

North East Derbyshire District Council

Cabinet

22 October 2014

Revised North East Derbyshire Local Development Scheme

Report No: NF/07/14/HF of Councillor N Foster, Portfolio Holder with Responsibility for Environment

This report is public

1. Purpose of the Report

- 1.1 To update Cabinet on progress in preparing the Local Plan and confirm changes to the scope and format of the Local Plan (Part 1).
- 1.2 To clarify that the Local Plan (Part 1) will seek to bring forward a 5 year supply of allocated sites for housing, including for gypsies and travellers, and other allocations as required in response to identified need.
- 1.3 To seek approval for a revised programme and timetable to prepare the Local Plan and a new Local Development Scheme (LDS6).

2 Report Details

- 2.1 At its meeting on 16th April 2014, Cabinet approved the incorporation of site allocations (sufficient to provide a 5-year supply) within the Local Plan (Part 1), noting that whilst this will postpone the programmed adoption of the Plan, it will bring forward a 5 year supply of allocated sites. Cabinet noted that this would enable the Council to regain control over the strategic delivery of housing development in the District earlier that would have been possible under the current adopted timetable and that this would also reduce the risk of the Plan being found unsound at examination.
- 2.2 In doing so, Cabinet was asked to note the subsequent steps that would be necessary to progress work on the Local Plan (Part 1), including:
 - Preparations to undertake a 'call for sites'.
 - Further work on the evidence base and writing the plan.
 - The need for a revised Local Plan timetable and project plan.
- 2.3 Work has progressed in all three areas. A 'call for sites' has taken place, and work is now underway to assess all sites submitted to identify those which may form allocations in the Local Plan (Part 1). The evidence base continues to be developed in relation to the quality of the Council's employment land portfolio to identify what additional land may need to be allocated in the Plan. Additional work is

also underway to identify locations in the Local Plan for additional pitches for gypsies and travellers, in response to evidence emerging from the joint Gypsies and Travellers Accommodation Assessment (GTAA) and to assess the infrastructure requirements of the Plan.

- 2.4 A revised timetable for the preparation of the Local Plan has been prepared in consultation with the Local Plan Steering Group (LPSG). This report sets out the revised timetable to be published within a revised Local Development Scheme (LDS). The Local Development Scheme covers the production of the Local Plan (Part 1: Strategic Policies), and the Local Plan (Part 2 - Sites and Boundaries), and also sets a timetable for the preparation of a Community Infrastructure Levy (CIL) for the District, should the Council decide to pursue CIL.
- 2.5 In approving the report at its April meeting (no. HL/02/14/HF) on the preparation of the Local Plan, Cabinet noted that the programme was behind schedule as a result of recent delays and uncertainty, and the decision to broaden the scope of Local Plan (Part 1) to include site allocations; and that it would be necessary to revise the timetable for subsequent adoption by Cabinet.
- 2.6 The Council is required (by the Planning & Compulsory Purchase Act 2004, as amended) to prepare and maintain a Local Development Scheme (LDS). The LDS defines the documents that will form North East Derbyshire's Local Plan (NEDLP), and provides a 3 year rolling Project Plan for the production of these documents. The LDS sets out:
- what documents are going to be produced by whom and when,
 - the purpose and relationship of these documents explaining how they provide the framework for considering long term social, economic, environmental and resource impacts of development;
 - a 3 year timetable for the production of these documents;
 - the current status of other planning documents;
 - the documents to be produced and the linkages between them;
 - a chart showing the key stages/milestones in the preparation of each document when the community will be involved;
 - a series of schedules, one for each document, itemising its purpose, status, coverage, timetable and relationship with other documents;
 - notes on the project management of the documents.
- 2.7 The intention is to assist the community's understanding and involvement in the Development Plan system; and to enable the Council, other agencies and key stakeholders to coordinate their investment programmes.

- 2.8 A revised timetable (**Appendix 1**) for production of the Local Plan has now been prepared in consultation with the LPSG. This has been incorporated into a revised Local Development Scheme (LDS6) (**Appendix 2**) This seeks to strike an appropriate balance between adopting a Local Plan at the earliest possible stage, whilst ensuring that the Plan is based on robust and credible evidence sufficient to reduce the risk of it being found unsound at examination.
- 2.9 The LDS sets out a programme and timescale, and projected adoption dates for the following documents:
- North East Derbyshire Local Plan: Part 1 (Strategic Policies): October 2016
 - North East Derbyshire Local Plan: Part 2 (Sites & Boundaries): October 2018
 - North East Derbyshire Community Infrastructure Levy: December 2017
- 2.10 It is recommended that Cabinet adopts the revised Local Development Scheme (LDS6) and proposed timetable for the preparation of the North East Derbyshire Local Plan, and that it should take effect from 1st November 2014.
- 2.11 In doing so, Cabinet should be aware that past experience in local plan preparation across the country has shown that there is considerable scope for unexpected issues to arise which have the potential to introduce delay. The main areas of risk are set out at section 6 of this report.

3 Conclusions and Reasons for Recommendation

- 3.1 The revised timetable identifies the most appropriate and expedient way to reach a position where the Council has an adopted Local Plan in place, which is in conformity with the NPPF, can be used as the basis for decisions, and will support housing growth and provide certainty, especially to local communities.

4 Consultation and Equality Impact

- 4.1 The contents of this report have been considered by members of the Local Plan Steering Group, as summarised in paragraph 1.3 of this report.
- 4.2 There are likely to be equalities issues arising out of the preparation of Development Plan Documents, in terms of both the content of the document and the way consultation and participation is arranged. These issues will be addressed when preparing publicity material and arranging public exhibitions in accordance with the Council's most up to date procedures.

5 Alternative Options and Reasons for Rejection

- 5.1 It is a statutory duty to prepare and maintain an up to date Local Development Scheme (Planning & Compulsory Purchase Act 2004 as amended by the Localism Act 2011 – Part 2 15 (1) – (9a)). Alternative options were considered, including to delay the publication of the Plan in order to further reduce the risk of the Part 1 Plan being found unsound at examination, but it was considered that the priority is to enable enabling the Council to regain control over the strategic delivery of housing development in the District at the earlier opportunity.

6 Implications

6.1 Finance and Risk Implications

6.11 The main areas of risk relate to:

- Insufficient financial resources – in both preparing and maintaining the evidence base, and meeting the further statutory requirements to carry out consultation, monitoring, SEA/SA and the public hearing.
- Staff recruitment and retention – the ability of the Council to meet its key milestones will be dependent upon maintaining staffing levels.
- Scale and nature of public responses - the LDS programme assumes an average response (based on past experience) in terms of representations. Unusually large numbers of respondents or complex or controversial objections could extend overall timescales.
- The capacity of other agencies to engage with the process is largely outside of the Council's control.

6.2 Legal Implications including Data Protection

6.2.1 The Council has a statutory duty to prepare and keep up to date a Local Plan. The Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Planning) (England) Regulations 2012, set out the statutory procedures for preparing these planning policy documents. These procedures have been, and will continue to be, followed.

6.2.2 The preparation of Development Plans also involves the requirement to maintain an up to date evidence base and undertake sustainability appraisal and strategic environmental assessment. The implications of these statutory requirements upon staff and financial resources are significant. The position will be reviewed regularly and any future requirements for additional resources will be pursued as part of the normal processes.

