

Cheltenham Borough Council

Cabinet – 14 July 2026

Review of Local Development Scheme and Amendment to Statement of Community Involvement

Accountable member:

Cabinet Member Planning and Building Control, Councillor Paul Baker

Accountable officer:

Director Planning and Building Control, Tracey Birkinshaw

Ward(s) affected:

All

Key Decision: Yes

Executive summary:

This report covers two elements of governance supporting the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan.

1. Local Development Scheme

The Cheltenham Borough Local Development Scheme (LDS) outlines the timetable for preparing statutory development plan documents in the Borough. It is a statutory requirement under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The latest LDS was approved November 2025. An update is required to respond to the active programme management of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan and the challenges relating to resources and completion of the evidence base.

2. Statement of Community Involvement

Cabinet adopted the latest version of the Statement of Community Involvement (SCI) November 2025. However, since this time on 25 March 2026 the Government has

brought into effect the new plan-making system, subject to transitional provisions (which included making changes in respect of Supplementary Planning Documents) through plan making reforms being exercised through the Levelling-up and Regeneration Act 2023. As from 30 June 2026, no more new Supplementary Planning Documents may be adopted, as such this element of the SCI needs to be updated, together with minor amendments to aid clarification to reflect the stage of preparation of SLP.

Recommendations: That Cabinet:

Local Development Scheme

- 1. adopts the updated Local Development Scheme (Appendix 3);**
- 2. delegates authority to the Director of Planning & Building Control, in consultation with the Cabinet Member Planning & Building Control to prepare the Local Development Scheme for publication correcting any minor errors such as spelling, grammar, typographical and formatting changes that do not affect its substantive content, and**
- 3. delegate any further changes to the Local Development Scheme in respect of the timetabling of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan arising from the timing of the completion of evidence studies and/or arising from the direct engagement with Ministry of Housing, Communities and Local Government by the Leaders of Cheltenham, Gloucester and Tewkesbury to the Director of Planning in consultation with the Cabinet Member for Planning & Building Control.**

Statement of Community Involvement

- 1. approves the amendments to the adopted Statement of Community Involvement (Appendix 4), and**
 - 2. delegates authority to the Director of Planning and Building Control, in consultation with the Cabinet Member Planning & Building Control to amend the adopted Statement of Community of Involvement for publication correcting any minor errors such as spelling, grammar, typographical and formatting changes that do not affect its substantive content.**
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1. Implications

1.1 Financial, Property and Asset implications

There are currently no additional budget implications from expediting the timeline for the production of the SLP. The partner councils each make an annual contribution for the costs of the work on the SLP. The work concerned was included in the contributions for the term of the current SLP. Future contributions will be agreed as part of the review of the future of the SLP when the current agreement concludes.

Signed off by: Ela Jankowska, Finance Business Partner,
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1.2 Legal implications

The Levelling-up and Regeneration Act 2023 (amending provisions of the Planning and Compulsory Purchase Act 2004) and associated regulations have brought into effect a new plan making system as from 25 March 2026, subject to a number of transitional provisions.

These transitional provisions, as well as removing the ability of local planning authorities to adopt further Supplementary Planning Documents after 30 June 2026, include the saving of various provisions of the Planning and Compulsory Purchase Act 2004 as applied before that date and previous regulations including the Town and Country Planning (Local Planning) (England) Regulations 2012 (the legacy system) in respect of any development plan documents that a local planning authority is preparing for examination. This is provided that the document is submitted for examination no later than 31 December 2026.

The provisions provide that the Secretary of State may direct, for a development plan document as specified in that direction, a date which is later than 31 December 2026, but no such direction has been made to date in respect of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan.

Therefore, in order to progress with the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan, not only will this need to be such that it is submitted for examination, unless and until a direction provides otherwise, by 31 December 2026; it will also need to accord with provisions of the legacy system.

Under the legacy system, the preparation and maintaining of a Local Development Scheme is required and this must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area (being under the legacy system Development Plan Documents), the subject matter and geographical area to which each document is to relate, which if any are to be prepared jointly with one or more other local planning authorities and the timetable for the preparation and revision of those documents. Under the legacy system the Local Plan, together with

Neighbourhood Plans as well as any Mineral and Waste Local Plans, make the Development Plan for the Council.

