



Local Development Scheme

December 2019

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1. Introduction

- 1.1 The Local Development Scheme (LDS) is the timetable for producing development plan documents (Local Plan, Area Action Plans), Community Infrastructure Levy, Neighbourhood Planning, Supplementary Planning Documents, other policy guidance and the annual monitoring activity/programme associated with them. The Local Development Scheme sets out when documents will be produced, the brief purpose of those documents and when consultation is likely to happen. A LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
- 1.2 Following changes in Legislation in 2011 and 2012 (through the Localism Act 2011 and new Town and Country (Local Plan) (England) Regulations 2012), there is no longer a requirement for local planning authorities to specify the timetables for producing other planning documents such as Supplementary Planning Documents (SPD's), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI) in the LDS. However, the Council is aware that this is useful information that should be publicly available. Consequently, a list of those the Council is proposing to prepare and review is included in the LDS as appropriate.
- 1.3 Further information about the planning policy work programme is also made available on the council's [website](#).
- 1.4 The LDS must specify:
- the local development documents which are to be development plan documents;
 - the subject matter and geographical area to which each development plan document is to relate;
 - which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee; the timetable for the preparation and revision of the development plan documents; and
 - such other matters as are prescribed
- 1.5 This LDS will be reviewed and updated regularly to maintain a flexible and realistic timetable for document production, ensuring that production programmes are aligned with resources. Progress on delivery of the various planning documents will be tracked through the Authority Monitoring Reports (AMR).
- 1.6 The following sections explain the range of documents currently being prepared and are followed by a timeline (in Section 9) showing the preparation process for each document.
- 1.7 The Local Development Scheme (LDS) and Authority Monitoring Report (AMR) will be published on the [Planning Policy](#) section of the council's website.

2. Kirklees Local Plan

- 2.1 The Local Plan was adopted on 27th February 2019 and is now the development plan for Kirklees.
- 2.2 The [Kirklees Local Plan](#) comprises two main documents to be read together:
- Local Plan: Strategy and Policies: This establishes the vision and strategic objectives for the development of Kirklees up to 2031. It includes a spatial strategy setting out how development will be accommodated across the district as well as the policy framework used to assess planning applications.
 - Local Plan: Allocations and Designations (and Policies Map): This sets out the different land allocations and designations. The Policies Map illustrates the geographical application of policies in the Local Plan.
- 2.3 The National Planning Policy Framework (NPPF) states that Local Plans should be reviewed to assess whether they need updating at least once every five years. When a Local Plan review is proposed a further update to the Local Development Scheme will be required.

3. Community Infrastructure Levy (CIL)

- 3.1 To support the implementation of the Local Plan, the Council is progressing work on a Community Infrastructure Levy (CIL). This is a locally set planning charge which can be used to help deliver infrastructure to support development. The relevant charges in different parts of Kirklees will be set out in a charging schedule.

Community Infrastructure Levy – Charging Schedule

Details	Description
Role and content	The CIL Charging Schedule will set out standard charges that the Council will levy on specified types of development to contribute towards the delivery of essential infrastructure across the district.
Geographical Area	District wide
Progress	The CIL Examination Hearing took place on 16th September 2019. Following the hearing, the Examiner (Ms Katie Child) asked the Council to submit further information in relation to viability. This further information was subject to targeted consultation from 22nd October 2019 to 19th November 2019. Following completion of the consultation, the council expect further correspondence from the Examiner and will continue to update the CIL webpage

- 3.2 Section 9 of this document shows the anticipated timeline towards the adoption of the Community Infrastructure Levy. Further information on the Community Infrastructure Levy process can be found on the Council's [website](#)

4. Area Action Plans (AAP)

- 4.1 Once adopted, Area Action Plans become part of the development plan for Kirklees alongside the Local Plan. The purpose of these Area Action Plans is to provide a detailed planning framework for Huddersfield and Dewsbury town centres which can include the allocation of land for different uses including development and open space. They also examine infrastructure requirements, provide more detailed policies to guide future retail growth and assist in the future development and place shaping of the town centres. During the Local Plan Examination in Public the Inspector requested modifications to refer to the production of Area Action Plans for Huddersfield and Dewsbury town centres to complement the Local Plan policies.

Huddersfield Town Centre Area Action Plan (and Huddersfield Blueprint SPD)

Details	Description
Role and content	<p>The council have recently consulted on the Huddersfield Blueprint. The council intend producing a Supplementary Planning Document (SPD) based on this Huddersfield Blueprint which will provide the initial certainty to enable projects to progress (see section 6 of this document for further details of the SPD).</p> <p>This Area Action Plan will build on the outcomes of the Huddersfield Blueprint SPD and will cover a wider range of issues. It will set out a framework for promoting regeneration, place shaping and managing development within and around the edge of Huddersfield to enable it to fulfil its role in providing shopping, leisure, residential and employment opportunities.</p>
Geographical Area	Huddersfield town centre and significant areas of change beyond the town centre boundary
Progress	See timeline in Section 9

