

# CABINET

## Publication of an updated Local Plan Preparation Timetable 15 April 2025

### Report of Chief Officer – Planning and Climate Change

PURPOSE OF REPORT				
To seek Cabinet approval for the publication of an updated Local Plan Preparation Timetable				
Key Decision	<input type="checkbox"/>	Non-Key Decision	X	Referral from Cabinet Member
This report is public				

#### RECOMMENDATION OF COUNCILLOR SUE TYLDESLEY

- (1) That Cabinet approves the publication of an updated Local Plan preparation timetable for the Lancaster District Local Plan.

#### 1.0 Introduction

- 1.1 The Council maintains an up-to-date LDS on the Council's [website](#) in accordance with Section 15 of the Planning & Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act 2011. National Planning Practice Guidance (paragraph 035) states that a Local Development Scheme is expected to be reviewed and updated at least annually but may need updating more frequently if there are any significant changes in the timescales or the plans being prepared. An LDS must set out the timetable for preparing development plan documents. An LDS should also include details of other documents that will form part of the development plan, for example neighbourhood plans. The current LDS was published on 20<sup>th</sup> December 2024. On 22<sup>nd</sup> January 2025, the Council adopted the Climate Emergency Review of the Local Plan (CELPR).
- 1.2 The Government is in the process of revising England's planning system. In December 2024, the Government directed all local planning authorities in England to update their local plan preparation timetable and to submit the updated timetable directly to the government by 6<sup>th</sup> March 2025.
- 1.3 Following discussion with Cabinet Members the Council sent the Government an updated Interim Lancaster District Local Plan Timetable; this action ensured that the Council complied with the Government's deadline. The Council advised the Government that the Council's Cabinet would subsequently formally consider the submitted Interim Timetable. Should the

Council's Cabinet confirm, potentially with amendments, the submitted Interim Local Plan Timetable, then a formally approved version will be sent to the Government and published on the City Council's website. The final published version would be presented in a more accessible digital format with additional contextual information about the district and its current local plan.

## **2.0 Proposal Details**

### Government Direction on the new-style local plan timetable

- 2.1 On the 25<sup>th</sup> July 2023 the Department for Levelling Up, Housing & Communities launched the consultation "["Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms"](#)". The consultation sought views on the Department's proposals to implement the parts of the Levelling Up and Regeneration Bill which relate to plan-making. The proposals aimed to make plans simpler, faster to prepare and more accessible.
- 2.2 The consultation proposed to set an ambitious timeframe of only 30 months for all local planning authorities to prepare and adopt a new Local Plan, including a six-month period for the Examination. The consultation advised that before the 30-month timeframe begins, planning authorities will be able to undertake the preparation of evidence and engage with wider stakeholders to be in the best position to start their new Local Plan. Councils must also announce when the formal plan preparation process will start.
- 2.3 The Department proposed three new 'gateway' assessments – one around the beginning of the formal 30-month period, one in the middle of the process and one towards the end of the process for preparing a plan, with this final assessment taking place just before publication and submission. The intention of these assessments is to reduce the time spent examining plans by providing an opportunity for local planning authorities to become aware of any issues and seek to resolve these issues prior to submission. The first two are advisory in nature whilst the third will conclude whether the emerging plan can proceed to publication and submission.
- 2.4 On 12<sup>th</sup> December 2024 the newly re-named Ministry of Housing, Communities and Local Government (MHCLG) published its [responses](#) to its consultation on proposed reforms to the National Planning Policy Framework and other changes to the planning system.
- 2.5 At the same time the MHCLG published an updated version of the [National Planning Policy Framework \(NPPF\)](#). This became effective immediately.
- 2.6 Also on 12<sup>th</sup> December 2024 Matthew Pennycook, the Minister of State for Housing and Planning published a Written Ministerial Statement that set out the Government's motivations and objectives for revising the planning system<sup>1</sup>. The Minister advised that the Government was committed to achieving universal local plan coverage in England. However, presently fewer than a third of places have an up-to-date local plan. The Minister described that the Government is now "taking a tough but pragmatic approach to imposing new housing numbers on local plans."
- 2.7 Immediately following the publication of the updated National Planning Policy Framework (NPPF) and Written Ministerial Statement, on the 13 December 2024, Joanna Averley, the Chief Planner, wrote to all Local Planning Authorities in England to confirm that the Deputy Prime Minister had asked

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<sup>1</sup>Building the homes we need Statement made on 12 December 2024

<https://questions-statements.parliament.uk/written-statements/detail/2024-12-12/hcws308>

that all local planning authorities produce an updated Local Development Scheme (LDS) within 12 weeks of the publication of the NPPF (i.e. “by no later than 6 March 2025”).

