

North East Derbyshire District Council

Cabinet

2 March 2023

North East Derbyshire Local Development Scheme 2023

Report of Councillor C Cupit, Portfolio Holder for Environmental Services

Classification: This report is public

Report By: Helen Fairfax – Planning Policy and Environment
Manager

Contact Officer: As Above

PURPOSE / SUMMARY

To seek approval to adopt an interim Local Development Scheme (see Appendix A) to be brought in to effect on 6 March 2023 and to make the scheme publicly available on the Council's website.

RECOMMENDATIONS

1. That the interim Local Development Scheme be brought into effect on 6 March 2023 and published on the Council's website.

Approved by the Portfolio Holder – Cllr Cupit, Cabinet Member for Environment & Planning

IMPLICATIONS

Finance and Risk: Yes No

Details:

The interim Local Development Scheme establishes a programme of work that can be delivered from within existing budgets.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Council has a statutory duty to prepare and keep up to date a Local Development Scheme. The Planning and Compulsory Purchase Act (2004), Section 15 (as amended by the Localism Act 2011) sets out the statutory procedures for preparing and revising a Local Development Scheme. These procedures have been followed.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

There are no specific human resource implications arising from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input checked="" type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Both the Cabinet Member for Environment & Planning and the Assistant Director of Planning have been involved in the preparation of this report.

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.

The LDS is a statutory requirement and does not directly link to the Council Plan.
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REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to prepare and maintain a Local Development Scheme (LDS). The LDS provides information on the planning policy documents that the Council intends to produce and the timetable for their production.
- 1.2 The Council last updated its LDS in September 2018 to reflect a revised timetable for the later stages of the preparation of the then emerging Local Plan. The North East Derbyshire Local Plan was adopted in November 2021 and as a result the information in the current published LDS is out of date.
- 1.3 The Council does not currently have a timetable to review the Local Plan, but it is nonetheless, obliged to have an up to date LDS. The Government also requires local planning authorities to review Local Plans at least once every 5 years from their adoption date and update them as necessary, to ensure that policies remain relevant and effectively address the needs of the local community. As such a review of whether the Local Plan and its evidence base remain up-to-date will need to be completed by November 2026.

2. **Details of Proposal or Information**

- 2.1 This interim LDS does not include timescales for a review of the North East Derbyshire Local Plan. More details on the review process and detailed timescales will be published in an updated LDS later this year. Once the review process is complete a new LDS will need to be prepared setting out the anticipated timeline for a full or partial update of the policies of the Local Plan.
- 2.2 The interim LDS does however, include indicative timetables for the review of the Council's Statement of Community Involvement and Supplementary Planning Documents, along with progress on Neighbourhood Plans (where this is known).

Statement of Community Involvement (SCI)
- 2.3 The SCI sets out how the Council will involve the public and stakeholders in plan making and in the consideration of planning applications. It sets out who, how and when we will engage with the public and stakeholders in carrying out our planning functions.
- 2.4 The Council's current SCI was adopted in 2014, and the document is due for review in line with the legislative requirement to review SCIs at least every five years. Work on the review of the SCI started last year and public consultation on the draft revised document is underway, running between 15 February and 29 March 2023. It is anticipated that the final version will be ready for adoption in Summer/Autumn 2023. Once adopted, the arrangements for publicity, engagement and consultation on the new Local Plan must follow the procedures as set out in the adopted SCI.

Supplementary Planning Documents (SPDs)

- 2.5 The following SPDs and guidance are currently adopted by the Council:
- Access for All SPD – December 2007
 - Affordable Housing SPD– January 2008
 - Developer Contributions SPD – September 2007
 - Eckington Town Centre Development Framework SPD – May 2012
 - Recreation and Open Space SPD – October 2007
 - Sustainable Buildings SPD – November 2011
 - Successful Places: A Guide to Sustainable Housing Layout and Design Interim Planning Guidance – 2013
- 2.6 Work is underway to review the SPD's and it is anticipated that this work will be reported to Cabinet in June/July 2023.
- 2.7 **Neighbourhood Plans**
A number of neighbourhood plans are either in the course of preparation, under review or being modified. As Neighbourhood Plans are prepared by, and the responsibility of Parish or Town Councils, the District Council cannot specify or influence the timetable for their preparation. However, where dates are known for key milestones in the preparation of neighbourhood plans these are reported in the LDS for information purposes. The Council will continue to provide advice, support and input to the neighbourhood planning process in line with statutory requirements as and when requested by Parish or Town Councils.
- 2.8 A copy of the interim Local Development Scheme 2023 is attached at Appendix A.

3 Reasons for Recommendation

- 3.1 There is a need to publish an up to date LDS to meet statutory requirements.

4 Alternative Options and Reasons for Rejection

- 4.1 The preparation of a LDS is a statutory requirement and there are no reasonable alternative options.

DOCUMENT INFORMATION

Appendix No	Title
A	Interim Local Development Scheme 2023
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 you must provide copies of the background papers)	