



# Local Development Scheme (LDS)

March 2024 to March 2027

# Contents

## **1.0 Introduction**

## **2.0 The Cumberland Planning Framework – the Current Position**

Five Year Local Plan Reviews

## **3.0 The Cumberland Local Plan**

Cumberland Local Plan (incorporating the Cumbria Minerals and Waste Local Plan)

The Copeland Local Plan 2021-2038

St. Cuthbert's Garden Village Local Plan

Other supporting documents to be prepared over the next 3 years

## **4.0 Delivery and Implementation**

Resources

Links to Other Strategies and Plans

Joint Working

Risk Assessment

## **5.0 Programme Timetable**

## 1.0 Introduction

- 1.1 All Local Planning Authorities must prepare and publish a Local Development Scheme (LDS) that details the programme for preparing formal 'Development Plan Documents'.
- 1.2 This Local Development Scheme sets out a three year programme for those key planning policy documents that we will prepare to plan for future development of Cumberland and will replace all existing Local Development Schemes from the legacy Councils.
- 1.3 This Local Development Scheme will ensure that our local communities, infrastructure providers, developers and other interested parties know what documents will be coming forward and when they will be able to participate in their preparation. In addition, this Local Development Scheme assesses the roles and responsibilities of those involved in their production; the relationship with Neighbourhood Plans and other documents; and an assessment of risks and contingencies as part of the programme to adoption.
- 1.4 Cumberland Council came into effect on 1<sup>st</sup> April 2023 following the merger of the Borough and City Councils of Allerdale, Carlisle, Copeland and Cumbria County Council; this is our first Local Development Scheme.
- 1.5 This Local Development Scheme combines the existing Local Plan work which continues in relation to the Copeland Local Plan and the St. Cuthbert's Garden Village Local Plan and the work programme for the new Cumberland Local Plan.

## 2.0 The Cumberland Planning Framework – the Current Position

2.1 For the purposes of Section 38 of the Planning and Compulsory Act 2004, Cumberland’s formal development plan comprises a suite of adopted Local Plans. Until replaced, these will continue to apply to their former administrative areas:

- The Allerdale Local Plan (Part 1) adopted in July 2014
- The Allerdale Local Plan (Part 2) adopted in July 2020
- The Carlisle District Local Plan adopted in November 2016
- The Copeland Local Plan 2013-28 Core Strategy and Development Management Policies adopted in December 2013
- The Cumbria Minerals and Waste Local Plan adopted in September 2017.

2.2 The Localism Act 2011 enables local communities to get directly involved in planning for their area. Communities can come together through a parish council to produce a ‘**neighbourhood plan**’. These plans can allocate land for development and set out policies to influence the types and design of development that comes forward within their respective parishes. Cumberland has a number of ‘made’ (or adopted) neighbourhood plans and these also form part of our Development Plan and they will continue to be applied within their respective areas.

2.3 We will continue to support Parish Councils with neighbourhood planning, though we are not directly responsible for their timetabling and preparation. Hence, they will not feature within our Local Development Scheme.

2.4 Whilst not forming a part of Cumberland’s statutory development planning framework, we have adopted a suite of wider planning policy documents that, for the purposes of planning, will similarly continue to apply within the former administrative areas until such time as they are replaced, updated or rescinded. In short, these comprise of:

- **Statement of Community Involvement** details our protocols for engaging with communities for the purposes of preparing local planning documents and in considering planning applications, and how our communities can become involved in influencing those processes.
- **Supplementary Planning Documents** provide further detail to specific Development Plan policies. They are not mandatory and do not override the Development Plan itself.
- **Authority Monitoring Reports** record annual progress made in delivering the respective adopted local planning policies as well as the progress made in preparing the relevant planning documents for that year. Until the new Cumberland Local Plan is adopted, the Council will continue to prepare and publish separate Monitoring Reports for the adopted Local Plans.

- 2.5 Detail on the full suite of key planning policy documents is set out in Cumberland consolidated Planning Policy Framework ([Planning policy \(allerdale.gov.uk\)](https://www.allerdale.gov.uk)).

