to replace the existing one (2011 – 2031). Against a complicated and uncertain legislative background officers consider that developing these two pieces of core work coterminously with a view to the likelihood of merging them at a later date is the wisest course for the council to follow in ensuring that it maintains a robust Local Plan and a healthy five-year housing supply.
- 1.2. Planning reforms: The Levelling Up and Regeneration Act (2023) (the Act) sets a framework for the government to reform to the English planning system, including the way local authorities prepare local plans. These upcoming changes are significant and create uncertainty and added risks. This makes it difficult to navigate the plan-making process and alight on the most prudent course of action. This report and its recommendations allows the council to 'hedge its bets'.
- 1.3. Terminology: This report refers to several types of plan-making terms, so the following definitions provide a useful reference:
- **Adopted Cotswold District Local Plan 2011-2031 (the adopted Local Plan):** the extant plan used to determine planning applications.
 - **Partial update of the Cotswold District Local Plan 2011-2031 (Partial Update Plan):** The plan the council has been preparing to date. It updates parts of the adopted Local Plan, mostly the development management policies, and it does not extend the plan period or alter the development strategy.
 - **Development strategy:** This is a core component a local plan. It specifies the quantum and location of development to meet identified needs. For example, the extant Local Plan's development strategy is defined by policies DSI to DS4 and the 'S' settlement policies.
 - **Development Strategy and Site Allocations Plan (2026-2041):** Specifies the quantum and location of development in Cotswold District during the period 2026 to 2041.
 - **Replacement Plan:** It combines the Partial Update Plan and the Development Strategy and Site Allocations Plan (2026-2041) into a single and comprehensive full local plan that meets development needs from 2026 to 2041. To achieve this the Replacement Plan would need to be submitted by 30 June 2025.
 - **New Style Plan:** The government is changing how future local plans are made. From 1 July 2025 authorities that haven't already submitted their draft local plan for independent examination in public will need to prepare and submit their local plan using new plan-making regulations. The new regulations are expected in late 2024. A New Style Plan would include a new/updated development strategy and a few development management policies of local importance that are not covered by the new National Development Management Policies (a new sister document to the National Planning Policy Framework, which the government proposes to introduce).



- 1.4. Diagram I shows how these terms interact with one another. Annex B provides a detailed explanation of the plan-making scenarios and the complexities of navigating the government's plan-making reforms.

Development Strategy and Site Allocations Plan (2026-2041)

- 1.5. The adopted Local Plan development strategy remains sound for the time being, although there are currently just over seven years remaining until the end of the plan period in 2031. It is recommended that the Council takes proactive action now by starting the preparation of a new local plan. This will enable a smooth transition to a new local plan. It will also help to ensure that a five year housing land supply can be maintained in the years to come and that plan-led development, which has the benefit of community participation, continues.
- 1.6. There are two recommended ways that the new local plan could be delivered. Members do not have to decide which way is best now and can keep their options open for the time being. The decision on the chosen approach can be made further down the line and will largely depend on progress before the June 2025 deadline for submitting local plans set by the Act.
- 1.7. The Development Strategy and Site Allocations Plan (2026-2041) would identify land to meet additional development requirements arising up to 2041. Indicatively, the council will need to allocate land to deliver up to 3,300 additional dwellings by 2041. This is the principal mechanism for increasing the supply of affordable housing, a core ambition of the council. Additional evidence would determine the housing and other development requirements.
- 1.8. The consultation document is based on an initial assessment that considers various high level development strategy options and proposes a preferred development strategy based on the current available evidence. This would deliver additional required development across several settlements, including strategic scale growth at Moreton-in-Marsh. Additional evidence and community consultation is needed to test and develop this initial work.

