

<b>Report to</b>	<b>Planning Committee</b>
<b>Date</b>	<b>12 May 2022</b>
<b>By</b>	<b>Director of Planning</b>
<b>Title of Report</b>	<b>Local Plan Review and the Local Development Scheme</b>
<b>Purpose of Report</b>	<b>Brief Planning Committee on the Local Plan Review and the Local Development Scheme and recommend a way forward</b>
<b>Decision</b>	

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**The Committee is recommended to:**

- 1. Note the purpose, resourcing and risks for the Local Plan Review and associated potential reviews of Neighbourhood Development Plans**
- 2. Recommend to the NPA that it approves the commencement of the Local Plan Review**
- 3. Note that a report will be presented to the Authority seeking the virement (budget transfer) of £227K from other Planning Policy budgets to the Development Plan budget in line with the Authority's financial procedures**
- 4. Approve the Local Development Scheme (seventh revision) for the South Downs National Park set out in Appendix I of this report.**

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**Executive Summary**

- It is a legal requirement and stated in the National Planning Policy Framework (NPPF) requires local plans to be reviewed and updated as necessary every five years. This requires us to have a Local Plan Review (LPR) in place by July 2024.
- This will be a review of the existing Local Plan, which was adopted in 2019, rather than a completely new plan.
- People and money are needed to prepare local plans and this report will explain the high level resourcing and project plan. It will also set out the high level risks.
- The LPR may trigger reviews of some Neighbourhood Development Plans (NDP) by local communities.
- The Local Development Scheme (LDS) sets out the timetable that the South Downs National Park Authority (SDNPA) will follow in the preparation and adoption of planning policy documents.
- The seventh review of the LDS for the South Downs National Park has been triggered by the commencement of work on the LPR. It also provides an updated programme for the production of the Area Action Plan (AAP) for Shoreham Cement Works and a number of other planning policy documents.

## **I. Background**

- 1.1 This report is about addressing the requirement to work on the LPR and supporting reviews of NDPs where appropriate. It explains the reasons for doing the reviews, key milestones, financial and human resourcing and main risks. It follows on from a Planning Committee workshop in February, which considered the broad approach the Authority would take regarding the review.

Starting work on the LPR requires the Authority to update our LDS, which is set out in **Appendix I**. This includes the timetable for the LPR itself along with the AAP for Shoreham Cement Works and supplementary planning documents (SPD).

## **2. Local Plan Review**

- 2.1 The South Downs Local Plan was adopted by the Authority in July 2019. Some of the evidence base and engagement behind the successful adoption dates back to 2015 when we started to prepare the Plan. It is a legal requirement and stated in paragraph 33 of the NPPF that local plans should be reviewed and updated as necessary every five years. This requires us to have a new local plan in place by July 2024. If we do not have an up to date adopted local plan it may open us up to planning by appeal under paragraph 11(d) of the NPPF and the tilted balance in decision making.
- 2.2 This will be a review and not a brand new plan. We will keep the landscape led approach, ecosystem services and the development strategy of a medium level of development dispersed across the towns and villages of the National Park. We do, however, need to review development needs and provision numbers both at a park-wide level and for individual settlements. We need to ensure the Plan delivers on corporate priorities relating to Climate Action, ReNature and a National Park for All. It will also enable us to address changes in national policies such as First Homes.
- 2.3 The Local Plan established the strategic planning policy framework for the preparation of NDPs in the National Park. As of May 2022 there were a total of 59 areas designated for the purposes of neighbourhood planning and 40 NDPs made part of the development plan. There is reduced Government funding available for qualifying bodies wishing to prepare an NDP and there are also constraints on resources at the Authority to support neighbourhood planning to the level previously provided. However, there is a far greater body of experience generally and guidelines being produced by officers to ensure support. The duty to support qualifying bodies is set out in the Town and Country Planning Act 1990 and we are resourced to meet this albeit the resource may differ to when the NDPs were first prepared.
- 2.4 The LPR may trigger some reviews of NDPs. We will encourage town and parish councils with an identified housing provision to work closely with SDNPA to identify appropriate sites for development in their settlements. This approach will be more efficient for the SDNPA and the town and parish councils, avoiding the complex process for reviewing NDPs and some of the issues arising from allocations in NDP's and expectations arising. Where there is a real appetite to review an NDP and allocate land to meet any housing provision we will have to offer some support given the human and financial resources available in the Planning Policy team. Parish councils with made NDPs will continue to benefit from the retention of the higher level of receipts from the Community Infrastructure Levy (CIL). Some qualifying bodies may want to review their policies and not just allocations. Although this is a less involved process and may not involve a referendum, we will still need to comment on formal consultations and arrange the examination
- 2.5 New allocations will, it is considered, be needed to help meet need both in the LPR and any appropriate NDP reviews. The Inspector's main focus for our Local Plan examination was how effectively we had met housing need and whether we had truly left no stone unturned in meeting it. We will undoubtedly come under pressure from neighbouring authorities in