## **Five Year Local Plan Reviews**

- 2.6 Local Plans that have been adopted for more than five years should be assessed to ensure the policies remain up to date and in broad conformity with the National Planning Policy Framework. Where any updates to the policies have been identified, the Local Development Scheme would then detail the programme to bring forward those formal amendments.
- 2.7 Formal five year post adoption review assessments were completed in early 2023 for the Carlisle District Local Plan and the Cumbria Waste and Minerals Local Plan (the results of which can be found online ([Carlisle District Local Plan 2015-2030](#) and [Minerals and Waste Development Scheme for the Local Plan | Cumberland Council](#))).
- 2.8 In summary, it was concluded that the policies remained broadly in conformity with the National Planning Policy Framework and therefore continue to remain effective. Nevertheless, for decision making purposes the Council will continue to assess planning applications against the relevant local plan policies and give due regard (and weight) to other relevant material planning considerations. In order to avoid any abortive work, the findings of the respective reviews will help to inform preparation of the new Cumberland Local Plan.
- 2.9 The advanced stage of the Copeland Local Plan at Vesting Day meant work has continued to complete and adopt the Copeland Local Plan 2021-2038 to ensure the Copeland area has up to date planning policies during the production of the Cumberland Local Plan.

## 3.0 The Cumberland Local Plan

- 3.1 It is the Council's intention to prepare the new single local plan for Cumberland. Upon adoption, the Cumberland Local Plan will replace the existing suite of adopted development plans and provide the long-term strategy for sustainable growth across the new authority area.

### **Cumberland Local Plan (incorporating the Cumbria Minerals and Waste Local Plan)**

- 3.2 Cumberland Council now has responsibility for Minerals and Waste local planning (previously delivered by Cumbria County Council). It is the Council's intention to include Minerals and Waste policies and site allocations within the Cumberland Local Plan rather than to produce a separate Minerals and Waste Local Plan. It is proposed to work with Westmorland and Furness Council on collation of the evidence base, in particular the Local Aggregate Needs Assessment and the Waste Needs Assessment.

<b>Cumberland Local Plan</b>	
Subject and Scope	Outlines the long term vision and priorities for Cumberland Council. Sets the amount, scale and broad distribution of growth providing a comprehensive and long term planning framework. Sets out the site allocations and development management policies to determine proposals, including Minerals and Waste.
Plan Period	2025-2045
Status	Development Plan Document
Chain of Conformity	National Planning Policy Framework
Geographic Coverage	Cumberland Council area outside the Lake District National Park and St. Cuthbert's Garden Village.
Replaces/Supersedes	The Allerdale Local Plan (Part 1) The Allerdale Local Plan (Part 2) The Carlisle District Local Plan The Copeland Local Plan 2013-28 Core Strategy and Development Management Policies The Copeland Local Plan 2021-2038 The Cumbria Minerals and Waste Local Plan.
Review	N/A
<b>Timetable</b>	
Issues/Scope, Scope, Options and Draft (Regulation 18) and Consultation	March 2025-March 2026
Publication Draft (Regulation 19) and Consultation	March 2027
Submission (Regulation 22)	June 2027
Examination (Regulation 24)	August 2027
Adoption (Regulation 26)	March 2028

## The Copeland Local Plan 2021-2038

- 3.3 The Copeland Local Plan 2021-2038 is a legacy document from the former sovereign Copeland Borough Council. This Plan is now in its final stages of preparation and upon adoption, will fully replace the adopted Copeland Local Plan 2013-28.

<b>The Copeland Local Plan 2021-2038</b>	
Subject and Scope	Outlines the long term vision and priorities for the former Copeland Borough Council. Sets the amount, scale and broad distribution of growth providing a comprehensive and long term planning framework. Sets out the site allocations and development management policies to determine proposals.
Plan Period	2021 – 2038
Status	Development Plan Document
Chain of Conformity	National Planning Policy Framework
Geographic Coverage	Former Copeland Borough Council administrative area outside the lake District National Park
Replaces/Supersedes	Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies
Review	Policies and proposals to be reviewed and incorporated into the new Cumberland Local Plan.
<b>Timetable</b>	
Issues/Scope, Scope, Options and Draft (Regulation 18) and Consultation	Complete: Issues and Options – November 2019 to January 2020 Preferred Options September – November 2020 Focussed Pre-Publication Draft – September – October 2021 (also consultation on an Addendum to the Local Plan in March 2022)
Publication Draft (Regulation 19) and Consultation	Complete: January – March 2022 July – August 2022 for the Addendum Document
Submission (Regulation 22)	September 2022
Examination (Regulation 24)	Hearings January – March 2023 Main Modifications Consultation – February – March 2024 Inspector's report anticipated June 2024
Adoption (Regulation 26)	Anticipated September 2024

## St. Cuthbert's Garden Village Local Plan

- 3.4 The St. Cuthbert's Garden Village Local Plan is a legacy document from Carlisle City Council. Taking its strategic lead from Policy SP3 of the Carlisle District Local Plan, this emerging Local Plan will provide the long term planning framework to deliver some 10,000 homes, employment and

supporting infrastructure to the south of Carlisle over its 30 year build out cycle.