Dewsbury Town Centre Area Action Plan

Details	Description
Role and content	<p>A Strategic Development Framework for Dewsbury town centre sets out a vision for the town centre, supported by a delivery programme including projects and actions over the next 5 years.</p> <p>This Area Action Plan will build on the outcomes of the Strategic Development Framework and will cover a wider range of issues. It will set out a framework for promoting regeneration, place shaping and managing development within and around the edge of these town centres so that they fill their role in providing shopping, leisure, residential and employment opportunities.</p>
Geographical Area	Dewsbury town centre and significant areas of change beyond the town centre boundary
Progress	See timeline in Section 9

5. Neighbourhood Development Plans

- 5.1 Since April 2012, local communities have been able to produce Neighbourhood Plans for their local areas, putting in place planning policies for the future development and growth of the neighbourhood. Similar to a local plan, it can contain a vision, aims, planning policies, proposals for improving an area or providing new facilities, or allocation of key sites for specific kinds of development.
- 5.2 The Localism Act 2011 enables local communities through Neighbourhood Forums to commission Neighbourhood Plans to be prepared in conformity with the Local Plans. Adopted Neighbourhood Plans will form part of the Local Plan against which planning applications will be determined. Neighbourhood Plans will take account of existing local policy and will set out neighbourhood level planning policies.
- 5.3 Neighbourhood plans will be assessed by the Council against higher level plans and Environmental Impact Assessment Regulations, before examination by an independent Inspector, followed by a referendum for residents of the neighbourhood area. Once approved at a referendum the Neighbourhood Plan becomes part of the statutory development plan (the same legal status as the Local Plan). This status gives neighbourhood plans more weight in the planning process than other community documents such as parish plans, community plans and village design statements.
- 5.4 At present the proposed Holme Valley Neighbourhood Plan has reached an advanced stage and was subject to public consultation between 15th July and 15th September 2019 and the Neighbourhood Forum are currently reviewing the consultation response. At this stage there are other potential Neighbourhood Plan proposals at various stages including Kirkheaton, Lepton, Mirfield and Newsome. The council will continue to publish updates on the neighbourhood plans on the council [website](#) as timelines become more established.

6. Supplementary Planning Documents (SPD)

- 6.1 These documents provide further guidance and information relating to one or more specific policies or proposals set out in the Local Plan and they will be a material consideration when determining planning applications. As they are not part of the statutory development plan, the LDS is not required to programme the preparation of SPDs. However, their scope and timetable for production have been included to ensure transparency. The council intend to produce a series of SPDs to provide further guidance on Local Plan policies.
- 6.2 A Highway Design Guide Supplementary Planning Document has been recently adopted (4th November 2019). This SPD aims to promote high standards of highway design that reflect nationally recognised best-practice, and facilitate the delivery of high quality residential, employment and mixed-use developments in Kirklees. It can be viewed on the [Kirklees Planning Policy webpage](#).
- 6.3 The previous Local Development Scheme proposed a Design SPD but to reflect the wide ranging aspects of ensuring quality places the council is instead now proposing a series of SPDs to reflect the focus on creating quality places. As such, the Council has the following plans for Supplementary Planning Documents:

Supplementary Planning Document: Open Space

Details	Description
Role and content	This SPD is being produced to ensure consistency and provide clarity when applying the Local Plan policy covering the provision of new open space. This will provide important certainty for internal and external parties.
Geographical Area	District wide
Progress	See timeline in Section 9

Supplementary Planning Document: Residential Design

Details	Description
Role and content	The Residential Design SPD will establish best practice and set out how Local Plan policy requirements can be met whilst achieving the high quality design and layout of residential proposals.
Geographical Area	District wide
Progress	See timeline in Section 9

Supplementary Planning Document: Affordable Housing and Housing Mix

Details	Description
Role and content	Initially, an update to the Interim Affordable Housing Statement (2016) is being prepared to ensure short-term clarity following the adoption of the Local Plan and bring

Details	Description
	<p>together existing evidence relating to affordable housing needs in Kirklees.</p> <p>An Affordable Housing and Housing Mix SPD will then be prepared include the commissioning of revised evidence relating to housing mix within different areas of Kirklees and the ways in which affordable housing needs can be addressed in future.</p>
Geographical Area	District wide
Progress	See timelines in Section 9

Supplementary Planning Document: Hot Food Takeaways

Details	Description
Role and content	This SPD will explore a range of factors to be considered in relation to proposals for new hot food takeaways including residential amenity, encouraging healthy eating and consideration of the vitality of retail centres.
Geographical Area	District wide
Chain of conformity	The Kirklees Local Plan – Strategy and Policies
Progress	See timeline in Section 9

6.4 The council is also producing a Huddersfield Blueprint SPD as referred to in Section 4.

Supplementary Planning Document: Huddersfield Blueprint

Details	Description
Role and content	<p>As set out in section 4, the council have recently consulted on the Huddersfield Blueprint which aims to deliver five key objectives for Huddersfield Town Centre: A vibrant culture, art, leisure and nightlife offer, thriving businesses, a great place to live, improved access and enhanced public spaces. It focused on regenerating six key areas: Station Gateway, St Peter's, Kingsgate and King Street, New Street, the Civic Quarter and a new Cultural Heart in the Queensgate and Piazza area.</p> <p>The council intend to produce a Supplementary Planning Document (SPD) based on this Huddersfield Blueprint which will provide the certainty to enable these initial projects to progress. This will then be followed by an Area Action Plan as set out in Section 4.</p>
Geographical Area	Huddersfield town centre
Progress	See timeline in Section 9

6.5 The requirement for additional Supplementary Documents will be considered as the need arises through the implementation of the Local Plan. In addition the council is reviewing existing SPDs and guidance.

