

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet Council</b>	<b>Date:</b>	<b>12 July 2023 13 July 2023</b>
<b>Subject:</b>	<b>Local Development Scheme and Timetable for Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan</b>		
<b>Report Of:</b>	<b>Cabinet Member for Planning and Housing Strategy</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>Yes</b>	<b>Budget/Policy Framework:</b>	<b>Yes</b>
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<b>Appendices:</b>	<b>1. Local Development Scheme 2023-2026</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To seek adoption of the Gloucester City Council Local Development Scheme (LDS) 2023-2026, which outlines the timetable for preparing statutory development plan documents in the city. It is a statutory requirement under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The published version of Gloucester's LDS (2022) requires revision as the timetable has been refreshed and the plan making approach changed. As such, an up-to-date LDS is required.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RECOMMEND** to Council that:

- (1) the updated Local Development Scheme (Appendix 1) be adopted and takes effect immediately
- (2) Council delegate authority to the Head of Place, in consultation with the Cabinet Member for Planning and Housing Strategy, to prepare the Local Development Scheme for publication correcting any minor errors such as spelling, grammar, typographical and formatting changes that do not affect the substantive content of the Local Development Scheme.

- 2.2 Council is asked to **RESOLVE** that:

- (1) the updated Local Development Scheme (Appendix 1) be adopted with immediate effect.
- (2) authority be delegated to the Head of Place, in consultation with the Cabinet Member for Planning and Housing Strategy, to prepare the Local Development Scheme for publication correcting any minor errors such as spelling, grammar,

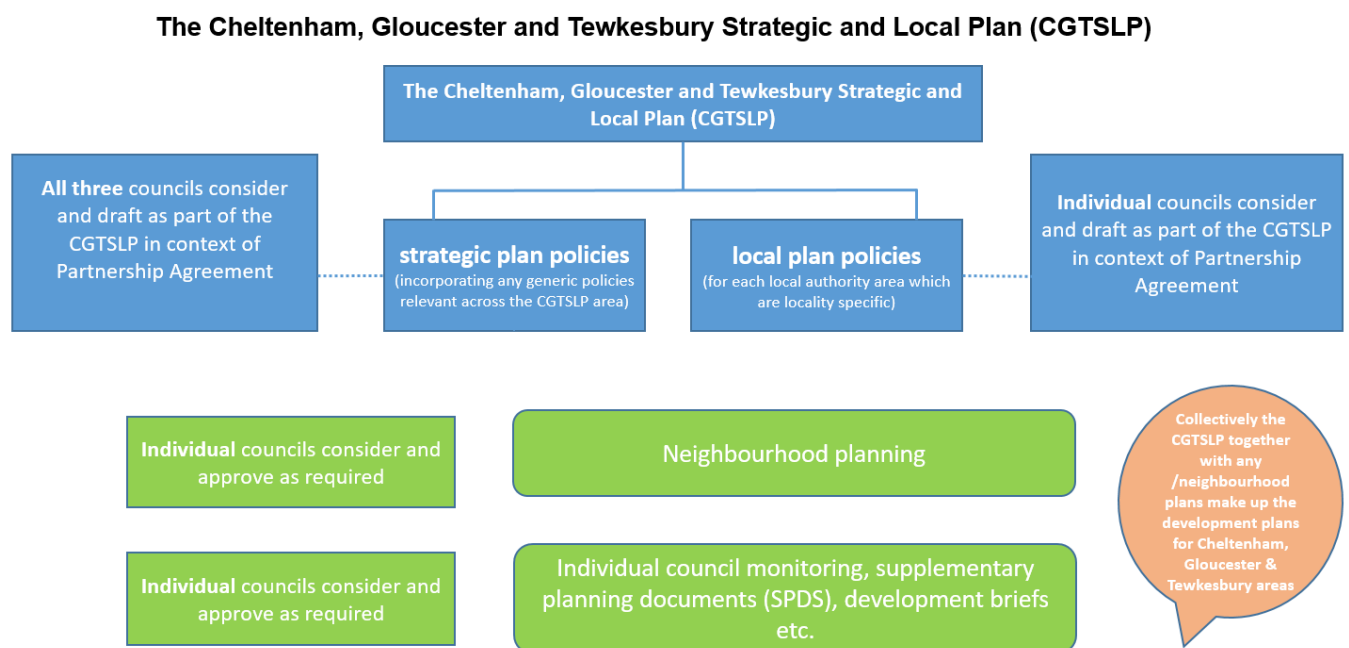
typographical and formatting changes that do not affect the substantive content of the Local Development Scheme.

