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NORTH EAST DERBYSHIRE DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

November 2024 – May 2028

The Local Development Scheme takes effect from 25 November 2024

NORTH EAST DERBYSHIRE DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME

INSERT Contents

1. INTRODUCTION

- 1.1 The Local Development Scheme (**LDS**) sets out the timeframe for the preparation of planning policy documents referred to as Development Plan Documents (**DPDs**) that will direct future planning decisions in the North East Derbyshire. The LDS will be 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 first Local Development Scheme in association with the preparation of its new Local Plan, which once adopted will replace the current Local Plan (2024 – 2034) which was adopted in November 2021.
- 1.3 The Local Development Scheme contains a number of abbreviations highlighted in bold text; the Glossary at Appendix B sets out a brief definition of each.

The Purpose of the LDS

- 1.4 The LDS defines the documents that will form the Development Plan for North East Derbyshire setting out:
 - the current status of existing planning documents;
 - the documents that will be produced;
 - the content and geographic coverage of these documents; and
 - a timetable for the production of these documents showing the key stages/milestones in their preparation and when the community will be involved.
- 1.5 The intention is to assist the community's understanding and involvement in the Development Plan system. The LDS is a rolling Project Plan to aid the timely production of the NEDLP as well as enabling the Council, other agencies and key stakeholders to coordinate their investment programmes.

Section 2: The Current Development Plan

2.1 The Development Plan for North East Derbyshire currently consists of the following documents:

- North East Derbyshire Local Plan (2014 – 2034) (November 2021)
- 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); and
- The following Neighbourhood Plans for:
 - Ashover 2016 – 2033 (Modified - April 2023)
 - Brackenfield 2017-2034 (Made – Oct 2019)
 - Brampton 2017 - 2034 (Made – Nov 2023)
 - Dronfield 2016 - 2034 (Made – Nov 2019)
 - Holymoorside and Walton 2016 – 2033 (Made – Nov 2017)
 - Shirland and Higham 2022 – 2034 (Made – Sept 2024)
 - Wessington 2017 – 2034 (Made – Oct 2019)
 - Wingerworth 2016 - 2033 (Made – July 2018)

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

Local Plan

2.3 Planning (Local Planning) (England) Regulations 2012 (as amended) requires local planning authorities to review Local Plans at least once every five years from their adoption date, to ensure that policies remain relevant and effectively address the needs of the local community. If the review identifies a need for updating, they should then be updated as necessary.

2.4 The North East Derbyshire Local Plan was adopted in 2021, requiring completion of a review by November 2026. However, given the Plan was prepared under a previous version of the NPPF, it was considered appropriate to undertake a scoping exercise earlier this year to consider the areas of the current Local Plan that are likely to require updating. A review utilising the Planning Advisory Service ‘toolkit’ was undertaken and the work was verified by a third party consultant. The review indicated that a number of strategic policies would need to be updated, including the supply of housing and employment land and the implications of the Environment Act 2021 and new policy areas around biodiversity net gain and climate change.

2.5 At the same time the Government was proposing significant reforms to plan making and so the Council resolved not to commence a plan review until such time as there was greater certainty, instead focussing efforts of refreshing the evidence base. Since then, the new Government has proposed further changes to national planning policy and plan-making, which, if carried forward will have significant impacts on the Council, increasing the urgency for

securing an updated Local Plan at the earliest opportunity. Whilst there remains uncertainty over the final detail of these changes and reforms, the Government's commitment to accelerated growth and housing delivery is unlikely to lead to significant relaxation in expectations. It is therefore, now considered prudent to progress with an immediate update of the Local Plan.

Minerals & Waste Local Plans

- 2.6 North East Derbyshire District Council is not the planning authority for minerals or waste development. The Minerals and Waste Local Plans are the responsibility of Derbyshire County Council, who are required to set out the programme for their replacement in a separate Local Development Scheme. .

