

# Local Development Scheme

## June 2022

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**This Local Development Scheme 2022 supersedes the January 2020 version of the document.**

**The Local Development Scheme 2018 is effective from 24 June 2022**

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## **1.0 Introduction**

- 1.1** Section 15 of The Planning and Compulsory Purchase Act 2004 (as amended) requires the Council, as a Local Planning Authority (LPA), to prepare and maintain a 'Local Development Scheme' (LDS).
  
- 1.2** This LDS sets out the program for producing the Local Plan which is the statutory development plan document for the area. The Local Plan is responsible for setting out where and how new development will take place and specifies the planning policies which will be applied in the determination of planning applications.

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## 2.0 Existing Local Development Plan documents and Neighbourhood Plans

2.1 The Council currently has an adopted development plan, and this is formed of the documents set out below. These documents remain relevant to the local planning position and decision-making process until such time as they are replaced by updated policies. The Council's development plan also includes national policies including the National Planning Policy Framework (NPPF) and relevant legislation.

<b>Core Strategy</b>	Sets out the strategic policies to steer and manage the approach for development.	Adopted October 2008
<b>Local Plan Part 2 – Detailed Policies (LP2)</b>	Suite of Development Management policies to assist in the assessment of planning applications.  LP2 forms local planning policy alongside the adopted Core Strategy.	Adopted July 2014
<b>Community Infrastructure Levy</b>	District wide  Set out charging regime for contributions to infrastructure	Implemented 1 December 2014
<b>Woldingham Neighbourhood Plan</b>	Applies to the Woldingham area only and sets out area specific policies in terms of design and the identification of local green spaces.	Made 21 April 2016
<b>Limpsfield Neighbourhood Plan</b>	Applies to the Limpsfield area only and sets out area specific policies in terms of design and the identification of local green spaces.	Made 25 June 2019
<b>Caterham, Chaldon and Whyteleafe Neighbourhood Plan</b>	Applies to the areas of Caterham, Chaldon and Whyteleafe only and sets out area specific policies in terms of design and the identification of local green spaces.	Made 24 June 2021

2.2 In accordance with The Localism Act 2011, adopted Neighbourhood Plans form part of the development plan and are used in the assessment of planning applications for specific areas. A number of Neighbourhood Plans have been commenced in the District with three plans reaching adoption. Further information on the Neighbourhood Plans being prepared is set out in Section 6.

2.3 In addition to the documents that form the development plan, the Council is required to produce a Statement of Community Involvement (SCI) which sets out how the Council will involve people in the production of the new Local Plan. The SCI is a Local Development Document, but it is not part of the development plan. The Council reviewed its SCI in 2020 and this is available on the [Tandridge District Council website](#). In accordance with the Planning

Practice Guidance<sup>1</sup>, the Council must review their SCI every 5 years from the date of its adoption.

- 2.4** There is no requirement for the LDS to show what other documents, for example: Statement of Community Involvement or Supplementary Planning Documents, the Council intends to produce. Therefore, no further detail on these documents are included.

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<sup>1</sup> Paragraph: 071 Reference ID: 61-071-20190315 (Revision date: 15 03 2019)

## 3.0 Regulatory Requirements and Consultation

### Key Stages of Local Plan Preparation

- 3.1** The Local Plan must be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 which requires Local Authorities to follow formal consultation and notification stages prior to adoption. Further information regarding the stages of preparation and consultation are set out in the Council's [Statement of Community Involvement \(2020\)](#):

**Preparation of a Local Plan (Regulation 18):** the Council must consult and invite representations from:

- 'specific' consultation bodies (identified in the Regulations);
- 'general' consultation bodies (identified by the Local Authority), and
- interested parties including residents and/or businesses within the area.

Representation will be sought on what a Local Plan should contain.

The responses to the consultation will be used to inform the publication draft of the Plan and identify any further evidence that may be required. Whilst the 2012 regulations only require one stage of Regulation 18 consultation, the Council may feel that additional consultation is needed to ensure sufficient community involvement has been gained on determining options and to ensure that sufficient reasonable alternatives have been considered to ensure that a sound Plan is prepared.

**Publication (Regulation 19):**

The publication stage Plan is that which sets out the preferred content, strategy and policies which the Council feel should be independently examined by the Planning Inspectorate. This document should be the version the Council are intending to submit. When consulting at this stage, the Council will publish the Plan together with associated documents for comments to be made on the soundness and legal compliance of the Plan. The Council will invite all statutory bodies and those interested parties to make formal representations at this stage.

The Council should be confident that the Plan prepared is sound, justified, effective and legally compliant. Following the Regulation 19 consultation, the Council can make minor changes to the document without the need to carry out further consultation.

