

**Report title:** Local Development Scheme 2025

<b>Meeting</b>	<b>Cabinet</b>
<b>Date</b>	<b>8<sup>th</sup> July 2025</b>
<b>Cabinet Member</b> (if applicable)	<b>Councillor Graham Turner</b>
<b>Key Decision Eligible for Call In</b>	<b>Yes Yes</b>

**Purpose of Report**

The purpose of this report is to seek approval for a revised Local Development Scheme (LDS) as set out at Appendix 1. Subject to adoption, the LDS would replace the current version dated March 2024.

The LDS is a three-year timetable for producing development plan documents including the Local Plan, other policy guidance/advice and the annual authority monitoring report/programme associated with them. The LDS sets out when documents will be produced, the brief purpose of those documents and when consultation is likely to happen. It is a statutory requirement to prepare and maintain an up-to-date LDS.

**Recommendations**

- Cabinet approves the Local Development Scheme July 2025 as outlined at Appendix 1.
- Cabinet delegates authority to Service Director, Skills and Regeneration to publish the approved Local Development Scheme on the council's website.
- Cabinet delegates authority to Service Director, Skills and Regeneration to send a copy of the adopted Local Development Scheme to Ministry of Housing, Communities and Local Government (MHCLG).
- Cabinet delegate authority to the Service Director, Skills and Regeneration to make any necessary minor amendments and corrections to the Local Development Scheme.

**Reasons for Recommendations**

- It is a requirement of Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by Section 111, Localism Act 2011 to prepare and maintain a Local Development Scheme.
- It is a Cabinet function to approve a Local Development Scheme and a Council function to approve the commencement of a development plan document for the purposes of plan making.
- The Government response to the proposed plan-making reforms: a consultation on implementation updated 27<sup>th</sup> February 2025 states that "the government will require planning authorities to revise their timetable at set milestones and regular intervals". Submission of an up-to-date timetable will allow MHCLG to closely monitor progress of plan making to ensure progress towards its aim of universal coverage of up-to-date plans. The publication of an updated Local Development Scheme (LDS provides clarity and transparency of the Local Plan process and demonstrates a commitment to updating the Local Plan. Delegated authority to update the LDS following a Full council decision ensures transparency of decision making processes in line with Cabinet and Council functions.

**Resource Implication:**

Council November 2023 resolved: "That Council approves the funding of the update of the Kirklees Local Plan, estimated at £2m over a five-year period, including utilising funding from the Leeds City Region Business Pool and other funding sources". To date, the main costs incurred on the Local Plan relate to the commissioning of up-to date evidence to justify and evidence the Local Plan update. Further evidence costs for 2025/2026 relate to transport/air quality modelling and infrastructure delivery and whole plan viability. Other costs relate to informal and statutory consultation and to examination costs.

The drafting of the joint West Yorkshire Mass Transit Spatial Development Framework Development Plan Document would be commissioned by the West Yorkshire Combined Authority. Support for this process will be accommodated within existing staff resources and revenue budget within the Planning Policy team where applicable (see Cabinet Item on Mass Transit Spatial Development Framework – Joint Development Plan Document).

**Date signed off by Executive Director & name**

David Shepherd Executive Director for Place Date: **20/06/2025**

**Is it also signed off by the Service Director for Finance?**

Kevin Mulvaney (Service Director – Finance Date:**24/06/2025**)

**Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?**

Samantha Lawton (Service Director Legal/Governance) Date: **24/06/2025**

**Give name and date for Cabinet / Scrutiny reports**

This must be the Executive Director(s) responsible for the report and the topic(s) involved

**Give name and date for Cabinet reports**

Send to this officer on every occasion

**Give name and date for Cabinet reports**

Send to this officer on every occasion

**Electoral wards affected:** All

**Ward councillors consulted:** Cllr Graham Turner Portfolio Holder Briefing 6<sup>th</sup> May 2025.

**Public or private:** Public

**Has GDPR been considered?** Yes. The Local Development Scheme is a timetable to produce planning policy documents and does not contain any personal data.

1. **Executive Summary**

The LDS is a three-year timetable for producing development plan documents including the Local Plan, other policy guidance/advice and the annual monitoring activity/programme associated with them. The LDS sets out when documents will be produced, the brief purpose of those documents and when consultation is likely to happen. It is a requirement of Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by Section 111, Localism Act 2011 to prepare and maintain a Local Development Scheme.

The current Local Development Scheme (LDS) was approved by Cabinet on 12<sup>th</sup> March

2024.

A revised LDS has been prepared for the following reasons:

- To provide an updated timetable to produce the Kirklees Local Plan update.
- To provide a timetable for the preparation of a joint Mass Transit Spatial Development Framework (SDF) to be produced by Kirklees Council, Bradford Council, Calderdale Council, Leeds City Council and Wakefield Council in conjunction with West Yorkshire Combined Authority (subject to council approval on 17<sup>th</sup> September 2025 to commence the project).
- To update the LDS in respect of references to national planning policy and other legislative changes which have impacted on the nature, content or timing of the documents to be produced.