6.2.3 The preparation of Development Plan Documents is likely to have environmental implications. A sustainability appraisal and strategic environmental assessment will be undertaken to ensure that environmental issues are fully considered alongside other economic and social objectives.

6.3 Human Resources Implications

6.3.1 There is a need to ensure that resources in the planning service are sufficient to ensure that timely delivery of a sound Local Plan.

7 Recommendations

7.1 It is recommended that Cabinet:

- i) Notes the contents of this report

- ii) Adopts the revised Local Development Scheme (LDS6) and proposed timetable for the preparation of the North East Derbyshire Local Plan and that it should take effect on 31st October 2014.

8 Decision Information











Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

9 Document Information

Appendix No	Title
Appendix 1	Timetable for the Preparation of the North East Derbyshire Local Plan
Appendix 2	Local Development Scheme (LDS6)
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Local Development Scheme (LDS6)	
Report Author	Contact Number
Helen Fairfax - Planning Policy Manager	(01246) 217168

Appendix 1

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Key:		
	Preparation of Evidence/Consultation	 Submission (Reg 22)
	Consultation on Issues & Options (Reg 18)	 Pre-Examination meeting
	Consultation on Preferred Options	 Examination (Hearings) (Reg 24)
	Publication Consultation (Reg 19)	 Receipt of Inspector's Report
	Council Decision on Business Case for CIL	 Adoption (Reg 26)
(*Subsequent timetable for Community Infrastructure Levy dependant on decision to proceed with CIL)		



NORTH EAST DERBYSHIRE DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

LDS 6

November 2014 – November 2017

The Local Development Scheme will take effect from 1st November 2014

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

November 2014 – November 2017

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APPENDIX A: LOCAL DEVELOPMENT SCHEME PROGRAMME TIME LINE

APPENDIX B: PROFILE OF DEVELOPMENT PLAN DOCUMENTS

- B-1 Local Plan Part 1: Strategic Policies Development Plan Document
- B-2 Local Plan Part 2: Sites and Boundaries Development Plan Document

APPENDIX C: COMMUNITY INFRASTRUCTURE LEVY TIMETABLE

APPENDIX D: EVIDENCE BASE - EXISTING KEY DOCUMENTS

APPENDIX E: LIST OF SUPPLEMENTARY PLANNING DOCUMENTS

APPENDIX F: LIST OF SAVED POLICIES OF THE LOCAL PLAN

APPENDIX G: GLOSSARY

Foreword

This is North East Derbyshire District Council's sixth Local Development Scheme. It replaces LDS5 that was published in July 2013. The Local Development Scheme has been revised to take account of changes in the legislation affecting the Council's Development Plan published since 2008 and the Council's own changes to the programme for production of the new North East Derbyshire Local Plan that will eventually replace the old Local Plan.

To summarise, the main changes from the previous Local Development Scheme are:

- The milestones for preparing the Core Strategy (now referred to as Local Plan Part 1: Strategic Policies) have changed;
- The Local Plan Part 1 will now allocate sites sufficient to provide for a 5 year supply from the point of adoption of the Plan
- The milestones for preparing the Local Plan Part 2 have changed

The Local Development Scheme contains a number of abbreviations highlighted in bold text; Appendix G sets out a brief definition of each.

The Local Development Scheme can be viewed on the Council's website.

1. INTRODUCTION

- 1.1 The Planning and Compulsory Purchase Act 2004 reformed the development plan system, replacing Local Plans with a requirement to produce a Local Development Framework (**LDF**). Through the Localism Act 2011, the present government has replaced LDFs by Local Plans. The main elements of this system are:
- The adoption of a spatial planning approach to bring together and integrate policies for the use of land with other policies and programmes.
 - The easier creation, updating and replacement of documents, so that the development plan is constantly up to date.
 - Ensuring that a local authority's development plan is the starting point in the consideration of planning applications for the development or use of land.
- 1.2 The Local Development Scheme (**LDS**) is a rolling 3 year management plan for the preparation of planning policy documents referred to as Development Plan Documents (**DPDs**) that will direct future planning decisions in the District. The LDS is reviewed and rolled forward as a result of the Authority Monitoring Report (**AMR**) identifying whether or not the LDS timetable is being achieved and in need of revision.
- 1.3 This revised LDS arises from fresh circumstances now affecting the preparation of the Local Plan for the District, referred to as the North East Derbyshire Local Plan (**NEDLP**). These changes relate mainly to the decision to incorporate site allocations within the Local Plan Part 1, and partly to resourcing issues. As a result several key milestones have been changed and it is necessary to amend the LDS to take account of this.
- 1.4 The policy context is also influenced by central government legislation contained in amendments to the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Development) (England) (Amendment) Regulations (2012), the Localism Act (2011) the National Planning Policy Framework (March 2012) and the new Planning Policy Guidance (PPGs).
- 1.5 As detailed in the previous LDS, the Localism Act of 2011 affects the production of Development Plans in a number of ways, including:
- Neighbourhood Plans as a new tier of Development Plan to be produced by local communities;
 - The introduction of the Duty to Cooperate, which is intended to strengthen the obligation for neighbouring authorities to work together on cross boundary matters, will create an opportunity for true collaboration across sub-regional areas;
 - The introduction of a presumption in favour of sustainable development. This implies that if a local authority does not have an adopted and up-to-date Plan in place it will lose a significant amount of control over development in its area with a presumption in favour of development that meets sustainability criteria.

- 1.6 Although no Neighbourhood Development Plans (**NDPs**) have yet been proposed in the District, if one was to come forward the Council will highlight its programmed delivery in the AMR and all future versions of the LDS.
- 1.7 The council has yet to decide whether there is a case for the introduction of a Community Infrastructure Levy (CIL). A provisional programme for the production of a CIL Charging schedule, including public consultation and examination by an independent planning inspector, is included at Appendix C, should the Council decide to implement a CIL on the basis of evidence of infrastructure requirements arising from the Local Plan strategy, and viability evidence to deliver it.

The Purpose of the LDS

- 1.8 The LDS defines the documents that will form North East Derbyshire District's Local Plan (NEDLP) setting out:
- what documents are going to be produced by whom and when,
 - the purpose and relationship of these documents explaining how they provide the framework for considering long term social, economic, environmental and resource impacts of development;
 - a 3 year timetable for the production of these documents;
 - the current status of other planning documents;
 - the documents to be produced and the linkages between them;
 - a chart showing the key stages/milestones in the preparation of each document and when the community will be involved;
 - a series of schedules, one for each document, itemising its purpose, status, coverage, timetable and relationship with other documents;
 - notes on the project management of the documents.
- 1.9 The intention is to assist the community's understanding and involvement in the Development Plan system. The LDS also provides a 3 year rolling Project Plan to ensure the timely production of the NEDLP as well as enabling the Council, other agencies and key stakeholders to coordinate their investment programmes.

The Development Plan

The Existing Development Plan

- 1.10 The Development Plan for North East Derbyshire currently consists of the following documents:
- Saved policies of the Derby and Derbyshire Minerals Local Plan (April 2000) and First Alteration to the Plan (November 2002);
 - Saved policies of the Derby and Derbyshire Waste Local Plan (March 2005);
 - Saved policies of North East Derbyshire Local Plan (November 2005).

