

CABINET

DATE	12th March 2025
REPORT OF	Councillor Stewart Swinburn, Portfolio Holder Housing Infrastructure and Transport
RESPONSIBLE OFFICER	Carolina Borgstrom, Director for Economy, Environment and Infrastructure
SUBJECT	Local plan preparation timetable
STATUS	Open
FORWARD PLAN REF NO.	CB 03/25/05

CONTRIBUTIONS TO OUR AIMS

The Local Plan establishes the broad spatial framework for the Borough and informs future new development and investment decisions. It therefore plays a pivotal role in supporting the delivery of the outcome areas and priorities in the current Council Plan.

This report makes recommendations for a new Local Development Scheme (LDS) that incorporates a revised timetable for the main stages of the new local plan’s preparation.

EXECUTIVE SUMMARY

This report seeks approval of a new LDS following the confirmation of changes to the National Planning Policy Framework (NPPF) which were published on 12 December 2024.

Cabinet approved the current LDS on 14 June 2023. The timetable for the preparation of the local plan is a key part of the LDS and it now needs to be updated to reflect new provisions in the NPPF on transitional arrangements for local plan making and account for the implications arising from other planning reforms, including the need for additional evidence to be prepared.

RECOMMENDATIONS

It is recommended that Cabinet:

1. Approves and brings into immediate effect the Local Development Scheme (LDS), set out in Appendix A, and authorises the Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for

Housing Infrastructure and Transport to implement the timetable for the local plan contained within it.

REASONS FOR DECISION

The Council has a statutory duty to maintain an up-to-date local plan and must publish an LDS which sets out the timeframe for undertaking any update to the current plan. In light of reforms to the planning system outlined in the National Planning Policy Framework (NPPF), the Secretary of State for Housing, Communities and Local Government has requested that all local planning authorities produce an updated LDS and submit a copy to MHCLG by no later than 6 March 2025.

A draft LDS will be set to MHCLG ahead of the deadline and it will be made clear that it is subject to ratification at the Council's 12 March Cabinet meeting.

1. BACKGROUND AND ISSUES

- 1.1. Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the Localism Act) requires that local planning authorities prepare an LDS. The LDS is a high-level project plan that sets out the details of the planning policy documents, including the Local Plan that the Council will prepare, along with a timetable for their preparation and adoption.
- 1.2. The revised NPPF was published in December 2024 and makes clear that the planning system should be genuinely plan led, with succinct and up-to-date plans providing a positive vision for the future of the area, a framework for meeting housing needs and addressing other economic, social and environmental priorities. The National Planning Practice Guidance (NPPG) (December 2024) states that local planning authorities must keep communities informed of plan making activity, by publicising and keeping up-to-date their timetable for producing their local plan in an LDS.
- 1.3. The LDS should be published on the authority's website and include clear, realistic and specific dates for consultation upon, and submission of a local plan for examination.
- 1.4. The current North East Lincolnshire Local Plan was adopted on 22 March 2018 and the most recent LDS was brought into effect in June 2023 covering the period 2023-2026.
- 1.5. A series of planning reforms have been introduced since the adoption of the last LDS, which have protracted progress on the Plan and triggered a need to update the 2023 programme of work. In revising the timetable, regard has been given to the transitional arrangements at Annex 1 of the NPPF which makes it clear that plan making authorities have until December 2026 to submit their local plans for examination under the existing legal framework.
- 1.6. Whilst the December 2026 deadline is an extension to the June 2025 date set in the previous version of the NPPF, the new local plan must now address significant changes to the way in which specific development needs are

planned for. The most impactful of these changes result from alterations made to the Standard Method for calculating local housing need and the requirement that this is now the starting point for considering how much new housing should be supported in local plans. For North East Lincolnshire the calculation results in 623 homes a year. This is a sizable increase above the figure of 415 homes a year that the Council promoted in the Draft Plan (published for consultation in early 2024) and which formed the basis of other technical evidence that advanced following the consultation.