- 2.8 The NPPF indicates that provisions for the revised plan-making system, provided for under the Levelling Up and Regeneration Act (LURA) 2023, will come into force in 2025.
- 2.9 The Planning Advisory Service (PAS) state that LURA 2023 “[still requires authorities to create a timetable for plan making with the details to follow in regulations](#)”. PAS advise that pending any further announcements and information from Government on these changes, local planning authorities should use the latest information in the public domain about the expected timeline for plan making under the new system. This was that set out in the July 2023 consultation on implementation of plan-making reforms. PAS further advise that the plan making timetable can subsequently be updated, as and when required, to include relevant details of the new system when confirmed. PAS states that local planning authorities can review their timetable when details of the new system are published.
- 2.10 Local planning authorities were therefore asked to prepare and publish a new LDS by 6<sup>th</sup> March 2025 informed by the content of the consultation on **proposed** changes to the planning system (that is; in accordance with the content of the consultation that was open from 30<sup>th</sup> July 2024 to 24<sup>th</sup> September 2024).
- 2.11 The LURA 2023 will replace the existing requirement to adopt an LDS with a new, simpler requirement to prepare and maintain a local plan timetable. The Act does not continue with the term LDS. Specifically, paragraph 15B of Schedule 7 of the Act, is headed “Local plan timetable”. It states that:
- (1) Each local planning authority must prepare and maintain a document to be known as their “local plan timetable”.
  - (2) The local plan timetable must specify—
    - (a) the matters which the authority’s local plan for their area is to deal with,
    - (b) the geographical area to which the authority’s local plan is to relate,
    - (c) any supplementary plans which the authority are to prepare,
    - (d) the subject matter and geographical area, site or sites to which each of those supplementary plans is to relate,
    - (e) how the authority propose to comply with the requirement in section 15F(1) (requirement in relation to design code).
- 2.12 Officers advise that whilst it appears somewhat unsatisfactory that the Secretary of State’s direction is to prepare a new local plan timetable before the regulations to support the LURA 2023 (the provisions) are available, it remains the case that the Localism Act 2011 does oblige the Council to maintain an up-to-date Local Development Scheme. Section 15 (8) provides that an LPA must revise their LDS (a) at such time as they consider appropriate; (b) when directed to do so by the Secretary of State. In December 2024 Local Planning Authorities were directed to do so by the Secretary of State, in the context of the publication of the revised NPPF.

- 2.13 The Act states that to bring the local plan timetable into effect, the local planning authority must publish it, together with a statement that the timetable is to have effect. The Act states that once the local plan timetable has effect, the local planning authority must comply with it. The Secretary of State may direct a local planning authority to make amendments to the local plan timetable as the Secretary of State thinks appropriate for the purpose of ensuring full and effective coverage (both geographically and subject matter) of the authority's area by the development plan for that area.
- 2.14 Currently, the Council maintains separate Development Plan Documents for the Central Morecambe Area (the Morecambe Area Action Plan) and the Arnsdale and Silverdale National Landscape (the Arnsdale and Silverdale AONB DPD).
- 2.15 However, Paragraph 15C of Schedule 7 of the Act "Local plans" states:
- (1) Each local planning authority must prepare a document to be known as their "local plan".
  - (2) Only one local plan may have effect in relation to a local planning authority's area at any one time.
  - (3) The local plan must set out policies of the local planning authority (however expressed) in relation to the amount, type and location of, and timetable for, development in the local planning authority's area.
- 2.16 Paragraph 15CC of Schedule 7 of the Act, describes the permissible limited remit of any future "Supplementary plans" that a local planning authority may prepared. It states that:
- (1) Each relevant plan-making authority may prepare one or more documents, each of which is to be known as a "supplementary plan".
  - (2) A supplementary plan prepared by a local planning authority may include—
    - (a) policies (however expressed) in relation to the amount, type and location of, or timetable for, development at a specific site in their area or at two or more specific sites in their area which the authority consider to be nearby to each other;
    - (b) other policies (however expressed) in relation to the use or development of land in the local planning authority's area which are designed to achieve objectives that relate to the particular characteristics or circumstances of a specific site in their area or two or more specific sites in their area which the authority consider to be nearby to each other;
    - (c) details of any infrastructure requirements, or requirements for affordable housing, to which development in accordance with any policies, included in the plan under paragraph (a) or (b), would give rise;
    - (d) requirements with respect to design that relate to development, or development of a particular description, throughout the local planning authority's area, in any part of their area or at one or more specific sites in their area, which the local planning authority consider should be met for planning permission for the development to be granted.
- 2.17 It is therefore clear that under the new system the Council should prepare a single Local Plan for the whole district, and the new style "supplementary plans" must be limited to documents containing policies about specific