### **3.0 Background and Key Issues**

- 3.1 Local Planning Authorities are required by law to prepare, publish, and maintain a Local Development Scheme (LDS) setting out the timetable for preparing statutory Development Plan Documents (DPD), which form the Local Plan.
- 3.2 The Council's current LDS was adopted in 2022 and needs updating. There are a number of reasons for this including:
  - Extensive evidence base development
  - Uncertainties arising from government changes
  - Need to make efficient use of resources
- 3.3 Part of Gloucester's development plan, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 – 2031 (JCS) is now beyond 5 years post adoption and in line with government guidance needs to be updated.
- 3.4 The partner authorities have discussed and agreed in principle their commitment to the benefits of continued joint working and the LDS sets out the programme. The continued reasons for this include:
  - The three authorities share functional economic and housing market areas.
  - Administrative boundaries are tightly drawn around the large built-up areas, and therefore the duty to co-operate across boundaries remains key.
  - Infrastructure demands go beyond administrative boundaries, and
  - Strategic and local highway and public transport networks operate across the area, if we are going to drive modal shift, managing investment and interventions across boundaries will be key.
- 3.5 The LDS presents a commitment to work on a combined development plan that covers all strategic and local policies for the three authorities. This will see the creation of a new '*Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan*' (CGTSLP) which will replace the JCS and the local district plans in each area in time. For Gloucester the local district plan is the Gloucester City Plan 2011-2031 (adopted January 2023).
- 3.6 Like the previous JCS, the CGTSLP will set out the strategic development strategy; development requirements (jobs, houses and retail); joint strategic and generic policies as well as locally specific policies. The CGTSLP will replace the JCS in its entirety. Taking climate change as the golden thread, this will be a key steer to establishing the spatial distribution of development. The CGTSLP will also contain locality based policies that address any area/community specific issues agreed by individual councils and supporting the joint general and strategic policies of the CGTSLP.
- 3.7 There are a number of potential benefits to a single plan approach including:
  - a) Demonstrating a clear "Duty to Co-operate" for cross boundary issues.

- b) Co-ordination with Gloucestershire County Council as strategic planning, highway and education, etc. authority would be embedded through the combined DPD.
- c) Single point of engagement with national bodies such as the Environment Agency, Homes England and National Highways.
- d) Local plans are required to be justified with robust evidence base around areas such as housing and employment needs, land availability, transport impacts, flood risk, Green Infrastructure, Biodiversity Net Gain, renewable energy and Green Belt. A combined DPD means co-ordination of the evidence base and ensure it is consistent across the area, as well as potential cost savings.
- e) A combined DPD would require just one Public Examination, rather than four for the combined area, if a one strategic and three separate district plans were prepared.
- f) Cost savings in terms of producing a combined evidence base, and holding one Public Examination, as well as a focus of time and resources.

3.8 The diagram below sets out the approach.



3.9 An updated Partnership Agreement will provide the safeguards that sets out the terms and conditions for the operation of the partnership. This would include a clear protocol that individual districts would not seek to fetter the discretion of the other district authorities in the drafting of the local plan policies.

3.10 Government guidance on plan making articulates the role of the development plan, which is to “set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. It is essential that plans are in place and kept up to date.”

- 3.11 Planning is at the heart of place making, strengthening the connection between people and the places they share. The new CGTSLP will aim to sustainably deliver new homes, jobs, and connected and active communities. The development plan is at the heart of the planning system and will be a fundamental tool in helping to support the council's priorities to build a greener, healthier, and sustainable city, as set out in the Council Plan 2022 - 2024.

#### **4.0 Social Value Considerations**

- 4.1 No impact.

#### **5.0 Environmental Implications**

- 5.1 The government requires the plan making process to address the impacts of climate change and plan for sustainable development.

#### **6.0 Alternative Options Considered**

- 6.1 An alternative option would be to progress a single strategic and local plan just for Gloucester. However, the geography of the three councils is such that there are very strong inter-relationships and dependencies in housing, employment, infrastructure and transport patterns. The combined approach would simplify the duties around cross-boundary co-ordination and evidence collation.
- 6.2 Another alternative would be to work in partnership with Cheltenham and Tewkesbury councils to prepare a 'strategic plan' for the whole area and then to prepare a more detailed plan for Gloucester. This would mirror the approach taken since 2017. In doing so the benefits outlined of 3.7 of this report would not be realised, and as such this is not a recommended approach.

#### **7.0 Reasons for Recommendations**

- 7.1 The purpose of the LDS is to set out the Local Development Documents that are to be Development Plan Documents (DPDs) and which will be prepared by the Authority. The LDS also needs to give details as to what they will contain and timescales for their production. It is important that plans for the future of the city are produced in a timely and efficient manner. If they are not, development which is necessary for the city's continued growth and prosperity may be delayed or abandoned, the coordination of housing development and infrastructure provision may be difficult to achieve and there is the potential for development to be approved on appeal in locations that the Authority does not consider suitable.

#### **8.0 Future Work and Conclusions**

- 8.1 It is intended that on the approval of the LDS, a dedicated team will be created on behalf of the three authorities to take forward the process of making the CGTSLP.

#### **9.0 Financial Implications**

- 9.1 The financial costs to update and publish the LDS are included within the funds set aside for the Joint Strategic Plan. Any future updates to the LDS would need to be costed on an individual basis.

(Financial Services have been consulted in the preparation of this report.)

## **10.0 Legal Implications**

- 10.1 The preparation and maintaining of a Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area (development plan documents), the subject matter and geographical area to which each document is to relate, which if any are to be prepared jointly with one or more other local planning authorities and the timetable for the preparation and revision of those documents. The Local Plan, together with Neighbourhood Plans as well as any Mineral and Waste Local Plans, make the Development Plan for the Council.

Section 28 of the Planning and Compulsory Purchase Act 2004 provides that where a development plan document is prepared jointly by two or more local planning authorities any step which may be or is required to be taken in relation to the document (including adoption) must be done by each of the authorities.

(One Legal have been consulted in the preparation of this report.)

## **11.0 Risk & Opportunity Management Implications**

- 11.1 If the council does not have an up-to-date LDS then it will not be performing part of its statutory duty.

## **12.0 People Impact Assessment (PIA) and Safeguarding:**

- 12.1 A PIA is not applicable for the LDS which is a timetable. A PIA screening will be required for future decisions relating to the creation and adoption of any plan.

## **13.0 Community Safety Implications**

- 13.1 None

## **14.0 Staffing & Trade Union Implications**

- 14.1 None

**Background Documents:** None