- 1.7. The 18-month extension to the end of 2026 therefore gives the Council scope to update and revise key pieces of evidence and provides an opportunity to revisit the Draft Plan and consult on preferred proposals before progressing to the last stage of public engagement (Regulation 19 consultation), which takes place prior to submitting the plan to the Inspectorate for examination.
- 1.8. The revised LDS provides details of the next stages of local plan preparation to allow interested parties to keep track of progress and reflects the requirements of the regulations. The key milestones which form the basis of the timetable for the preparation of the replacement local plan are set out below:

Continuing evidence gathering/policy development	Spring/summer 2025
Draft Plan Regulation 18 consultation	Autumn 2025
Publication Plan Regulation 19 consultation	Summer 2026
Submit the Secretary of State for Examination (Regulation 22)	December 2026
Examination in Public	2027
Adoption	2028

- 1.9. Once brought into effect the LDS will be submitted to the Secretary of State for Housing, Communities and Local Government, published on the Council's website. Progress towards the key milestones for the local plan preparation will be reported through the Authority Monitoring Report (AMR).

Consultation and engagement

- 1.10. The Government sets out the minimum statutory consultation requirements all local planning authorities must follow when preparing and reviewing a local plan. All consultation undertaken as part of the new Local Plan will be carried out in accordance with national guidelines and the Council's adopted 2020 Statement of Community Involvement (and any subsequent update).
- 1.11. A review of the Statement of Community Involvement will be undertaken to ensure that it is still effective. The LDS includes a timetable for this work which

assumes the review will find that substantive changes are not necessary. Should different conclusions be reached and a consultation exercise be required, associated delays will be reported as part of the monitoring process.

2. RISKS, OPPORTUNITIES AND EQUALITY ISSUES

- 2.1. Without an up-to-date LDS the Council is not meeting its legal obligations. During the examination of the local plan an Inspector will assess whether it has been prepared in accordance with all legal and procedural requirements and, therefore, without adoption of a new LDS there is clear risk of failure in this regard.
- 2.2. Government continues to progress its incremental planning reform agenda with the introduction of new legislation, regulations and further revisions to national planning policy (the NPPF, NPPG, and national development management policies). These changes have the potential to directly impact some of the content of the new local plan causing further delays and continued uncertainty in the decision-making process with increases in applications for speculative development likely. Such delays could also risk the Council's submission of the plan by the December 2026 transition deadline.
- 2.3. Whilst officers will seek to ensure that the local plan is progressed in accordance with the latest timetable and minimise any risks of delay, the LDS identifies other external factors that could impact and are beyond the Council's control. This includes:
 - High volume and complex nature of consultation responses received, including unexpected new evidence
 - Failure of key partners and other stakeholders to provide timely advice and information at key stages of the process
 - Availability of Planning Inspectors to conduct the Examination process.
- 2.4. The LDS has no direct equalities implications. The local plan itself will be subject to a comprehensive Equalities Impact Assessment.

3. OTHER OPTIONS CONSIDERED

- 3.1. It is a legal requirement to prepare and keep up-to-date an LDS which sets out a publicly available timetable for the preparation and development of a local plan. This report seeks approval for an updated timetable for the preparation and adoption of the local plan.
- 3.2. No other options are considered based on progressing under the current legislation and recently published NPPF.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1. There are no significant reputation implications for the Council resulting from a decision to bring into effect a new LDS. Providing transparency on the expected

timetable and demonstrating continued commitment to the preparation of a new local plan are reputationally positive.

- 4.2. Collaboration with the Council's communications service will continue with respect to coverage of informal public engagement activities, publication of supporting evidence, and the formal statutory consultation processes that must be followed.

5. FINANCIAL CONSIDERATIONS

A decision to adopt the LDS has no direct financial and resource implications for the Council. However, there are resource and finance costs to preparing the local plan within the timetable set out in the LDS.

6. CHILDREN AND YONG PEOPLE IMPLICATIONS

- 6.1. The local plan includes policies that will affect the scale and location of future development in the Borough. This will therefore have implications on the lives of people living in the area and the opportunities that are available to them.
- 6.2. The LDS sets out the timetable for the preparation of the local plan and identifies when people can get involved in the various stages of that work.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The LDS sets out the timetable for the preparation of the local plan and does not have any direct implications for climate change or environmental matters. However, the local plan will include many policies that have climate and environmental implications.

8. CONSULTATION WITH SCRUTINY

A report will be presented to the Transport, Infrastructure and Strategic Housing Scrutiny panel at their meeting 4 March 2025 and any feedback from that meeting will be reported on at the Cabinet meeting.

9. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from recommendation to approve the LDS.