This report is seeking approval of a revised LDS to be made publicly available on the council's website and to be submitted to MHCLG who require an up-to date LDS against which to monitor plan making progress. It is also a requirement to support any bids for MHCLG funding linked to plan progression.

## 2. Information required to take a decision

A revised LDS is outlined at Appendix 1 which reflects the following:

### Local Plan timetable revisions

A revised timetable to produce the Local Plan update:

Plan Stage	Current Timetable	Proposed Revised
Draft Plan	Sept – Nov 2025	December 2026
Publication Plan	Sept – Nov 2026	October 2027
Submission Plan	March 2027	January 2028

The Local Plan process is a complex and lengthy one including preparing and establishing an evidence base, prescribed periods of statutory consultation and notification of examination process, analysis and preparation of responses to consultation representations and consideration of Local Plan changes in the light of the comments received, site assessment and strategy development, policy review and additional statutory requirements to consult on sustainability appraisal scoping and outcomes.

Under the current system, Local Plans are taking an average of 7 years to prepare often with significant amounts of time spent in examination where the Local Plan is assessed by an Independent Inspector appointed by the Planning Inspectorate.

MHCLG has indicated a commitment to universal coverage of up-to-date Local Plans produced at pace. To this end, MHCLG are proposing the following to increase the speed of plan-making:

- Increasing the amount of standardisation through a range of standard templates to allow councils to prepare plans more quickly and ensures consistency between plans.
- The evidence required to support local plan policies may also be standardised in terms of what information is required and how it is produced and presented. However, local planning authorities will still need to demonstrate that policies to address local issues are evidenced and justified.

- Increasing the speed of examinations through less notice and removing the opportunity to pause examinations.
- Introducing a 30-month preparation period for Local Plans.
- Introduction of three gateway tests where the plan will be reviewed by the Planning Inspectorate before proceeding to the next stage.

We are currently expecting the above to be formalised in regulations in December 2025. Consequently, the Local Plan update is progressing under the current plan making system with the aim of transitioning to the new system as soon as this is formalised.

It will be noted that that there is slippage from having a draft plan published for consultation of September – November 2025 (LDS March 2024) to December 2026 in the proposed revised timetable. Reasons for delays in progressing the timetable outlined in the LDS March 2024 include:

- Review and rescope of evidence based on revised National Planning Policy Framework (December 2024) and additional new government guidance such as advice on the role of Green Belt in the Planning system and Grey Belt (27<sup>th</sup> February 2025).
- Internal and external capacity to respond to requests for site assessments and views on policies has impacted on the current timetable.
- National Development Management policies to be produced by government have not yet been published which will impact on the content of the Plan.

To keep the proposed revised timetable on target, it is proposed that the remainder of 2025 is spent on completing the Local Plan evidence base and assessing the suitability of sites submitted through the council's call for sites process to meet defined development needs. Both these elements of work will inform and start the process of shaping draft spatial strategy options and scoping policy requirements. We will review this work in the light of any further national planning policy guidance and in the light of any new requirements outlined in new plan-making regulations. We will then invite the Planning Inspectorate to review our Local Plan scoping as part of the proposed first Gateway subject to the regulations being implemented or if this is not the case, request an advisory meeting. Subject to advice from the Planning Inspectorate, the timetable has been predicated on the basis that agreement of the Plan scope at the Gateway test/advisory meeting will mark the start of the 30-month process commencing January 2026.

### **Joint West Yorkshire Mass Transit Spatial Development Framework Development Plan Document**

There is the potential for a new development plan document (DPD) to be included in the LDS relating to the production of a Joint West Yorkshire Mass Transit Spatial Development Framework. The reasons to produce a Joint West Yorkshire Mass Transit Spatial Development Framework DPD are outlined in a separate report to be presented to Cabinet 8<sup>th</sup> July 2025 and to Full Council on 17<sup>th</sup> September 2025. In summary, the Spatial Development Framework would provide a co-ordinated strategic planning approach for Kirklees Council, Bradford Council, Calderdale Council, Leeds City Council, and Wakefield Council supported by West Yorkshire Combined Authority.

It is a council function to agree to commence preparation of the joint DPD and a Cabinet function to approve the LDS.

## **Updating to reflect legislative and national policy changes/clarification**

Outlined in the LDS revisions at Appendix 1 are changes resulting from changes resulting from changes to legislation or national planning policy. These relate to new text on:

- Local Development Scheme function and role and amends the text on the Local Plan timetable.
- Design – the text on design has been amended to reflect revised national planning policy set out in the National Planning Policy Framework which no longer requires an area-wide approach.
- Supplementary Plans – a government decision on whether Supplementary Plans will be introduced to replace Supplementary Planning Documents has not yet been made. Reference to the text has been deleted until the decision is made.
- Reference Statement of Community Involvement has been updated.
- Additional text has been included to explain custom and self-build and the council's Brownfield Register.

### **3. Implications for the Council**

#### **3.1 Council Plan**

The Kirklees Local Plan will identify development to meet housing requirements and land to support economic growth. This supports the Council Plan priorities of supporting thriving communities and local economic growth. Opportunities for West Yorkshire-wide Mass Transit will further support economic growth and inclusive communities.