Local Plan consultation: February – March 2024

- 1.9. The Local Plan consultation invites local communities to help shape the new development strategy and the draft Local Plan policies. Diagram 2 in chapter 4 provides a useful pictorial summary of the different components. This is a Regulation 18 consultation¹. The consultation would run from 1 February 2024 until 17 March 2024.
- 1.10. Included within the consultation is a set of draft local plan policies (recently approved for consultation by Cabinet), a 'call for sites' and an Integrated Impact Assessment (IIA). The former invites landowners to make land available for consideration to help meet future needs. The council will assess these sites in its Strategic Housing and Economic Land Availability Assessment (SHELAA) in 2024. This will provide a shortlist of potential development sites for allocation in the new Local Plan. The IIA is an early stage environmental assessment that has helped to shape the local plan consultation. It helpfully includes a points of the compass assessment of development options in the district's larger settlements.

¹ Local Plan Regulations: <https://www.legislation.gov.uk/uksi/2012/767/contents>



Local Development Scheme

The council's Local Development Scheme has been updated. This is a regulatory document that formalises the preparation of local plan and supplementary planning documents.

2. BACKGROUND

English Planning Reforms

2.1. The Levelling Up and Regeneration Act (2023) (the Act) sets a framework for the government to reform to the English planning system, including the way local authorities prepare local plans. In early autumn 2023 the government consulted on its plans to implement parts of the Act which relate to local plans. The stated intentions of these reforms are to make plans simpler, faster to prepare and more accessible. The Royal Town Planning Institute² and Shropshire Council³ have prepared useful summaries of the proposed changes. Key information to note is:

- Plan-makers have until 30 June 2025 to submit plans under the existing legal framework and; Plan-makers have until 31 December 2026 for their plans to be adopted, with all independent examinations also having been completed by this point.
- The new system is likely to go live in late 2024 and authorities that do not meet the 30 June 2025 submission deadline for old style plans will need to prepare plans under the new system.

2.2. The council currently has 18 months to submit its local plan (partial or replacement) under the extant regulations.

The adopted Local Plan - Reviews

2.3. The adopted Local Plan was adopted in 2018. A 'review' of the adopted Local Plan was undertaken in 2020. This concluded that a partial update was appropriate, which commenced in 2021. This included preparing a framework masterplan for Cirencester Town Centre.

2.4. In September 2023, the council approved a further 'review' of the adopted Local Plan housing requirement. This concluded that the local housing need of the district had not changed significantly and that the minimum housing requirement provided by the adopted Local Plan did not require updating. Proactively updating the development strategy now does not alter the conclusions of that review.

Navigating the complexities of the current and emerging plan-making system

² NPPF: Transitional arrangements for plan-making (Royal Town Planning Institute, Feb 2023)

<https://www.rtpi.org.uk/blog/2023/february/nppf-transitional-arrangements-for-plan-making/#:~:text=On%20plan%20making%20under%20the,been%20completed%20by%20this%20point.>

³ Summary of the Levelling-up and Regeneration Bill: Consultation on implementation of plan-making reforms

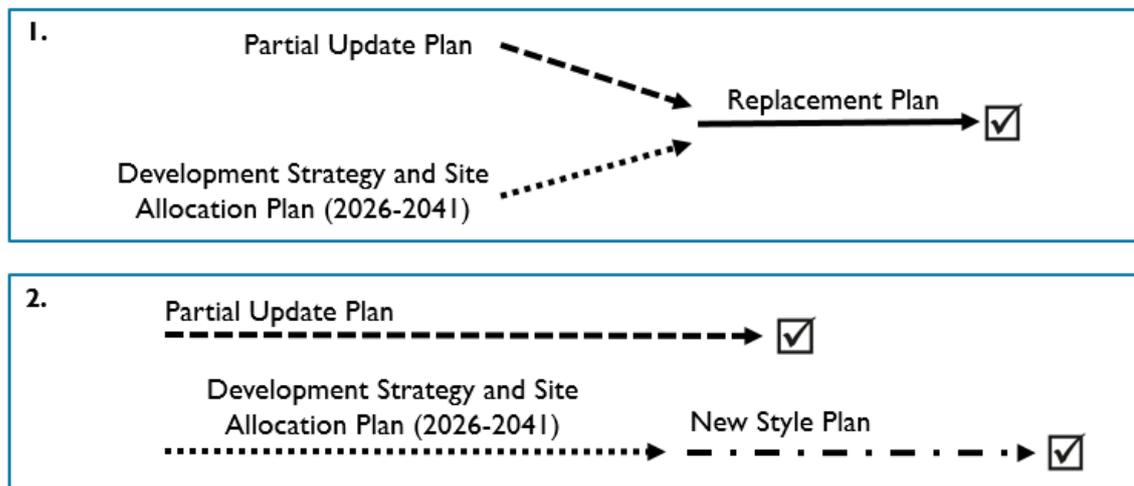
(Shropshire Council, Sept 2023) [https://www.shropshire.gov.uk/committee-services/documents/s35850/Appendix%201%20-](https://www.shropshire.gov.uk/committee-services/documents/s35850/Appendix%201%20-%20Summary%20of%20Governments%20Consultation%20on%20Implementing%20Plan-Making%20Reforms.pdf)