regards to unmet housing need from settlements just outwith our boundary, notwithstanding Levelling Up and greater scrutiny over the use of housing algorithms to calculate need.

Starting work on the LPR offers us opportunities to address the corporate priorities. We could, for example, develop a more challenging sustainable construction policy and allocate some land, if it requires planning permission, for nature recovery. It will also offer us the opportunity to review and update certain policies that have been problematic to implement, such as replacement dwellings and barn conversions.

We have worked on a detailed project plan for the LPR which has been approved at Senior Management Team level. The main tasks and milestones for both the LPR and the NDP reviews are set out below and in the LDS forming Appendix I of this report.

- 2.6 This summer, the Authority would have a general call for sites, commission evidence based studies on need and other matters and review existing policies. We would carry out a park-wide Land Availability Assessment in autumn/winter. This will involve looking at the suitability of sites for a number of uses including housing, employment and renewable energy. We will finalise housing provision figures for individual settlements by the end of the year.
- 2.7 The intention is to consult on a draft Plan in autumn 2023. We would review the representations and gather any further evidence as necessary following the consultation. We are aiming to present the Pre-Submission version of the Plan to Planning Committee and a full Authority meeting in July 2024. This would be followed by a public consultation and examination. The intention is that the LPR would be adopted by the end of 2025. Any NDPs would also need to hit key milestones to ensure that there are no gaps in the development plan. Whilst this does coincide exactly with the June 24 'expectation' that a Local Plan will be reviewed and adopted within five years, the fact that a Pre-Submission Plan that is evidence led, up to date and carries some weight mitigating any risk of an out of date Local Plan leading to 'planning by appeal' to a very great extent.

### **3. Local Development Scheme**

- 3.1 The seventh review of the LDS for the South Downs National Park set out in Appendix I has been triggered by the commencement of work on the LPR. It provides a revised programme for the production of the LPR, Shoreham Cement Works Area Action Plan (AAP) and Supplementary Planning Documents (SPDs). It references the potential reviews of NDPs and signposts the LDSs for our Joint Minerals and Waste Plans.
- 3.2 The Issues & Options version of the Shoreham Cement Works AAP is being considered at this Planning Committee. The intention is to start the consultation on this document once it has been approved by the Authority and then consult on the Preferred Option once we have considered all the responses. The aim is to submit it for examination and adopt a sound AAP during 2023.
- 3.3 It is likely that there will be a general election in the next two years and there are of course local elections in various parts of the National Park every year. It is important that the timetables for preparing the plans are sufficiently flexible to accommodate this. The LDS states that we need to be mindful of pre-election periods commonly known as 'purdah.' The SDNPA may not launch public consultations on any of its plans during these periods and this may obviously impact on the LDS set out in this document.