Neighbourhood Plans

- 2.7 'Qualifying bodies' (in North East Derbyshire this is 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
- 2.8 There is no requirement for 'Qualifying bodies' to produce an LDS timetable for the preparation of a Neighbourhood Plan. However, where timescales are known they can be included in the District Council's LDS. The Parish of Killamarsh was designated as a Neighbourhood Area in March 2023 for the purposes of preparing a Neighbourhood Plan. However, there is currently no firm timetable available for the production of this Plan

Section 3: The Proposed Local Plan

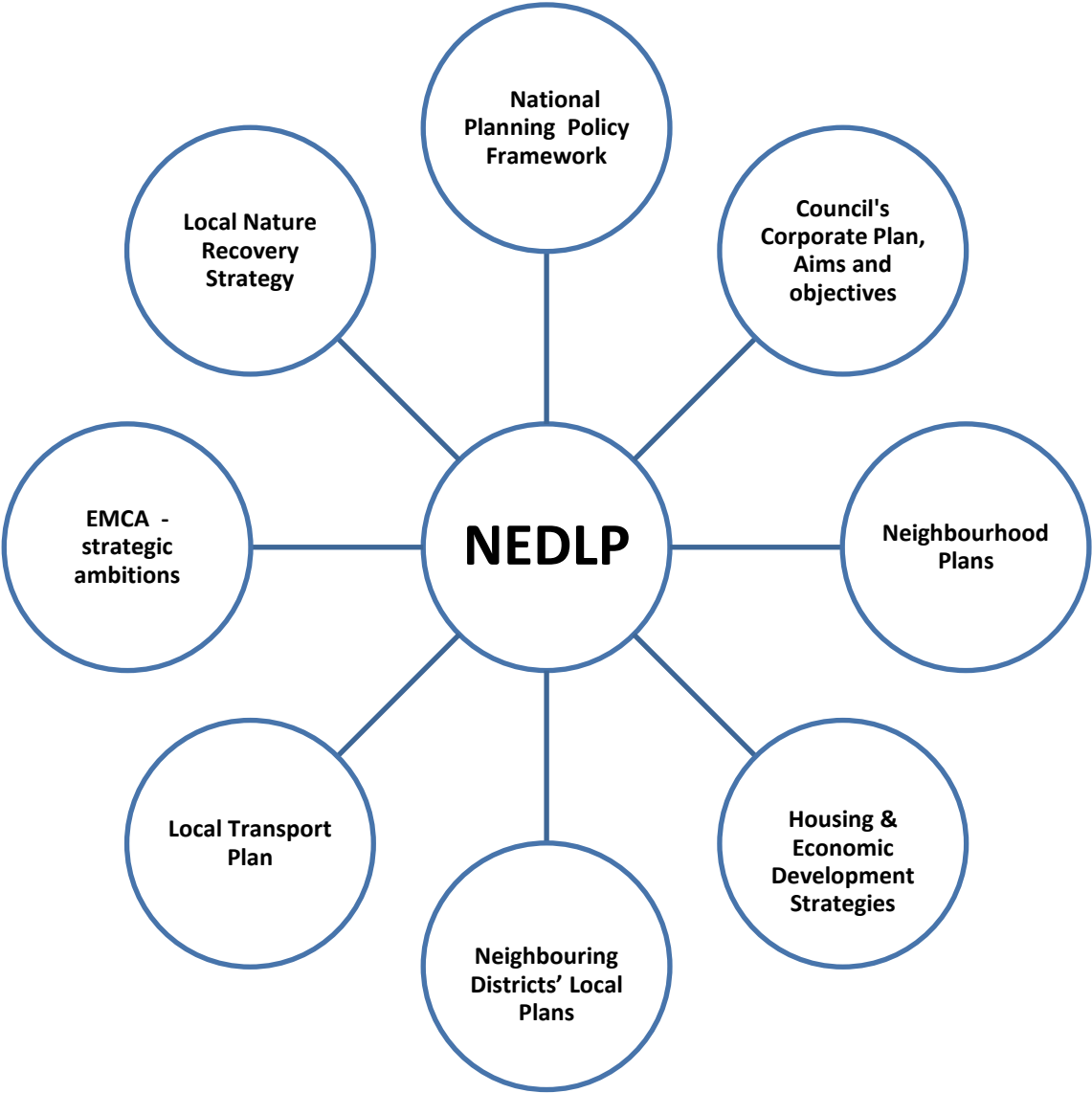
North East Derbyshire Local Plan (NEDLP) 2024-2044

- 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 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:
- **The Statement of Community Involvement (June 2023) (SCI)** – sets out how and when the Council will engage the community and other stakeholders in preparing, altering and reviewing local development documents and in dealing with planning applications.
 - **The Authority Monitoring Report (AMR)** – this reviews plan-making activity against targets and milestones set out in the LDS. The AMR is published annually in Autumn, although real time updates on progress in relation to the published LDS timetable will be made available on the Councils website as necessary.