[%20Summary%20of%20Governments%20Consultation%20on%20Implementing%20Plan-Making%20Reforms.pdf](https://www.shropshire.gov.uk/committee-services/documents/s35850/Appendix%201%20-%20Summary%20of%20Governments%20Consultation%20on%20Implementing%20Plan-Making%20Reforms.pdf)



- 2.5. This information is to note only. It helps to explain why councillors are being asked to consider consulting the public on a Partial Update Plan (2011-2031) and a Development Strategy and Site Allocations Plan (2026-2041) independently of one and other.
- 2.6. Annex B provides a detailed explanation of the plan-making scenarios and the complexities of navigating the government’s plan-making reforms, although a summary is offered below.
- 2.7. Diagram 1 shows how the council can progress updating the adopted Local Plan without coming unstuck by the emerging planning reforms. Both scenarios start off the same – i.e. the council continues with the ongoing Partial Update Plan and commences a new Development Strategy and Site Allocations Plan (2026-2041)⁴.

Diagram 1: Plan-making scenarios



- 2.8. Scenario 1. A Replacement Plan: would combine the Partial Update Plan and the Development Strategy and Site Allocations Plan (2026-2041) before the combined Replacement Plan is submitted for a single independent examination in public. This would largely depend on whether the Development Strategy and Site Allocations Plan (2026-2041) is sufficiently advanced to be submitted before the Act’s June 2025 deadline but it would also depend on the detail of upcoming changes to the regulations. This route is preferred as it would be more cost effective than Scenario 2 and the Replacement Plan would be adopted sooner than the equivalent in Scenario 2. It would also secure the policies of the Partial Update Plan up to 2041 instead of 2031. However, owing largely to the uncertainty surrounding the planning reforms and the consequent transitional arrangements, this paper does not offer a recommendation to combine the Partial Update Plan (the policies) and the Development Strategy and Site Allocations Plan (2026-2041) now. A review of this position should occur no later than December 2024, by which time planning reforms and local evidence gathering should provide a clearer steer.
- 2.9. Scenario 2. A Partial Update Plan and transition the Development Strategy and Site Allocations Plan (2026-2041) into a New Style Plan: Scenario 2 would submit the Partial Update Plan for independent examination in public before the Act’s June 2025 deadline. However, the Development Strategy and Site Allocations Plan (2026-2041) would become

⁴ Note that local planning authorities can produce two development plan documents at the same time.



a 'New Style Plan' and would be examined separately after June 2025. This would be the council's fall-back position if conditions outlined in Annex B are not met. This option is more costly (e.g. there would be two examinations in public). It would also take longer to adopt the Development Strategy and Site Allocations Plan (2026-2041) than Scenario 1. The Partial Update Plan policies would also be extant up to 2031 instead of 2041.