Section 28 of the Planning and Compulsory Purchase Act 2004 provides that where a Development Plan Document is prepared jointly by two or more local planning authorities any step which may be or is required to be taken in relation to the document (including adoption) must be done by each of the authorities.

Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that in the preparation of a local plan the local planning authority must notify certain bodies and persons of the subject of a local plan and invite them to make representations to the local planning authority about what a local plan with the subject ought to contain (and then must take any representations made to such invitations into account when preparing the plan). Persons at this stage include such residents or other persons carrying on business in the local planning authority's areas from which the local planning authority consider it appropriate to invite representations and it is for the local planning authority therefore to consider the appropriate persons and methods for consultation at this stage; and such consultation may take a more focused form.

Under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 there are requirements for publication of proposed submission documents and a formal representations procedure (which must be for a period of not less than 6 weeks) to take place before the local plan is submitted to the Secretary of State for examination. The local planning authority will still need to ensure that reasonable alternatives have been adequately considered through plan-making.

Where a development plan document has been adopted (whether before or after 25 March 2026) it will have effect as part of the development plan for the authority's area until a Local Plan for the authority's area is adopted under the new planning making system (with the progression of a Local Plan under the new planning making system to have started at least within 4 years and 8 months from the date the development plan document has been adopted.)

Section 18 of the Planning and Compulsory Purchase Act 2004 requires all local planning authorities to adopt a Statement of Community Involvement being a statement of the authority's policy as to the involvement in the exercise of its functions in respect its review of matters expected to affect development of their area, the preparation and revision of local document developments (under the legacy system) and various aspects of development control.

It also have to take into account section 6 of the Neighbourhood Planning Act 2017, which states that a "statement of community involvement must set out the local planning authority's policies for giving advice and assistance" in relation to

Neighbourhood Planning.

Signed off by: One Legal, legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

None arising from this report. However, the Government requires the plan making process to address the impacts of climate change and plan for sustainable development.

To note, a Climate Change impact assessment has not been completed for this decision as the decision relates wholly to the governance elements of the council's statutory development plan. However, the outputs driven by the decision will be subject to assessment.

Signed off by: [Maizy McCann, Climate Officer, Maizy.McCann@cheltenham.gov.uk

1.4 Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities:

- Securing our future
- Quality homes, safe and strong communities
- Reducing carbon, achieving council net zero, creating biodiversity
- Reducing inequalities, supporting better outcomes

1.5 Equality, Diversity and Inclusion Implications

See *Appendix 2*.

1.6 Performance management – monitoring and review

Managing the programme and risks associated with development plan preparation is active and managed by the SLP programme. Programme management is active and reported to the Senior Responsible Owner and managed through agreed programme arrangements. Strategic risks related to the programme are reported regularly via Leadership Team and quarterly to Cabinet and Audit Committee.

2 Background

2.1 The purpose of this report is twofold:

1. To seek adoption of the updated Local Development Scheme (LDS) 2026-2029, which outlines the timetable for preparing statutory Development Plan Documents for Cheltenham Borough Council, and

2. Make amendments to the Statement of Community Involvement (SCI), as adopted by Cabinet on 18th November 2025 to reflect changes made by Government arising from planning reforms in the context of the Levelling-up and Regeneration Act 2023.

3 Local Development Scheme

3.1 Local Planning Authorities are required by law to prepare, publish, and maintain a Local Development Scheme (LDS) setting out the timetable for preparing statutory Development Plan Documents (DPD), which form the Local Plan.

3.2 The Council's current LDS was adopted in 2025 and at this time a commitment was made to prepare a Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (SLP) for Submission to the Secretary of State for examination in November 2026.

3.3 Significant progress has been made in the preparation of the SLP. This includes:

- Community and stakeholder consultation and engagement;
- Ongoing 'call for sites', inviting the submission of sites for the councils to assess as potential development opportunities;
- Completion of in-house evidence relating to:
 - Housing monitoring and employment monitoring,
 - Assessment of site opportunities through the Housing and Economic Land Availability Assessment.
 - Preparation of 'urban capacity studies' to ensure all possible development opportunities are identified within the built-up areas of Cheltenham, Gloucester and Tewkesbury,
 - Analysis of density to ensure that the best use of potential sites, reflective of local character.
 - Infrastructure Delivery Plan baseline, identifying infrastructure projects necessary to support existing levels of growth in the area.
- Ongoing engagement with neighbouring district councils, Gloucestershire County Council and other bodies around strategic 'cross-boundary' planning matters;
- Progression of a large number of evidence studies, that are now complete, close to completion or underway, including;