7. Statement of Community Involvement

- 7.1 The latest Statement of Community Involvement (SCI) was adopted by the Council on 22nd September 2015. The council is revising the Statement of Community Involvement to update the content including amended references to the data protection legislation and the council's role in Neighbourhood Planning.

Statement of Community Involvement

Details	Description
Role and content	The purpose of this document is to set out how the council will work with local communities and stakeholders to develop planning policy documents such as the Local Plan, Area Action Plans and Supplementary Planning Documents
Geographical Area	District wide
Progress	Anticipated adoption date: 3 rd December

8. Authority Monitoring Report (AMR)

- 8.1 The Planning Policy Group plays a key role in collecting intelligence for the council. The Authority Monitoring Report (AMR) (previously known as the Annual Monitoring Report) monitors the effectiveness of planning policies including those set out in the Local Plan. The report includes indicators such as progress towards the Local Development Scheme, rates of housing development, housing land supply, employment, open space, retail occupancy and flooding. Following the adoption of the Local Plan there are a range of new indicators so that the effectiveness of the Local Plan policies can be assessed. The Authority Monitoring Report is updated annually and made available on the council [website](#)

10. Additional Planning Policy work and other statutory duties

- 10.1 The Planning Policy Group commissions and prepares a significant number of studies, intelligence and research to underpin planning policy formulation and justify the robustness and credibility of planning policies when making planning decisions. The group also has responsibility for providing planning policy advice to assist Development Management in making decisions on planning applications and the team has a number of other statutory duties, aside from preparing the development plan.

Planning Policy Advice and Guidance

- 10.2 In addition to the Planning Policy Group role providing planning policy advice on planning applications, a series of guidance notes will also be prepared to assist Development Management in the implementation of the Local Plan and ensure clarity for developers about the information required to meet the criteria in Local Plan policies. This is likely to include specific guidance relating to the information the council require from developers showing how their proposals have considered climate change and guidance relating to masterplanning, biodiversity net gain and viability appraisals.

Evidence Base

- 10.3 A key feature of the development plan (Local Plan, Area Action Plans) is that their policies and proposals are soundly based on up-to-date and robust evidence. The evidence base not only provided the justification for the Local Plan, but also enables an assessment of the extent to which policies and proposals are being achieved (as set out in Section 8). Evidence gathered as part of future planning policy work will be made available on the council's [website](#). The Planning Policy Group is also responsible for calculating whether there is an ongoing five years supply of deliverable housing land and providing information to inform the government's Housing Delivery Test as well as responding to other monitoring information requests.

Duty to co-operate

- 10.4 Under the Localism Act 2011 local planning authorities are required to “engage constructively, actively and on an ongoing basis” with neighbouring planning authorities and a prescribed list of bodies when preparing development plan and other local development documents concerning matters of “strategic significance” that is matters affecting two or more local planning authorities.
- 10.5 The Council will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts at the Examination stage of development plan documents.
- 10.6 Progress with regards to the Duty to co-operate on Kirklees council's development plan documents and also with regard to the work being carried out by other duty to co-operate bodes is set out in the Authority Monitoring Report.

Environmental Duties

- 10.7 The council has to comply with various environmental legislation and obligations which can have a bearing on the preparation of planning policies. Key statutory duties exist directly in relation to plan making and include the preparation of documentation under Sustainability Appraisal/Strategic Environmental Assessment and Habitat Regulations.

Statutory Registers

- 10.8 The Planning Policy Group is responsible for preparing, maintaining and updating statutory land use registers. At present the Planning Service holds the Custom and Self-Build Register and the Brownfield Land Register.

11. Resource Management

- 11.1 The Planning Policy Group has the responsibility for the preparation and review of the Local Plan, Area Action Plans, Supplementary Planning Documents and other duties listed in this Local Development Scheme. The team is assisted by staff from other teams in the Economy and Infrastructure Directorate. It is therefore important to recognise that future resourcing decisions could impact delivery of these work areas.

- 11.2 Planning policy documents have direct and indirect impacts on other service areas in the council. Other service areas also hold key information for the planning policy evidence base and have particular expertise which is needed to produce justified and effective policy. The policy group is particularly reliant on resources outside of the team, including colleagues involved in the following work areas:

- Development Management (Planning)
- Highways and Transport
- Flooding / drainage
- Education
- Public Health
- Minerals and Waste
- Housing strategy, growth, commissioning and affordable housing
- Employment/skills
- Regeneration and economic development
- Town centres/retail
- Environmental Health
- Green infrastructure, parks and streetscene services
- Legal
- Business Support
- Energy
- Conservation – historic assets
- Environmental protection, air and water quality and noise