- 2.10. To reiterate, no decision needs to be taken now on which route to choose. The key decision now on this matter is whether or not to start preparing a Development Strategy and Site Allocations Plan (2026-2041).

3. DEVELOPMENT STRATEGY AND SITE ALLOCATIONS PLAN (2026-2041)

- 3.1. You may ask why the council should go to the trouble of updating its Local Plan vision, objectives and development strategy now, especially given it has a five year housing land supply and over seven years until the end of the adopted Local Plan period.
- 3.2. If long standing councillors cast their minds to the old Local Plan, which expired in 2011, it took seven years to update and was formerly replaced in 2018. There are various mitigating reasons why it took so long but the impact was hard felt across the district with it suffering several years of not being able to demonstrate a five year housing land supply and communities having to accept off plan development without their participation. It put the council and communities on the back foot for several years and resulted in at least 27 planning appeals and two Judicial Reviews where the lack of a housing land supply or an up to date housing requirement was a significant material consideration.
- 3.3. From April 2026 (just over two years' time) there will be less than five years remaining of the Local Plan period. Not having an adopted Local Plan housing requirement for the full five year period from April 2026 adds uncertainty to the way the five year housing land supply will be measured. For example, the council may become increasingly dependent on the government's 'standard method for calculating the housing needs' and its annual fluctuations as a basis for calculating the five year housing land supply. This would give the council less control of delivering its housing target. Furthermore, as the council approaches the end of the plan period - 31 March 2031 - it will naturally have less housing supply to meet its housing target. Together, this will increase the risk of the council being unable to demonstrate a five year supply of housing, which would engage the government's presumption in favour of sustainable development in areas outside of the Cotswolds National Landscape, formerly known as the Cotswolds Area of Outstanding Natural Beauty.
- 3.4. The reason for updating the development strategy now is to ensure the council has long term control of its housing supply. Importantly, it also provides local communities with the opportunity to shape future growth and infrastructure in and around their neighbourhoods, rather than having to react to speculative development. Put simply, the council is advised to make hay whilst the sun shines.

How many additional houses are required to meet identified needs to 2041?

- 3.5. It is estimated that the council would need to allocate land for either around 2,100 or 3,300 additional dwellings. You may wonder why two figures? This is because of government



proposals to update the National Planning Policy Framework (NPPF), which may or may not confirm that past over-delivery of housing from the previous Local Plan can be factored into the number to be planned for in the new Local Plan. The government has indicated that it will update the NPPF this autumn and the Housing Minister, Michael Gove, indicated in a speech to MPs that the NPPF update could be published as soon as week commencing 11 December. The council will (hopefully) not have to wait long for the government to confirm the position. Furthermore, the government is due to publish updated housing need figures in March 2024 so again the council will need to consider any further resulting changes. During 2024 officers will be updating various needs assessments to finalise housing and economic requirements / targets.

What are the development strategy options?

- 3.6. A topic paper (Annex A) identifies eight options.
1. Additional non-strategic site allocations
 2. Main service centre focus
 3. Dispersed growth
 4. Village clusters
 5. New settlement(s)
 6. New strategic site(s)
 7. Focus growth around transport nodes
 8. Request neighbouring authority to deliver some of the housing need.

What is the proposed/emerging development strategy?

- 3.7. A combination of options 1, 2, 6 and 7 is proposed to accommodate the bulk of additional development needs up to 2041. The current development strategy of identifying 'Principal Settlements' would continue where the principle of development is supported. However, the strategy would have a greater focus on reducing carbon emissions and focussing growth at locations with good transport connectivity and access to services, facilities and employment. Accordingly, some settlements may become a Principal Settlement and other settlements may have their Principal Settlement status rescinded.
- 3.8. Additional non-strategic site allocations would be made at the Principal Settlements whilst ensuring that the scale and extent of development within the Cotswolds National Landscape remains limited and that development is directed away from areas at higher risk of flooding. In addition, given that Moreton-in-Marsh is a transport hub, which has a railway station; good provision of services, facilities and employment; and has various sites outside the Cotswold National Landscape, the town would become a focus for strategic-scale growth of at least 1,500 additional dwellings up to 2041.
- 3.9. The adopted development strategy of enabling small-scale residential development in Non-Principal Settlements (Policy DS3) would also continue, although it would have an increased emphasis on settlements that have better access to services, facilities and employment. Consideration may be given to whether some sites could be allocated in Village Clusters (Scenario 4). Together, development in Non-Principal Settlements, Village Clusters and



windfall sites would provide additional flexibility within the housing land supply should any site allocations not come forward as planned.