Where there is any conflict between the policies in these documents, the wording in the last published adopted or approved document prevails.

- 1.11 Whilst the existing North East Derbyshire Local Plan is generally still in line with current national guidance, there have been key elements of government guidance introduced more recently that are not reflected in this document. For example the existing Local Plan does not take account of the NPPF requiring the identification of a 5-year rolling supply of developable land for housing, with a further 10 years supply identified for future development. The Council has adopted an Interim Housing Policy as a guide for proposals for residential development until a 5 year supply of housing is available again.
- 1.12 North East Derbyshire District Council is not the planning authority for minerals or waste development. This is the responsibility of Derbyshire County Council.

North East Derbyshire Local Plan (NEDLP) 2011-2031

- 1.13 The new Local Plan is a framework for the location and design of development and for protecting the natural and built environment. It is a 'spatial' plan, because it deals with the location and layout of developments and activities and how these affect people and their environment. The Local Plan is required to contain an integrated set of policies which are based on a clear understanding of the economic, social and environmental needs of the area and any constraints on meeting those needs.
- 1.14 The Local Plan will consist of two Development Plan Documents (**DPDs**) – Local Plan Part 1: Strategic Policies and Local Plan Part 2: Sites and Boundaries. This will enable some aspects of the Local Plan to be revised quickly in response to changing circumstances, whilst leaving others to endure for the longer term.

In addition to the LDS, there are other documents that are linked with the Local Plan:

- *Supplementary Planning Documents (SPDs)* - these do not have Development Plan status but elaborate on policies and proposals in DPD's and are a material consideration in determining planning applications.
- The Statement of Community Involvement (**SCI**) – this sets out the minimum standards for community engagement in both LDF document production and the decision process on planning applications. The SCI was reviewed during 2013 and a refreshed version adopted in April 2014.
- The Authority Monitoring Report (**AMR**) – this should review plan-making targets with targets and milestones set out in the LDS.

Progress since adoption of LDS5

- 1.15 Since the publication of LDS5 in 2013, overall progress did not keep pace with the timetable as a result of resourcing issues and the decision to include site allocations within the Local Plan Part 1. Resulting from this a Call for Sites was issued in May 2014. There has been continuing work to develop and update the Local Plan evidence base. A list of the studies informing the new Local Plan is included at Appendix D.

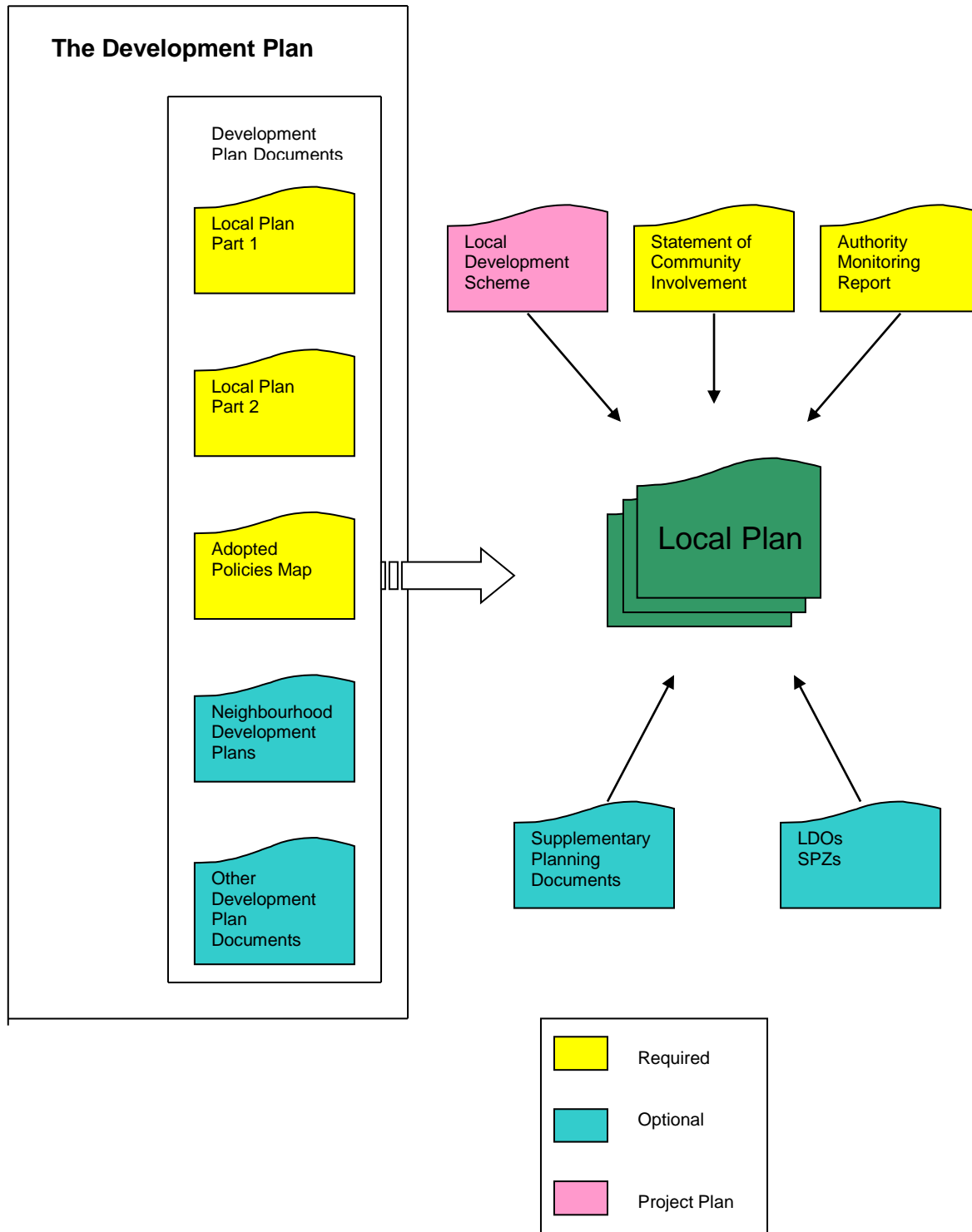
1.16 The priorities for the next 3 years will be to:

- secure an adopted NEDLP Part 1: Strategic Policies;
- commence work on the NEDLP Part 2: Sites and Boundaries DPD; and
- secure an adopted Community Infrastructure Levy **(CIL)**¹ in the District,

1.17 The format and key documents of the Local Plan are illustrated in Figure 1. An explanation of the terms used is provided in the glossary at Appendix G.

¹ CIL is a standard charge which will be determined at local level by individual local authorities and will contribute to the costs of infrastructure arising from development. The CIL definition of infrastructure encompasses physical, social and green infrastructure, such as roads, schools, health facilities and parks.

