

North East Derbyshire District Council

Cabinet

28 October 2015

North East Derbyshire Local Development Scheme

**Report No MG/07/15-16/HF of Councillor M Gordon, Portfolio Holder with
Responsibility for the Environment**

This report is public

Purpose of the Report

- To seek approval for a revised programme and timetable to prepare the Local Plan and a new Local Development Scheme (LDS7).
- To seek approval to commence work on a Green Belt Review

1. Report Details

Background

- 1.1 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 the North East Derbyshire Local Plan (NEDLP) and provides a 3 year rolling Project Plan for the production of these documents. The LDS enables the Council, other agencies and key stakeholders to coordinate their investment programmes and helps the community's understanding and involvement in the Development Plan system.
- 1.2 At its meeting on 5th August, 2015, Cabinet considered a report on the North East Derbyshire Local Plan (Report No. MG/03/15-16/HF). Cabinet noted the progress that had already been made in preparing a new Local Plan for the District. This included consulting on an Initial Draft Plan in February /March 2015, and continuing site assessment work on potential housing sites. Cabinet also noted however that the consultation process had generated a substantial number of representations. Many of these related to specific potential sites but they also included some specific challenges both to the format of the Local Plan and to the proposed Strategy.
- 1.3 In addition to the challenges received through consultation responses, work undertaken so far on site assessments had revealed significant problems in identifying sufficient sites in appropriate locations to demonstrate that the proposed strategy could be delivered successfully. Cabinet considered that taken together, these issues raised significant uncertainty and serious concerns over the soundness of the Plan, sufficient to justify a resolution to move to the preparation of a single Local Plan, including considering options for an alternative strategic

distribution of housing and other development, including bringing forward a comprehensive review of the Green Belt.

- 1.4 In making this resolution, Cabinet agreed that a new timetable and project plan would be drawn up for the preparation and adoption of a single Local Plan in consultation with the Local Plan Steering Group, to be brought back to Cabinet. This is the purpose of this report.

Issues for Consideration

- 1.5 The Local Development Scheme (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.
- 1.6 Cabinet has continued to delegate to the Local Plan Steering Group the general task of overseeing and considering the detailed issues arising out of the preparation of the Local Plan. A revised timetable for the preparation of the Local Plan has been prepared in consultation with the Local Plan Steering Group. This report sets out the revised timetable to be published within a revised Local Development Scheme (LDS). The LDS covers the production of the Local Plan, and also sets a timetable for the preparation of a Community Infrastructure Levy (CIL) for the District, should the Council decide to pursue CIL.
- 1.7 The revised timetable for production of the Local Plan (**Appendix 1**) has been incorporated into a revised Local Development Scheme (LDS7) (**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. It should be noted that moving to a single Local Plan would not result in any additional time extension overall than the previously agreed programme to prepare a Local Plan in two parts.
- 1.8 The LDS sets out a programme and timescale, and projected adoption dates for the following documents:
- North East Derbyshire Local Plan: November 2018
 - North East Derbyshire Community Infrastructure Levy: provisionally 2020
- 1.9 It is important to recognise that the proposed timetable is based upon maintaining currently committed resource levels for the duration of the plans preparation. Failure to maintain adequate resources will affect the timescale for delivery..

- 1.10 It is also important to emphasise that moving towards the preparation of a single Local Plan would not lead to wasted resources or abortive work. Work already completed to this stage will form the platform for a more comprehensive evidence base necessary for a single Local Plan

Changes in National Planning Context

- 1.11 Further reforms to the planning system were set out on 10th July in the Government's Productivity Plan 'Fixing the Foundations: Creating a more prosperous Nation'. Amongst a series of measures, they include proposals for the Local Government Secretary to intervene when local authorities do not produce a local plan. Subsequently, on 21st July, a Written Statement was made by the Minister of State for Housing and Planning. This states that "in cases where no Local Plan has been produced by early 2017.....we will intervene to arrange for the Plan to be written, in consultation with local people, to accelerate production of a Local Plan." Although further clarity is needed on the implications of the statement, the draft Local Development Scheme seeks to reflect this timescale by providing for a Draft Plan to be produced by early 2017. It is unrealistic for the Council to commit to getting a new Local Plan adopted within this short timeframe however, it is considered that by having a clear draft plan out to public consultation by this time the Council should avoid the threat of intervention