development sites, matters of design, or how to better support the implementation of plan-wide policies that will deliver infrastructure or affordable housing.

- 2.18 The Chief Planner confirmed that the revised NPPF makes housing targets mandatory and reverses other changes made under the previous Government regarding housing supply. It also implements a new standard housing need formula to ensure local plans are in line with the Government's manifesto commitment of achieving 1.5 million new homes in this current Parliament.

Principles shaping the Lancaster District Local Plan new timetable

- 2.19 The matters that a local plan should address are provided in the NPPF. Though there have been revisions to the NPPF in recent years, the purposes of a local plan have not been changed by this revision to the plan making system.
- 2.20 The Planning Advisory Service (PAS) suggests that when preparing a new-style timetable councils should ensure that they have enough time to prepare before formally triggering the 30-month process. It is therefore prudent to take time to continue to develop the local plan evidence for a period in advance of notifying the community and stakeholders of the intention to formally trigger the 30-month plan preparation period. Given that the Council had started to prepare a Local Plan under the existing system and that this Local Plan Review had not intended to review the policies in the Arnsdale and Silverdale AONB DPD, then a roughly six-month lead-in to ensure the evidence is sufficient to prepare a single whole-district Local Plan before triggering the four-month notification period would seem appropriate. Thus, the four-month notification of community and stakeholders would commence on 1<sup>st</sup> September 2025.
- 2.21 The commencement on the 1<sup>st</sup> September 2025 of the four-month notification period would mean that the formal 30-month plan preparation timetable would begin on 1<sup>st</sup> January 2026, and by inference, the adoption of a new plan after a six-month period in which the whole independent examination process is commenced and concluded, would occur in June 2028. This is a little later than the anticipated adoption date of spring 2028 in the current plan timetable of December 2024.
- 2.22 Officers recommend a 1<sup>st</sup> of September 2025 notification start date on the basis that:-
- (1) It is advisable to adequately prepare for formal commencement by finalising the assembly of the key evidence documents and considering the implications of the evidence before triggering the formal 30-month plan preparation timetable.
  - (2) The Government has not yet published the anticipated formal guidance and regulations to support the revised plan-making system, including key documents such as an anticipated Project Initiation Document; and it is therefore advisable to await new guidance and regulations before formally commencing preparation.
  - (3) Whilst assuming the Government might publish the anticipated formal guidance and regulations soon, thus it may be possible to feel sufficiently prepared to announce a notification start date in summer 2025, Members are advised that the four-month period includes the requirement to engage with stakeholders about the new plan's

intended remit and objectives. Thus, it would be advisable to wait until 1<sup>st</sup> September rather than attempt that important early participation with stakeholders during the main school holiday period.

