

**REPORT TO:** Executive Board

**DATE:** 25 February 2025

**REPORTING OFFICER:** Executive Director Environment & Regeneration

**PORTFOLIO:** Environment and Urban Renewal

**SUBJECT:** Halton Local Development Scheme (LDS)

**WARD(S)** Borough wide

## **1.0 PURPOSE OF THE REPORT**

1.1 This report seeks approval from the Board to delegate powers to the Director for Planning & Transport in consultation with Portfolio Holders for Environment Urban Renewal and Climate Change and Housing, to give delegation to make editorial changes to the Local Development Scheme work plan prior to submission to MHCLG.

## **2.0 RECOMMENDATION: That the Board**

- 1. note the report;**
- 2. approve the schedule of work within the LDS; and**
- 3. give delegated powers to the Director of Planning and Transport, in consultation with the Portfolio Holder for Environment and Urban Renewal, for final approval before submission on the 6<sup>th</sup> March 2025**

## **3.0 SUPPORTING INFORMATION**

3.1 The Local Plan for Halton currently comprises of the adopted Delivery and Allocations Local Plan (2022) and the Joint Waste Plan (2013). The statutory Local Development Plan is the set of Local Plans (also known as Development Plan Documents (DPDs) that together form the statutory basis for determining whether or not planning permission should be granted.

3.2 In December 2024 the deputy Prime Minister wrote to all Local Planning Authorities requesting an updated Local Development Scheme (LDS) be sent to MHCLG by the 6<sup>th</sup> March 2025<sup>1</sup>. The LDS informs work which is required to maintain a Local Plan, in line with National Policy.

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[https://assets.publishing.service.gov.uk/media/675c1cc0b745d5f7a053eed/Planning\\_update\\_newsletter\\_13\\_December\\_2024.pdf](https://assets.publishing.service.gov.uk/media/675c1cc0b745d5f7a053eed/Planning_update_newsletter_13_December_2024.pdf) accessed January 2025

- 3.3 The National Planning Policy Framework (NPPF)<sup>2</sup> informs planning authorities of Government Policies and procedures which are required to be undertaken in order to remain compliant. The NPPF para 34 and regulation 10a of the Town and Country Planning (Local Planning) (Regs 2012)<sup>3</sup> informs that a 5 year review should be undertaken to maintain a Local Plan and ensure its policies are met.
- 3.4 Halton is due to start work on its partial review of the Delivery and Allocations Local Plan in April 2026, however given the capacity within the team some of the evidence based documents will start to be reviewed earlier, such as the
- Joint Waste Local Plan for Merseyside and Halton.
  - An Infrastructure Delivery Plan (IDP) has been produced alongside the Local Plan to identify essential supporting infrastructure and services, how they will be delivered and by whom.
  - An Authority's Monitoring Report (AMR) setting out progress in terms of producing documents and in implementing policies.
- 3.5 The LDS is a public statement of Halton Borough Council's policy team work program. The process of reviewing Local Plans is a lengthy one, made so by the detailed protocols set out in legislation and regulations.

#### **4.0 POLICY IMPLICATIONS**

- 4.1 Planning applications should normally be determined in accordance with the Development Plan.

*"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* [Section 38(6): Planning and Compulsory Purchase Act 2004]

- 4.2 This is reiterated in the National Planning Policy Framework (NPPF), which states that Plans should be reviewed at least every 5 years, and policies not reviewed within this time may be considered to be out-of-date. It is important therefore that Halton maintains an up-to-date Local Plan and that efforts are concentrated towards the most crucial elements of this.
- 4.3 Given the new NPPF and emerging Planning Policy Guidance (PPG) the Planning Policy team are preparing to review and where necessary update the relevant evidence based documents in line with national policy.

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<sup>2</sup> [National Planning Policy Framework](#) accessed January 2025

<sup>3</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) accessed January 2025

## **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The LDS is a statutory 'process document' and as such has no direct financial implications beyond setting the timetable for the partial review of different planning documents that may incur expenditure on supporting evidence base or statutory assessments.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **6.1 Improving Health, Promoting Wellbeing and Supporting Greater Independence**

The LDS is a statutory 'process document' that sets out the programme for the updating of the Local Plan, which is intended to assist in the delivery of the Local Plan

### **6.2 Building a Strong, Sustainable Local Economy**

The LDS supports the above by providing additional information to develop a strong and sustainable local economy through its policies.

### **6.3 Supporting Children, Young People and Families**

The LDS supports the above by providing additional information to support Children, Young people and Families by its policies and strategies to encourage strong and vibrant communities to grow, learn and live in.

### **6.4 Tackling Inequality and Helping Those Who Are Most In Need**

The LDS supports the above by providing additional information to develop a fair and equitable borough by providing policies that shape our community.

### **6.5 Working Towards a Greener Future**

The LDS supports the above by providing additional information to guide developers and investors in the borough of the aspirations of the borough to reduce its carbon footprint.

### **6.6 Valuing and Appreciating Halton and Our Community**

The LDS contains policies that supports the delivery of affordable homes and the enhancement of the communities in which we will live and work.

## **7.0 Risk Analysis**

- 7.1 An LDS is a statutory document. Not having an up to date LDS puts the Authority at the risk of legal challenge. Stakeholders are entitled to rely upon forward notice of the Local Plans that will be produced and may directly impact on their assets or business.
- 7.2 The LDS is an explicit commitment to the delivery of the Local Plan over a definite period. Not having a specific and relatively fixed work programme for Local Plan delivery means that resources are not prioritised and used

as effectively as they could be.

- 7.3 The risk of not having an up-to-date Local Plan needs to be fully understood. Without a current Local Plan, the development industry has no certainty over where different types of land use will be permitted; appeals against refusal of planning permission are more likely to be upheld in the developer's favour with the possibility of costs awarded against the Council. An up-to-date Local Plan is needed to retain local control over decision making.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

- 8.1 Building stronger communities through community engagement and good planning is a key aspect of the Local Plan. The Council is already committed to equality regardless of age, sex, caring responsibility, race, religion, marital status, maternity issues, gender reassignment, socio economic need, sexuality or disability and these commitments are reflected in the Local Plan as far as is relevant. Planning Policy documents are subjected to Equality Impact Assessments during their production to ensure compliance.

## **9.0 CLIMATE CHANGE IMPLICATIONS**

- 9.1 The LDS provides an opportunity to shape and manage future development and its impact on the Climate by encouraging the use of new and innovative technologies to reduce its carbon footprint.

## **10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Halton Local Development Scheme 2025	Municipal Building, Widnes	Rebecca Taylor
The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)	Municipal Building, Widnes	Rebecca Taylor
National Planning Policy Framework (NPPF 2025)	Municipal Building, Widnes	Rebecca Taylor
National Planning Practice Guidance (PPG)	Municipal Building, Widnes	Rebecca Taylor
Halton Delivery and Allocations Local Plan (DALP 2022)	Municipal Building, Widnes	Rebecca Taylor
Waste Local Plan (2013)	Municipal Building, Widnes	Rebecca Taylor