### **4. Resources**

- 4.1 Local plans are expensive documents to prepare. The investment should be seen in the light of the money that development unlocks with an up to date Local Plan, CIL and developer contributions. There are several sources of money within budget, totalling approximately £227K that we can draw on for both the LPR and NDP reviews. A request to transfer these funds will be made to the full Authority meeting on 19 May

- 4.2 The main costs for the LPR will be from evidence gathering that will be mainly at the beginning of the process and the examination that will be at the end.
- 4.3 People are needed to prepare local plans. We have a reduced number of people in the Planning Policy team to work on the LPR and NDPs, but as previously stated, this is a review rather than a brand new plan requiring less resource. Much of the work we do in planning policy seeks to avoid silo thinking and ensure Corporate Plan priorities are achieved as far as we can within the planning system. Therefore we will look to colleagues across the Authority to assist. This would be in a variety of ways, for example, the Performance and Projects team assisting with project management and Support Services assisting with logging representations.

## **5. Risks**

- 5.1 There are a number of significant risks for such a large project. Firstly, radical changes were proposed to the planning system in the 2020 Planning White Paper. It would appear that the Government has pulled back from such sweeping changes, so this risk is lower. The mitigation is to keep up to date with Government changes and keep a flexible approach to policy formulation.
- 5.2 Secondly, there are a number of issues arising from the Habitat Regulations particularly nutrient neutrality (Solent and Itchen) and water neutrality (Arun Valley) that pose a risk to plan making in the National Park. We are working closely with the statutory bodies and our neighbouring local authorities on a strategic approach to resolving these issues.
- 5.3 Thirdly, the reduced number of people working directly on the LPR, NDP reviews and Minerals & Waste Plans poses a risk to the project. Less resource is required for a review than for a brand new plan. The risk will be mitigated in a number of ways including a reduced input to other work streams particularly no more SPDs, reduced policy comments on planning applications and prioritising shared working across the organisation.
- 5.4 Finally, the resourcing of new NDPs and NDP reviews is a risk. Again, it should be remembered that these will in the most part be NDP reviews rather than brand new plans and so less resource is required from both the qualifying bodies and from us. The town and parish councils with made NDPs have a better understanding of planning in protected landscapes, which was developed with our support and could be used for either NDP reviews or to work collaboratively on the LPR. There are of course more unknowns with NDPs, for example, whether Midhurst will decide to do an NDP for the first time. A number of our qualifying bodies have already expressed an interest in starting NDP reviews, for example Petersfield and Lewes. Some other parish councils have said that they want to start new plans, for example, Alfriston (designated) and Kingston near Lewes (not yet designated). We have a legal duty to support qualifying bodies. This risk will be mitigated by encouraging parish councils to work closely with us on allocating sites in the LPR rather than NDPs. This will still require input from us. Those qualifying bodies that still wish to proceed with NDPs would do so with more limited support from us. This will require a new Memorandum of Understanding between the Authority and qualifying bodies and would focus on statutory stages such as SEA / HRA screening, commenting at pre and submission stages, facilitating examinations and preparing decision statements.

## **6. Next steps**

- 6.1 If Planning Committee decide to recommend to the Authority to commence work on the LPR then a report will go to the Full Authority meeting on 19 May. This will be to approve the commencement of the LPR and the transfer of funds from various Planning Policy budgets to the Development Plan budget. This has been provisionally planned for in the interests of sound financial planning and transparency.
- 6.2 We need to consider Member engagement in the LPR. It is proposed that we run regular Member workshops for all Members to provide strategic steer on the Plan. Based on

feedback from Local Plan training, we also intend to hold a workshop for host authority officers and Members on our policies. This has worked well in the past and all input is necessary albeit within timeframes set to get best possible outcomes