Green Belt review

- 1.12 As part of the consideration of the report on the North East Derbyshire Local Plan in August this year (Report No MG/03/15-16/HF), Cabinet considered the progress that had been made in preparing the Plan, including a number of areas of concern that had arisen both from the most recent consultation stage, and as a result of the assessment of available land supply. Amongst these issues was the apparent and clear mismatch between spatial distribution, land availability and demand, and the emerging conclusion that it had become increasingly difficult to justify the postponement of a Green Belt review until after the adoption of the Local Plan Part 1. Cabinet resolved to move to the preparation of a single Local Plan, which will consider options for an alternative strategic distribution of housing and other development, including bringing forward a comprehensive review of the Green Belt.
- 1.13 In order to meet the Local Plan timetable set out in this Local Development Scheme, it is important that preparatory work can commence without delay, to enable the evidence base to be satisfactorily completed. A key element of this is a Green Belt review. It is considered that it would be appropriate to begin such a review now to enable the Council to be in a position to take the critical decision at a future stage on whether it is necessary and desirable to release land from the Green Belt in order to allow the Local Plan Strategy to be delivered effectively

2 Conclusions and Reasons for Recommendation

- 2.1 Cabinet has already resolved that in order to enable the Local Plan to be progressed to the next stages and ensure timely delivery of a sound Plan which is positively prepared, justified, effective, and consistent with national policy and current guidance; the Council should move to prepare a single Local Plan, including reconsidering the strategy approach to the spatial distribution of development and undertaking a comprehensive review of the Green Belt.
- 2.2 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. To achieve this it is considered necessary to commence an immediate review of the Green Belt in order to inform the development of sound options for public consultation in June 2016.

3 Consultation and Equality Impact

- 3.1 The contents of this report have been considered by members of the Local Plan Steering Group, as summarised in paragraph 1.6 of this report.
- 3.2 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.

4 Alternative Options and Reasons for Rejection

- 4.1 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 continue with the preparation of a two-part Local Plan, but it was considered that the format of the Plan as set out in this Local Development Scheme is the option which best reduces the risk of the Local Plan being found unsound at examination.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 The Local Development Scheme includes a Risk Assessment (at Appendix C). 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.

5.2 Legal Implications including Data Protection

- 5.2.1 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 a Local Plan. These procedures have been, and will continue to be, followed.
- 5.2.2 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.
- 5.2.3 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.

5.3 Human Resources Implications

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

6 Recommendations

- 6.1 It is recommended that Cabinet:
- i) Notes the contents of this report.
 - ii) Adopts the revised Local Development Scheme (LDS7) and proposed timetable for the preparation of the North East Derbyshire Local Plan and that it should take effect from 1st November 2015.
 - iii) Authorises work to commence on a Green Belt Review

6 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

7 Document Information

Appendix No	Title
Appendix 1	Timetable for the Preparation of the North East Derbyshire Local Plan
Appendix 2	Local Development Scheme (LDS7)
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
Planning Policy Manager	217168

AGIN 6 (CAB 1028) NED Local Dev Scheme)AJD

Appendix 1: DRAFT Revised Timetable (LDS7):

Timetable for the Preparation of the North East Derbyshire Local Plan																																							
2015					2016								2017								2018																		
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
North East Derbyshire Local Plan																																							
Key:																																							
Preparation of Evidence/Consultation		S		Submission (Reg. 22)																																			
Consultation on Revised Strategy Options		E		Examination (Hearings) (Reg. 24)																																			
Consultation on Preferred Options/Draft Plan		!		Receipt of Inspector's Report																																			
Publication Consultation (Reg. 19)		A		Adoption (Reg. 26)																																			



NORTH EAST DERBYSHIRE DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

LDS 7

November 2015 – November 2018

The Local Development Scheme will take effect from 1st November 2015

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

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1. INTRODUCTION

- 1.1 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.
- 1.2 This is North East Derbyshire District Council's seventh Local Development Scheme. It replaces LDS6 that was published in November 2014. The Local Development Scheme has been revised to take account of changes to the programme for production of the new North East Derbyshire Local Plan that will eventually replace the old Local Plan.

The Purpose of the LDS

- 1.3 The LDS defines the documents that will form the North East Derbyshire District 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.
- 1.4 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.