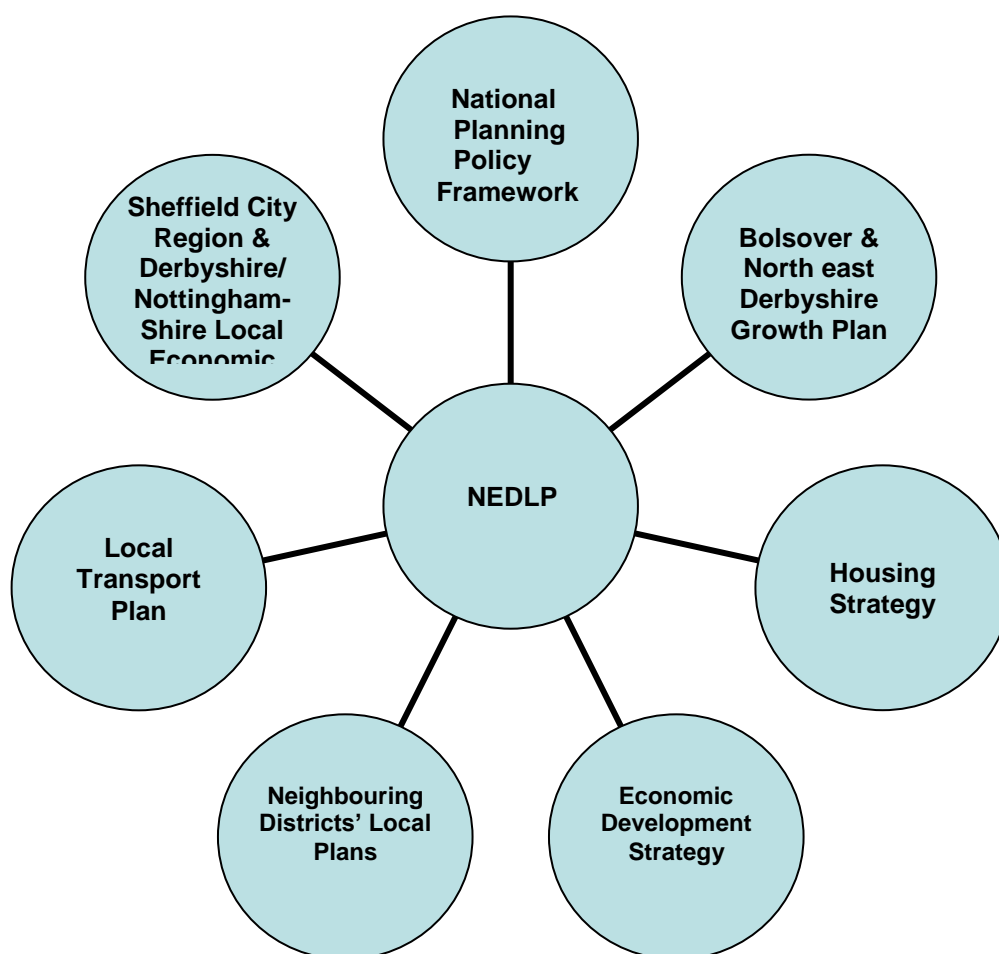
Figure 1: Component Parts of the Local Development Framework



Relationship to Other Strategies

1.18 The Local Plan is not prepared in isolation, but links to other key strategies and plans. It should reflect the aspirations of key strategies of the Council or other organisations that have implications for the development and use of land by providing a spatial dimension and helping their coordination and delivery. The link between the Local Plan and the Bolsover and North East Derbyshire Growth Plan is particularly important. Figure 2 below identifies the key documents and strategies that will impact upon the NEDLP.

Figure 2: Relationship of the North East Derbyshire Local Plan to national policy guidance and other key documents & strategies

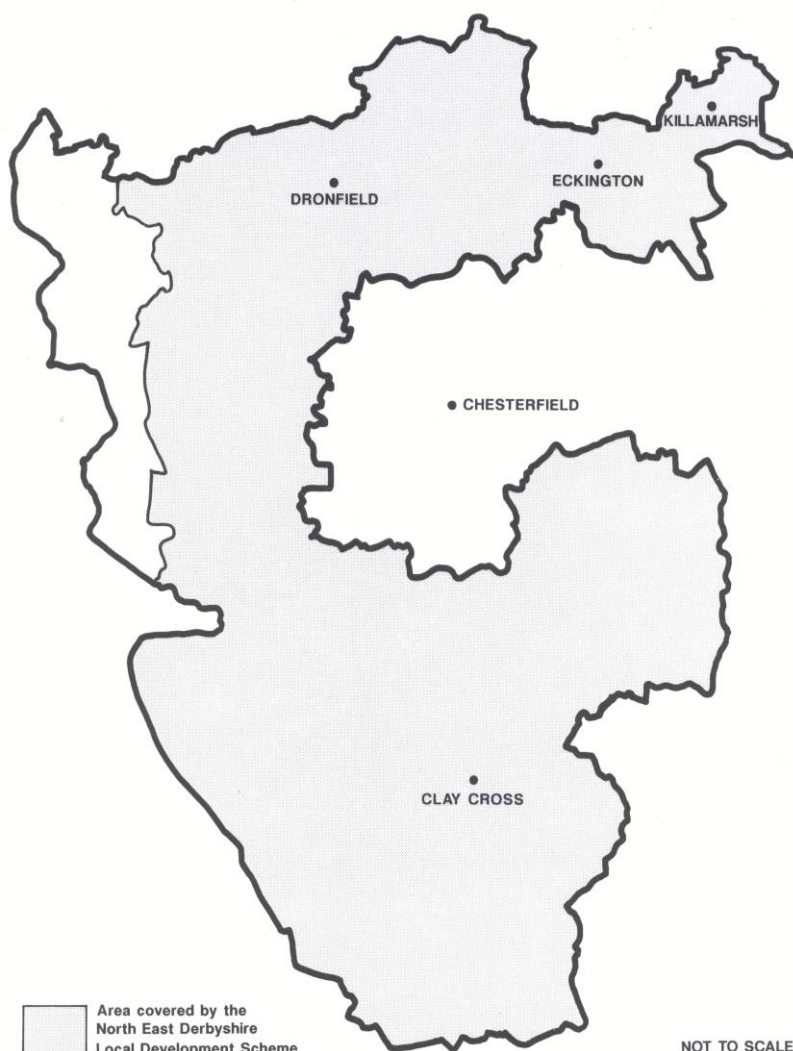


2. PROPOSED LOCAL DEVELOPMENT SCHEME (LDS) FOR NORTH EAST DERBYSHIRE (2014 – 2017)

Geographical Coverage

- 2.1 The geographical extent of the District's LDS is illustrated in Figure 3 and coincides with the local planning authority area of North East Derbyshire. This covers the whole of the District with the exception of the north western fringe of the District, which falls within the Peak District National Park. The Peak District National Park Authority is the planning authority for the National Park and publishes a separate LDS. In addition, Derbyshire County Council as waste and mineral planning authority prepares its own DPDs to deal with these issues.

Figure 3: Geographical Coverage of the North East Derbyshire Local Development Scheme.



Overview of the North East Derbyshire Local Development Scheme

Transitional Arrangements & Saved Plans

- 2.2 Under Schedule 8 to the Planning and Compensation Act 2004 some Local Plan policies have been saved until they are replaced by DPD policies. A list of saved Local Plan policies is included at Appendix F.
- 2.3 Other saved policies of the Development Plan are included in the following plans:
- *The Derby and Derbyshire Minerals Local Plan (2000), (as altered in 2002).*
Most of the policies have been saved until they are replaced by new DPDs
 - *The Derby and Derbyshire Waste Local Plan (March 2005)*
All but Policy W1A have been saved beyond March 2008.