- 3.5 St. Cuthbert's forms part of the national Garden Settlements programme and given its scale and complexity, will continue to be delivered through this specific Local Plan. Once adopted, this Plan will standalone from the Carlisle District Local Plan and replace the relevant policies within the defined planning area; it will also standalone from the Cumberland Local Plan

<b>St. Cuthbert's Garden Village Local Plan</b>	
Subject and Scope	Provides the long term vision for the full build out of St. Cuthbert's in terms of amount, scale and broad distribution of growth. Sets out the site allocations and development management policies to determine proposals for the first phase of delivery.
Plan Period	2020-2050
Status	Development Plan Document
Chain of Conformity	National Planning Policy Framework Carlisle District Local Plan
Geographic Coverage	Land south of Carlisle as defined at Policy SP3 of the Carlisle district Local Plan.
Replaces/Supersedes	The Carlisle District Local Plan for the defined Planning Area.
Review	Policies, proposals and infrastructure requirements to be reviewed by 2030 to provide the framework for the second delivery phase.
<b>Timetable</b>	
Issues/Scope, Scope, Options and Draft (Regulation 18) and Consultation	January 2018 to March 2018 November 2020 – January 2021
Publication Draft (Regulation 19) and Consultation	September 2024
Submission (Regulation 22)	February 2025
Examination (Regulation 24)	May 2025
Adoption (Regulation 26)	February 2026

### **Other supporting documents to be Prepared over the Next 3 Years**

- 3.6 This section outlines the range of supporting documents that will sit alongside the emerging Local Plans detailed above and will begin to lay the foundations for the preparation of the new Cumberland Local Plan.

Policies Maps will geographically express the comprehensive policies and policies maps of the Copeland Local Plan 2021-2038, Cumberland Plan and St. Cuthbert's Garden Village Local Plan.

The Authority Monitoring Report process will continue to be undertaken for the respective adopted Local Plans for Cumberland.



The Cumberland Statement of Community Involvement will be prepared in advance and will apply specifically to the engagement associated with bringing forward the new Cumberland Local Plan including Minerals and Waste.

Supporting Evidence Government policy and guidance emphasises the need for plans to be underpinned by relevant and up to date evidence, which should be adequate and proportionate. The suite of adopted Local Plans are also supported by evidence. A comprehensive body of up to date evidence specifically informs the emerging Copeland Local Plan 2021-38 and St. Cuthbert's Local Plan and this will be kept under review as those Plans advance. However, as the Council moves towards preparation of the new Cumberland Local Plan it is conscious that some of that existing evidence will now be dated and/or may be wholly specific to the former administrative authority boundaries. Over the coming months, we will need to prepare and where necessary commission new evidence to ensure that it remains robust, up to date and relevant to the new Cumberland area.

Strategic Environmental Assessment and Sustainability Appraisal will ensure that the social, economic and environmental effects of policies and allocations are understood, and fully taken into consideration. This is particularly important in the appraisal of reasonable options. Achieving sustainable development is at the heart of the National Planning Policy Framework and planning system in general. Development Plan Documents must also comply with the requirements of the European Community's Habitats Regulations on the conservation of natural habitats and of wild fauna and flora (Directive 92/43/EEC, May 1992). An Appropriate Assessment will be prepared for each Development Plan Document, and along with the Sustainability Appraisal, will be subject to testing at the Examination into the Plans.

## 4.0 Delivery and Implementation

- 4.1 This section explains the context for preparing the Local Plans as set out in the LDS. It also explains how the Council will manage resources and risks associated with plan preparation.

### Resources

- 4.2 In preparing the Development Plan Documents set out within this LDS, the Planning Policy Team will lead in the production of each of the documents. The Council also recognises the need to use consultant expertise to assist in producing various elements of the technical background work.

### Financial Resources

- 4.3 The Council has retained sufficient budgets for the work necessary to prepare these Development Plan Documents and will consider the need for a Planning Reserve within future budget allocations to account for any additional costs, including inflation, necessary to progress Plans through to adoption. The emerging St. Cuthbert's Garden Village Local Plan is also in receipt of separate financial support through Homes England's Garden Settlement Capacity funding.