Progress since adoption of LDS6

- 1.5 Since the publication of LDS6 in 2014, 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. The subsequent site assessment process resulted in the need to introduce an additional Preferred Options stage which was not set out in LDS6. Work has continued to develop and update the Local Plan evidence base. 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 to the decision to commence the preparation of a single Local Plan. As a result several key milestones have been changed and it is necessary to amend the LDS to take account of this.

- 1.6 The priorities for the next 3 years will be to:
- secure an adopted NEDLP ;
 - continue to develop and update the Local Plan evidence base
 - if a decision is taken to proceed Community Infrastructure Levy (**CIL**)¹, secure an adopted **CIL** scheme the District.
- 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 D, 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.
- 1.8 The Local Development Scheme contains a number of abbreviations highlighted in bold text; Appendix F sets out a brief definition of each.

Section 2: The Current Development Plan

- 2.1 The Development Plan for North East Derbyshire currently consists of the following documents:
- Saved policies of North East Derbyshire Local Plan (November 2005)
 - 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);

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

- 2.2 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 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.

- 2.3 North East Derbyshire District Council is not the planning authority for minerals or waste development. This is the responsibility of Derbyshire County Council. The County Council will set out the programme for the replacement minerals and waste local plans in a separate Local Development Scheme.

Neighbourhood, Community and Parish Plans

- 2.4 'Qualifying bodies' (in North East Derbyshire this is likely to be Parish or Town Councils) can prepare Neighbourhood Development Plans. These plans can set planning policies to guide future development within a specified parish. However these plans must be in conformity with national policy and any adopted Local Plan. Neighbourhood Development Plans are subject to a referendum and are examined by an independent inspector. Once adopted, a Neighbourhood Development Plan forms part of the development plan for the area, along with the plans described above
- 2.5 Since LDS6, four Neighbourhood Development Plans (**NDPs**) are now proposed in North East Derbyshire, in the parishes of Ashover, Holymoorside, Wessington, and Wingerworth. These, together with any further Neighbourhood Plans which may be proposed, will be highlighted in the programmed delivery in the AMR and all future versions of the LDS.

Section 3: The Proposed Local Plan

North East Derbyshire Local Plan (NEDLP) 2011-2033

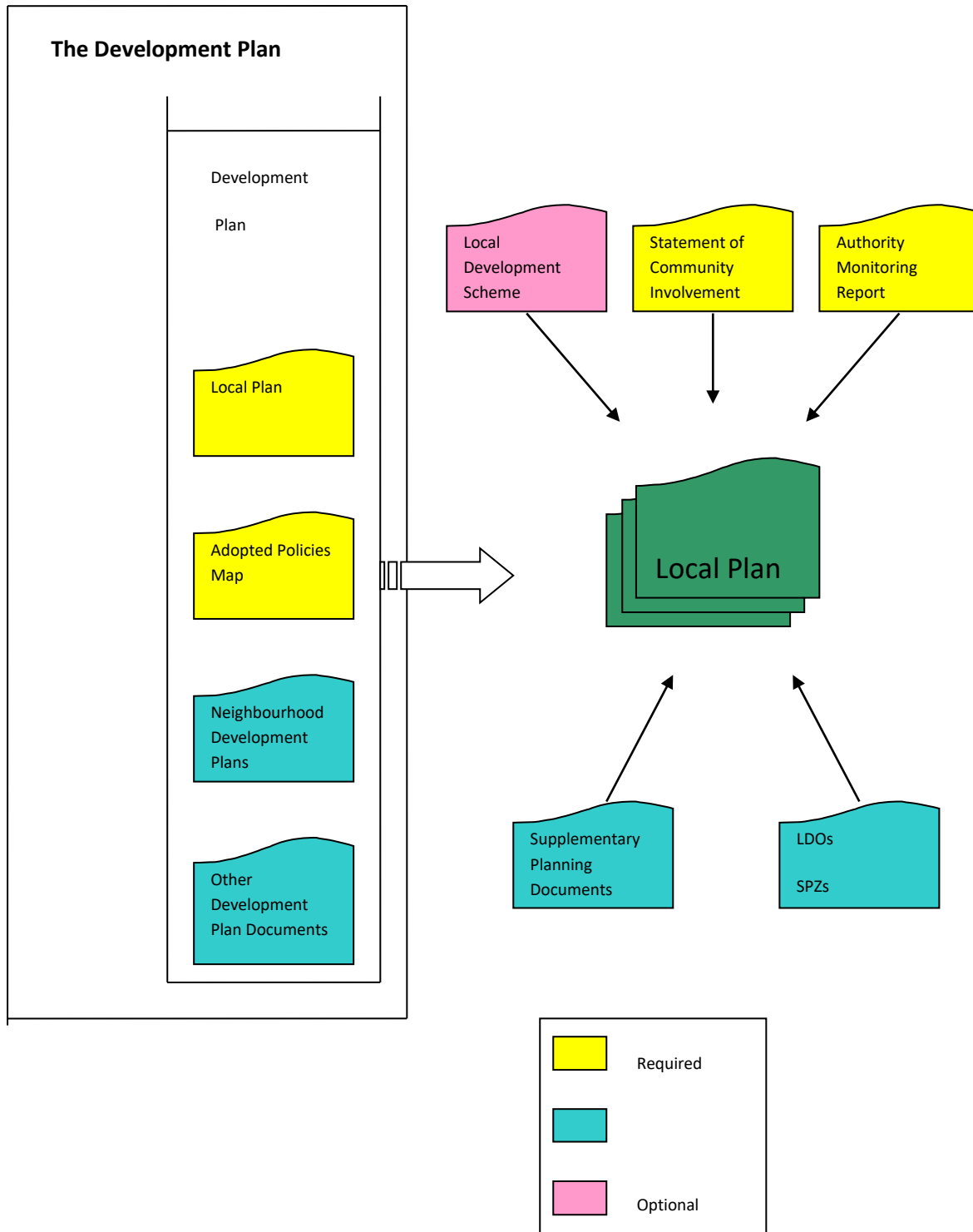
- 3.1 The new Local Plan will provide a framework for the location and design of development and for protecting the natural and built environment. It deals with the location and layout of developments and activities and how these affect people and their environment. The Local Plan is required to contain 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.
- 3.2 The Local Plan will now consist of a single document covering all policies and site allocations.

