

# Local Plan update

## Planning Policy Committee Thursday, 23 June 2022

Report of: Interim Chief Planning Officer

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Purpose: For decision

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Publication status: Unrestricted

Wards affected: All

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### Executive summary:

As part of the ongoing Local Plan examination, a best-case timetable (TED55), was issued to the Planning Inspector on 27 April 2022. This timetable needs to be ratified by the Council as requested by the Inspector (ID21) and in accordance with Section 15 of The Planning and Compulsory Purchase Act 2004 (as amended), which requires the Council as a Local Planning Authority (LPA) to prepare and maintain a 'Local Development Scheme' (LDS).

Members are also provided with an update on current available planning policy budget.

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### This report supports the Council's priority of:

- Creating the homes, infrastructure and environment we need
- Supporting economic recovery in Tandridge
- Becoming a greener, more sustainable District

**Contact officer** Marie Killip Strategy Specialist - mkillip@tandridge.gov.uk

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### Recommendations to Committee:

That:

- A. the content of the report be noted; and
  - B. the Local Development Scheme 2022, attached at Appendix B, be adopted.
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### Reason for recommendations:

To ratify the timetable (TED55) sent to the Planning Inspector on 27 April 2022. This is before the committee at Appendix B to adopt, as per Recommendation B.

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## **1.0 Introduction and background**

- 1.0 Since the start of the year the Council has been liaising with the appointed Planning Inspector, seeking clarification around work streams and his requirements (ID16, ID20, ID21).
- 1.1 The Council has previously provided a variety of options to the Inspector on how the Plan might continue (TED51) on which we sought his views. In responding to the Council, the Inspector stated (ID20, paragraph 27) his requirement for a detailed program addressing the work needed and the timescales to which he expects us to work should the Council wish to continue with the examination.
- 1.2 A best-case work program was issued to the Inspector (TED55) (Appendix A) on 27 April 2022. The correspondence advised the Inspector that formal ratification of the work program would need to take place via the Planning Policy Committee. An updated Local Development Scheme (LDS) (2022) is before the committee (Appendix B).

## **2.0 Best-case work program**

- 2.1 The work program (TED55), attached at Appendix A, sets out, as far as reasonably possible, how the Council will seek to meet the Inspector's requirements as set out in ID16, ID20 and ID21.
- 2.2 The timescales for the individual elements of work are based on Officers understanding the types of work being sought, or comparable work and how long these would usually take.
- 2.3 However, a number of the timescales are dependent on external consultants outside of the Council's control. In addition, there are a number of variables which may affect progress including national policy changes and case law which, despite the Plan being examined under the transitional arrangements, may influence progress.
- 2.4 To formalise/ratify the work program, these dates/milestones have been included in an updated Local Development Scheme.

## **3.0 Local Development Scheme (LDS) (2022)**

- 3.1 At paragraph 8 and in the appendix of his correspondence ID21, the Inspector has requested an updated timetable and revised LDS. Should the committee agree the adoption of the LDS, this will be issued to the Inspector in response to that request and monthly update reports will be prepared for the Inspector and published on the website.
- 3.2 The Council's current LDS was adopted in January 2020 and updated to reflect the delays to the examination process and the impacts on the Local Plan timetable. The updated 2022 version before this Committee, reflects the impacts of the further elongated examination period.

### *Local Plan*

<b>Independent Examination (Regulation 24)</b>	<b>Q3 2019/20 (Oct - Nov 19) Ongoing</b>
<b>Main Modifications Consultation (Regulation 19)</b>	<b>Q2 2023/24 (Jul – Sep 23)</b>
<b>Adoption of a Local Plan (Regulation 26)</b>	<b>Q3 – 2023/24 (Oct - Dec 23)</b>