### Staff Resources

- 4.4 It should be noted that the Planning Policy team is very small for the scale of the work required. There are currently approximately 9.5 FTE planning policy staff, ranging from Planning Policy Officers to Managers, working on the three Local Plans and there is no specialist in-house Minerals and Waste planning policy capacity.
- 4.5 While this is the Council's whole Planning Policy capacity, 4.5 FTE staff are mainly focussed on the St. Cuthbert's Garden Village Local Plan at this critical stage in that Plan's production. The remaining 5 FTE officers' main focus is to start production of the Cumberland Local Plan (while 2 of those are also completing the Copeland Local Plan).
- 4.6 The Planning Policy Team will continue to work with its partners on issues of delivery and implementation. This will include continued discussions with infrastructure delivery partners, developers, and seeking funding support from government bodies (e.g. Homes England).

### Links to Other Strategies and Plans

- 4.7 When preparing the local plans, internal and external plans and strategies with spatial implications will need to be considered. This will ensure the strategic priorities relating to the use and development of land, are integrated into the local planning documents. As a new Council, moving forward, we will

also need to consider a range of new and emerging Cumberland-wide plans and strategies.

## **Joint Working**

- 4.8 The Council has a legal requirement to engage with certain ‘Prescribed Bodies’ under the ‘Duty to Cooperate’ when preparing Local Plans which address strategic, cross-boundary matters. This includes engagement with other neighbouring councils, and other statutory bodies, constructively, actively and on an ongoing basis.

## **Risk Assessment**

- 4.9 Production of the Development Plan Documents requires consideration of the potential risks involved in their preparation. Strong governance arrangements are already in place to deliver the proposed development plan documents (which includes regularly updated project specific risk assessments). In preparing this LDS, it was found that the main areas of risk relate to the following aspects:

Staff turnover, retention and service restructure – as a new Authority and new team, a restructure of the team is anticipated. Service restructures can be positive in resetting the focus of work priorities, but we recognise it can also be unsettling for staff. There may also be unforeseen pressures on staff time relating to other strategic policy workstreams. There is a shortage of qualified experienced town planners in the marketplace (nationally and locally). This is probably the most significant risk at this time due to the very small team and priorities for three Local Plans.

The Council will continue to work flexibly within the teams to ensure that resources are directed to areas where the greatest priorities require them; plan preparation is a priority within the work programme.

Legislative and Regulatory Changes – the LDS timetable may also be subject to change in response to changes in circumstances which are outside of our control, specifically changes in legislation and updates to national government planning policy and guidance. The Levelling Up and Regeneration Act received Royal Assent in October 2023. This includes a number of provisions affecting our plan making obligations including: changes to the form and content of local plans and how they are prepared; the introduction of a national suite of development management policies; the introduction of new ‘Supplementary Plans’; the requirement for all authorities to have design codes for the whole authority area; and removing the duty to cooperate. There will however need to be a range of further consultations and secondary legislation in order before these provisions can fully come into effect (which are expected later in 2024) and Government has introduced transitional arrangements to the new local plan system. This does not affect our LDS for now, though we will closely monitor the position and the LDS will be kept under review and respond as appropriate.

Duty to Cooperate – the Council will engage with other authorities and organisations to ensure it satisfies the Duty to Cooperate and will prepare relevant Statements of Common Ground.

Budget pressures – funding through the national Garden Settlements Programme has been significant in enabling delivery of the St. Cuthbert's Garden Village Local Plan to date. This is subject to an annual bidding round and there is no guarantee that it is continuing long term.

Capacity of the Planning Inspectorate (PINS) – advanced notification of timetables will be provided to the Planning Inspectorate to assist them in ensuring a suitable Inspector is available, and should any Examinations need to be held virtually, that we are able to respond to make provision for this.

Political Decision Making – we must recognise that the political make up and priorities may change over time. We already have in place strong governance arrangements through the cross party Members Advisory Groups and this will continue to ensure that Members can effectively steer and inform the local planning process moving forward.

Soundness of the Plans – we will seek to minimise any risk to the assessment of “soundness” by informing the Planning Inspectorate of the on-going process and working alongside the Council's designated planning solicitor throughout the process.

Legal Challenge – as above, and in addition as each Plan develops we will work closely with its designated planning solicitor to reduce the risk of a successful legal challenge.

Programme Slippage – the timetables set are considered challenging but also achievable. To seek to reduce the risk of slippage, the programme will be regularly monitored, and contingencies explored to keep the timetables on track as far as possible. Though we recognise there will be the potential for slippage caused by factors beyond our control.