## 7. Other implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Yes, the NPA decision on starting the LPR and the virement of funds for the LPR and NDP reviews
Does the proposal raise any Resource implications?	<p>Yes, these are summarised in section 3 of this report. The LPR is identified as a corporate priority for the next three years of the Corporate Plan. Officers within the Planning Policy team are leading the work on developing the LPR and utilising expertise elsewhere within the Authority. Costs associated with the delivery of the Local Plan will be monitored and any variation to approved budgets will be reported as part of the budget monitoring process.</p> <p>There are resource implications for the preparation of all the planning policy documents named in the LDS but these are within scope of the resources.</p>
How does the proposal represent Value for Money?	We will seek to achieve best value in all the work we do on the LPR and all the documents named in the LDS.
Which PMP Outcomes/ Corporate plan objectives does this deliver against	<p>The LPR will follow on from and be consistent with the PMP 2020-25 and will therefore deliver on most of its objectives. The key ones to highlight are:</p> <ul style="list-style-type: none"> <li>• 1.1 Protect landscape character</li> <li>• 3.1 Join up habitats</li> <li>• 4.1 Conserve heritage</li> <li>• 5.2 Improve accessibility</li> <li>• 9.1 Increase affordable housing</li> <li>• 10.1: Strengthen enterprise</li> <li>• 10.3: Promote sustainable tourism</li> </ul>
Links to other projects or partner organisations	The LPR and all the other documents named in the LDS link to other plans and programmes and the duty to co-operate will involve partner organisations and those with interests e.g. NFU.
How does this decision contribute to the Authority's climate change objectives	Reviewing the Local Plan provides us with the opportunity to prepare more ambitious policies on climate change both in terms of mitigation and adaptation.
Are there any Social Value implications arising from the proposal?	The requirements of the Public Services (Social Value) Act 2012, will be considered for appropriate expenditure and programmes undertaken by the Authority
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	A full Equality Impact Assessment will be carried out for the LPR and the policies within. We are keen to engage new audiences in our plan making particularly younger people. We have started to do this through digital engagement with the Shoreham Cement Works Area Action Plan and we will use

Implication	Yes*/No
	the lessons learnt from that for the LPR.
Are there any Human Rights implications arising from the proposal?	The emerging policies will be considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.
Are there any Crime & Disorder implications arising from the proposal?	It is considered that the proposal does not raise any crime and disorder implications.
Are there any Health & Safety implications arising from the proposal?	None
Are there any Data Protection implications?	Yes, there are data protections implications from the statutory consultations that we will hold on the LPR and the other documents in the LDS. We have recently carried out a task to review the personal details we hold for the purposes of updating people on Local Plan matters and that we are compliant with GDPR.
<p>Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy?</p> <ol style="list-style-type: none"> <li>1. Living within environmental limits</li> <li>2. Ensuring a strong healthy and just society</li> <li>3. Achieving a sustainable economy</li> <li>4. Promoting good governance</li> <li>5. Using sound science responsibly</li> </ol>	Yes, there are sustainability implications for the LPR and all the documents named in the LDS. Therefore, a Sustainability Appraisal will be prepared iteratively for the LPR to inform decision making.

## 8. Risks Associated with the Proposed Decision

8.1 Further detail on risks are set out in Section 4 of this report.

Risk	Likelihood	Impact	Mitigation
Radical changes to legislation and national policy on planning	2	3	Keep up to date with Government changes and keep a flexible approach to policy formulation
Issues arising from the Habitat Regulations particularly nutrient neutrality (Solent and Itchen) and water neutrality (Arun Valley) that pose a risk to plan making in the National Park.	3	4	We are working closely with the statutory bodies and our neighbouring local authorities on a strategic approach to resolving the issues
Reduced number of people in the Planning Policy Team working on the LPR, NDP reviews and Minerals & Waste Plans poses a risk to the project. Less resource is required for a review than for a brand new plan.	3	3	Reduced input to other work streams particularly no more SPDs and TANs and prioritisation of resources working on other projects that are not corporate priorities.
Resourcing of new NDPs and NDP reviews. Again, these are mainly reviews rather than new plans.	3	3	Encourage parish councils to work closely with us on allocating sites in the LPR rather than NDPs whilst still allowing them to retain the higher level of CIL receipts. Those qualifying bodies that still wish to proceed with NDPs would do so with a different type of support from us as outlined in the Report.

