

Kirklees Council
Local Development Scheme
March 2024

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1. Introduction

This document is a Local Development Scheme (LDS) for the purposes of Section 15 of the Planning and Compulsory Purchase Act 2004 and is being processed in accordance with that Act.

The Local Development Scheme (LDS) is the timetable for producing Local Plans, Supplementary Plans, Design Codes, 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.

The Levelling-up and Regeneration Act (LURA) 2023 received Royal Assent on 26 October 2023, and set out there is no longer a requirement for local planning authorities to specify the timetables for producing other planning documents such as Neighbourhood Plans and the Statement of Community Involvement (SCI) in future timetables. However, the council is aware that this is useful information that should be publicly available. Consequently, the timetable for the SCI is outlined within this document.

The update of the Local Plan is the main document outlined in this LDS. The purpose of the Local Plan is to set out a spatial development strategy identifying how much development is required over a plan period, where it will be located and designations for the protection of land. It also contains a suite of planning policies which facilitate the development strategy and against which planning applications for development will be assessed. Local Plans are key to delivering sustainable development that reflects the vision and aspirations of our area. The Local Plan together with other guidance will set a clear vision for the area, together with a strategy for delivering it.

The Local Plan will be prepared in the context of the Council Plan and its Health and Well-being Strategy 2022/2027, Inclusive Economic Strategy, Environmental Sustainability Strategy, and Inclusive Communities Framework. It will also consider how the Local Plan can contribute to the delivery of the council's Climate Action Plan.

The LDS sets out the resources that will be required and an approximate timetable for preparing the Local Plan. The LDS will be kept up to date and will need to be revised at such a time as is considered appropriate should timelines for production of the plan change.

This LDS sets out:

- the matters which the authority's local plan for their area is to deal with;
- the geographical area to which the authority's local plan is to relate;
- any supplementary plans which the authority is to prepare;
- the subject matter and geographical area, site or sites to which each of those supplementary plans is to relate;

- how the authority proposes to comply with the requirement to produce a district wide design code;
- whether the authority’s local plan for their area is to be a joint local plan and, if so, each other local planning authority for whose area the joint local plan is to be their local plan;
- whether the authority are to prepare a joint supplementary plan and, if so, each other local planning authority who are to prepare that joint supplementary plan with them;
- any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee; and
- a timetable for the preparation of the authority’s local plan for their area, and any supplementary plans the authority are to make, which is consistent with this Part and any regulations made under it.

To ensure that the Levelling-up and Regeneration Act (LURA) 2023 becomes effective, this will require further government consultation and secondary legislation. Additionally, an updated National Policy Planning Framework (NPPF) was published in December 2023.

The LDS will be reviewed as the local plan update progresses and in the light of any revised planning legislation, statutory requirements, or national guidance.

The LDS will be published and kept up to date in the Council’s website: [Planning and development | Kirklees Council](#)

2. The Current Development Plan

Legislation¹ states that planning applications must be determined in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise.

The statutory development plan for Kirklees is currently comprised of the Local Plan and, in applicable areas, the Holme Valley Neighbourhood Development Plan.

Kirklees Local Plan

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, including a minerals and waste policy framework.
- Local Plan: Allocations and Designations (and Policies Map): This sets out the different land allocations and designations, including minerals and waste

¹ Levelling-up and Regeneration Act 2023 Part 3, Section 93

allocations and designations. The Policies Map illustrates the geographical application of policies in the Local Plan.

Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan (HVNDP) covers the Holme Valley Parish Council area including the area within the Peak District National Park. The HVNDP comprises the policies document and associated designations. The HVNDP divides the neighbourhood area geographically into eight Landscape Character Areas where different policy considerations apply. The HVNDP designates four sites as Local Green Space and identifies individual buildings and structures to which new policy relating to their value as heritage assets now applies.

3. Kirklees Local Plan Review and Update

The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, states that local planning authorities must review their plans every five years from the date of adoption to assess whether they need updating. Following the adoption of the Local Plan in 2019 the council committed to reviewing the plan within 5 years in line with government guidelines.

The first formal review of the 2019 Local Plan was completed in October 2023, the outcomes of this review can be found: [Agenda for Cabinet on Tuesday 17th October 2023, 3.00 pm | Kirklees Council](#). The decision to begin a full update of the Local Plan was made at Full Council on 15 November 2023: [Decisions 15th-Nov-2023 17.30 Council.pdf \(kirklees.gov.uk\)](#).

4. The Local Plan Update - Timetable

A profile for each LDS document is provided below, setting out the scope of the document and the proposed timetable for its preparation between the current stage and the formal adoption of the documents.