10. LEGAL IMPLICATIONS

As set out in the body of the report, the Council is required to carry out periodic reviews of the local plan in line with regulatory and policy requirements and maintain an up-to-date local plan. Failure to produce and update this scheme would result in a failure to meet the Council's legal obligations.

11. HUMAN RESOURCES IMPLICATIONS

There are no direct HR implications arising from the contents of this report.

12. WARD IMPLICATIONS

All wards are affected.

13. BACKGROUND PAPERS

- 13.1. Cabinet report of 20 December 2023
(<https://www.nelincs.gov.uk/meetings/cabinet-44/>)
- 13.2. Cabinet report of 14 June 2023 (<https://www.nelincs.gov.uk/meetings/cabinet-39/>)
- 13.3. Cabinet report of 24 August (postponed, rescheduled 8 September)
(<https://www.nelincs.gov.uk/meetings/cabinet-rescheduled-from-24th-august-2/>)
- 13.4. Cabinet report of 8 September 2022
(<https://democracy.nelincs.gov.uk/meetings/cabinet-rescheduled-from-24th-august/>)
- 13.5. Cabinet report of 6 October 2021
(<https://democracy.nelincs.gov.uk/meetings/cabinet-5/>)
- 13.6. Cabinet report of 10 June 2020
(<https://democracy.nelincs.gov.uk/meetings/cabinet-51/>)
- 13.7. Local Development Scheme (<https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/local-development-scheme/>)
- 13.8. Statement of Community Involvement (<https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/statement-of-community-involvement/>)
- 13.9. North East Lincolnshire Local Plan 2013 to 2031, adopted March 2018
(<https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/the-local-plan/>)
- 13.10. North East Lincolnshire Local Plan Review Draft Plan with Options
(<https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/local-plan-review/draft-plan-with-options/>)

14. CONTACT OFFICER(S)

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**COUNCILLOR STEWART SWINBURN – PORTFOLIO HOLDER FOR HOUSING
INFRASTRUCTURE AND TRANSPORT**

North East Lincolnshire Local Development Scheme

February 2025



Working in partnership

Local Development Scheme 2025

Section 1	Introduction	4
Section 2	The current adopted development plan	6
Section 3	Other relevant documents	8
Section 4	Risk assessment	11
Section 5	Preparation timetable	15

Section 1 Introduction

- 1.1** Local planning authorities are required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) to prepare a Local Development Scheme which sets out a Council's commitment to the production of planning policy documents and a timetable for their production. A Local Development Scheme must be made available publicly and kept up to date to ensure communities and interested parties can keep track of progress.

About this Local Development Scheme

- 1.2** The Council commenced a review of the current Local Plan (adopted in March 2018) in 2021 and remains committed to having an up to date local plan in place. This Local Development Scheme supersedes the 2023 version and reflects the transitional arrangements set out in the revised National Planning Policy Framework (December 2024) which requires councils to submit plans for examination by 31 December 2026.
- 1.3** This Local Development Scheme sets out the timetable for the production of new documents that will form the Development Plan for the whole of North East Lincolnshire. It includes a programme of activity for the preparation of the replacement Local Plan to the end of 2027 and progress against the key milestones will be monitored. Should delays be incurred the timetable will be updated and reported in the next iteration of Local Development Scheme.

Section 2 The current adopted development plan

- 2.1** The current adopted development plan is the North East Lincolnshire Local Plan 2013 to 2032 which was adopted in March 2018. (Available to view on the [council's website](#).)

Supplementary Planning Documents

- 2.2** The adopted Local Plan is supported by a number of existing adopted Supplementary Planning Documents (SPD) all of which were subject to public consultation.¹
- 2.3** Current adopted Supplementary Planning Documents are:
- Wind energy - adopted June 2019
 - Stallingborough Interchange employment site - adopted September 2020
- 2.4** Additionally part of the Lincolnshire Wolds falls within the North East Lincolnshire borough boundary, and has a management plan that is adopted by all local councils within the area. It is a material consideration for planning applications and can be viewed on the [Lincolnshire Wolds Area of Outstanding Natural Beauty website](#).