Proposals for the replacement of these policies will be contained within separate LDSs to be prepared jointly by Derbyshire County Council and Derby City Council.

Statement of Community Involvement (SCI)

- 2.4 The refreshed Statement of Community Involvement was formally adopted on the 28th April 2014. This sets out how the Council will engage the community and other stakeholders in preparing, altering and reviewing all LDDs and in dealing with planning applications.

Development Plan Documents for North East Derbyshire (DPDs)

- 2.5 This LDS provides for the preparation of the following DPDs that will replace the saved policies of the Local Plan:-
- Local Plan Part 1: Strategic Policies
 - Local Plan Part 2: Sites and Boundaries

The Adopted Policies Map will show site allocations, and where different land use policies in the Local Plan apply. It is not a standalone document, but instead forms part of the 2 principal DPDs which, together, will make up the Local Plan.

The Local Plan Part 1: Strategic Policies

- 2.6 The Localism Act requires that local planning authorities prepare a strategic document to set out the spatial vision and strategic objectives for the District. Once adopted all other DPDs must be in conformity with it.
- 2.7 The preparation of the former Core Strategy commenced in November 2006. Consultation on “Initial Issues and Options” took place in December 2007. This was followed by a wider consultation on four alternative scenarios between April and June 2009. The Council consulted on a proposed Vision, Spatial Portrait and Objectives for the new Local Plan together with a revised local housing target and methodology for a targeted review of the Green Belt in summer 2012. In April 2014,

Cabinet approved the incorporation of site allocations (sufficient to provide a 5-year supply from the point of Plan adoption) within the Part 1 Plan in order to enable the Council to regain control over the strategic delivery of housing development in the District earlier than would have been possible under the current adopted timetable and reduce the risk of the Part 1 Plan being found unsound at examination. Preparation of the draft of the Local Plan (required by Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2012) is underway.

The Local Plan Part 2: Sites and Boundaries

- 2.8 Due to the decision to incorporate site allocations in Part 1 of the plan, this DPD will be reduced in scope. Work on this DPD will take place alongside the preparation of the Local Plan Part 1, because in assessing sites that can come forward in the first 5 year period, will inevitably involve consideration of those sites that will come forward in the longer term and thus to be included in Part 2 of the Plan. The background studies and consultants' studies that have been prepared together with the Council's SHLAA and Housing and Economic Strategies will inform this DPD.

Adopted Policies Map

- 2.9 The Adopted Policies Map will identify sites and areas where specific policies apply. It will be amended to reflect new DPDs as and when they are adopted.

SUPPORTING INFORMATION

Authority Monitoring Reports

- 3.1 The Council is required to monitor progress on its LDS programme and the effectiveness of its policies. In the light of this monitoring, the Council will consider if any changes need to be made to the rolled forward LDS.

Supplementary Planning Documents

- 3.2 The Council has adopted a number of SPDs that currently provide additional detail to Local Plan policies. These will be carried forward to support the Local Plan as appropriate. A full list of these SPDs is included at Appendix E.

Evidence Base and Joint Working

- 3.3 Government guidance emphasises the need for a robust 'evidence base' to underpin LDD preparation. The Council already works in partnership with Derbyshire County Council through the Planning and Information Monitoring Officers Group (PIMOG) to collate data in respect of housing and employment completions and land supply. This partnership arrangement will continue to be developed to provide appropriate evidence in respect of housing and employment land.
- 3.4 This Council also works closely with Bolsover District and Chesterfield Borough Councils by sharing resources and undertaking joint working on the production of the evidence base and commissioning studies. The Council has also worked in partnership with local communities, stakeholders and others to develop a comprehensive evidence base. The Council also intends to continue to update and expand existing annual studies as appropriate. A list of key documents contributing to the evidence base and the partners involved is included at Appendix D.

Resources

- 3.5 All work undertaken in connection with the preparation and review of DPDs is undertaken by the Council's Planning Policy Team and is managed by the Planning Policy Manager. There are currently 5 FTEs on the establishment available for Local Plan work including supporting aspects such as the evidence base and monitoring.
- 3.6 Advice is sought from Council officers in other services including Economic Development and Housing Strategy. Advice on highways matters is obtained from Derbyshire County Council as highways authority. External advice is sought on matters such as nature conservation from Natural England and the Derbyshire Wildlife Trust.
- 3.7 Funding for DPD work will be through the normal budget setting process. Currently there is adequate budget provision to secure production of the Local Plan (Part 1) to timetable. It is crucial that this budget is retained in order to reduce the risk of delays to the Local Plan programme.

Risk Assessment

3.8 The main areas of risk relate to:

- Insufficient financial resources – whilst the evidence base is nearing completion, there are further statutory requirements to carry out consultation, monitoring, SEA/SA and the public hearing.
- Staff recruitment and retention –the ability of the Council to meet its key milestones will be dependent upon maintaining staffing levels.
- Scale and nature of public responses - the LDS programme assumes an average response (based on past experience) in terms of representations. Unusually large numbers of respondents or complex or controversial objections could extend overall timescales. This has already been evident in the analysis of the Issues and Options Consultation (2009) which attracted a substantial number of responses.
- The capacity of other agencies to engage with the process is largely outside of the Council's control.
- Legal challenge – the Council will seek to minimise the risk of legal challenge by ensuring that DPDs are soundly prepared, with well-audited stakeholder and community engagement processes, and by complying with relevant legislation and regulations.
- Unforeseen additional work – carefully prepared work programmes can sometimes be disrupted by unforeseen additional work. This could include the submission of complex planning applications, major s78 appeals or other corporate projects that require a considerable input from the Planning Policy Team.

4. NORTH EAST DERBYSHIRE LOCAL DEVELOPMENT SCHEME PROGRAMME

4.1 The LDS programme is presented in three formats:

- A schedule of proposed documents and saved plans, setting out key milestones for their preparation (Section 5).
- A Time Line showing this information diagrammatically (See Appendix A).
- A series of individual profiles for each proposed document, which includes more information on its purpose, its conformity with other plans, and the arrangements for preparing it as well as the timetable (See Appendix B).

Explanation of Key DPD Milestones

4.2 The following milestones will be used in the LDS¹:

- **Commencement of preparation process (Regulation 18 Preparation of Local Plan)** – this involves informally consulting with the community and other stakeholders on the sort of issues the document should address and the sort of policies or strategies it should contain. Public consultation in relation to the former Core Strategy has been ongoing since December 2007. In respect of the Local Plan Part 2: Sites and Boundaries, a number of sites have already been submitted to the Council through the SHLAA and the recent Call for Sites.
- **Pre-submission public participation (Regulation 19 Publication of Local Plan)** – this is a formal six week consultation on the document that the Council intends to submit to the Secretary of State.

Both the Local Plan Part 1: Strategic Policies and the Local Plan Part 2: Sites and Boundaries DPDs have to be accompanied by a formal Sustainability Appraisal of the different options considered. This has been integrated into the main preparation procedures and will be a continual process as the document for submission to the Secretary of State is finalised.