- Sustainable Transport Strategy
- Renewable Energy Study
- Housing and Economic Needs Assessment
- Green Belt Review
- Strategic Flood Risk Assessment and Water Cycle Study
- City/Town Centre Study
- Gypsy and Traveller Accommodation Assessment
- Employment Land Assessment
- Landscape Assessment
- Viability Assessment
- Infrastructure Delivery Plan (SLP development)
- Sustainability Appraisal
- Habitats Regulations Assessment

3.4 However, like many councils, the SLP authorities are experiencing a range of difficulties in meeting the current timetable. These primarily relate to:

- The market for professional planners and other specialists is incredibly difficult, with significant demand from councils, consultancies and the Planning Inspectorate, all competing for a limited number of people. This has made recruitment, and retention of staff, difficult, and impacted capacity within the SLP team.
- Delivery of evidence studies necessary to support the plan. Local plans must be underpinned by robust evidence, supporting the strategy, site allocations and policies. At present, difficulties are being experienced with several studies, in light of their technical nature, and interrelationship with other studies.

3.5 In light of this, the SLP Joint Advisory Group has discussed and agreed that a small extension to the programme is appropriate, with council approvals moved from July to October 2026. This will allow time for the completion of evidence studies and consideration as part of the plan-making process, whilst still allowing Submission to the Secretary of State by the Government's deadline of 31 December 2026.

3.6 The proposed timetable is as follows:

Evidence gathering, plan-preparation and community and stakeholder engagement (Regulation 18)	February 2025 – September 2026
Council approvals for the Pre-Submission SLP (Regulation 19)	October 2026
Consultation on Pre-Submission Strategic and Local Plan (Regulation 19)	End of October/Early November – December 2026
Submission to the Secretary of State (Regulation 22)	December 2026

3.7 Following Submission, the Planning Inspector will take control of the examination process from start to finish and importantly will determine the timetable for examination hearings and other matters.

3.8 In addition to the above, the opportunity has been taken to amend the LDS to clarify the way the SLP is being delivered. The previous LDS noted that policies relating to Cheltenham Borough would be prepared by Cheltenham Borough Council officers. However, in light of resourcing needs, and specialisms within the SLP team, these policies will be prepared and supported by Cheltenham Borough Council officers, as well as wider SLP officers. This wording has therefore been deleted.

3.9 Notwithstanding the above, it should be noted that the Leaders of the SLP authorities are in direct communication with the Ministry of Housing, Communities and Local Government to seek agreement on a degree of flexibility in relation to the submission date. The purpose of this is to help manage the risk around ensuring all elements of the evidence base are completed and reflected in the Pre submission SLP (Regulation 19). Accordingly, this report seeks appropriate delegated authority to amend the LDS, should any further changes be required.

4 Statement of Community Involvement

4.1 Further changes to the Council's Statement of Community Involvement (SCI) are required to ensure it remains consistent with the Government's planning reforms introduced through the Levelling-up and Regeneration Act 2023 and associated regulations.

4.2 The amendments made to the Planning and Compulsory Purchase Act 2004 (2004 Act), by the Levelling-up and Regeneration Act 2023 represents a significant overhaul of the planning system in England, with the objective of making plan-making faster, clearer and more accessible, while strengthening community engagement and supporting housing delivery.

4.3 Within these amendments, the Government has removed the ability for local planning authorities to prepare and adopt Supplementary Planning Documents (SPDs) subsequent to 30 June 2026. These are effectively replaced within the new plan making system by the ability to prepare “supplementary plans”, which (unlike SPDs) will form part of the statutory development plan, be subject to formal consultation and independent examination, and generally be restricted to site-specific matters or design coding.

4.4 This represents a fundamental shift from the previous approach, where SPDs, which are not part of the development plan itself and are not subject to independent examination, provide guidance in respect of policies within the development plan, supported by bespoke consultation arrangements set out within regulations and in the SCI. Under the new framework, policy and guidance will instead be consolidated within the statutory development plan and nationally set policies, alongside new requirements such as locally prepared design codes.

4.5 In addition, wider reforms within the Levelling-up and Regeneration Act 2023, such as a streamlined local plan process, the removal of the duty to cooperate, and a stronger emphasis on clear and accessible plan-making, further reinforce the move toward a more standardised and plan-led system.