¹ <https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/supplementary-planning-documents/>

Section 3 Other relevant documents

Statement of Community Involvement (SCI)

- 3.1** The first Statement of Community Involvement was adopted in 2006 and was updated in 2013 and again in 2020. The North East Lincolnshire Statement of Community Involvement (2020)² sets out the council's approach to public and key stakeholder participation in all planning matters, including the preparation of the local plan, supplementary planning documents and arrangements for consultations on planning applications. As it is now approaching five years since its adoption, the Council must undertake another review of the document. The programme for this work is included in Section 5 Preparation timetable.

Sustainability Appraisal and Habitats Regulations Assessment (SA and HRA)

- 3.2** The Local Plan documents (including evidence base) will be subject to a Sustainability Appraisal, which will also incorporate the requirements of the EU Directive 2001/42/EC on Strategic Environmental Assessments. The Sustainability Appraisal will help identify and evaluate what effects the document and proposed plans are likely to have on social, economic and environmental conditions of an area, and help to ensure that the plan takes account of sustainable development objectives.
- 3.3** The first part of this work was to prepare a Scoping Report. This set established the scope of the SA work and set out the framework for the remaining stages of the sustainability appraisal work. The Scoping Report was subject to consultation with specific statutory bodies (Environment Agency, Highways England and Historic England).
- 3.4** The UK Conservation (Habitats & etc.) Regulations as amended result in an Appropriate Assessment being required for all plans likely to have a significant effect on a European site. Habitats Regulations Assessments, including Appropriate Assessment as necessary, will be undertaken as part of the Local Plan review.
- 3.5** This work will be carried out at key stages of the Local Plan review and will accompany consultation drafts of the plan for public comment.

North East Lincolnshire Council Plan

- 3.6** The 'Council Plan'³ sets out the Council's priorities and vision for North East Lincolnshire and is updated annually. The local plan is responsible for delivering those of a spatial nature.

² <https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/statement-of-community-involvement/>

³ <https://www.nelincs.gov.uk/your-council/council-plan-vision-and-aims/>

Authority monitoring report

- 3.7** The Council will publish monitoring information on its website on an annual basis relating to the previous monitoring year (running from 1 April to 31 March). This will provide updates on the status of the Local Development Scheme timetable, Local Plan key milestones, any neighbourhood planning and borough-wide statistics on planning topics such as housing, employment, environment and transport.
- 3.8** Further monitoring information is available on the North East Lincolnshire Data Observatory.⁴

Policies map

- 3.9** The Council is required to produce a Policy Map which shows the location of development proposals in all current, adopted development plan documents on an ordnance survey base map. This currently includes five policy maps which accompany the adopted 2018 Local Plan:
- Plan area
 - Urban area inset maps
 - Town centre inset maps
 - Inset maps
 - Minerals

Neighbourhood plans

- 3.10** At the time of publication there are no adopted Neighbourhood plans in the North East Lincolnshire area nor have any Neighbourhood Forums been designated.

⁴ <https://www.nelincsdata.net/>

Section 4 Risk assessment

- 4.1** The timings set out in this Local Development Scheme are indicative and based on assumptions. It may be necessary to make further amendments to the timetable. An assessment of potential risks has been undertaken and details of their impact and likelihood alongside mitigation measures are set out below.

Risk	Likelihood	Impact	Mitigation
Changes to, or new legislation or national planning policy	High	High Additional work required to ensure compliance, including evidence base document updates May result in work carried out having to start again	Keep up to date on emerging national context and respond to changes early Respond to proposed policy shifts highlighting potential local consequences
Evidence base work takes longer than expected	Medium	Medium Slow progress causes slippage in the programme Evidence base challenged or undermined	Recruitment of specialist officers or consultants Staff to undertake additional training
Volume of work greater than anticipated, for example higher level of representations than expected, or significant interest in preparing Neighbourhood Plans	Medium	High Causes slippage in the programme Cost implications	Ensure timetable is realistic with some flexibility built in Monitor progress against the Local Development Scheme Consider additional resources or reprioritise work
Local Plan review programme to ambitious	Medium	Medium Key milestones in programme not met	Ensure Local Development Scheme is realistic Monitor progress against the Local Development Scheme timetable
Failure to recruit and retain qualified, well-motivated staff	High	High Reduced capacity causing slippage in the programme or failure to prepare documents	Take prompt action to fill vacancies with staff with required skills Pay recruitment or retention incentives Consider use of consultancy or agency staff