- 3.10. Open market housing would continue to be prohibited outside Principal and Non-Principal Settlements (i.e. in open countryside) unless it is in accordance with other policies that expressly deal with residential development in such locations.
- 3.11. It is important to note that this an early stage regulation 18 consultation. The council is not being asked to commit to agree / approve the draft proposed strategy; this happens at the regulation 19 stage. However, the draft development strategy does provide councillors, public, key stakeholders, businesses, visitors, developers and landowners with an indication of where evidence and options are beginning to alight.

Broad areas for growth

- 3.12. The Integrated Impact Assessment provides an objective assessment of the development strategy options. It also provides a 'points of the compass' assessment of the district's key settlements, identifying key constraints such as the Cotswolds National Landscape, flood zones and other areas or assets that national policy considers to be of particular importance⁵.

When will we see which sites will be allocated for development?

- 3.13. This will occur at the next stage in the plan-making process. At this stage the council will be inviting landowners to make their land available for development through a process called a 'call for sites'. The council will use this information to update its Strategic Housing and Economic Land Availability Assessment (SHELAA), which will provide a high level assessment of their suitability. Suitable candidates will be considered in combination with other evidence through the site allocation process.

How will the council ensure the views of Moreton's residents and businesses are being listened to?

- 3.14. Alongside the traditional engagement that the council carries out as part of the plan making process (see the Statement of Community Involvement document – available via the council's website), this paper contains a recommendation to create a new working group. Terms of reference are provided at Annex C. Membership will consist of the Cabinet Member for Planning, local ward councillors and representatives from Moreton-in-Marsh. The working group is a reference forum that will have oversight of strategic growth in Moreton-in-Marsh. The group would not have executive powers but it is able to make recommendations to Cabinet/Council and importantly it will play a vital role in helping to shape future growth in the town.

4. LOCAL PLAN CONSULTATION: 1 FEBRUARY TO 17 MARCH 2024

- 4.1. The Local Plan consultation invites local communities and interested parties to help shape the new development strategy and the draft Local Plan policies. This is a Regulation 18

