

**REPORT FROM:** Assistant Director: Planning, Building Control and Regulatory Services

**TO:** Executive

**DATE:** 20 March 2025

**Report Author:** Craig Barnes  
**Tel. No:** 01282 661377  
**E-mail:** [craig.barnes@pendle.gov.uk](mailto:craig.barnes@pendle.gov.uk)

## Local Development Scheme Update

### PURPOSE OF REPORT

To approve the publication of an updated Local Development Scheme (LDS).

### RECOMMENDATIONS

- (1) Members note the content of the report including the need to prepare a new Pendle Local Plan Fifth Edition (LP5) in accordance with the transitional arrangements of the 2024 NPPF.
- (2) That the updated LDS (see Appendix 1) is agreed and published.

### REASONS FOR RECOMMENDATIONS

- (1) To comply with section 15 of the Planning and Compulsory Purchase Act 2004 (as amended)
- (2) To respond to Written Ministerial Statement HCWS308.
- (3) To ensure that plan-making is consistent with the policies of the most up to date version of the National Planning Policy Framework (NPPF)

### ISSUE

- 1 The Council has a statutory duty to prepare, monitor and review its planning policy documents through the publication of a Local Development Scheme (LDS).
- 2 Section 15 of the Planning and Compulsory Purchase Act 2004 requires the Council include within its LDS:
  - Details of its existing planning policy documents, and

- Any new or replacement documents that it intends to produce.
- 3 This update of the LDS sets out a revised timetable for the preparation of emerging Development Plan Documents (DPDs) and future Supplementary Planning Documents (SPDs).
  - 4 The main purpose of the LDS is to provide clarity to the local community on the timescales for the delivery of emerging planning documents and show how and when they can expect to be engaged in their preparation.
  - 5 This update to the LDS is a response to Written Ministerial Statement (WMS) [HCWS308](#) published by the government on 12 December 2024. The WMS requires all local planning authorities in England to publish an update of its LDS within 12-weeks of its publication date—i.e. by 5 March 2025. The WMS and revisions made to the NPPF reflect the government's policy commitment to 'building the homes we need' and the delivery of 1.5 million new homes by the end of this parliament.
  - 6 The Pendle Local Plan Fourth Edition (LP4), which was submitted to the Secretary of State for independent examination on 18 February 2025, sets out the development strategy for the borough for the period 2021-2040. It includes:
    - Strategic planning policies that establish the amount of development needed up to 2040 and guide its distribution across the borough
    - Detailed planning policies to guide decisions on whether to approve or refuse applications for planning permission
    - Site-specific allocations of land for future development.
  - 7 Transitional arrangements set out in Annex 1 of the 2024 NPPF, allow LP4 to be examined against the previous version of the NPPF (December 2023). It is hoped that LP4 will be adopted in December 2025.
  - 8 The transitional arrangements make clear the expectation that where a Local Plan submitted for examination prior to 12 March 2025 meets less than 80% of Local Housing Need (as defined through updates to the Standard Method (SM) calculation in Planning Practice Guidance), the local planning authority must begin work on a new Local Plan, under the new plan-making system set out in the Levelling Up and Regeneration Act 2023 (LURA) as soon as the relevant provisions are brought into force in 2025, in order to address the shortfall in local housing need.
  - 9 The new SM figure for Pendle is 333 dwellings per annum (dpa). The annual housing requirement in LP4 (148 dpa). This is below the 80% threshold in the transitional arrangements. As such the requirement to prepare a new Local Plan will be engaged.
  - 10 The LDS sets out the proposed timescales for the preparation of this new Local Plan (LP5). It establishes that the early stages of plan preparation will commence by late 2025, in accordance with the transitional arrangements. Four stages of formal public consultation are proposed to address the scope of the plan, identifying the key issues and options, consulting on the preferred option and publication of the final draft. The timescales and stages of preparation are subject to change as the Regulations implementing the changes to the plan-making system will not be published until later this year. LP5 would be prepared in accordance with the policies of the December 2024 version of the NPPF, as amended.
  - 11 The full timetable setting out the preparation of emerging DPDs and SPDs can be found in Appendix 1 of the LDS.

## IMPLICATIONS

**Policy:** The LDS contains details of the documents that will form part of the statutory Development Plan for Pendle and influence decision-making.

**Financial:** Costs associated with the preparation of a new Local Plan, including expenditure on new evidence and the consultation process.

**Legal:** As the local planning authority, Pendle Borough Council is required to prepare an LDS under section 15 of the Planning and Compulsory Purchase Act 2004.

**Risk Management:** The Council will not fulfil its statutory duties should it fail to publish an up-to-date LDS. The Secretary of State may intervene should they not be satisfied that sufficient progress is being made in advancing a Local Plan towards adoption.

**Health and Safety:** None arising directly from this report.

**Sustainability:** None arising directly from this report. Sustainability Appraisal is undertaken throughout the plan-making process to test the economic, social and environmental impact of new planning policy.

**Community Safety:** None arising directly from this report.

**Equality and Diversity:** None arising directly from this report. The documents identified in the LDS will be subject to equality impact assessment.

## APPENDICES

Local Development Scheme – Ninth Revision (March 2025)