Risk	Likelihood	Impact	Mitigation
Insufficient budget to finance the project	Medium	Medium Work cannot be progressed Objectives on quality compromised	Budget and costs to be kept under review
Spatial planning team required to do other unforeseen work	High	High Diverts members of the team from the Local Plan review and causes slippage in the programme	Ensure the Local Plan review remains a corporate priority Identify key staff to be 'shielded' from other work Increase the size of the team Involve members of staff from the wider planning team
Failure to secure agreement of full council to Local Plan review	Low	High Delays in decision making Causes slippage in the programme	Build sufficient flexibility into the strategy and timescales The impact of elections cannot be predicted and mitigation is limited Work closely with all elected Members to raise awareness of the Local Plan, and to secure an up to date plan that complies with National Planning Policy Framework
Problems arising from joint working, compliance with the duty to cooperate and Statement of Common Ground	High	High Causes slippage in the programme	Close working with other authorities and council departments to detect issues early in the process
Planning Inspectorate unable to meet the timescale for the examination and/or reporting	Medium	Medium Examination and/or report is delayed Key milestones in programme not met Deadlines under the transition arrangement not met	Maintain regular contact with the Planning Inspectorate to ensure early warning of any problems
Submitted document fails the test of soundness or duty to cooperate at examination	Low	High Document cannot be adopted without additional work	Develop sound technical evidence base. If necessary, go back to an earlier stage, revise the plan and re-submit

Risk	Likelihood	Impact	Mitigation
			Seek advice from Planning Inspectorate and be prepared to make modifications Consider the need for an external health check before document is submitted
Legal challenge	Medium	High Adopted document quashed Additional workload	Ensure procedures, legislation and regulations are complied with throughout the process Close working relationship with council's legal team and external legal support are required

Table 4.1 Risk assessment

Section 5 Preparation timetable

Local Plan timetable

- 5.1** The Council is committed to a review of its current Local Plan. Work on the review commenced in 2021.
- 5.2** Table 5.1 Local Plan review project plan outlines the process, role and content of each element of the review. Table 5.2 Local Plan key stages sets out the timetable for the Local Plan review, identifying key milestones.

Subject and content	<p>North East Lincolnshire Local Plan</p> <p>Matters to be reviewed include:</p> <ol style="list-style-type: none"> 1. future development in the Borough to 2042 2. conformity of adopted policies with national policy 3. the natural environment 4. climate change, flooding and energy 5. design and amenity 6. employment, housing and, town and local centres 7. infrastructure and biodiversity 8. health and wellbeing 9. minerals and waste
Status	Local Plan (Development Plan Document (DPD))
Chain of conformity	To conform with the National Planning Policy Framework
Geographical coverage	Borough-wide
Lead officer	Spatial Planning Manager (Equans)
Management	<ol style="list-style-type: none"> 1. Head of Development Services 2. Assistant Director Regeneration
Political management	<ol style="list-style-type: none"> 1. Local Plan Oversight Board 2. Scrutiny Panels 3. Cabinet resolution for each statutory public consultation 4. Cabinet and Full Council resolution for submission and adoption
External resources	LUC is engaged to provide Sustainability Appraisal and Habitats Regulations advice

Community engagement	Engagement with stakeholders and members of the community takes place in accordance with the requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 ⁵ , as amended, and the council's Statement of Community Involvement ⁶
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Table 5.1 Local Plan review project plan

Key stage	Timing
Local Plan review commenced	An assessment using the Planning Advisory Service (PAS) Toolkit was carried out in 2019 to identify which areas of the adopted Local Plan needed updating, if any. Initial decision to commence a review made in June 2020. However, due to the Governments proposed reforms to national planning policy this work was paused. In October 2021, the council's Cabinet agreed that work on the review should be restarted.
Identifying the scope of the review Complete	A Scoping and Issues Paper was prepared and published for an initial informal stage of public engagement to establish the scope of the local plan review and to identify the issues that need addressing. The engagement period ran from Monday 16 September to Monday 7 November 2022.
Sustainability Appraisal Complete	A Sustainability Appraisal Scoping Report was published for consultation with prescribed statutory bodies. This consultation ran from Friday 6 February to Friday 17 March 2023.
Publication (Regulation 18) Complete Sustainability Appraisal and Habitats Regulation Assessment (Complete)	A Draft Local Plan with Options was published as part of the first formal consultation stage, along with a Sustainability Appraisal and Habitats Regulations Assessment. The consultation period ran for an eight week period from Monday 15 January to Friday 8 March 2024.
Sustainability Appraisal and Habitats Regulations Assessment	Relevant appraisals and assessments will be carried out throughout the Local Plan review process.
Evidence gathering	Spring / summer 2025
Publication (Regulation 18)	Autumn 2025