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.

- 3.3 The format and key documents of the Local Plan are illustrated in Figure 1.

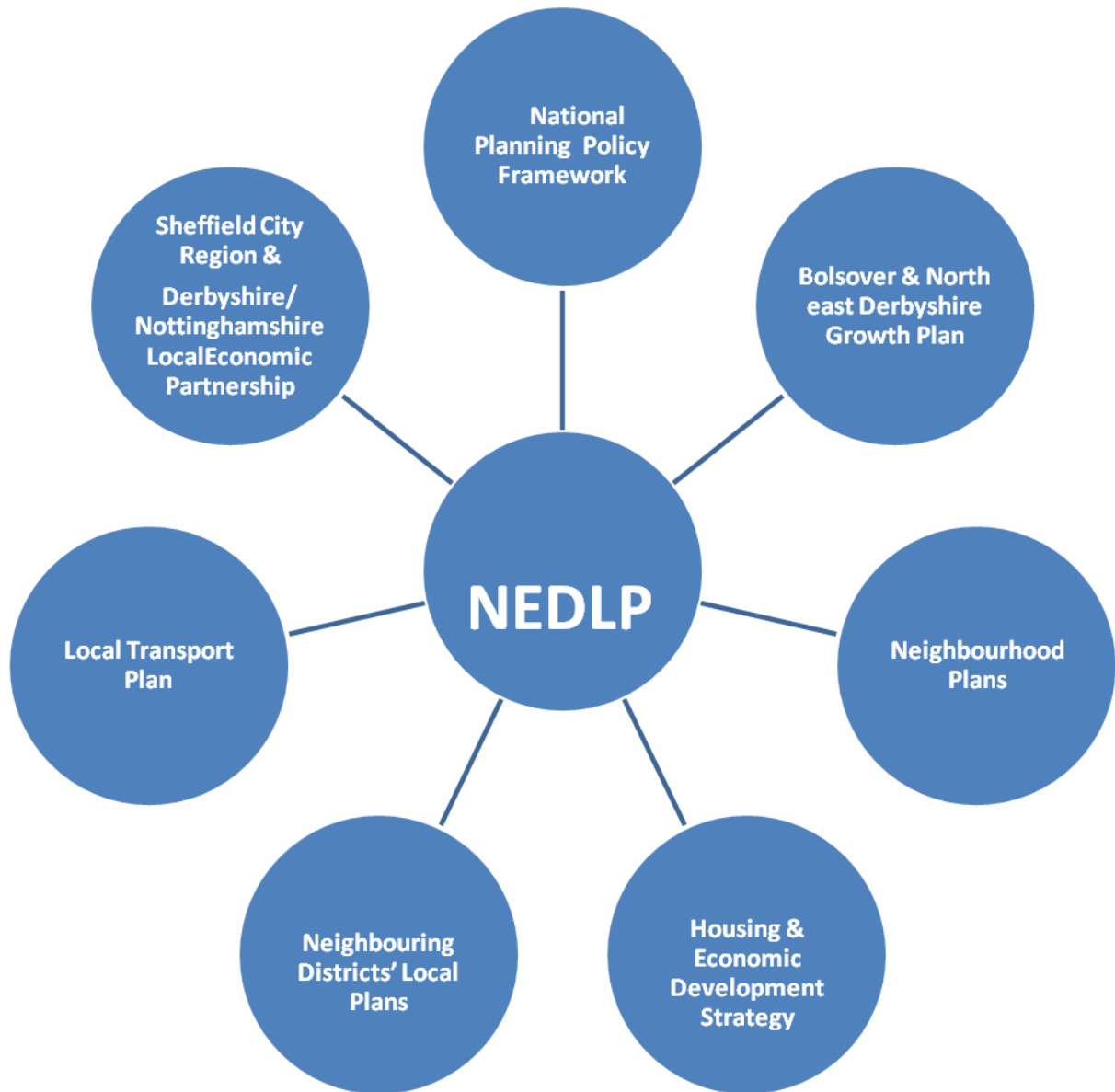
Figure 1: Component Parts of the Local Plan



