

North East Derbyshire District Council

Cabinet

15 January, 2025

**LOCAL PLAN TIMETABLE – PROPOSED UPDATE TO THE LOCAL
DEVELOPMENT SCHEME.**

Report of Councillor Pickering Portfolio Holder for Environment and Place

Classification: This report is public

Report By: **Planning Policy & Environment Manager**

Contact Officer: **Helen Fairfax**

PURPOSE / SUMMARY

To seek Cabinet approval to update the timetable for the preparation of a new Local Plan to take account of an additional period of public consultation; and to reschedule the later stage consultation whilst still meeting the overall deadline to submit the plan to the Secretary of State by the end of 2026.

RECOMMENDATIONS

1. That Cabinet approves the updated timetable for the preparation of the Local Plan and associated changes to the published Local Development Scheme, authorises its publication and that it shall have immediate effect.

Approved by the Portfolio Holder – Cllr Pickering, Cabinet Member for Environment & Place

IMPLICATIONS

Finance and Risk: Yes No

Details: Implications for finance and risk were fully considered as part of the previous report for the adoption of the Local Development Scheme on 21 November 2024 (Cabinet Item 6) . The changes to the timetable proposed by this report are not expected to have a material effect on the factors of finance and risk. Whilst we are introducing an additional stage of consultation, we are also able to adjust the timing of the following consultation and still meet the Government's cut off date for plan submission under the current plan making processes. The additional costs of consultation will not be significant and can be covered by existing budgets, furthermore this may reduce some level of risk by increasing the opportunity for public participation.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details: Section 15 of the Planning & Compulsory Purchase Act 2004 Act, as amended, requires the council to prepare a Local Development Scheme (LDS) and keep it up to date. The LDS provides a public statement of the council's programme for producing the Local Plan. It explains which Local Development Documents will be produced and when and how they will be produced. The LDS can only take effect once Cabinet has resolved that the scheme shall take effect and specified the date from which the scheme shall have effect.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details: The preparation of a Local Plan and supporting evidence has a significant impact upon staff resources. Staff resources are in place to effectively undertake the work outlined in this report and it will be important to maintain these resource levels. However, circumstances may arise where it is necessary to augment resources, if for example high levels of responses are received during public consultation, or additional evidence is required to meet any new national planning guidance.

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 - £125,000 <input type="checkbox"/> Capital - £310,000 <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

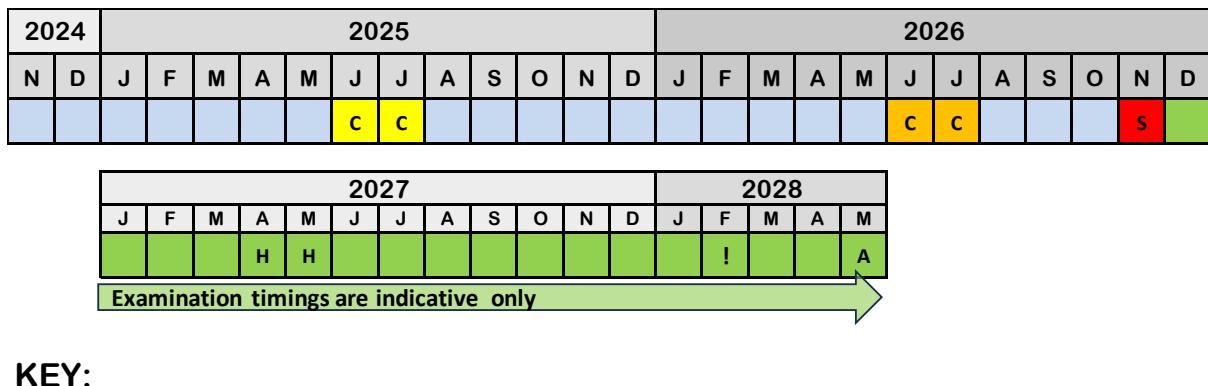
Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	Yes, appended.
Stage 2 full assessment undertaken <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	No, not applicable
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Discussions undertaken with Members through the Local Plan Working Group.
Links to Council Plan priorities; <ul style="list-style-type: none"> A great place that cares for the environment A great place to live well A great place to work A great place to access good public services 	

REPORT DETAILS

1 Background (reasons for bringing the report)

- 1.1 Cabinet will recall approving the Local Development Scheme (LDS) & timetable for the production of the Local Plan at its meeting on 21 November 2024. The adopted timetable (Figure 1) shows two periods of public consultation a year apart and submission of the Plan to the Secretary of State by the end of November 2026.
- 1.2 The Issues & Options consultation that took place in the summer of this year focused on key strategic matters and policy alternatives alongside information on all sites that had been submitted for consideration through the earlier call for sites and which had gone through an initial desk top assessment. Additional sites were also put forward during the consultation and it has become clear that it would be preferable to undertake a further period of consultation on a refined schedule of potential sites following feedback from key consultees to inform the Council's decisions in relation to identifying preferred sites.
- 1.3 Furthermore, at the time preparing the timetable (in Figure 1) we were aware of the need to submit the Plan by an unspecified date in December 2026. The Government has recently published guidance that clarifies that the cut-off date for plan submission is 31 December 2026. This provides greater scope for adjusting the timing of consultation on the Publication Draft Plan.