### *South Godstone Garden Community AAP*

<b>Preparation Stage (Regulation 18) Issues and Approaches</b>	<b>Q4 2022/23 (Jan – Mar 23)</b>
<b>Proposed Submission Stage (Regulation 19)</b>	<b>Q4 2023/24 (Jan – Mar 24)</b>
<b>Submission (Regulation 22)</b>	<b>Q2 2024/25 (Jul – Sept 24)</b>
<b>Independent Examination (Regulation 24)</b>	<b>Q4 2024/25 (Jan – Mar 25)</b>
<b>Adoption (Regulation 26)</b>	<b>Q3 2025/26 (Oct – Dec 25)</b>

### *Review of the Community Infrastructure Levy*

<b>Consultation on Draft Charging Schedule</b>	<b>Q4 2023/24 (Jan – Mar 24)</b>
<b>Submission of Draft Charging Schedule</b>	<b>Q2 2024/25 (Jul – Sept 24)</b>
<b>Independent Examination on Charging Schedule</b>	<b>Q4 2024/25 (Jan – Mar 25)</b>
<b>Adoption of CIL Charging Schedule</b>	<b>Q3 2025/26 (Oct – Dec 25)</b>

3.3 The LDS also includes an updated reference to the Districts made (adopted) and emerging Neighbourhood Plans. The timetables for their preparation are determined by Parish Councils or Neighbourhood forums and cannot be stipulated in the LDS by the Council but are included for information.

3.4 The proposed LDS 2022 is before Members at Appendix B and if adopted, will supersede the 2020 document.

## **4.0 Budget update: funds available**

4.1 Table 1 includes an allocation of staff costs and excludes 21/22 Local Plan underspends to be confirmed (TBC) when Council Outturn 21/22 is final.

4.2 The position was last reported to committee on 10th March 2022. Since then, the financial envelope has been adjusted up from £1,652k to £1,756 k to reflect the addition of £29k p/a staffing increments included in the 2022/23 Tranche 2 budget report (also to Planning Policy committee on the 10th March) also assumed to occur again in 23/24 at £29k, along with the 2021/22 outturn underspend of £177k (forecast on 10<sup>th</sup> May 2022 to be £131k, therefore an improvement of £46k).

**Table 1 Local Plan Funding Envelope**

		2021/22 £'000s	2022/23 £'000s	2023/24 £'000s	Total £'000s
A	<b>Existing funding available for Local Plan</b>	617	481	481	<b>1,579</b>
<b>B</b>	21/22 Local Plan Underspend	177			177
A+B	<b>Total funding available for the Local Plan</b>	<b>794</b>	<b>481</b>	<b>481</b>	<b>1,756</b>

4.3 These available funds encapsulate the full budget for the planning policy service, including that which may also be needed for other key workstreams such as the preparation of Supplementary Planning Documents, Gatwick matters and their Development Consent Order (DCO) etc.

## Key implications

### Comments of the Chief Finance Officer

Although significant progress has been made to improve the Council's financial position, the medium-term financial outlook beyond 2022/23 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for most of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority to ensure stable provision of services in the medium term.

The measures recommended are supported by the Section 151 Officer provided they are undertaken within the existing approved Local Plan expenditure envelope (as described in section 4) and they demonstrably deliver value for money for the Council.

In conjunction with Planning Policy, the costs will continue to be planned and monitored within the envelope.

## **Comments of the Head of Legal Services**

The Council is required to prepare a Local Development Scheme (LDS) in accordance with the requirements of section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS sets out the timetable for the production of the Local Development Documents (LDDs) which make up the Council's Local Plan.

The Planning and Compulsory Purchase Act 2004 (as amended) requires the LDS to be revised at such times as the Local Planning Authority considers appropriate.

Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended) requires Development Plan Documents to be prepared in accordance with the LDS. As such it is vital that the LDS is updated to ensure the Council's Local Plan can be found legally compliant in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and relevant supporting legislation.

Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires a resolution of the Council, which must specify the date from which the LDS is to have effect.

## **Equality**

There are no direct equality implications associated with this report.

## **Climate change**

There are no significant direct environmental / sustainability implications associated with this report.

## **Appendices**

Appendix 'A' – Examination Correspondence: TED55 - work program

Appendix 'B' - Draft Local Development Scheme 2022

## **Background papers**

None

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