- (4) Whilst good progress has already been made on preparing a local plan in accordance with the existing plan-making system it is already clear that the Council faces the significant challenge of finding sufficient sites and solutions to deliver the many thousands of homes that are required by the Government's new standard housing need formula calculation. The standard method requires the Council to plan to deliver 618 new homes per year, which for a conventional 15-year plan period, amounts to 9,270 new homes. This annual figure is significantly higher than the long-term historic annual delivery rate of new housing in Lancaster district. Given that delivering new homes at this scale will be difficult to achieve in a district with many physical and environmental constraints, especially transport-related infrastructure, it is advisable to ensure that the plan-making timetable provides time to explore the potential for infrastructure improvements with key stakeholders, most particularly Lancashire County Council. Taking the opportunity to explore these issues prior to commencing the 30-month formal plan preparation period may prove expedient.

#### Plan Preparation Key Stages

2.23 The Key Stages of the Local Plan's preparation are listed below:

##### **Stage 1: September 2025 to December 2025 (four months)**

- Notification of commencement and early participation process

##### **Stage 2: January 2026 to November 2027 (twenty-three months)**

- *January 2026: Gateway Assessment 1*
- February-March 2027: Mandatory Consultation on Visioning and Options
- *October 2026: Gateway Assessment 2*
- March 2027: Mandatory Public Consultation on the Draft Local Plan (Reg. 18)
- *August 2027: Gateway Assessment 3*
- October 2027: Publication of formal Draft Local Plan (Reg.19)
- November 2027: Submission (Reg. 22)

##### **Stage 3: December 2027 to May 2028 (six months)**

- Examination Process
- Adoption: June 2028 (one month)

### Geographic Extent of the Plan Area

- 2.24 The Arnsdale and Silverdale AONB Development Plan Document (DPD) is part of the Council's formal Development Plan. This DPD has an end date of 2031. The current Local Development Scheme of December 2024 describes an intention to prepare a new local plan that did not include reviewing the Arnsdale and Silverdale AONB DPD at this time. However, given that the government's new plan-making system requires local planning authorities to prepare a single local plan for the whole of their area then the geographical scope of the plan currently being prepared will need to include the Arnsdale and Silverdale National Landscape Area. This does not bring significant new requirements in terms of collecting up-to-date evidence.

### Paragraph 15(B)2 Matters

- 2.25 The appended Interim Local Plan timetable includes a series of statements [listed (a) – (o)] about the proposed local plan that address the requirement to describe; the matters which the local plan is to deal with; the geographical area to which the local plan relates; any supplementary plans which the authority are to prepare; and, how the authority proposes to comply with requirements to prepare a design code. The plan timetable states that the period for the new plan is fifteen financial years following adoption (including the financial year in which it was adopted); that is: 2028-2029 to and including financial year 2042-2043. The plan timetable describes intentions to respond to the challenges of Climate Change and taking account of the emerging Lancashire County Local Nature Recovery Strategy.

### Intentions for preparing new-style Supplementary Plans

- 2.26 The Government intends that new-style Supplementary Plans are limited to those which provide detail to support the delivery of identified development sites. At proposed timetable does not presently include an intention to prepare Supplementary Plans. As preparation of the local plan proceeds and development sites and land allocations are identified it could be that Supplementary Plans are proposed, if so, the timetable would be revised to take account of this intention.
- 2.27 There are other, non-planning, issues that challenge the timetable for progressing a local plan for the district under this new system, particularly devolution and the imminent prospect of local government re-organisation. However, the proposed timetable below would at least appear to enable a new-style local plan to be completed prior to local government re-organisation in 2028. Notably the Government has not advised that devolution or the imminent prospect of local government re-organisation are reasons to delay local plan-making.

### 3.0 Details of Consultation

- 3.1 The Government does not require Local Planning Authorities to consult on their local plan timetables. The timetable will be published on the Council's website.