**Submission & Independent Examination of a Local Plan (Regulations 22 & 24):**

When the Council feel that a sound and legally compliant Plan has been prepared, the Plan and associated documents (including the full evidence base, Sustainability Appraisal, Strategic Environmental Assessment and Habitat Regulations Assessment) are submitted to the Planning Inspectorate, on behalf of the Secretary of State for 'examination' and an Independent Inspector is appointed to examine the soundness of the Plan.

The Planning Inspectorate will notify the Council of the date for the Examination in Public (EIP) to carry out an examination into the Plan's 'Soundness' in accordance with the requirements of the

National Planning Policy Framework 2021 (NPPF, paragraph 35). However, for the purposes of this LDS and the Local Plan to which it refers (Or Local Plan: 2033) the NPPF (2012) remains relevant in the examination and the Local Plan is being examined under transition arrangements. Set in place nationally as per NPPF 2021, Annex 1, paragraph 220.

Prior to the formal examination meetings, the appointed Inspector will review the Plan and other information which has been submitted, including consultation responses and evidence-based documents. On reflection of the submitted documents the Inspector may request an exploratory meeting to discuss any specific issues they may feel need to be addressed before progressing to the public examination sessions. This may be to request clarity on specific policies included in the document, to explore a piece of evidence in further detail, or relating to matters of soundness.

The outcome of exploratory meetings can result in additional work needing to be carried out by the Council before the examination can progress or a recommendation from the Inspector to withdraw the Plan pending further work.

Irrespective of whether exploratory meetings take place, the Inspector will usually produce a list of initial queries and matters, issues and questions (MIQ's) for discussion at the hearing sessions and which will require a written response from the Council ahead of any hearing sessions commencing. The Inspector will keep these under review to ensure that any new evidence or information that emerges is considered.

- **Matters** are the broad topics to be considered in the examination: for example, housing need and supply, settlement strategy, flood risk;
- **Issues** are the critical issues, identified by the Inspector, on which the soundness (and legal compliance) of the plan will depend; and
- **Questions** are set by the Inspector to elicit information relevant to the issues.

Further information regarding the formal hearing sessions and the approach taken by the Planning Inspectorate in the process, can be found in the [Procedure Guide for Local Plan Examinations](#).

#### **Adoption of a Local Plan (Regulation 26):**

Following the examination of the Local Plan, the Planning Inspector will issue a report setting out a decision as to whether they consider the Plan to be either: sound, sound subject to modification, or unsound. If the Plan is 'sound subject to modification', the Council will need to make necessary 'modifications' which may also need to be publicly consulted upon dependent on the extent of those modifications. Should consultation be necessary, this will be carried out in accordance with Regulation 19, processes.

Once the necessary steps have been taken to respond to the Planning Inspectors report and the Local Plan can be deemed sound, it is the Council's decision, through Full Council, whether to adopt the Plan.

## Other Legislative Requirements

### Sustainability Appraisal, Strategic Environmental Assessment and Habitat Regulations Assessment

- 3.2** To comply with planning legislation, the Local Plan must be accompanied by a Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA). These documents are required by the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats & Species Regulations 2010.
- 3.3** These documents are iterative documents designed to allow an Inspector to see how the Council has taken account of these pieces of European legislation at each step of the plan-making process.
- 3.4** The SA/SEA, in particular, appraises the emerging spatial strategy and policies at each stage of the plan-making process with regards to the environmental, social and economic impacts of the Plan. This may result in the adjustment of the strategy and policies to ensure that adverse impacts are reduced or mitigated, and to ensure that no one strand of sustainability (environmental, social or economic) has had more emphasis placed on it.
- 3.5** In terms of the HRA, the Council are required to consider if the policies of a Local Plan will have any impact upon European Sites for Nature Conservation. For Tandridge District, this includes The Ashdown Forest, located south east of the District and the Mole Gap to Reigate Escarpment located west of the District. Any need to mitigate impact where it occurs will be factored in through policy making to ensure that there is limited or no negative effect on relevant European sites.

### Equalities Impact Assessment

- 3.6** The Local Authority has a legal duty to eliminate discrimination and promote equality through service delivery. The policies of the Local Plan will have an impact upon service delivery in terms of how we can support and provide for all our communities from young to the elderly and those from varying cultural backgrounds.
- 3.7** Although there is no longer a requirement to produce an Equalities Impact Assessment (EqIA) for a Local Plan it may still be useful to produce an EqIA to have regard to the aims of the General Equality Duty, as set out in the Equality Act 2010, when drafting policies.
- 3.8** The purpose of the EqIA is to show the likely impact of the Plan and the policies on the groups with protected characteristics (e.g. age, disability, gender reassignment, race and pregnancy/maternity etc), and if necessary, modify and improve the Plan and Policies where possible.