Relationship to Other Strategies

3.4 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



Geographical Coverage

3.5 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.



Transitional Arrangements & Saved Plans

- 3.6 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 listed on the Council's website. <http://www.ne-derbyshire.gov.uk/environment-planning/planning/planning-policy/local-plan-2001-2011/neddc-saved-policies/>
- 3.7 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)

- 3.8 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)

- 3.9 This LDS provides for the preparation of a single North East Derbyshire Local Plan as the principal DPD that will replace the saved policies of the District Local Plan (2005).

The Local Plan

- 3.10 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.
- 3.11 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 that would have been possible under the current adopted timetable and reduce the risk of the Part 1 Plan being found unsound at examination. Consultation on an Initial Draft Local Plan, together with potential housing sites, took place in February/March 2015.

- 3.12 Due to the decision to commence the preparation of a single Local Plan, work on the former Local Plan Part 1 will now be expanded in scope and will include all site allocations to the end of the Plan period and all issues that were originally due to be addressed in a Local Plan Part 2.

Adopted Policies Map

- 3.13 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. It is not a standalone document, but instead forms part of the principal DPD.

Supplementary Planning Documents

- 3.14 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.

Section 4: The Project Plan

- 4.1 This section sets out the detailed project plan for preparing the North East Derbyshire District Local Plan. The project plan is presented in two formats:
- A schedule of proposed documents and saved plans, setting out key milestones for their preparation (See Appendix B).
 - A Time Line showing this information diagrammatically (See Appendix A).

Explanation of Key DPD Milestones

4.2 The following milestones will be used in the LDS²:

- **Commencement of preparation process (Regulation 18 Preparation of Local Plan)** – this involves informally consulting with the community and other stakeholders on the issues the document should address and the policies or strategies it should contain. Proposals are set out in background papers and studies, and the parallel preparation of the sustainability Appraisal, which will inform the development of the Local Plan. In addition to the two formal periods of statutory consultation (set out below), the programme includes two additional consultation periods, firstly to set out reasonable options and secondly to consult on a draft plan before it is submitted to the Secretary of State.
- **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.

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

² (References to Regulations relate to the Town and Country Planning (Local Development) (England) Regulations 2012)

Arrangements for Production of the Local Plan:

Organisational Lead:

Joint Assistant Director of Planning & Environmental Health

Lead Officer:

Planning Policy Manager

Political Management

Local Plan Steering Group and Cabinet

Resources:

Plan to be prepared by Planning Policy Team within the Council's Growth Directorate, involving other service areas as appropriate

Funding from existing planning policy budgets

Community and Stakeholder involvement:

In accordance with the Town and Country Planning (Local Development) (England) Regulations 2012, and the Council's Statement of Community Involvement (see para 3.8)

Monitoring & Review:

Document production and the implementation of policies to be reviewed regularly and reported in the Authority Monitoring Report (See Section 5)

Section 5: Monitoring & Review

- 5.1 The Council is required to monitor progress on its LDS programme and performance against the milestones. In the light of this monitoring, the Council will consider if any changes need to be made to the LDS. This will be undertaken through preparing and publishing Authority Monitoring Reports on a regular basis.