### TIM SLANEY

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Appendices I. Draft SDNPA Local Development Scheme

SDNPA Consultees Chief Executive; Director of Countryside Policy and Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services, Business Service Manager

External Consultees None

Background Documents [South Downs Local Plan](#)  
[National Planning Policy Framework](#)  
[Planning Practice Guidance](#)



**South Downs National Park**  
**Local Development Scheme**  
**(Seventh Revision)**  
**May 2022**

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## Agenda Item 8 Report PC21/22-53 Appendix I

South Downs National Park Authority: Local Development Scheme  
Sixth Revision, October 2018 (2018)

If you need this document in a different format please contact the Planning Policy Team at:

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01730 814810

The Local Development Scheme is also available on the SDNPA website:  
[www.southdowns.gov.uk](http://www.southdowns.gov.uk)

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## I. INTRODUCTION

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- I.1** The Local Development Scheme (LDS) sets out the timetable that the South Downs National Park Authority (SDNPA) will follow in the preparation and adoption of planning policy documents.
- I.2** This is the seventh review of the LDS for the South Downs National Park and has been triggered by the commencement of work on the Local Plan Review (LPR). It provides a revised programme for the production of the following Local Plan Documents:
- South Downs Local Plan Review (LPR)
  - Shoreham Cement Works Area Action Plan (AAP)
  - Neighbourhood Development Plans (NDP)
  - Supplementary Planning Documents (SPDs)
- I.3** An LDS is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). Paragraph 003 of the Planning Practice Guidance Paragraph (Reference ID: 61-003-20190315)<sup>1</sup> states that it must specify, among other matters, the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publically and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.
- I.4** There are obviously a number of risks in preparing planning policy documents and a risk register is prepared and updated for each of the named plans. A significant risk is major changes to national legislation on planning. It now appears unlikely that the sweeping changes proposed in the White Paper *Planning for the Future* in 2020 will come into force. There are also a number of rapidly evolving issues that could have a significant impact on plan making particularly nutrient neutrality in the Solent area and water neutrality in the central area of the National Park.
- I.5** We also need to be mindful of pre-election periods commonly known as ‘purdah.’ The SDNPA will not launch public consultations on any of its plans during these periods and this may obviously impact on the LDS set out in this document.
- I.6** Progress on the LDS is reported annually in the Authority Monitoring Report (AMR)<sup>2</sup>.

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<sup>1</sup> [Plan-making - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

<sup>2</sup> [Authority Monitoring Reports - South Downs National Park Authority](#)

## 2. THE DEVELOPMENT PLAN FOR THE SOUTH DOWNS NATIONAL PARK

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- 2.1 The development plan for the South Downs is made up of the adopted South Downs Local Plan which covers the National Park in its entirety, a number of made Neighbourhood Development Plans (NDP) which cover individual parishes and several adopted minerals and waste plans prepared at a county level. An Area Action Plan is also being prepared for Shoreham Cement Works. The detailed Local Development Scheme (LDS) for these Plans is set out in Appendix I of this document and the highlights are set out below.

### Local Plan Review

- 2.1 The South Downs Local Plan was adopted in July 2019. The Authority agreed to start work on the Local Plan Review (LPR) in May 2022. It will take full account of other relevant strategies and plans including the Partnership Management Plan (2020-25) and the Statement of Community Involvement (SCI) (updated 2022).
- 2.2 Evidence gathering for the LPR and a park-wide Land Availability Assessment will take place during 2022-23. The Regulation 18 consultation is scheduled for autumn 2023. The aim to present the Pre-Submission version of the LPR to Planning Committee and a full Authority meeting in July 2024. This would be followed by a public consultation in autumn 2024 and then submission for examination. The intention is that the LPR will be adopted by the end of 2025.