Relationship to Other Strategies

- 3.3 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. Figure 1 identifies some of the key documents and strategies that will impact upon the NEDLP.

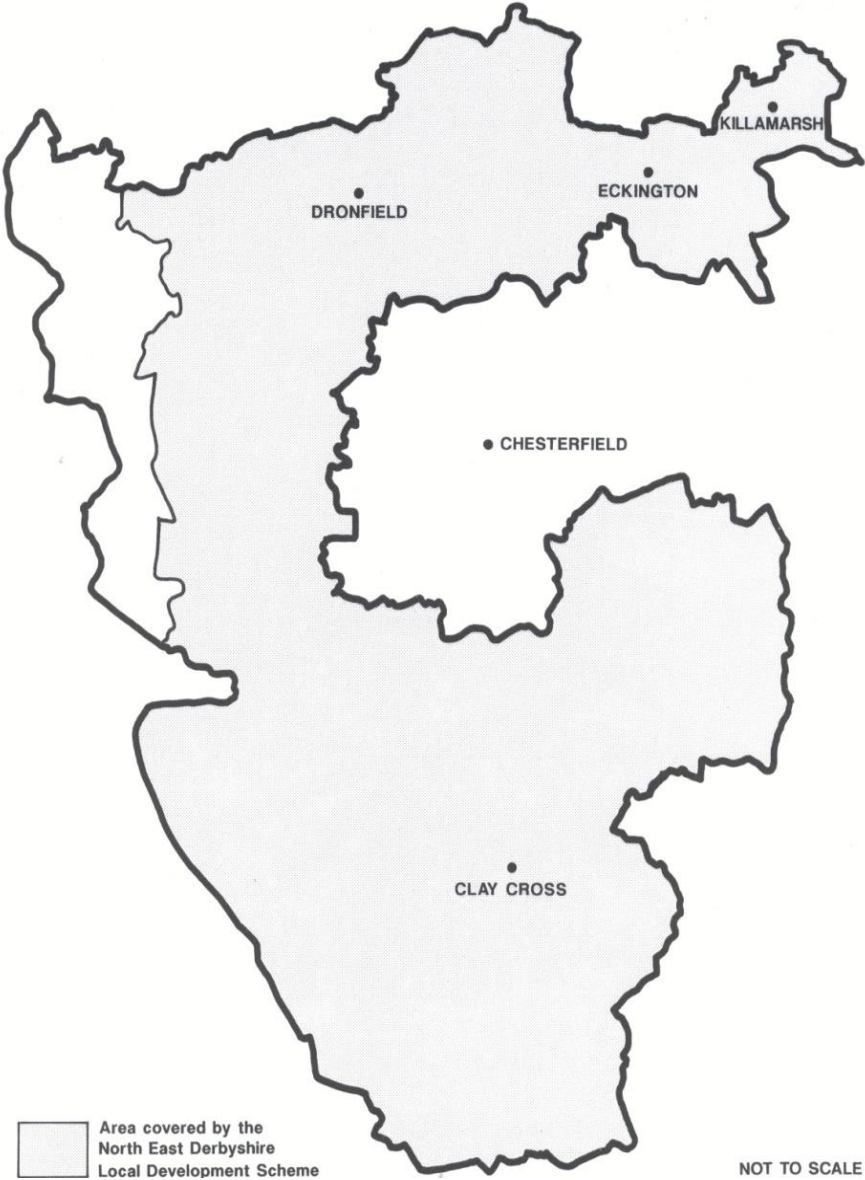
Figure 1: Relationship of the North East Derbyshire Local Plan to national policy guidance and other key documents & strategies (not exhaustive).