- 5.2 The AMR also assesses how Local Plan policies are being met and whether any policies need to be partially or completely reviewed, and whether there is a need for any additional planning documents.

APPENDIX A: LOCAL DEVELOPMENT SCHEME PROGRAMME

Timetable for the Preparation of the North East Derbyshire Local Plan																																															
2015					2016												2017												2018																		
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								
North East Derbyshire Local Plan																																															
Key:																																															
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Consultation on Revised Strategy Options					E Examination (Hearings) (Reg. 24)																																										
Consultation on Preferred Options					! Receipt of Inspector's Report																																										
Publication Consultation (Reg. 19)					A Adoption (Reg. 26)																																										

Timetable for the Preparation of the North East Derbyshire Community Infrastructure Levy (CIL)

2017													2018												2019												2020			
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	M	A	
North East Derbyshire Community Infrastructure Levy																																								
																															S				E				!	A
Key:																																								
	Preparation of Evidence/Consultation															S	Submission (Reg. 22)																							
	Council Decision on Business Case for CIL*															E	Examination (Hearings) (Reg. 24)																							
(*Subsequent timetable dependent on decision to proceed with CIL)																																								
	Consultation on Draft CIL Charging Schedule															!	Receipt of Inspector's Report																							
	Publication Consultation (Reg. 19)															A	Adoption (Reg. 26)																							

APPENDIX B: 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.

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	DPD	Sets out vision, objectives and spatial development strategy to 2033 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 NE East Derbyshire Local Plan.	National Policy : National Planning Policy Framework (2012) & National Planning Practice Guidance (2014). All other LDDs to be in conformity with Local Plan	November 2006 Issues & Options Consultation -March 2008 Consultation on the emerging Local Strategy – August 2012 Consultation on Initial Draft Spring 2015 Consultation on Revised Strategy Options June 2016	October 2017	February 2018	June 2018	October 2018	November 2018

OTHER DOCUMENTS LINKED TO DEVELOPMENT PLAN DOCUMENTS

Adopted Policies Map	Forms part of the principal DPD	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	*February 2019	*June 2019	*February 2020	*March 2020

APPENDIX C: 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 was most recently evident in the analysis of the Initial Draft Local Plan consultation (2015) which attracted a substantial number of representations raising some complex issues and challenges.
- 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.

APPENDIX D: COMMUNITY INFRASTRUCTURE LEVY TIMETABLE

The Community Infrastructure Levy (CIL) is a new system of developer contributions to fund infrastructure. 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 the Council decides that this is an appropriate mechanism to fund infrastructure in North East Derbyshire, 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. (Planning obligations would continue to be used in a more limited way, alongside CIL, particularly to provide affordable housing.)

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 progresses as outlined in the Timeline at Appendix A.

CIL Viability Workshop	Spring 2017
CIL Viability Testing	Summer 2017
Council decision on business case for charging mechanism	November 2017
If Council decides to proceed with CIL:	
Consultation on Draft Charging Schedule	November 2018
Submission to Secretary of State	June 2019
Examination by Independent Inspector	October 2019
Inspector's Report	February 2020
Adoption of Charging Schedule	March 2020

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: GLOSSARY

2004 Act	Planning & Compulsory Purchase Act, 2004 (The Act)
2011 Act	Localism Act, 2011
AMR	Annual Monitoring Report – Shows how a Local Plan is performing against the targets set in the LDS.
CIL	Community Infrastructure Levy – a charge which local authorities can levy 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 Local Plan.
NEDDC	North East Derbyshire District Council
NEDDF	North East Derbyshire Development Framework
NEDLP	North East Derbyshire Local Plan – sets out policies and site allocations for the District to 2031
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.
PPG	National Planning Policy Guidance, supporting the NPPF
Adopted	The Adopted Policies Map (formerly known as the Proposals

Policies Map	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.