## 4.0 Evidence Base

- 4.1** Evidence is a key feature of the plan-making process, not just for a Local Plan, but any other development plan documents such as Area Action Plans or development management specific documents. The NPPF makes it clear that it expects local development plans to be informed by proportionate, robust and comprehensive information and as such, must reflect on the time it will take for necessary evidence to be gathered and feed this into any timetable for document preparation.
- 4.2** It is not possible to provide an exhaustive list of the evidence to be required due to the diversity of topics. Further, the need for additional evidence can arise as a result of consultation exercises. Evidence gathering is resource intensive and is continually monitored to identify any risks to the plan-making timetable and/or where additional resources are required.
- 4.3** The Evidence Base takes the form of research and technical studies and, alongside consultation, is critical to informing the direction and content of policies and any guidance within Supplementary Planning Documents which may be prepared.
- 4.4** The Council must collect evidence throughout a plan-making process to ensure that it has suitably considered its reasonable alternatives in terms of how development needs could be met and what policies a Plan should contain. Due to the iterative nature of plan-making, it is only possible to prepare certain evidence after a previous stage has been completed, infrastructure-based evidence gathering is an example of where this is necessary.
- 4.5** For the majority of infrastructure providers, they are only able to advise on what they can provide, or what financial contributions they would need to enable delivery, once they have a clear idea of where development will be located and the number of homes, jobs and people that will need to be accounted for. As such, in the case of a Local Plan the further progressed it is, the more able the Council can liaise with relevant providers and gain information on provision, funding etc, where it is needed. Without a comprehensive assessment of infrastructure needs, plan viability cannot be fully assessed and an Infrastructure Delivery Plan, which is essential in underpinning a plan, cannot be determined.

## 5.0 The Local Development Scheme<sup>2</sup>

### The Documents

5.1 The documents set out below are those which the Council have identified as being a priority. Once adopted, these documents, in accordance with Section 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012, will represent Local Development Documents and be considered part of the Council's development plan<sup>3</sup>:

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<sup>2</sup> This LDS sets out the anticipated timetable for preparation of a development plan through to its adoption, using the best information available.

<sup>3</sup> Please note all timetables are set out in quarters to accord with the financial year, e.g. Q1 = April, May and June etc

## Local Development Plan Documents

Title	<b>Local Plan: 2013-2033</b> <b>(This document will supersede the adopted Core Strategy and some policies of the Detailed Policies DPD)</b>	
Role and Subject	<p>The Local Plan will set out the spatial development strategy and policy framework to guide the provision of jobs and homes up to 2033. The document will also set out policy mechanisms for protecting, conserving and enhancing the natural, and built historic environment, whilst identifying how and where infrastructure improvements will be delivered.</p> <p>This document will also be accompanied by an Infrastructure Delivery Plan which will also inform future revisions to the Community Infrastructure Levy.</p>	
Geographical Coverage	District wide	
Priority	High	
Chain of Conformity	With the National Planning Policy Framework	
	Preparation Stage (Regulation 18) - Local Plan: Issues and Approaches	Q3 2015/16 (Oct – Dec 15) <b>COMPLETED</b>
	Additional Preparation Stage (Regulation 18) – Sites Consultation	Q3 2016/17 (Oct – Dec 16) <b>COMPLETED</b>
	Additional Preparation Stage (Regulation 18) – Garden Village and Strategic Sites Consultation	Q2 2017/18 (Jul – Sept 17) <b>COMPLETED</b>
	Proposed Submission Stage (Regulation 19)	Q2 2018/19 (Jul-Sep 18) <b>COMPLETED</b>
	Submission (Regulation 22)	Q4 2019/20 (January 2019) <b>COMPLETED</b>
	Independent Examination (Regulation 24)	Q3 2019/20 (Oct - Nov 19) <b>Ongoing</b>
	Main Modifications Consultation (Regulation 19)	Q2 2023/24 (Jul – Sep 23)
	Adoption of a Local Plan (Regulation 26)	Q3 – 2023/24 (Oct - Dec 23)
Stakeholder and community involvement	<p>Statutory bodies, parish councils, general public, community groups, developers and agents.</p> <p>Duty to Cooperate requirements apply and although the ‘duty’ has been considered by the Inspector through examination, it remains a key part of the plan making process.</p>	