5 <https://www.legislation.gov.uk/uksi/2012/767/contents/made>

6 <https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/statement-of-community-involvement/>

Key stage	Timing
Publication of a local plan (Regulation 19 and 20)	Summer 2026
Submission of plan for examination (Regulation 22)	December 2026
Examination (Regulation 24)	Commences at the point that the Local Plan is submitted
Main modifications consultation	To be confirmed by the Inspector
Receipt and publication of Inspector's report (Regulation 25)	Spring 2028
Adoption (Regulation 26)	Summer 2028

Table 5.2 Local Plan key stages

Indicative timetable for the Statement of Community Involvement review

- 5.3** As has already been identified the current Statement of Community Involvement (SCI) is now requiring review to ensure it is still effective. The programme for this work is set out below:

Event/ activity	Date
Carry out Planning Advisory Service Toolkit based review	Spring 2025
Identify any minor changes required and update SCI, including discussions with Members	Spring / early summer 2025

Event/ activity	Date
Finalise any minor changes and adopt Statement of Community Involvement	Summer 2025

Table 5.3 Statement of Community Involvement review

- 5.4** If the review finds that more substantive changes are required to the SCI there will be a requirement to carry out a public consultation on these changes. In this case the indicative timetable below will be followed.

Event/activity	Date
Carry out Planning Advisory Service Toolkit based review	Spring 2025
Identify any minor changes required and update SCI, including discussions with Members	Spring / early summer 2025
Consultation on proposed changes	Summer / early autumn 2025
Finalise changes and adopt Statement of Community Involvement	Autumn 2025

Table 5.4 SCI review including consultation

- 5.5** Progress on the SCI review will be reported as part of the monitoring process.

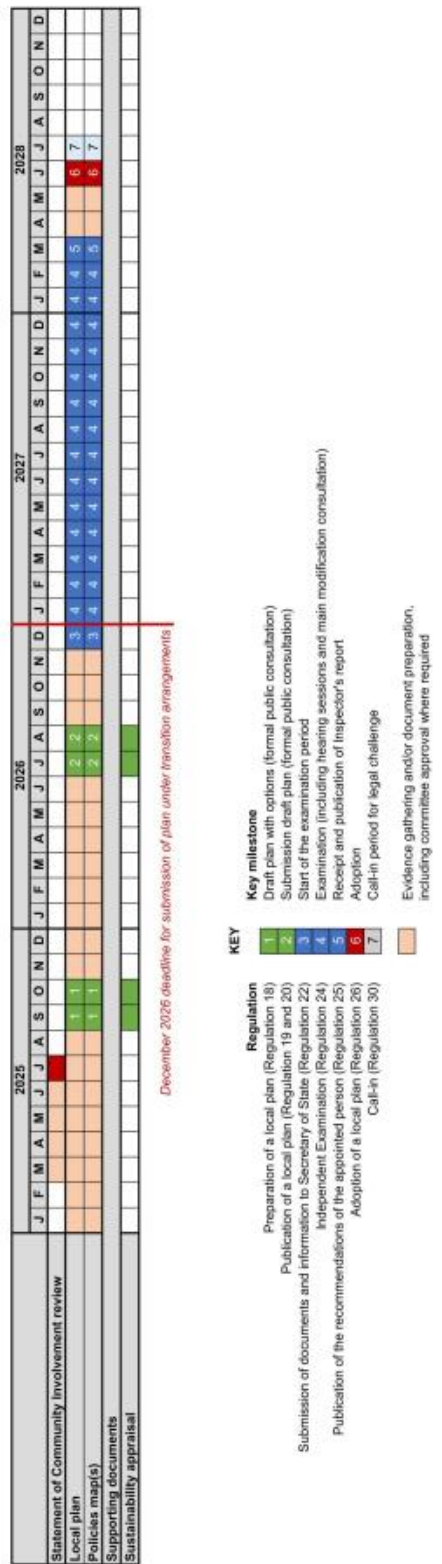


Figure 5.1 Timetable overview

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Municipal Offices
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