

North East Derbyshire District Council

Cabinet

26 October 2016

Report on the North East Derbyshire Local Plan – Position Statement

Report of Councillor M Gordon, Portfolio Holder with Responsibility for the Environment

This report is public

Purpose of the Report

- To update Members on the progress that has been made in preparing the Local Plan and
- To seek approval to publish the Local Plan Position Statement

1 Report Details

Background

- 1.1 At its meeting on 5th August 2015 Cabinet endorsed the LPSGs recommendation to cease work on a 2 Part Local Plan and commence the preparation of a single Local Plan, including consideration of options for an alternative strategic distribution of housing and other development and bringing forward a comprehensive review of the Green Belt.
- 1.2 On 28th October 2015 Cabinet adopted a new timetable for the preparation of the new Single Local Plan and approved proposals to commence work on a Green Belt Review. On 8th June 2016 Cabinet approved an update to the adopted timetable essentially combining two informal consultations planned for June 2016 and February 2017 into a single consultation in late 2016/early 2017. This was to account for the additional work associated with the Green Belt Review and to ensure the overall timetable could still be met. As part of this rationalisation it was agreed that a Position Statement would be published setting out the direction of travel of the Local Plan, paving the way for the consultation planned for February 2017 on a Draft Plan.
- 1.3 Cabinet has continued to delegate to the Local Plan Steering Group (LPSG) the general task of overseeing and considering the detailed issues arising out of the preparation of the Local Plan. This has included the preparation of the Local Plan Position Statement

Issues for Consideration

- 1.4 The Local Plan Position Statement (attached at **Appendix 1**) provides a summary of where the Council has got to in the production of the Local Plan and what still needs to be done. Its main purposes are to give update on how the Plan is evolving, to explain:
- what has been happening since the last public consultation on the Draft Local Plan (Part 1) in February 2015;
 - why the Council has shifted to the production of a single Local Plan
 - why the Council has undertaken a Green Belt Review and what this may mean for the distribution of development in the District
 - what the Local Plan is likely to contain and how it will look
 - what are the next steps in the Plan's development; and
 - when the next stage of public consultation will take place.
- 1.5 The Position Statement includes clear reference to the Green Belt review and that this has enabled the Council to revisit the strategy approach of the Local Plan in terms of the overall spatial distribution of development. This means that it is now possible to consider the positive promotion of growth in the north of the District where it would not unduly compromise the Green Belt, with the potential to allow a more balanced spread of development than has been possible in recent years.
- 1.6 Subject to Cabinet approval of the document it is intended to publish this in a designed format, (including figures and illustrations as indicated in the draft document) on the Council's Website during the week commencing 7 November 2016. All statutory consultees and interested parties registered on the Council's Local Plan Database will also be informed of its publication. Whilst the document is intended to be for information rather than for public consultation, interested persons may choose to make comments on it. Any comments received will be taken into consideration as part of the preparation of the Local Plan.

Next Steps

- 1.7 The table below highlights the next key stages in the preparation of the Local Plan. The immediate focus is on writing the draft Local Plan document for public consultation in February 2017, followed by working towards Publication in October 2017 and Submission in February 2018 in line with the adopted Local Plan timetable.
- 1.8 There will be the opportunity for Member consultation on the key elements of the emerging Draft Local Plan prior to the public consultation scheduled for February 2017.

Meeting/Stage	Date	Purpose
LPSG	13 December 2016	To consider the emerging Draft Local Plan
LPSG	17 January 2017	To consider the Draft Local Plan and arrangements for consultation
Cabinet	8 February 2017	To approve Draft Plan for Public Consultation
Public Consultation on Draft Plan	24 February – 7 April 2017 (Provisional)	Non-statutory Public Consultation 6 Weeks
Publication Local Plan	Oct/Nov 2017	Statutory Public Consultation 6 Weeks
Submission Local Plan	February 2018	Formal submission of the Plan for Examination

2 Conclusions and Reasons for Recommendation

- 2.1 This report provides an update on Local Plan progress and confirms that the Plan is on target to meet the key statutory milestones set out in the adopted Local Plan timetable. The Local Plan Position Statement provides a summary of plan preparation so far, explaining what has been done, what remains to be done and the direction of travel. It is anticipated that this document will be an important source of information for interested parties signalling the potential for change in the approach to the scale and distribution of development across the District, such that the contents of the Draft Local Plan to be published in February 2017 will not be unexpected.

3 Consultation and Equality Impact

- 3.1 The contents of this report and the Local Plan Position Statement have been considered by members of the Local Plan Steering Group,.
- 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.
- 3.3 An equality impact assessment of the Local Plan's policies will be undertaken at the publication stage of the Local Plan and any necessary amendments prior to consultation on that document.

4 Alternative Options and Reasons for Rejection

- 4.1 A series of alternative options for both the strategic direction of the Local Plan and its detailed policies have been considered as part of the preparation of the document. The consideration of reasonable alternatives is an integral part of Local Plan preparation and will form part of the criteria the Plan is tested upon when it is examined by an independent inspector.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 There are no specific finance or risk implications arising from this report. However there are implications associated with overall Local Plan preparation. In financial terms resources are in place to ensure timely delivery of the Local Plan. In terms of risk, these have been assessed as part of the preparation of the Local Plan timetable

5.2 Legal Implications including Data Protection

- 5.2.1 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.

- 5.2.2 There are no specific data protection issues arising from this report.

5.3 Human Resources Implications

- 5.3.1 The publication of the Local Plan Position Statement as a document for information rather than for consultation is expected to have only a minimal impact upon staff resources, enabling the team to focus upon the next stage in plan production in line with the adopted timetable.

6 Recommendations

- 6.1 It is recommended that Cabinet:

- (1) Notes the progress that is being made in the development of the Local Plan;
- (2) Approves the content of the Local Plan Position Statement;
- (3) Authorises the publication of the Local Plan Position Statement on the Council's website in the week commencing 7th November 2016; and
- (4) Request that the Joint Assistant Director of Planning and Environmental Health in consultation with the Portfolio Holder for the Environment approve the final design of the Local Plan Position Statement and to make any minor alterations to the text of the document to ensure its legibility.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is an executive decision 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
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
1	Local Plan Position Statement
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)	
Report Author	Contact Number
Planning Policy Manager	01246 217168