Title	<b>South Godstone Garden Community Area Action Plan</b>	
Role and Subject	The Area Action Plan (AAP) is a Local Development Plan document and will set out the key and detailed policies which will guide the development and underpin the delivery of the Garden Community.	
Geographical Coverage	South Godstone	
Priority	Medium	
Chain of Conformity	With the National Planning Policy Framework and the Local Plan	
	Preparation Stage (Regulation 18) - Issues and Approaches	Q4 2022/23 (Jan – Mar 23)
	Proposed Submission Stage (Regulation 19)	Q4 2023/24 (Jan – Mar 24)
	Submission (Regulation 22)	Q2 2024/25 (Jul – Sept 24)
	Independent Examination (Regulation 24)	Q4 2024/25 (Jan – Mar 25)
	Adoption (Regulation 26)	Q3 2025/26 (Oct – Dec 25)
Stakeholder and community involvement	<p>Statutory bodies, parish councils, general public, community groups, developers and agents.</p> <p>Duty to Cooperate requirements apply and will be a key part of the plan making process. Meetings with other Districts are continuing to take place to share information and feed into other plans and evidence where possible.</p>	

Title	<b>Community Infrastructure Levy (CIL) Review<sup>4</sup></b>	
Role and Subject	CIL is a non-negotiable charge on development and is calculated as pounds per square metre based on the net level of development proposed. To charge CIL the District Council must set CIL rates based on evidence of viability and produce a CIL charging schedule which is subject to an independent examination.	
Geographical Coverage	District wide	
Priority	Medium	
Chain of Conformity	With the adopted development plan (Including the Local Plan and the South Godstone Garden Community AAP) and relevant CIL regulations	
	The current adopted Community Infrastructure Levy (CIL) has been based upon the adopted Core Strategy (2008). As such, any review of the CIL will be influenced by the new policies and spatial strategy of Local Plan: 2033 (including the settlement specific policies in the South Godstone Garden Community AAP).	
	Consultation on Draft Charging Schedule	Q4 2023/24 (Jan – Mar 24)
	Submission of Draft Charging Schedule	Q2 2024/25 (Jul – Sept 24)
	Independent Examination on Charging Schedule and Receipt of Inspector’s report	Q4 2024/25 (Jan – Mar 25)
	Adoption of CIL Charging Schedule	Q3 2025/26 (Oct – Dec 25)
Stakeholder and community involvement	<p>The CIL is subject to its own specific consultation and procedural requirements as set out in the CIL Regulations. Due to the specialist and technical nature of the CIL, consultation is targeted with statutory bodies, parish councils, developers, agents, community groups, service and infrastructure providers and utility companies.</p> <p>Duty to Cooperate requirements apply and will be a key part of the plan making process.</p>	

<sup>4</sup> It is noted that the draft Levelling up and Regeneration Bill (2022) alludes to the cessation of CIL outside of London and Wales. However, until the Bill is ratified by Royal Assent, CIL will continue and this timetable reflects this.

Title	<b>Policies Map</b> (Not subject to examination)
Role and Subject	To illustrate geographically the application of policies in the Local Development Plan (including adopted Neighbourhood Plans) and site allocations including settlement and development boundaries.
Geographical Coverage	District wide
Priority	High (contingent on other documents being produced)
Chain of Conformity	With all other development plan documents.
Timetable	<p>The current policies map reflects the relevant policies set out in the Core Strategy and Local Plan: Detailed Policies. The policies map has been updated to reflect the Woldingham Neighbourhood Plan, where relevant and necessary connections to the changes brought about by Limpsfield Neighbourhood Plan.</p> <p>The proposals map will be amended, when appropriate, to reflect policies and allocations once adopted through future plans.</p>
Stakeholder and community involvement	Whilst the policies map is not subject to examination by the Planning Inspectorate, maps associated with the stage of plan preparation will be publicly consulted upon at the appropriate stage of plan making in accordance with the timetable. Such consultation ensures input into design and factual elements of the policies map.

## Neighbourhood Plans

- 5.2 Neighbourhood Plans are prepared and led by the community via parish councils or community forums and provide the community with the opportunity to take a leading role in planning for their areas and must be prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended) and Neighbourhood Planning Act 2017.
- 5.3 The following areas have been designated as a Neighbourhood Planning Area and have engaged in the plan-making process but have not yet adopted ('made') their Plan. The Council will continue to work with parishes and neighbourhood planning forums where needed, to support this process.
- 5.4 Whilst these documents, once adopted, will form part of the Local Development Plan, the timetables for their preparation are a matter for the parish council or forum to determine.

<b>Burstow</b>	<b>Crowhurst</b>
<b>Dormansland</b>	<b>Godstone</b>
<b>Lingfield</b>	<b>Tandridge</b>
<b>Tatsfield</b>	