4.6 As a result, the SCI must be updated to:

- remove references to SPD preparation and consultation;
- clearly set out how communities and stakeholders will continue to be engaged through development plan documents (as progressed under the pre-existing plan making regime within the PCPA 2004 (legacy system), neighbourhood planning, and development management processes.

4.7 Amending the SCI will ensure that the Council’s approach to community engagement remains legally compliant, transparent and effective within the reformed planning system and the transitional provisions, and continues to provide clarity to residents, businesses and stakeholders on how they can participate in planning decisions.

4.8 In terms of SPDs we already have approved, these will not be immediately revoked and will remain in place until such time as the development plan document to which the supplementary planning document relates (that is the development plan document which contains the policy the subject of the SPD) no longer has effect.

4.9 The Cheltenham SCI as updated aligns with the refresh of SCI’s undertaken by Gloucester City and Tewkesbury Borough.

5 Reasons for recommendations

5.1 The Council has a statutory responsibility to ensure its governance arrangements in respect of plan making is up to date.

6 Alternative options considered

6.1 In respect of the SCI there is no alternative. Ensuring the SCI is up to date is best practice and provides clarity for any stakeholder wishing to engage in the plan-making and planning decision making processes.

6.2 The LDS timetable set out above is the only option available that would allow for the Submission of the SLP to the Secretary of State by the Government's deadline of 31 December 2026, for the Plan to be examined under the current regime. The only other alternative would be to prepare a new Plan under the new regime created by the Levelling-up and Regeneration Act 2023.

6.3 As noted above, the Leaders of the SLP councils are in direct engagement with the Ministry of Housing, Communities and Local Government.

7 Consultation and feedback

7.1 The LDS functions as a maintained timetable of the Authority's commitment to produce Development Plan Documents. Whilst there is no statutory requirement to consult on the LDS itself, any Development Plan Documents described within it are subject to various consultation requirements.

7.2 There is no statutory requirement for consultation on the SCI. As outlined in this report the SCI was only reviewed November 2025 and adopted by Cabinet. Changes are only being made now due to changes made by Government as part of the wider planning reforms.

8 Key risks

8.1 See *Appendix 1*.

Report author:

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Appendices:

1. Risk Assessment
2. Equality Impact Assessment – Screening
3. Updated Cheltenham Local Development Scheme
4. Updated Statement of Community Involvement

Background information:

[Cheltenham Corporate Plan \(2023-2027\)](#)

[Planning and Compulsory Purchase Act \(as amended\)](#)

[Levelling Up and Regeneration Act \(2023\)](#)

[Government Guidance on Plan Making](#)

[National Planning Policy Framework](#)

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	If the Council does not have an up-to-date Local Development Scheme then it will not be performing part of its statutory duty	Director of Planning and Building Control	3	1	3	Avoid the risk	Close	This risk will be mitigated by the Cabinet decision.	14 July 2026
2	If the Council does not have an up-to-date Statement of Community Involvement, then it will not be performing part of its statutory duty	Director of Planning and Building Control	3	1	3	Avoid the risk	Close	This risk will be mitigated by the Cabinet decision.	14 July 2026

Appendix 2: Equality Impact Assessment (Screening)

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Tracey Birkinshaw	Service Area: Planning
Title: Director Planning & Building Control	Date of assessment: 15 June 2026
Signature: Tracey Birkinshaw	

b. Is this a policy, function, strategy, service change or project?

Policy

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Cheltenham Local Development Scheme

Cheltenham statement of Community Involvement

Is this new or existing?

**Already exists
and is being
reviewed**

Please specify reason for change or development of policy, function, strategy, service change or project

Local Development Scheme needs to be updated to reflect the current programme of the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan.

The Cheltenham Statement of Community Involvement needs to be updated to reflect planning reforms implemented by Government.

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

To ensure documents are up to date.

As above.

Objectives:	
Outcomes:	To deliver transparency and clarity for all stakeholders.
Benefits:	As above.

e. What are the expected impacts?	
Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.	Yes
Do you expect the impacts to be positive or negative?	No impact expected
Please provide an explanation for your answer:	
The Council already has a Local development Scheme and Statement of Community Involvement in place.	

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate	
Stage Two required	No
Owner of Stage Two assessment	N/A
Completion date for Stage Two assessment	N/A