Local Plan Part 1 – Strategy and Policies	
Overview	
Role and content	The Local Plan will establish the vision and strategic objectives for the development of Kirklees up to 2039 and a spatial strategy setting out how development will be accommodated across the district. The Local Plan will set out policies for Minerals and Waste rather than the production of a separate plan.
Geographical Area	District wide
Chain of conformity	National Planning Policy Framework
Local Plan Part 2 – Allocations and Designations (and Proposals Maps)	
Overview	

Role and Content	Part 2 of the Local Plan sets out the different allocations and designations that are included, subdivided into different categories and areas depending on their strategic nature. Part 2 of the Local Plan will set out allocations and designations for Minerals and Waste rather than a separate plan.
Geographical Area	District wide
Chain of conformity	National Planning Policy Framework
Timetable and milestones	Dates
Early Engagement Consultation	August - October 2024
Draft Plan Consultation	September - November 2025
Publication Draft Consultation	September - November 2026
Submission to Secretary of State	March 2027

5. Neighbourhood Development Plans

Since April 2012, local communities have been able to produce Neighbourhood Plans for their local area, outlining 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. Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs.

The Localism Act 2011 enables communities through Qualifying Bodies (Parish or Town Councils or designated Neighbourhood Forums) to produce Neighbourhood Plans to be prepared in conformity with the strategic policies of a Local Plan. Adopted Neighbourhood Plans will form part of the Development Plan against which planning applications will be determined.

Neighbourhood plans will be subject to examination by an independent Examiner. Where the Examiner considers that the neighbourhood plan meets basic conditions set out in legislation, they will recommend that it proceeds to a referendum. At referendum, the residents of the neighbourhood area will vote to decide whether the plan comes into force. 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.

At present there is one made Neighbourhood Plan, the Holme Valley Neighbourhood Plan, and other potential Neighbourhood Plan proposals at various stages including Kirkheaton and Mirfield. The council will continue to publish updates on the neighbourhood plans on the council website.

6. Supplementary Planning Documents (SPDs)

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.

The previous LDS (2019) identified and proposed several SPDs, which have subsequently been adopted. Listed below are our adopted SPDs and an outline of their role, they can all be found on the councils website: [Adopted Supplementary Planning Documents \(SPDs\) | Kirklees Council](#).

SPD (adopted)	Role
Affordable Housing and Housing Mix SPD (2023)	Seeks to ensure the provision of affordable housing in new housing developments and ensure that the housing mix meets local needs.
Hot Food Takeaway SPD (2022)	Provides guidance to businesses and the local community on how the LPA will assess planning applications for new hot food takeaways.
Housebuilders Design Guide SPD (2021)	Guides residential developers to ensure future housing development is high quality, socially inclusive and built to high environmental standards.
House Extensions and Alterations SPD (2021)	Guides householders, developers, agents, and architects in planning and designing extensions or alterations to residential properties.
Open Space SPD (2021)	To ensure consistency and provide clarity when applying the Local Plan policy covering the provision of new open space.
Highways Design Guide SPD (2019)	To promote high standards of highway design, encourage good design in terms of how developments, routes and spaces relate to one another to create streets and public spaces that are safe, accessible, and pleasant to use.

7. Supplementary Plans (SPs)

The Levelling-up and Regeneration Act Section 15CC outlines the replacement of Supplementary Planning Documents with Supplementary Plans. Supplementary Plans differ from SPDs in that they must be submitted to the Secretary of State for independent examination and will have the weight of the development plan. There are certain limits on the allowable scope of supplementary plans (either by subject matter or geography). Supplementary plans address site-specific needs or opportunities which require a new planning framework to be prepared quickly (like a new regeneration opportunity), or to act as a vehicle for setting out authority-wide or other design codes.

The requirement for SPs will be considered as the need arises through the implementation of the Local Plan.

8. Guidance and advice notes

In addition to SPDs the council have a wide range of guidance and advice notes, which can be found on our website: [Guidance and advice notes | Kirklees Council](#):

- Negotiating Financial Contributions for Transport Improvements (Leeds Road, Huddersfield) (2007)
- Climate Change Guidance for Planning Applications
- Dewsbury Repairs Leaflet
- Dewsbury Design Guide
- Dewsbury Conservation Area Guidance (May 2020)
- Public Art Policy
- Going Smokefree - A Planning Advice Note on Smoking Shelters and Other Features
- Guidance on Noise, Odour and Air Quality Control for Residential Development in Town centres
- Rapid Health Impact Assessment (HIA) for spatial planning
- Planning application supporting information and guidance - Trees
- Waste Management Design Guide for New Developments
- Large New Stores
- Mirfield Design Statement 2002
- Wind Energy
- Biodiversity Net Gain Technical Advice Note (2021)

9. Statement of Community Involvement (SCI)

The latest version of the Statement of Community Involvement (SCI) was adopted by the Council on 3 December 2019. The council is revising the SCI to update the content including promoting digital communications, progressing to a more digital way in which we engage with people during the plan preparation process, whilst still providing options for those who have limited online access and/or ability. The council's Inclusive Community Framework provides guidance on how we can engage efficiently to service the needs of the Kirklees community.