- **Submission Consultation (Regulation 22 Submission of documents and information to the Secretary of State)** – at this time the Council will arrange another six week formal consultation on the submitted document, and contact the Planning Inspectorate to arrange for an independent examination of the document to be held.
- **Independent Examination (Regulation 24)** – the policies in DPDs will be tested thoroughly during the independent examination to determine whether the document satisfies the statutory requirements for the preparation of the plan and is sound.
- **Receipt of Inspector's Report** – after the examination, the Inspector will produce a report indicating whether any changes are required before adoption.

¹ (References to Regulations relate to the Town and Country Planning (Local Development) (England) Regulations 2012)

- **Adoption (Regulation 26)** – the Council will consider the Inspector's report before formally adopting the DPD as part of the Development Plan.

5. SCHEDULES

Schedule of Saved Plans

SAVED PLANS				
Document Title	Status	Brief Description	Chain Of Conformity	Stage of Preparation/Programme
North East Derbyshire Local Plan	Adopted Local Plan (Adopted 28 th November 2005)	The North East Derbyshire Local Plan was adopted 28 th November 2005. It will be 'saved' under the transitional arrangements but replaced in stages by new DPDs as set out in the LDS.		Adopted 28 th November 2005 and saved until the adoption of replacement DPDs. A Schedule of saved policies is included at Appendix F.

Schedule of Proposed Development Plan Documents (DPDs)

Document Title	Status	Brief Description	Chain Of Conformity	Start of Preparation Process (Reg. 18)	Publication of Local Plan (Reg. 19)	Submission to SoS (Reg. 22)	Examination (Reg. 24)	Receipt of Inspector's Report	Adoption (Reg. 26)
Local Plan Part 1: Strategic Policies	DPD	Sets out vision, objectives and spatial development strategy to 2031 Allocates sites to provide for a 5 year supply of land for housing, and other key sites.	All other LDDs to be in conformity with Local Plan Part 1.	November 2006 Issues & Options Consultation - March 2008 Consultation on the emerging Local Strategy – August 2012 Consultation on preferred option – January 2015	September 2015	January 2016	May 2016	September 2016	October 2016
Local Plan Part 2: Sites & Boundaries	DPD	Allocates land for a variety of uses, including housing and employment. Sets out policies to inform detailed development management decisions. Carries forward or replaces 'saved' policies in the North East Derbyshire Local Plan.	All other LDDs to be in conformity with Local Plan Parts 1 & 2.	November 2006 Issues and Option September 2015 Preferred Option November 2016	August 2017	January 2018	May 2018	September 2018	October 2018

OTHER DOCUMENTS LINKED TO DEVELOPMENT PLAN DOCUMENTS									
Adopted Policies Map	Forms part of the 2 principal DPDs	Identifies site allocations and other proposed land uses.	Saved policies of the Adopted Local Plan	Initially, this will be the saved Adopted Policies Map of the Adopted North East Derbyshire Local Plan. The Adopted Policies Map will be updated to take account of changes in DPDs as they are brought forward.					
Community Infrastructure Levy (CIL)	Delivery Mechanism.	System of developer funding for infrastructure necessary to support development *Timetable dependent on outcome of a future Council decision on whether to proceed with CIL	Delivery Mechanism.	Autumn 2013 Council decision on business case September 2016	*October 2016	*March 2017	*July 2017	*November 2017	*December 2017

APPENDIX A: LOCAL DEVELOPMENT SCHEME PROGRAMME

Timetable for the Preparation of the North East Derbyshire Local Plan																																																	
2014						2015						2016						2017						2018																									
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	M	A	M	J	J	A	S	O	N	D								
North East Derbyshire Local Plan: Part 1																																																	
North East Derbyshire Local Plan: Part 2																																																	
North East Derbyshire Community Infrastructure Levy																																																	

Key:		
	Preparation of Evidence/Consultation	S Submission (Reg 22)
	Consultation on Issues & Options (Reg 18)	M Pre-Examination meeting
	Consultation on Preferred Options	E Examination (Hearings) (Reg 24)
	Publication Consultation (Reg 19)	! Receipt of Inspector's Report
	Council Decision on Business Case for CIL	A Adoption (Reg 26)
(*Subsequent timetable for Community Infrastructure Levy dependant on decision to proceed with CIL)		

APPENDIX B: PROFILE OF DEVELOPMENT PLAN DOCUMENTS (DPDs)

B1: Local Plan Part 1: Strategic Policies DPD (formerly the Core Strategy)

Overview

Role & Content	<p>Sets out vision, objectives and spatial development strategy to 2031. It will allocate sites to ensure a 5 year supply of land for housing.</p> <p>The Strategy will set out spatial principles such as the total number of dwellings and the amount of employment and retail land required and the role and function of different settlements. It will also allocate sites of strategic importance, where these are central to the achievement of the strategy.</p>
Coverage	Local Planning Authority Area.
Status	Development Plan Document.
Conformity	Must be consistent with national policy

Timetable

Stage	Dates
Start of Preparation Process	November 2006
1. Sustainability Appraisal Scoping Report	April-May 2007
2. LDF Leaflet with Council Tax	February 2007
3. Early engagement with former CHART LSP Theme Groups	April-May 2007
4. Workshop sessions with Neighbourhood Partnerships and Parishes	June-July 2007
5. Visioning workshop with officers and members	October 2007
6. Citizens Panel, Youth Panel and Opinion Meter	November 2007
7. Initial Issues and Options Questionnaire	December 2007
8. LDF Leaflet with Council Tax	February 2008
9. Joint Consultation exercise with former CHART LSP and Chesterfield Borough Council	July 2008
10. LDF Leaflet with Council Tax	February 2009
11. Consultation on Issues and Options	March-June 2009
12. Exhibitions throughout District	March-June 2009
13. Engagement with former CHART & Neighbourhood Partnerships	March-June 2009

Stage	Dates
Consultation on Local Strategy and Housing Target	August-September 2012
Publication Consultation (Reg 19)	September 2015
Submission To Secretary of State (Reg 22)	January 2016
Examination (Reg 24)	May 2016
Receipt of Inspector's Report	September 2016
Adoption (Reg 26)	October 2016

Arrangements for Production

Organisational Lead	Planning Policy Manager
Political Management	Cabinet as advised by Local Plan Steering Group
Internal Resources	Planning Policy Team
External Resources	Joint working with neighbouring Local Planning Authorities particularly Chesterfield Borough and Bolsover District Councils on the preparation of the evidence base and securing studies to inform the Local Plan Part 1. Use of consultants to prepare the Sustainability Appraisal and other technical documents.
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2012 and the consultation strategy set out in the adopted Statement of Community Involvement.

Post Production

Monitoring & Review Mechanisms	The effectiveness of the Local Plan Part 1 will be measured against a set of key indicators. This will be undertaken on an annual basis through the AMR and modifications made to the Local Plan Part 1/scope for the preparation of new DPDs or SPDs as necessary.
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B2: Local Plan Part 2: Sites and Boundaries DPD

Overview

Role & Subject	To allocate land for a variety of uses, including housing and employment. To set out policies to inform detailed development management decisions. To carry forward or replace 'saved' policies in the North East Derbyshire Local Plan.
Coverage	Local Planning Authority Area
Status	Development Plan Document.
Conformity	Must be consistent with national policy and emerging Local Plan Part 1: Strategic Policies.