Geographical Coverage

3.4 The geographical extent of the District’s LDS is illustrated in Figure 2 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 2: Geographical Coverage of the North East Derbyshire Local Development Scheme.



Section 4: The Project Plan & Key Milestones

- 4.1 This section sets out the detailed project plan for preparing the North East Derbyshire District Local Plan. The key tasks and milestones¹: are outlined below. Appendix A includes a Timeline showing the key tasks and milestones in diagrammatic format.

Preparation of a Local Plan – Regulation 18

- 4.2 November 2024 marks the formal start of the Plan-making process and involves assembling the evidence and consulting with the community and other stakeholders on the issues the document should address and the policies or strategies it should contain, along with options for how this can be addressed. Proposals are set out in discussion papers and studies, and will be accompanied by the parallel preparation of the Sustainability Appraisal, which will assess the options and inform the development of the Local Plan. A comprehensive 6-week consultation period is scheduled to take place in June/July 2025. However, there may be other targeted periods of consultation throughout the plan preparation stage as part of a continuous process of engagement and plan development.

Pre-submission public participation (Regulation 19 Publication of Local Plan)

- 4.3 This stage comprises a statutory 6-week consultation on the Local Plan document and supporting material that the Council intends to submit to the Secretary of State.

Submission of documents and information to the Secretary of State (Regulation 22)

- 4.4 The Council will submit the Local Plan, Sustainability Appraisal and all other relevant documentation to the Secretary of State. This will include a summary of representations received during earlier stages and how these have been taken into account.
- 4.5 The Planning Inspectorate will appoint an independent Inspector to conduct the examination.

Independent Examination (Regulation 24)

- 4.6 During the Examination period the Plan will be tested thoroughly to determine whether the document satisfies the statutory requirements for plan preparation and is sound. All duly made representations will be considered by the Inspector either on the basis of written submissions or during formal public hearing sessions.

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

4.7 During this period the Council may undertake public consultation on proposed modifications to the Plan if deemed necessary by the Inspector.

Receipt & Publication of Inspector’s Report (Regulation 25)

4.8 After the examination, the Inspector will produce their detailed report indicating whether any changes are required to the plan before it may be adopted. Upon receipt the Council must publish the Inspector’s report and give notice of its availability.

Adoption (Regulation 26)

4.9 The Council will consider the Inspector’s report before formally adopting the Local Plan as part of the Development Plan.

Section 5: Monitoring & Review

5.1 The Council will monitor progress on its LDS programme and performance against the milestones and will consider if any changes need to be made to the LDS. This will be an ongoing process overseen by the Local Plan Working Group with reports to the council’s Cabinet at key stages. Progress will also be reported through the Authority Monitoring Report and real time updates.

5.2 The AMR also monitors the implementation of existing Local Plan policies to identify which policies need reviewing, and whether there is a need for any additional policy areas to be addressed.

APPENDIX A: LOCAL DEVELOPMENT SCHEME PROGRAMME


North East Derbyshire Local Plan (2024 - 2034)

2024		2025											2026												
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
							C	C											C	C				S	

2027											2028					
J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M
			H	H									!			A

Examination timings are indicative only


KEY:

 Plan Preparation (incl. evidence collection and Issues & Options) (Reg. 18)


 Issues and Options Consultation (Reg. 18)


 Publication Consultation (Reg. 19)

 Submission (Reg. 22)

 Examination (Reg. 24)

 Hearings (April/May 2027)

 Receipt of Inspector's Report (Reg. 25)
February 2028

 Adoption (Reg. 26) May 2028

APPENDIX B: GLOSSARY

2004 Act **Planning & Compulsory Purchase Act, 2004** (The Act)

AMR **Annual Monitoring Report** – Shows how a Local Plan is performing against the targets set in the LDS.

DP **Development Plan** - is defined in S38 of the 2004 Act as made up of DPDs

DPD **Development Plan Documents** - 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.

LDS **Local Development Scheme** - a three year programme for the preparation of the Local Plan 'rolled forward' each year.

NP **Neighbourhood 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**

NEDLP **North East Derbyshire Local Plan** – sets out policies and site allocations for the District to 2031

PPG National Planning Policy Guidance, supporting the NPPF

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**