Figure 1: Current Adopted Timetable – For Local Plan Production



KEY:

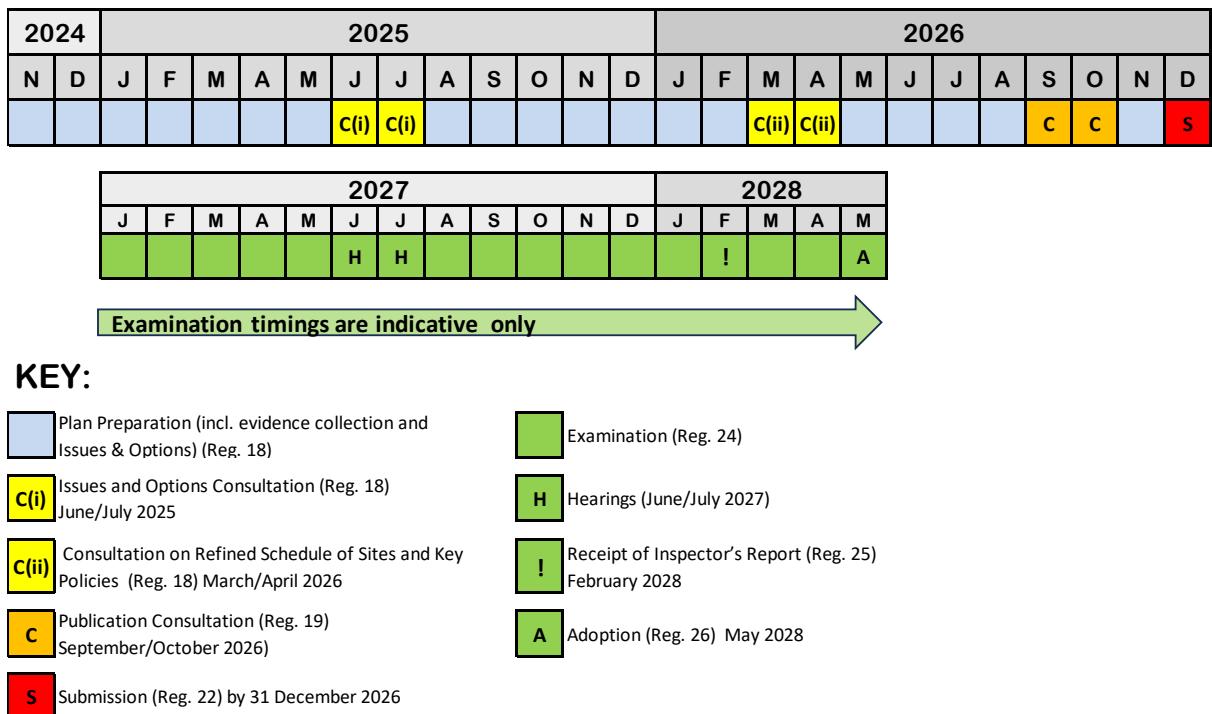
Plan Preparation (incl. evidence collection and Issues & Options) (Reg. 18)	Examination (Reg. 24)
Issues and Options Consultation (Reg. 18)	Hearings (April/May 2027)
Publication Consultation (Reg. 19)	Receipt of Inspector's Report (Reg. 25) February 2028
Submission (Reg. 22)	Adoption (Reg. 26) May 2028

2. Details of Proposal or Information

- 2.1 This proposed revised timetable at Figure 2, provides for an additional period of public consultation whilst still achieving submission of the Local Plan by December 2026, in line with the Government's transitional arrangements towards the new Plan making process as set out in the Levelling Up and Regeneration Act (LURA).
- 2.2 The additional period of consultation is scheduled for March/April 2026 with the intention of consulting on a refined schedule of sites alongside other key strategic policy matters that will guide the location of development.
- 2.3 The Government's deadline for the submission of plans under the transitional arrangements, whilst not a significant change to timescales, gives the Council an additional month with which to prepare the plan and scope to undertake consultation on the Publication Draft Plan in September after the peak summer holiday period. This creates extra time between the two consultations which will be particularly beneficial. It will involve a very quick turn-around to get the Plan submitted by the end of December, but we know this is possible because we had a similar turnaround time between Publication consultation and Submission with the current Local Plan.
- 2.4 The changes to the timetable are shown in Figure 2, with associated changes made to the published Local Development Scheme document (**Appendix 1**). The timetable also includes an adjustment to the expected dates for Examination Hearing sessions to take account of local elections and purdah. However, as noted, the timeframes for the Examination period are largely outside the Council's control.

Figure 2: Proposed Updated Timetable – For Local Plan Production

North East Derbyshire Local Plan (2024 - 2034)



2.5 It remains the case that success in keeping to the timetable will be dependent upon:

- Maintaining current staffing and financial resources and augmenting these if necessary;
- Securing all the necessary evidence through means of a combination of in-house, consultancy and third party support;
- An agile and responsive Local Plan Working Group to guide the process through a programme of meetings aligned with the timetable; and
- Timely decision making on key strategic issues.

2.5 Progress on preparation of the Plan will be kept under continuous review by the Local Plan Working Group. If it becomes apparent that changes are required to the timetable, the matter will be reported back to Cabinet and the LDS updated accordingly.

3 Reasons for Recommendation

3.1 To enable the Council to progress with Plan Making with the aim of achieving submission of the Local Plan by the end of December 2026 in line with the Government's proposed transitional arrangements. This will enable the Council to get an up to date plan in place at the earliest opportunity and limit the Council's exposure to ad-hoc speculative development.

3.2 In order for the updated scheme to take effect Cabinet must formally resolve that the scheme is to have effect and specify the date from which it is to have effect.

4 Alternative Options and Reasons for Rejection

4.1 The Council is obliged by the 2004 Planning & Compulsory Purchase Act (Section 15) as amended, to publish and keep up to date a Local Development Scheme. Therefore, there is no alternative over whether, or not to produce an LDS.

DOCUMENT INFORMATION

Appendix No	Title
1	Local Development Scheme 2024 – 2028 - UPDATE
2	EQIA Stage 1
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)	