Timetable

Stage	Dates
Start of Preparation Process	November 2006
Start of Public Participation	September 2015
Publication Consultation	August 2017
Submission to Secretary of State	January 2018
Examination	May 2018
Receipt of Inspector's Report	September 2018
Adoption	October 2018

Arrangements for Production

Organisational Lead	Planning Policy Manager
Political Management	Cabinet as advised by Local Plan Steering Group
Internal Resources	Planning Policy Team
External Resources	Joint working with neighbouring Local Planning Authorities particularly Chesterfield Borough and Bolsover District Councils on the preparation of the evidence base and securing studies to inform the Local Plan Part 1. Use of consultants to prepare the Sustainability Appraisal and other technical documents.
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2012 and the consultation strategy set out in the adopted Statement of Community Involvement.

Post Production

Monitoring & Review Mechanisms	The effectiveness of the DPD will be monitored against a set of key indicators. Formal monitoring will be undertaken on an annual basis through the AMR and modifications made to the DPD as necessary.
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Adopted Policies Map

Overview

Role & Subject	Identifies areas of protection, such as Green Belt land and Conservation Areas, site allocations and other proposed land uses.
Coverage	Local Planning Authority area
Status	Forms part of the 2 principal Development Plan Documents.
Conformity	All DPDs

Timetable

Stage (Adoption of DPDs)	Dates
Local Plan Part 1: Strategic Policies DPD	2016
Local Plan Part 2: Sites and Boundaries DPD	2018

Arrangements for Production

Organisational Lead	Planning Policy Manager
Political Management	Cabinet as advised by Local Plan Steering Group
Internal Resources	Policy Team & Corporate GIS Officer
External Resources	Possible outsourcing hard copy printing.
Community & Stakeholder Involvement	<p>We will test a range of colour schemes, map scales, formats and sizes before we have hard copies printed.</p> <p>We will use web feedback during the first month of publication on the web to adjust web presentation.</p>

Post Production

Monitoring & Review Mechanisms	The Adopted Policies Map will be reviewed during the preparation of each DPD and will be modified as necessary.
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APPENDIX C: COMMUNITY INFRASTRUCTURE LEVY TIMETABLE

The CIL is a new system of developer funding that the Council is considering introducing. It means that a developer may have to contribute towards infrastructure that is needed to support the provision of new facilities such as schools and highway improvements. If implemented, it will be applied as a charge on each square metre of certain types of new development, replacing a number of existing planning obligation requirements.

The Community Infrastructure Levy Regulations and Guidance provides the regulatory framework under which a CIL Charging Schedule is to be adopted by a Charging Authority. If the Council decides to implement CIL it will be prepared in line with the timetable below, which assumes that the Local Plan Part 1: Strategic Policies progresses as outlined in the Timeline at Appendix 1.

CIL Viability Workshop	Autumn 2013
CIL Viability Testing	Winter 2013/14
Council decision on charging mechanism	September 2016
If Council decides to proceed with CIL:	
Consultation on Draft Charging Schedule	October 2016
Submission to Secretary of State	March 2017
Examination by Independent Inspector	July 2017
Inspector's Report	November 2017
Adoption of Charging Schedule	December 2017

APPENDIX D: EVIDENCE BASE: EXISTING KEY DOCUMENTS

Document Name	Time Period	Partners
Air Quality Updating and Screening Assessment	2009 onwards	In house (Environmental Health)
Background Papers: 1.Sustainable Communities 2. Accessible Communities 3. Living Communities 4. Working and Learning Communities 5. Safe and Healthy Communities		In house (Planning)
Derbyshire Gypsy and Traveller Accommodation Assessment	March 2008 Updated 2013 – estimates to 2031	Consultants for DCC together with Derbyshire districts.
East Midlands Northern Sub-Region Employment Land Review	2006-2026	Consultants for CBC, BDC
East Midlands Waterways Study	2007 onwards	
Employment Completions & Land Supply Monitoring	Annual	In house
Employment Land Study	August 2006 (Updated 2013) To 2031	
Forecasts of Population and Household for Nottinghamshire and Derbyshire Authorities – North East Derbyshire	February 2011	Consultants for NCC and DCC
Green Infrastructure Study	March 2012	In - house (Planning)
Greenprint	2010	In - house
Housing Capacity Study of Northern Settlements	2012	In - house (Planning)
Housing Capacity Study of Rural West	2012	In - house (Planning)
Housing Completions, Land Supply and Urban Capacity Monitoring	Annual	In house
Housing Needs Survey	2007/08	Consultants
Housing Needs, Market and Affordability Study	2011	Consultants
Local Settlement Gaps Assessment	2013	Consultants

North Derbyshire Highway Assignment Model, Traffic Forecasting Report	April 2012	Consultants for DCC
North Derbyshire Transport Study: Cumulative Assessment	February 2012	Consultants for DCC
Recreation survey	Bi-annually	In house (Planning)
Renewable Energy Study	2011	Consultants
Retail Capacity Study	2007-2026	Consultants for CBC, BDC
Settlement Role and Function Study	2011 and 2013 Update	In house (Planning)
Strategic Flood Risk Assessment	February 2009	CBC, BDC
Strategic Housing Land Availability Assessment (SHLAA)	2006-2026	In house (Planning)
Strategic Housing Market Assessment (SHMA)	2013	Northern Sub – Region of the East Midlands, (comprising this Council, Ashfield DC, Bassetlaw DC, Bolsover DC, Chesterfield BC, Mansfield DC, Newark and Sherwood DC
Town Centre Surveys	Bi-Annual	In house
Town Centre Health Checks	2013	In house (Planning)
Water Cycle Study	Scoping and Initial Outline Study- 2010	In house (Planning)
Wildlife Site Designations & de-designations. Survey of existing & candidate sites (equivalent to 10% each year)	Annual	Service Level Agreement with Derbyshire Wildlife Trust

APPENDIX E: LIST OF SUPPLEMENTARY PLANNING DOCUMENTS

Document Title	Status	Brief Description	Chain Of Conformity	Adoption
Affordable Housing	SPD	To provide detailed guidance on the procedures and mechanisms for the provision of affordable housing.	Saved Policies H6, H7, H9 & H10 in the North East Derbyshire Local Plan.	January 2007
Recreation and Open Space	SPD	To provide a locally devised standard for the quantity and quality of open space and formal recreation provision in the District.	Saved Policies R1 – R7 in the North East Derbyshire Local Plan.	October 2007
Developer Contributions	SPD	To provide detailed guidance on procedures and formula for the preparation of Section 106 Agreements.	Saved Policy GS9 in the North East Derbyshire Local Plan	September 2007
Access for All	SPD	To provide detailed design guidance for providing access for disabled people and guidance for the submission of access statements.	Saved Policy GS12 in the North East Derbyshire Local Plan.	December 2007
Sustainable Buildings	SPD	To provide guidance on the principles to take into account when designing buildings.	East Midlands Regional Plan Policy	November 2011
Eckington Town Centre Development Framework	SPD	To provide clear planning and urban design guidance for future development in Eckington Town Centre to ensure it becomes a thriving, successful town.	Saved Policies SH2, E10, BE1, in the North East Derbyshire Local Plan.	May 2012
Successful Places: Guide to Sustainable Housing layout and Design	SPD	To identify expected standards of design, increase awareness and understanding of principles of good design within residential developments, and provide information and guidance on the design process	Saved Policies GS1 and BE1 in the North East Derbyshire Local Plan.	December 2013

APPENDIX F: SAVED POLICIES OF THE LOCAL PLAN

The following list of policies is that submitted to, and approved by, the Secretary of State in November 2008. They will either be carried forward to or replaced by policies in the new Local Plan.