### Shoreham Cement Works Area Action Plan

- 2.3 Policy SD56: Shoreham Cement Works of the Local Plan identifies this strategic site as an area of significant opportunity for an exemplar sustainable mixed use development. The policy states that the SDNPA will prepare an Area Action Plan (AAP) for the site. The geographical area covered by the AAP is defined on the Policies Map.
- 2.4 A Regulation 18 Issues & Options consultation on the AAP is scheduled to run for eight weeks starting in quarter 1 of 2022-23. In order to encourage more people to take part in the consultation we have commissioned drone footage of the site and are using digital engagement techniques. Once we have analysed the feedback and commissioned further evidence as necessary we will be running a Regulation 19 Preferred Option consultation in early 2023. The intention is then to submit it for examination, carry out a consultation on the Modifications proposed by the Inspector and adopt by the end of 2023

### Neighbourhood Development Plans

- 2.5 The South Downs Local Plan established the strategic planning policy framework for the preparation of Neighbourhood Development Plans (NDP) in the National Park. As of May 2022 there were a total of 59 areas designated for the purposes of neighbourhood planning and 40 NDPs made part of the development plan.

- 2.6** This LDS does not set out the timetables for individual NDPs and their reviews. Those qualifying bodies that chose to review their NDPs in light of the LPR will need to make good progress in their plan making so that there are no gaps in the development plan for the National Park.

### Minerals & Waste Plans

- 2.7** The SDNPA is responsible for planning for the future management of waste and production of minerals within the South Downs National Park. We are working in partnership with the mineral and waste planning authorities in Hampshire, West Sussex, Brighton & Hove and East Sussex Councils on a number of local plans. To avoid duplication we do not report separately on minerals & waste plans in this LDS. The highlights are set out below.
- 2.8** The SDNPA is working in partnership with East Sussex County Council and Brighton & Hove City Council on the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review. Full details on the LDS can be found on the East Sussex website<sup>3</sup>.
- 2.9** The SDNPA is also working in partnership with Hampshire County Council, Portsmouth City Council, Southampton City Council and the New Forest NPA. A Partial Review of the Hampshire Minerals and Waste Plan is underway. Full details on the LDS can be found on the Hampshire website<sup>4</sup>.
- 2.10** Finally, the SDNPA is working in partnership with West Sussex County Council. No plans are currently being prepared in West Sussex and full details on the LDS can be found on the West Sussex website<sup>5</sup>.

### Supplementary Planning Documents

- 2.11** Supplementary Planning Documents (SPDs) provide more detailed guidance to explain policies and proposals set out in the Local Plan. A number of SPDs have been prepared and adopted since the adoption of the Local Plan. The Design Guide SPD is nearing completion and is named in the LDS. The SDNPA also adopts Village Design Statements as SPDs for those parts of the National Park that they individually cover. Those for Easebourne, West Meon, Clapham and Selborne are nearing completion and feature in the LDS.

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<sup>3</sup> [East Sussex waste and minerals monitoring reports | East Sussex County Council](#)

<sup>4</sup> [Hampshire Minerals and Waste Plan | Hampshire County Council \(hants.gov.uk\)](#)

<sup>5</sup> [Monitoring reports - West Sussex County Council](#)

# APPENDIX I: LOCAL DEVELOPMENT SCHEME

Year	2022												2023												2024												2025																														
Month	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D																							
LPR																I	I											I	I											S	E	E	E	E	E									M	M	A											
SCW AAP		I	I											S	E	E	E																																																		
Design Guide SPD	A																																																																		
Easebourne VDS SPD	I	3			A																																																														
West Meon	I	I			A																																																														

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South Downs National Park Authority: Local Development Scheme  
Seventh Revision, May 2022

Year	2022												2023												2024												2025																															
Month	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D																								
VDS SPD																																																																				
Selborne VDS SPD		I 3	I 3		A																																																															
Clapham VDS		I 3	I 3		A																																																															

Key to Local Development Scheme

	Evidence gathering
I3	Representations on a supplementary planning document
I8	Representations on the preparation of a local plan
I9	Representations on a pre-submission local plan
S	Submission of documents and information to the Secretary of State
E	Independent examination
M	Consultation on proposed modifications
A	Adoption

**Agenda Item 8 Report PC21/22-53 Appendix I**

South Downs National Park Authority: Local Development Scheme  
Seventh Revision, May 2022