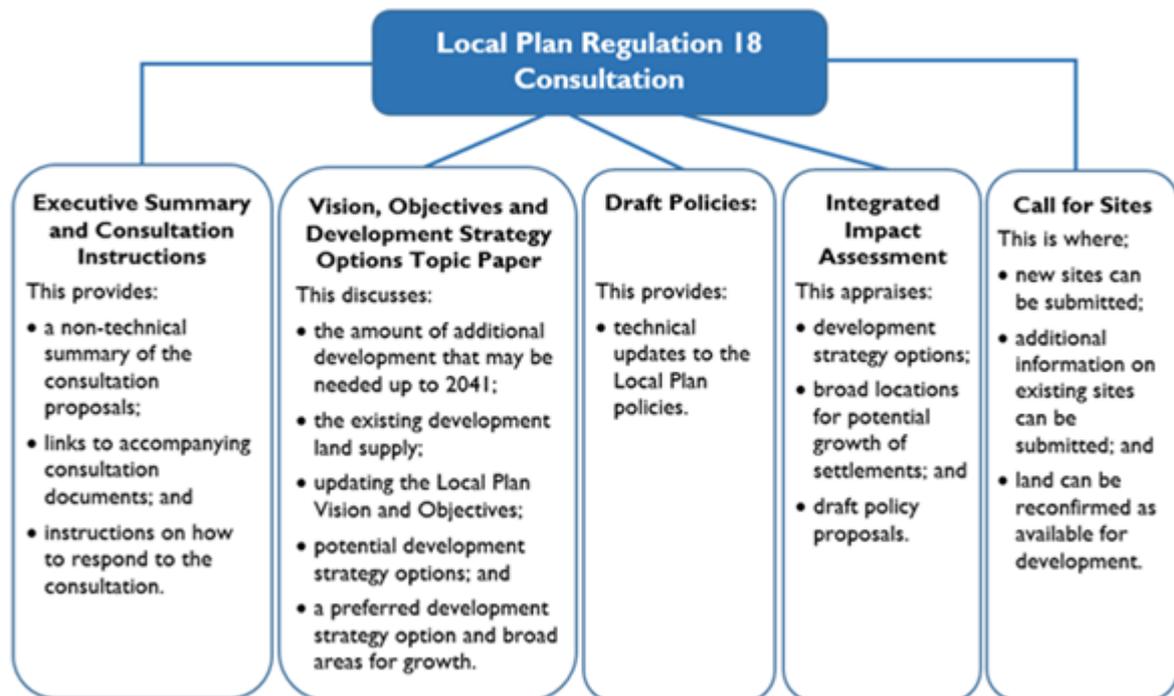
⁵ NPPF (2023) paragraph 11 and Footnote 7



consultation, which builds upon the 'Issues and Options' consultation that was undertaken in 2022. The consultation would run from 1 February 2024 until 17 March 2024.

- 4.2. The consultation will comprise four distinct elements and an executive summary paper. Members of the public and other stakeholders are free to engage with all four elements or matters that only interest them (see diagram 2).

Diagram 2: Components that make up the Local Plan Update consultation.



5. FINANCIAL IMPLICATIONS

- 5.1. There are financial implications associated with preparing and updating a local plan. The costs can be considered in several discrete parts:

- **Updating the evidence base** – includes costs associated with consultants and the commissioning of studies.
- **Policy writing** – includes legal and specialist expertise / input to help shape the emerging plan and review all supporting documents.
- **Undertaking the Regulation 18 and 19 formal consultations** – includes costs associated with managing the council's Local Plan consultation database and interactive consultation system, procuring consultants (where required) to help run the consultation and other activities such as venue hire, printing of materials, etc.
- **Preparation of the publication/submission plan** – includes specialist expertise / input to ensure that the development strategy remains sound, having considered the comments received. If it is robust, then there would be costs associated with making any final amendments to the plan and associated documents, and printing of all



documents for submission to the Secretary of State. If it is not sound, then a further targeted Regulation 19 consultation would be required.

- **Examination, adoption and legal challenge** – includes costs associated with hiring an independent Planning Inspector and a Programme Officer to support them. There would also be costs associated with having specialist consultants (where appropriate) to represent the council, including a specialist barrister(s). Members of the public are free to legally challenge the adoption of a Local Plan within a set timeframe. Should the Local Plan be legally challenged this is likely to incur additional costs.

- 5.2. At 1 April 2023, the opening balance on the Local Plan reserve was £677,000.
- 5.3. It is estimated that an additional £550,000 will be required to prepare the Development Strategy and Site Allocations Plan (2026-2041). This would include commissioning additional evidence to test and justify new site allocations and aid the delivery of four supplementary planning documents (SPDs) listed at paragraph 7.6.
- 5.4. Additional funding will be required should the council need to use the fall back approach, shown in Diagram 1 (scenario 2). This may require up to an additional £500,000, although it is difficult to quantify at this stage as it requires far greater clarity on the new plan-making system. The new system is being advertised as being quicker and more efficient but this remains to be seen in the absence of secondary legislation. Furthermore, the planning system will continue to operate within a legal framework, where planning judgements need to be justified / evidenced. This is often where the costs and resources sit.
- 5.5. There will be a cost to the council if it chooses not to update or delay the preparation of the Development Strategy and Site Allocations Plan (2026-2041). History offers a useful reminder. Between 2011 and the adoption of the Local Plan in 2018, the council received 27 planning appeals where the housing land supply was challenged, 17 of which found the lack of a five year housing land supply to be a significant material consideration. Tewkesbury Borough Council provides a useful indication of cost. It recently lost three appeals, where the five year housing land supply was contested, at an estimated cost of £500,000.