- GS1 Sustainable Development
- GS2 Development in the Green Belt
- GS3 Major Developed Sites in the Green Belt
- GS5 Settlement Development Limits
- GS6 New Development in the Countryside
- GS7 Change of Use and Conversions
- GS8 Temporary Land Uses and Buildings
- GS9 Planning Obligations
- GS10 Crime Prevention
- GS11 Hazardous Installations
- GS12 Access for All

- NE1 Landscape Character
- NE2 Special Landscape Areas
- NE3 Protecting and Managing Features of Importance to Wild Flora and Fauna
- NE4 Sites of National Importance for Nature Conservation
- NE5 Other Sites of Importance for Nature Conservation
- NE6 Development Affecting Nationally Rare Species
- NE7 Protection of Trees and Hedgerows
- NE9 Development and Flood Risk

- BE1 General Design Principles
- BE2 External Lighting
- BE3 Security Shutters
- BE5 Percent for Art
- BE6 Scheduled Ancient Monuments and Archaeological Sites
- BE7 Alterations and Works to Listed Buildings
- BE8 Change of Use of a Listed Building
- BE9 Development in the Vicinity of a Listed Building
- BE11 Development Within and Adjoining Conservation Areas
- BE12 Demolition of Unlisted Buildings and Structures within a Conservation Area
- BE13 Historic Parks and Gardens

- E1 New Employment Land Provision
- E2 Callywhite Lane Extension, Dronfield
- E3 Norwood Extension, Killamarsh
- E4 Mixed Use Site at the Former Avenue Coking Works, Wingerworth
- E5 Mixed Use Development: Former Biwaters Sites, Clay Cross
- E6 Existing Employment Areas
- E7 Development in New and Existing Employment Areas
- E8 Employment Development in Other Areas
- E9 Employment Development in the Countryside
- E10 Tourism Developments
- E11 Tourist Accommodation
- E12 Camping and Caravan Sites

- H1 Sites for Residential Development
- H2 Housing Development on other sites within the Settlement Development Limit

- H3 New Housing Outside Settlement Development Limits
- H5 Domestic Extensions
- H6 Affordable Housing Provision in the main Settlements
- H7 Affordable Housing in Settlements with a Population of 3000 or fewer
- H8 Affordable Housing: Alternative Provision
- H9 Affordable Housing: Exception Sites in Rural Areas
- H11 Sites for Gypsies and Travellers
- H12 Design and Layout of New Housing
- SH1 Clay Cross Town Centre Redevelopment
- SH2 Retail Development in Town Centres
- SH3 Ground Floor Development Within Town Centres
- SH4 Upper Floor Development Within Town Centres
- SH5 Retail Development in Edge of Centre Locations
- SH6 Retail Developments in Out of Centre Locations
- SH8 Loss of Local Facilities
- SH9 Hot Food Takeaways, restaurants and Public Houses
- SH10 Weekly Markets and Car Boot Sales
- SH11 Farm Shops
- SH12 Garden Centres

- T1 Clay Cross Diversion
- T2 Highway Access and the Impact of New Development
- T3 Traffic Management
- T4 Travel Plans
- T5 Walking and Cycling
- T6 Public Transport
- T8 Disused Transport Routes
- T9 Car Parking Provision
- T10 Car Park, Dronfield Station

- R1 Outdoor Recreation Open Space Standards
- R2 Formal Recreation Facilities
- R3 Urban Green Space
- R4 Allotments
- R5 Providing for Children's Play Space through New Development
- R8 Specialist and Noise Generating Recreational Activities
- R9 Equestrian Development
- R10 Golf Courses and Driving Ranges
- R11 Development Affecting Public Rights of Way
- R12 The Chesterfield Canal
- R13 Country Parks

- CSU1 Sites for Educational Use
- CSU2 Purpose Built Community Facilities
- CSU3 Protection of Existing Community Facilities
- CSU4 Surface and Foul Water Drainage
- CSU5 Development in the Vicinity of Sewage Treatment Works
- CSU6 Contaminated Land
- CSU7 Renewable Energy
- CSU8 Telecommunications

APPENDIX G: GLOSSARY

2004 Act (The Act)	Planning & Compulsory Purchase Act, September 2004
2011 Act	Localism Act, November 2011
AMR	Annual Monitoring Report - LPAs are required to produce an AMR to show how it is performing against the targets it has set in its LDS.
CIL	Community Infrastructure – is a new charge which local authorities can charge on most types of new development in their area. CIL charges are based on simple formulae which relate the size of the charge to the size and character of the development paying it. The proceeds of the levy will be spent on local and sub-regional infrastructure to support the development of the area.
DP	Development Plan - is defined in S38 of the 2004 Act as made up of DPDs
DPD	Development Plan Document - prescribe planning policies and proposals and will have legal status in the determination of planning applications as they form part of the Development Plan. They have to be subject to independent testing or examination and form part of this LDS.
LDD	Local Development Documents - planning documents that together make up the planning framework for an area. They can be either DPDs, SPDs or the SCI.
LDF	Local Development Framework - a portfolio of plans that sets out the Council's planning policy framework.
LDS	Local Development Scheme - a three year programme for the preparation of the Local Plan 'rolled forward' each year.
NDP	Neighbourhood Development Plan - give neighbourhoods direct power to develop shared vision for their neighbourhood and deliver the sustainable development they need.
NPPF	National Planning Policy Framework - National planning policy to be taken into account when preparing the LDF.
NEDDC	North East Derbyshire District Council
NEDDF	North East Derbyshire Development Framework
NEDLP Part 1	North East Derbyshire Local Plan: Part 1 – the DPD that sets out strategic policies for the District and 5 years of site allocations
NEDLP Part 2	North East Derbyshire Local Plan: Part 2 – the DPD that sets out site allocations for the District.
PIMOG	Planning Information Monitoring Officers Group – Partnership of all Local Planning Authorities in Derbyshire that collates data

on planning information, such as housing and employment land supply and take-up.

Adopted Policies Map

The Adopted Policies Map (formerly known as the Proposals Map) illustrates on a base map all the policies contained in DPDs.

SA

Sustainability Appraisal – an appraisal of the social, environmental and economic effects of plan strategies and policies. Carried out at the start and throughout the process to inform decision making. This process incorporates the requirements of Strategic Environmental Assessment (SEA).

SEA

Strategic Environmental Assessment – a requirement of EU Directive 2001/42/EC to undertake an environmental assessment of plans and programmes that are likely to have a significant effect on the environment.

SCI

Statement of Community Involvement - a statement of how the Council will consult the community and other stakeholders when preparing LDDs and when considering applications for planning permission

SoS

Secretary of State

SPD

Supplementary Planning Documents - do not have Development Plan status and do not form part of the LDS but must undergo rigorous community involvement in accordance with the Council's Statement of Community Involvement (**SCI**). SPDs elaborate on policies and proposals in the DPD and are a material consideration in determining planning applications.