### 4.0 Options and Options Analysis (including risk assessment)

	<b>Option 1:</b> Approve the publication of an updated Local Plan preparation timetable for the Lancaster District Local Plan.	<b>Option 2:</b> Do not approve the publication of an updated Local Plan preparation timetable for the Lancaster District Local Plan.
Advantages	The Government has been unambiguous in its instruction to Local Planning Authorities in directing them to publish and submit a new local plan timetable that responds to the forthcoming guidance and regulations for preparing a new local plan. Though the Council has published an Interim Timetable it was submitted on the basis that Cabinet would consider the timetable and make a formal decision. By submitting a formally approved new local plan timetable the Council will comply with the Government's direction and demonstrate its commitment to achieving local development, most particularly the delivery of new housing to the district's residents, businesses, and stakeholders.	None are apparent.
Disadvantages	None are apparent.	The Council would fail to comply with the Government's unambiguous instruction to Local Planning Authorities to publish and submit a new local plan timetable that responds to the forthcoming guidance and regulations for preparing a new local plan. The Government has not specified what sanctions it might impose on Local Planning Authorities that fail to comply with the directive but by not complying the Council would signal to government that it either is not willing or not enabled to prepare a new Local Plan that demonstrates its commitment to achieving local development, most particularly the delivery of new housing, to the district's residents, businesses and stakeholders.



Risks	None are apparent. Whilst the Council will make a formal commitment to progress to its published timetable it may still need to be revised in future to take account of the impact of changing circumstances and events.	The Council might appear on a list of Local Planning Authorities that have not demonstrated the commitment and willingness to comply with responsibilities and obligations to plan for the homes, and other types of development that legislation and national guidance require. Considering the potential need to explore future funding for infrastructure or regeneration proposals an unwillingness or an inability to demonstrate commitment to preparing a Local Plan is not likely to enhance the Council's reputation as a responsible partner with government.
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## **5.0 Officer Preferred Option (and comments)**

- 5.1 Option 1: Approve the publication of an updated Local Plan preparation timetable for the Lancaster District Local Plan.
- 5.2 The report does provide Cabinet Members with the opportunity to formally consider and approve both the updated timetable and the statements about the matters that the local plan will address. The Government has signalled that it intends to be firm in achieving up to date local plans, the directive to prepare a new timetable is clear and there would seem to be little to achieved by not complying with the government's clear instruction.

## **6.0 Conclusion**

- 6.1 The Interim Local Plan Timetable as already submitted to the Government is appended. Should Cabinet resolve to formally publish and submit the timetable a more accessible digital version will be created (with the timetable and plan matters as resolved) along with further contextual information about the district and an explanation of the current development plan position.

Appendix 1: Interim Local Plan timetable

**RELATIONSHIP TO POLICY FRAMEWORK**

The Council's constitution describes which documents are components of that Policy Framework. The Cabinet is the part of the Council which is responsible for taking executive decisions and implementing the Council's Budget and Policy Framework. Paragraph 2.3 of the Council's Constitution states that the Local Development Plan and Development Plan Documents are components of that Framework. The constitution states that decisions made about documents on the Policy Framework must be made by full Council, usually on the recommendation of Cabinet. The Local Plan Timetable is not in itself policy, it is the work programme for creating policy documents that will be decided by full Council. Cabinet is therefore the appropriate component of the Council to make decisions about the work-programme for preparing policy documents.

**CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)**

None arising directly from this report.

**LEGAL IMPLICATIONS**

The Planning & Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act 2011 obliges the Council to maintain an up-to-date Local Development Scheme. In particular, section 15 (8) provides that an LPA must revise their LDS (a) at such time as they consider appropriate; (b) when directed to do so by the Secretary of State.

Local Planning Authorities have been directed by the Secretary of State to amend their LDS in light of the revised NPPF.

**FINANCIAL IMPLICATIONS**

None arising from this report. The budget for preparing a new Local Plan was approved by Cabinet in accordance with the request in the report "Resourcing the Review of the Lancaster District Local Plan" on 5<sup>th</sup> December 2023.

Funding has been built into future years budgets and are included in the latest position reported to Cabinet in February 2025. Although none are currently anticipated, if additional costs should arise, they will be addressed using the monitoring and reporting procedures that the Council has in place.

**OTHER RESOURCE IMPLICATIONS**

None arising directly from this report.

**SECTION 151 OFFICER'S COMMENTS**

The s151 Officer has been consulted and has no comments to add

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and would agree with the Relationship to Policy Framework comments above. The timetable publication is an executive function in this instance.

**BACKGROUND PAPERS****Contact Officer:** Maurice Brophy**Telephone:** 01524 582330**E-mail:** mbrophy@lancaster.gov.uk