Project Management

- 5.6. The council's Local Development Scheme has been updated – see Annex D. This document sets out the key plan-making milestones and dates. The timetable is subject to periodic review. Milestones may change if, for example, significant additional issues are identified through the consultation process and/or the review of the council's evidence base. This will be kept under review by the Local Plan Programme Board. The following table summarises the key milestones contained within the Local Development Scheme for the replacement plan.

DATE	STAGE
February 2024	Local Plan preparation (Regulation 18)
January 2025	Local Plan publication consultation (Regulation 19)



DATE	STAGE
June 2025 to August 2026	Submission and Examination in Public
August 2026	Inspector's Report
September 2026	Adoption

5.7. The Local Development Scheme also contains information on other additional plan-making projects, specifically supplementary planning documents (SPD). As the name suggests, these documents supplement local plans and guide the application of local plan policies. The Local Development Scheme identifies four SPDs that will be delivered alongside the replacement plan.

- Cirencester Town Centre Framework Masterplan SPD;
- Cotswold Design Code SPD;
- Affordable Housing SPD; and
- Developer Contributions SPD.

It is worth bearing in mind that adopting the eventual Cirencester Town Centre Framework Masterplan commits the council to additional long term costs. The council owns several regeneration sites in the town centre (typically car parks) and therefore it commits the council to act as lead and/or partner developer. During 2024 and as the masterplan begins to crystallise the council will undertake a market appraisal that will examine the gross development value of the masterplan proposals. This will support a wider review of the council's Asset Management Strategy that is currently underway.

5.8. The Forward Planning team would provide administration and officer resources to facilitate the Moreton-in-Marsh Working Group.

6. HUMAN RESOURCE IMPLICATIONS

6.1. The Forward Planning team is central to the delivery of several corporate projects and there is an expectation that these will be delivered in a timely and cost efficient manner.

6.2. The plan-making process employs a project management approach that actively monitors the time, cost and quality. This helps to anticipate risks and costs early in the process and aids transparency. It also helps to ensure an appropriate level of resource to keep the council's local plan up-to-date.

6.3. The council has recently announced that the Forward Planning function is one of many services returning to the council from Publica. Restructuring is likely add some disruption to day to day services during 2024/25. However, it is not expected to fundamentally affect the delivery of projects listed in the Local Development Scheme. This will be kept under review.



- 6.4. Councillors may be interested to note the ‘State of the [Planning] Profession’ report published by the Royal Town Planning Institute in November 2023⁶, which offers some useful insights and trends on the planning profession.

7. LEGAL IMPLICATIONS

The Local Plan and extant plan-making process

- 7.1. Local planning authorities must review local plans at least once every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community⁷. The council’s Local Plan reviews discharge this duty.
- 7.2. Commencing the preparation of the Development Strategy and Site Allocations Plan (2026-2041) does not alter the conclusions of the recent review of the adopted Local Plan housing requirement. The adopted Local Plan policies continue to carry full weight with measuring the housing land supply. Rather, the decision to prepare a replacement plan is confirmation of the council’s commitment to take proactive action to plan for needs arising in the 2030s.

Local Development Scheme

- 7.3. By keeping the Local Development Scheme up-to-date the council ensures compliance with The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This is an important consideration in the independent examination of the updated Local Plan.