#### **3.2 Financial Implications**

##### **Resourcing the LDS**

The production and monitoring of the LDS will be accommodated within existing staff resources.

##### **Resourcing the Local Plan**

Council November 2023 resolved: "That Council approves the funding of the update of the Kirklees Local Plan, estimated at £2m over a five-year period, including utilising funding from the Leeds City Region Business Pool and other funding sources". To date, the main costs incurred on the Local Plan relate to the commissioning of up-to date evidence to justify and evidence the Local Plan update. Further evidence costs for 2025/2026 relate to transport/air quality modelling and infrastructure delivery and whole plan viability. Other costs relate to informal and statutory consultation and to examination costs.

##### **Resourcing the Joint Mass Transit Spatial Development Framework DPD**

The drafting of the joint West Yorkshire Mass Transit Spatial Development Framework Development Plan Document would be commissioned by the West Yorkshire Combined Authority (WYCA). Support for this process will be accommodated within existing staff resources and revenue budget within the Planning Policy team where applicable. Additional support is available via WYCA where required.

#### **3.3 Legal Implications**

It is a requirement of Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by Section 111, Localism Act 2011 to prepare and maintain a Local Development Scheme. MHCLG are seeking to introduce further requirements for the production and

timings of Local Development Schemes to be embedded in regulations (expected by the end of the year).

WYCA currently does not have planning powers to produce the Mass Transit Spatial Development Framework DPD and as such is being proposed as a joint development plan document with West Yorkshire authorities. See Cabinet item on this issue.

### 3.4 **Climate Change and Air Quality**

The Local Development Scheme does not have a direct influence on climate change itself, but the production of the Kirklees Local Plan will seek to include a range of policies that support the council's Climate Action Plan and sustainable development in line with national planning policy.

### 3.5 **Other (e.g. Risk, Integrated Impact Assessment or Human Resources)**

- **Risks**

The risk of not having an up-to-date Local Development Scheme is non-compliance with statutory requirements and potential intervention by MHCLG. Planning Policy documents outlined within the Local Development Scheme have their own risk assessments.

- **Integrated Impact Assessment (IIA)**

An integrated impact assessment was undertaken for the Kirklees Local Plan Review and update: [Integrated Impact Assessments | Kirklees Council](#)

An integrated impact assessment will be undertaken for the Mass Transit Spatial Development Framework: see Cabinet item on this issue.

## 4 **Consultation**

There is no statutory requirement to consult on the LDS. It is, however, a requirement to make it publicly available on the council's website and to submit a copy to MHCLG.

The Finance and Regeneration Portfolio Holder has been briefed on the content of the LDS.

Planning policy documents outlined in the document are subject to non-statutory and statutory requirements. Consultation for Kirklees planning policy documents will be undertaken in accordance with the council's Statement of Community Involvement adopted 12<sup>th</sup> March 2024: [Statement of Community Involvement | Kirklees Council](#)

## 5 **Engagement**

The Kirklees Local Plan timetable has been subject to engagement with Heads of Service through the Local Plan Project Board.

The Finance and Regeneration Portfolio Holder was briefed on 6<sup>th</sup> May 2025.

The council is engaging with West Yorkshire local authorities and West Yorkshire Combined Authorities through duty to co-operate, and project meetings on Mass Transit.

## 6 **Options**

### 6.1 **Options Considered**

Option 1 (**preferred option**) – Cabinet to approve the Local Development Scheme July 2025 as outlined at Appendix 1.

Option 2 – Cabinet to approve the Local Development Scheme July 2025 as outlined at Appendix 1 for adoption and publication on the council’s website omitting any reference to the production of a Joint West Yorkshire Mass Transit Spatial Development Framework DPD which is subject to Council approval to commence the Joint Mass Transit Spatial Development Framework. The Local Development Scheme will be redrafted and presented to Cabinet for approval at a subsequent meeting.

## 6.2 Reasons for recommended Option

Options 1 and 2 – It is a statutory function to prepare and maintain an up-to-date Local Development Scheme. Option 1 and option 2 allows an updated Local Plan timetable to be made publicly available at the earliest opportunity to add transparency and joint working and demonstrates a clear commitment to progressing the Local Plan. Delegated authority to include agreed text on the Joint Mass Transit SDF DPD following a Full Council decision allows for an efficient process to update the LDS following a Council decision.

## 7 Next steps and timelines

- Subject to Cabinet approval of the Local Development Scheme (outlined at Appendix 1), the next step would be for the Service Director, Skills and Finance to publish the Local Development Scheme, with delegation to publish the text on the Joint Mass Transit Spatial Development Framework following a decision by Full Council on 17th September to commence work on this item.  
The LDS July 2025 will supersede the LDS March 2024

## 8 Contact officer

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## 9 Background Papers and History of Decisions

Kirklees Local Development Scheme 12<sup>th</sup> March 2024: [Local Development Scheme \(local Plan Timetable\) | Kirklees Council](#)

## 10 Appendices

Appendix 1: Kirklees Local Development Scheme July 2025

## 11 Service Director responsible

David Wildman Service Director, Skills and Regeneration.