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 and Supplementary Planning Documents.
Geographical Area	District wide
Progress	Anticipated adoption date: March 2024

10. Authority Monitoring Report (AMR)

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 LDS, rates of housing development, housing land supply, employment, open space, retail occupancy and flooding. The AMR is updated annually and made available on the council website: [Authority monitoring reports | Kirklees Council](#).

11. Infrastructure Funding Statement (IFS)

In accordance with the Community Infrastructure Levy Regulations (CIL) (Regulation 121A), any authority that receives a contribution from development through the Community Infrastructure Levy or Section 106 planning obligations must prepare an annual Infrastructure Funding Statement (IFS). The IFS provides a summary of financial contributions the Council has secured through Section 106 agreements from new developments for off-site infrastructure works and affordable housing. The information included in the IFS is updated annually and made available on the council website: [Infrastructure Funding Statements \(IFS\) | Kirklees Council](#).

12. Design Codes

Under Levelling-up and Regeneration Act (LURA) 2023 (Schedule 7 Section 15F(1)) a local planning authority must ensure that, for every part of their area, the development plan includes requirements with respect to design that relate to development, or development of a particular description, which the authority consider should be met for planning permission for the development to be granted.

13. Additional Policy Work

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

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 be specific guidance relating to the information the council require from developer showing how their proposals have considered climate change and guidance relating to master-planning, biodiversity net gain and viability appraisals. Some of this guidance may be produced jointly with other West Yorkshire planning authorities.

Evidence Base

A key feature of the development plan is that their policies and proposals are soundly based on up-to-date and robust evidence. The evidence base not only provides the justification for the Local Plan, but also enables an assessment of the extent to which policies and proposals are being achieved. 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-year 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

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 (which will be set out in the SCI) when preparing development plan and other local development documents concerning matters of “strategic significance” that is matters affecting two or more local planning authorities.

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.

Progress with regards to the Duty to co-operate on the council's development plan documents and also with regard to the work being carried out by other duty to co-operate bodies is set out in the Authority Monitoring Report.

Environmental Duties

The council must 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. These requirements will be replaced by Environmental Outcome Reports subject to forthcoming legislation.

Statutory Registers

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. These can be viewed on the council's website: [Planning and development | Kirklees Council](#)

14. Resource Management

The Planning Policy Group has the responsibility for the preparation and review of Local Plan, Supplementary Planning Documents and other duties listed in this LDS.

The team is assisted by staff from other teams in the Growth and Regeneration Directorate. It is, therefore, important to recognise that future resourcing decisions could impact delivery of these work areas.

Planning policy documents have direct and indirect impacts on other service area 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
- Flood Management and Drainage
- Education
- Public Health
- Minerals and Waste
- Housing Strategy, growth, commissioning, and affordable housing
- Employment and Skills
- Regeneration and economic development
- Town centres / Retail
- Environmental Health
- Green infrastructure, parks and street scene services
- Legal
- Business Support
- Energy
- Conservation and Design - historic assets
- Environmental protection, air and water quality, odour, contaminated land, and noise

15. Monitoring and Review

The 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. Updates will be published on the council's website and progress on delivery of plans will be tracked through the AMR. To check for the latest update to the LDS at any time and key updates to specific stages in the preparation of the Local Plan visit the council's website: [Kirklees Development Plan | Kirklees Council](#).

The government has announced a series of planning reforms, which will aim to make the process of plan making shorter and faster. Once these changes come in to force the LDS will be updated and published.

16. Local Plan Update Timetable

	2023				2024								2025								2026								2027													
	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F
Statement of Community Involvement																																										
SCI	P	P	C	C	C	AP	A																																			
Local Plan Documents																																										
Local Plan Part 1- Strategy and Policies (Inc. Minerals & Waste)				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Local Plan Part 2- Allocations and Designations (Inc. Minerals & Waste)				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Other Planning Policy Documents																																										
Authority Monitoring Reports (AMR)	Ongoing monitoring of Local Plan and other indicators																																									
Infrastructure Funding Statement (IFS)	Ongoing the information included in the IFS is updated annually																																									
Sustainability Appraisal (Inc. SEA)	Ongoing throughout the plan making process/across financial years																																									
District Wide Design Code	Ongoing throughout the plan making process/across financial years																																									
Neighbourhood Plans	Ongoing across financial years – latest progress available on the council Neighbourhood Planning Website																																									
Supplementary Planning Documents (SPDs)/ Supplementary Plans (SP)	Ongoing across financial years – latest progress available on the council Adopted Supplementary Planning Documents Website																																									

P	Plan Preparation / Early engagement	PC	Publication Consultation (6-week period)	I	Inspectors Report
C	Consultation (6-week period)	S	Submission to Secretary of State	AP	Adoption Process
R	Responding to the consultation	E	Examination in Public	A	Adoption / Approval