8. RISK ASSESSMENT

- 8.1. The Local Development Scheme (Annex D) and Annex B outlines the risks of navigating the plan-making process.
- 8.2. Planning reforms are complicating the plan-making process and are requiring convoluted approaches to ensure progress can be made without placing the council at risk of losing hundreds of thousands of pounds of investment and years of work. Although not advocated, it is completely understandable why some councils have paused their plan-making activities until the new system beds in.
- 8.3. The advocated approach is to continue with the Partial Update Plan and to begin a new plan with a plan period of 2026 to 2041 that focusses on updating the council’s the development strategy and allocating sites to meet development requirements up to 2041.
- 8.4. By December 2024, the council will need to make a judgement call based on whether sufficient work has been made on the Development Strategy and Site Allocations Plan (2026-2041) to merge it with Partial Update Plan to create a single Replacement Plan that can be submitted ahead of the 30 June 2025 deadline.

⁶ <https://www.rtpi.org.uk/stateoftheprofession23>

⁷ Planning and Compulsory Purchase Act 2004 www.legislation.gov.uk/ukpga/2004/5/contents and The Town and Country Planning (Local Planning) (England) Regulations 2012 <http://www.legislation.gov.uk/uksi/2012/767/contents/made>



- 8.5. It is worth noting that there will be lots of councils wanting to submit their local plans by June 2025. This could create a bottle neck in the system and may affect the council's ability to adopt its Local Plan by December 2026, after which point time would be up and the Local Plan would need to switch to a New Style Plan. Officers are keeping the Planning Inspectorate informed of the council's plan-making timetable.
- 8.6. Even if all goes to plan and the combined Replacement Plan is submitted by June 2025, there is still a risk that the council will not have this plan adopted by April 2026 (i.e. the point when there will be less than five years remaining of the adopted Local Plan period). This has implications on the way the five year housing land supply is measured and the council may still need to take proactive measures to address this. However, waiting for a New Style Plan increases this risk and the potential length of time when there may be ambiguity in the way the five year housing land supply is measured.
- 8.7. Project management risks and the mitigation taken are also detailed in the Local Development Scheme.

9. EQUALITIES IMPACT

- 9.1. The emerging Local Plan is supported by an Integrated Impact Assessment that considers these legal duties and requirements. An updated Integrated Impact Assessment will be available to review and comment on during the public consultation.

10. CLIMATE CHANGE IMPLICATIONS

- 10.1. The council has declared a climate emergency which commits it to preparing an action plan to show how it will support the district to become carbon neutral. The council has also committed to make the Local Plan green to its core. An update to the Local Plan will directly support local communities and businesses to mitigate and adapt to climate change.

11. ALTERNATIVE OPTIONS

- 11.1. Recommendations (a) and (b): Council could decide not to begin the process of preparing a new plan to 2041 and continue with the Partial Update Plan (i.e. the draft policies – see Diagram 2) only. Another option would be to pause work on the Partial Update Plan until when the New Style Plan goes live. This option is not advised as it is contingent on various external factors that are not in place yet and are not in the council's control. For example, a general election in the next 12 months could result in new political party taking power who may have a different take on how the plan-making process should operate. This would also not provide enough time to adopt a Replacement Plan, thereby securing the council's housing land supply, before there is less than five years remaining of the adopted Local Plan period.
- 11.2. Recommendation (c): there is no reasonable alternative.
- 11.3. Recommendation (d): Granting delegated authority to make minor changes to the consultation plan and agree the questionnaire will aid the timely publication of the



consultation material in the New Year. Cabinet could decide not to grant authority to the Forward Planning Manager or grant authority to a more senior council officer.

- 11.4. Recommendation (e): The Local Development Scheme is a regulatory requirement and it has to be kept up to date. Therefore, there is no reasonable alternative. However, like recommendation (a) the Council could decide not to begin the process of preparing a new plan to 2041 and continue with the Partial Update Plan (i.e. the draft policies – see Diagram 2) only. If it chose this option then the Local Development Scheme would need to be updated to reflect this.

12. BACKGROUND PAPERS

- 12.1. None

ENDS