

Record of Decisions

Local Development Scheme (Local Plan Timetable)

Decision Taker

Cabinet on 18 February 2025.

Decision

1. that the Ministry of Housing Communities and Local Government (MHCLG) be informed of the timetable for the Local Plan preparation as set out in the submitted report, by 6 March 2025; and
2. that the Local Plan preparation timetable be kept under review and updated as necessary and the Divisional Director of Planning, Housing and Climate Emergency be authorised to make amendments to the Local Development Scheme (LDS) in consultation with the Cabinet Member for Place Development and Economic Growth.

Reason for the Decision

The Ministry of Housing Communities and Local Government had set local planning authorities a deadline of 6 March 2025 to update their timetable for Local Plan preparation.

Implementation

This decision will come into force and may be implemented on 3 March 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

As part of its drive to boost housebuilding and expedite Local Plan preparation, the Government required local planning authorities to update their timetable for Local Plan preparation. The Ministry of Housing Communities and Local Government had set local planning authorities a deadline of 6 March 2025.

No substantive decisions on the content of the Local Plan were needed at this stage. The Local Development Scheme (LDS) merely set out a timetable for plan preparation. LDSs were required by Section 15 of the Planning and Compulsory Act 2004. They set out a timetable for plan preparation and should be kept up to date. LDSs should specify: The documents that will comprise local development documents (i.e. the Local Plan), the geographical area that the local plan would cover, and the timetable for plan preparation/revision.

At the meeting, Councillor Chris Lewis proposed and Councillor Billings seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative option would be to wait for “new style plans” under the Levelling Up and Regeneration Act. These would have to be prepared to a strict 30-month timescale, and the regulations for preparing them had not yet been published. They would inevitably take

several years to bed in and for court judgements to clarify the system. If the Regulations were published in 2025 and appear to offer significant advantages over the 2012 Regulations; the Council could decide to move to the new system.

Sub-Regional spatial development strategies were further off and required primary legislation to put in place. As yet the geography that they would cover, and the administrative arrangements under which they would be prepared was not known. Should the Devon and Torbay Combined County Authority take on responsibilities to prepare Spatial Development Strategies (SDSs), this could be reflected in the Local Plan timetable at a later date. SDSs would be required to meet the sum of Standard Method Local Housing Need within the wider plan area. Therefore, it would still be necessary for Torbay to come to a view about how much of its development needs it was able to meet within the current boundary of Torbay.

There was a legal requirement for local planning authorities to prepare strategic plans, although many had not done so. The Government had indicated that it would use its legal powers to intervene should Councils not make progress with plan preparation. In the short term the Council would be more vulnerable to speculative planning applications, particularly on greenfield sites.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

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21 February 2025

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet