

**North East Derbyshire District Council**

**Cabinet**

**15 January, 2025**

**PROGRESS REPORT ON DEVELOPMENT OF A NEW LOCAL PLAN.**

**Report of Councillor Pickering Portfolio Holder for Environment and Place**

Classification: This report is public

Report By: **Assistant Director of Planning**

Contact Officer: **David Thompson**

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**PURPOSE / SUMMARY**

To update Cabinet on the work that has been undertaken to develop a new Local Plan, since the decision in November 2024 to undertake a Review of the current Plan. This report seeks to satisfy the Terms of Reference for the Local Plan Working Group, which requires update reports to Cabinet, Environment Scrutiny Committee and to Council on this matter. The report is expected to be presented at the Council meeting on 26 January 2026 and will be presented at the next meeting of the Environment Scrutiny Committee following Council.

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**RECOMMENDATIONS**

1. That Cabinet notes the contents of this report and endorses its inclusion on the agenda for the Council meeting on 26 January 2026 and the next available Environment Scrutiny Committee meeting after that date.

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

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**IMPLICATIONS**

**Finance and Risk:** Yes ☒ No ☐

**Details:** The main risk associated with not having an up to date Local Plan is the financial burden of appeals against refusals of applications for ‘unplanned’ development. The cost associated with defending appeals on sites subsequently allocated in the current Local Plan ran into the hundreds of thousands. Diverting finding to resource that process has direct implications for other services that the Council provides. It is therefore in the financial interests of the Council to work at pace and limit the period during which the Council does not have an up to date plan to as short a timeframe as possible.

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On Behalf of the Section 151 Officer

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**Legal (including Data Protection):**

**Yes** ☒

**No** ☐

**Details:** The Local Plan Working Group terms of reference require update reports to be presented to Cabinet and Council through discussion with Members of the Working Group. Comments have been invited on this report from members of the Working Group and any issues raised will be included in the report presented to Council.

On Behalf of the Solicitor to the Council

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**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

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## **DECISION INFORMATION**

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> 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:  <b>NEDDC:</b> <b>Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/></b> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Equality Impact Assessment (EIA) details:</b>	
<b>Stage 1 screening undertaken</b> <ul style="list-style-type: none"> <li>Completed EIA stage 1 to be appended if not required to do a stage 2</li> </ul>	EIA not required
<b>Stage 2 full assessment undertaken</b> <ul style="list-style-type: none"> <li>Completed EIA stage 2 needs to be appended to the report</li> </ul>	No, not applicable

<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Cabinet</b> <input type="checkbox"/> <b>SMT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input checked="" type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	Yes  Details: Consultation with Leadership and the report summarises discussions between Members at the Local Plan Working Group meetings.
<b>Links to Council Plan priorities;</b> <ul style="list-style-type: none"> <li>• <b>A great place that cares for the environment</b></li> <li>• <b>A great place to live well</b></li> <li>• <b>A great place to work</b></li> <li>• <b>A great place to access good public services</b></li> </ul>	

## REPORT DETAILS

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

- 1.1 Cabinet will recall commencing the formal process for reviewing the current Local Plan at its meeting in November 2024. The Local Plan Working Group (LPWG) did meet twice prior to the decision to progress with the Local Plan review, in November 2023 and February 2024 and the notes of these meetings have been made public via officer reports to Scrutiny committees. The composition of the LPWG was amended at Council in the same month, to be politically proportionate. This update focusses on how the Local Plan review has progressed since November 2024.
- 1.2 To recap, the reason for commencing a formal review in November 2024 was in response to the national consultation on amendments to the National Planning Policy Framework (NPPF), which suggested a revision to the formula for calculating annual housing need, which would have significant implications for the District. The consultation suggested that the uncertainty around the process for examining plans (the reason for not commencing a formal review earlier in 2024) was now outweighed, given the relatively small number of allocated sites left to deliver in the current Local Plan.
- 1.3 The Local Plan review work to date sits under the following broad headings, all of which are explored in more detail in the main section of this report:
- The importance of having an up to date Plan quickly;
  - Determining a sustainable strategy for development;
  - Consultation so far and an overview of the feedback on the strategic options;
  - Evidence base update;
  - Future consultation requirements; and
  - Priorities for the next six months.

## **2. The importance of an up to date Local Plan.**

- 2.1 Having an up to date Plan is crucial for the Council to make decisions on planning applications that are backed by local evidence. Even if the method for calculating local housing need had not changed in December 2024, it would remain the case that the current Local Plan does not allocate sufficient sites that have not already been developed to meet the 330 dwelling per annum target for a period longer than the very short term.
- 2.2 This is largely due to the fact that the sites were delivered as 'speculative' planning applications, because that route was quicker (including the time taken to appeal may of the larger applications) than the progress on the Local Plan. Developers are aware of national policy and many of them won't wait if it looks like the Council is not taking the necessary decisions to get a Plan in place that has a pipeline of sites that will deliver the housing requirement for more than just the first few years of the Plan.
- 2.3 We know that from November 2026 we will not be able to demonstrate a five year supply of housing sites, because it is at that point that the new target of circa 600 per annum will apply. In all likelihood, we will fall below a five year supply sooner than that, because of the limited number of allocated sites in the current Plan left to develop. If we can submit a draft Plan to the Planning Inspectorate one month later, then the Council can show a clear direction of travel for that future blueprint. That will be a critical signal to all interested parties that the Council understands its responsibilities in respect of a plan-led system.
- 2.4 We cannot start giving significant weight to the emerging Local Plan until the examination in public (adjudicated by the Planning Inspectorate) is at a more advanced stage. However, promoters of sites will be engaged in that process and like the public, will get a sense of progress. On the balance of probability, if the timetable for submission slips beyond December 2026 and uncertainty increases, promoters will be more inclined to submit 'speculative' planning applications and we risk a return to unplanned development. This is a significant risk that the Council needs to bear in mind when approaching the difficult decisions involved in allocating sites that do not yet have a planning history.

## **3. Determining a sustainable strategy for development.**

- 3.1 Officers fully accept that there are trade-offs and unpopular decisions to be made when developing a Local Plan that will have some longevity to it, but we also need to be clear that avoiding those decisions will not prevent the change happening on the ground. To avoid the more harmful results of the latter, we need to make progress over the next few months on the strategic objectives for the new Plan. This was a key theme of the Issues and Options consultation that took place in summer 2025, the focus groups that followed and the discussions in the Local Plan Working Group (LPWG) towards the end of 2025.
- 3.2 It remains theoretically possible that we could propose a strategy that delivers less than the 600 dwellings a year at the point that we submit the draft Local Plan. External expert advice via the Planning Advisory Service (linked to the Local Government Association) has cast doubt on our ability to do this, due to

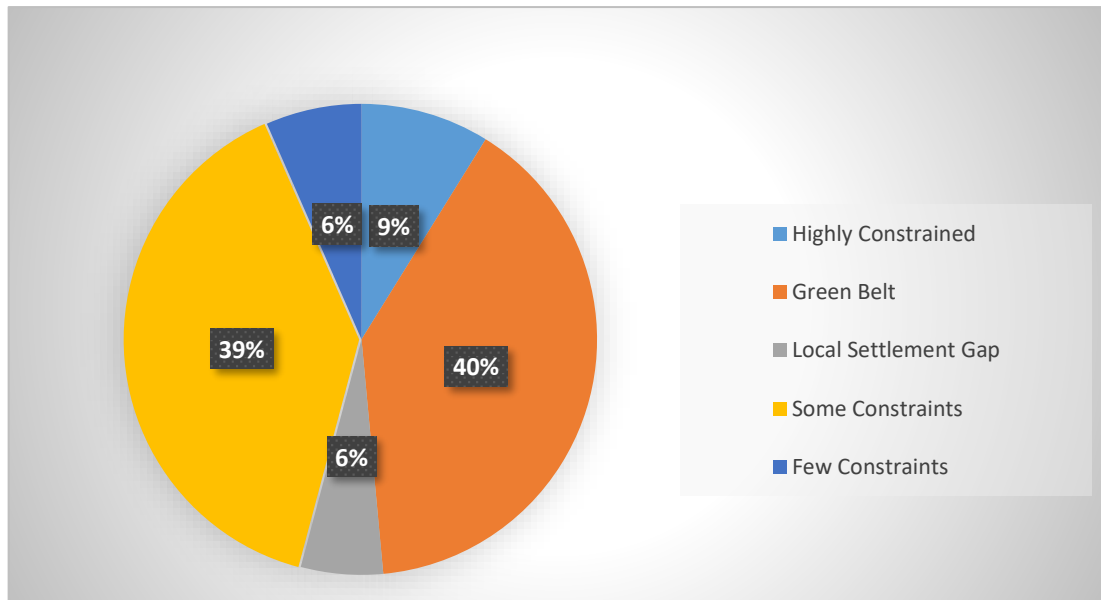
the shortage of unique circumstances that apply (at a high level) in North East Derbyshire. The undoubted infrastructure challenges that our communities face are not dissimilar to those of other semi-rural areas and the main environmental constraint is the Green Belt, which national policy requires to be reviewed to understand how need might be met without undermining the purposes of the wider Green Belt.

- 3.3 In any event, the starting point has to be a strategy that attempts to meet the target, in order to be able to robustly defend the position we conclude before submitting the draft Plan for examination. The LPWG has considered detailed summaries of the responses to the strategic questions posed in the issues and options consultation which broadly highlight the need to accommodate trade-offs in reaching sound conclusions, because no one option is comprehensively supported and no single option can deliver the required level of development.
- 3.4 For example, responses generally indicated a desire to retain the Green Belt and focus on previously developed land in areas with infrastructure capacity and access to jobs and services. There was widespread support for increasing densities in locations around larger settlements, but a preference for sites on the edges of Chesterfield and Sheffield where capacity (i.e. development options submitted to the Council as available for development) is limited and largely within the Green Belt.
- 3.5 Conversely there was limited support through the consultation responses for development around the District's towns and larger villages where capacity (as defined in 3.4 above) is greatest (albeit a sizeable proportion is within Green Belt or a Local Settlement Gap.) Whilst there was also strong support for new strategic sites and/or a new settlement, the combined capacity of these options is less than 6000 dwellings, almost 50% of which is in the Green Belt. National policy requires an assessment of all reasonable options outside the Green Belt before land within the Green Belt is considered for allocation.
- 3.6 A detailed report on the outcome of the Issues & Options consultation will be prepared and published as part of the next consultation on key strategic policy matters and a refined schedule of sites early in 2026.

#### Current Land Availability position:

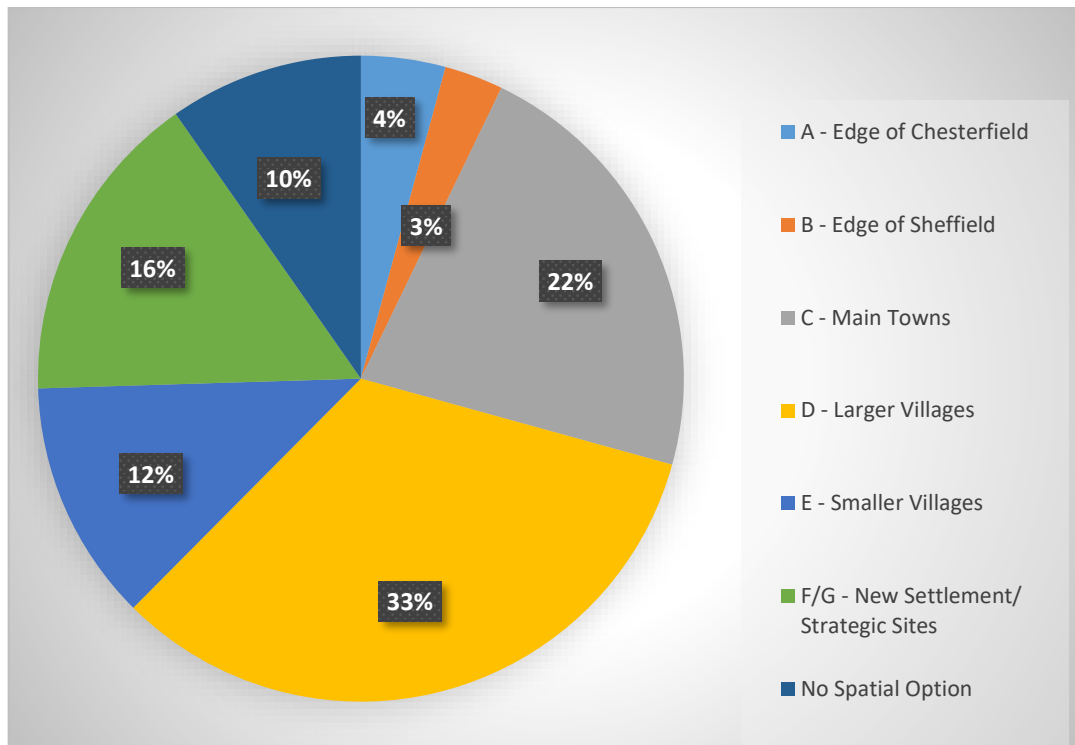
- 3.7 The latest information on sites includes all sites that were included in the Issues and Options consultation, plus additional sites submitted during the Issues & Options consultation process and sites identified from other sources, such as lapsed planning permissions.
- 3.8 Over 500 sites (Net - discounting duplicates and overlapping) have been identified with capacity for approximately 36,000 dwellings, which would suggest that there would, in principle, be sufficient capacity to accommodate

the Standard Method Housing Target (i.e. approx. 12,000 dwellings over 20 years. However, as revealed in Figure 1, over 50% of site capacity is either heavily constrained and unsuitable or within the Green Belt of a Local Settlement Gap.



*Figure 1: Proportion of Potential Housing Site Capacity by Level/ Type of Constraint*

- 3.10 Furthermore, information on capacity by spatial option (the 'strategic' locations for development which provide a context for individual site assessment) gives a clear indication that no single spatial option will be capable of accommodating the full housing need of c. 12,000 dwellings (Figure 2). It is also clear just how much capacity is located within the Green Belt and LSG's for each of the options, which has specific implications when we start to consider the consultation responses on the preferred approach to the spatial distribution of development and other issues around protecting the Green Belt and LSG's from further development.



*Figure 2: Proportion of Housing Capacity (c. 36,000 dwellings) by Spatial Option*

#### **4. Consultation so far and an overview of the feedback on the strategic options**

Issues and Options public consultation (summer 2025):

- 4.1 Approximately 775 people attended the public drop-in sessions, and over 850 individuals or organisations submitted representations to the consultation. Of the responses, almost 600 were submitted through the online portal, over 200 by email and a small number by post (some postal comments were found to be duplicates of emails or online submissions, made by the same individuals)
- 4.2 This represents a high level of engagement relative to the previous local plan at comparable stages. For example, there were 228 respondents to the core strategy issues and options consultation in 2009 (although this did not include potential sites) and 368 respondents to the Initial Draft Plan & potential sites consultation in 2015.
- 4.3 From the responses, over 17,000 separate comments were made across the various questions. Officers are utilising AI systems to facilitate timely analysis of this high number of responses. This is proving to be effective in drawing out the wide range of separate comments and issues raised by representations in a more detailed and consistent way than could be achieved manually. Although it is important to stress that there has been a lot of officer involvement in the process to check initial outputs. Officers will continue to undertake further

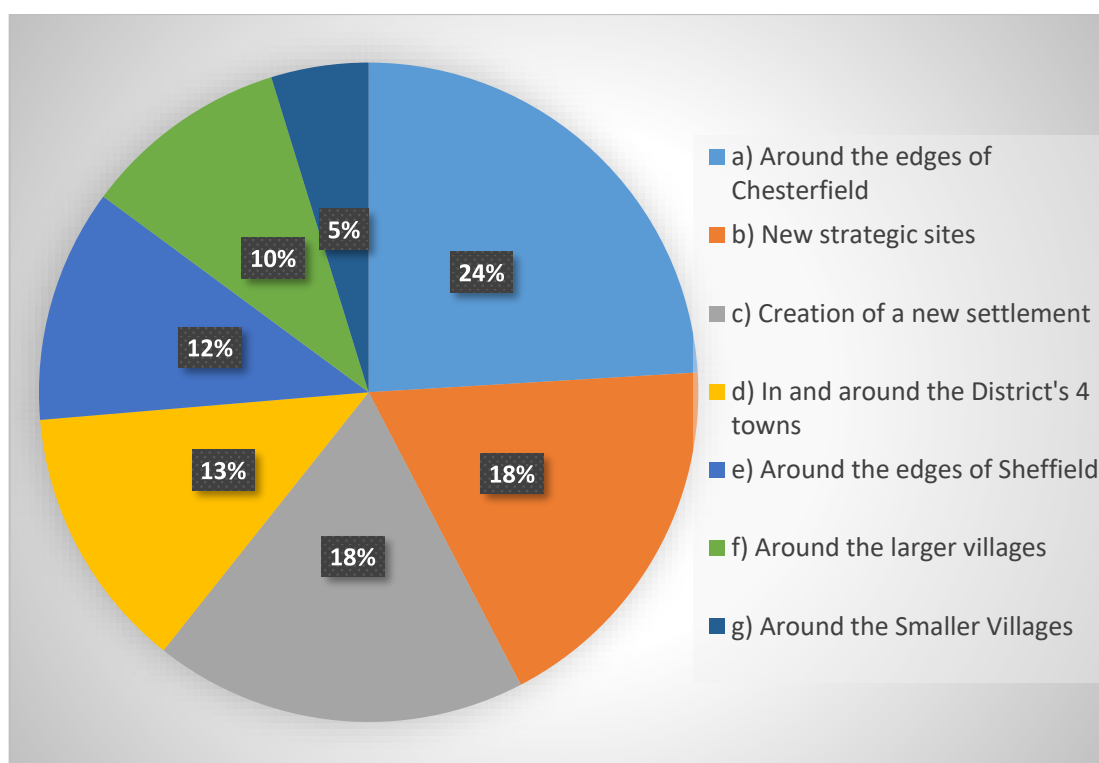


detailed checks to ensure the accuracy of the outputs, before anything is made available to the wider public.

- 4.4 At this stage in the Local Plan's development the key requirement is to summarise the main issues raised in representations. But we have the added benefit of being able to delve deeper and understand the differences in the issues raised by the various cohorts, such as residents, developers and statutory bodies.

Consultation responses relating to the spatial options:

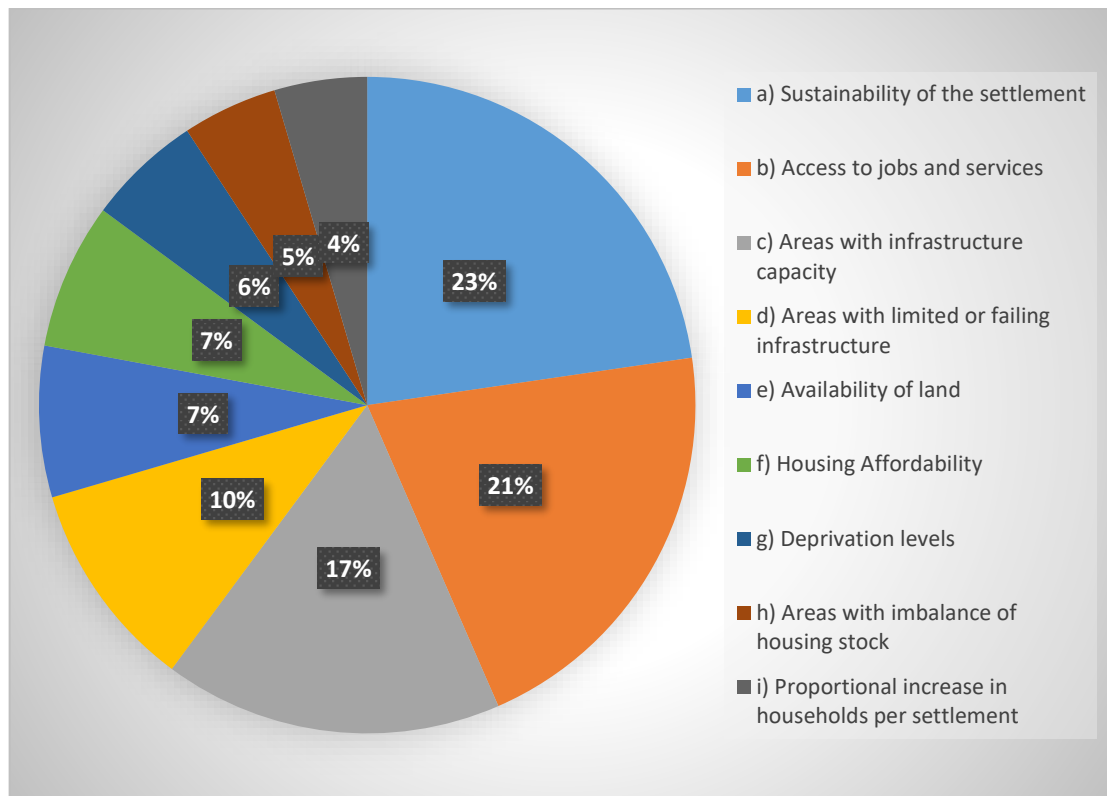
- 4.5 Question 12.1 of the Issues and Options consultation asked where we should focus new development, offering 7 alternatives (a – g) with the opportunity to select up to 3 (Figure 3). Over 500 selections were made for this question, with the highest proportion (24%) favouring locations around the edges of Chesterfield; with strategic sites and the creation of new settlements being the joint second. There was less support for development around the district's main towns and larger villages and around the edges of Sheffield; with least support for development around smaller villages.



*Figure 3: Question 12.1 Spatial Options – Preferences - Quantitative Responses*

- 4.7 Question 13 asked what issues people thought should determine the location of new homes and other development, giving 9 alternatives (a – i) with the ability to tick all that apply. Over 800 selections were made for this question (Figure 4, with the highest proportion (23%) favouring the sustainability of the settlement, closely followed by access to jobs and services (21%) and areas

with infrastructure capacity (17%). The remaining options received limited support, with a proportional increase in households by settlement being least favoured at 4%.



*Figure 4: Question 13 -Determinants of the location of development - Quantitative Responses*

#### Site Type Options

- 4.12 Question 21 asked respondents to choose their 3 most preferred site type options for new development from a list of 7 alternatives, along with an explanation of the impacts or benefits of their selection. Over 300 separate option selections were made (not all respondents chose 3 options), of these, 57% identified a preference for increasing housing densities around larger settlements, with a further 19% opting for higher densities everywhere (Figure 5). There was limited support for the other 5 alternative options.
- 4.13 Reasons given for respondents' selections emphasise preserving Green Belt gaps and biodiversity, favouring brownfield regeneration and higher-density schemes within existing settlements to balance housing delivery with countryside protection. They highlight efficient land use through compact urban infill and strategic town centre sites to reduce car dependency and carbon emissions. Many urge transport upgrades and 15-minute neighbourhood models to ease congestion and support walking, cycling and public transport. There is a clear call for strong settlement boundaries to maintain community identity and for development to use existing utilities, schools and services. Respondents also highlight the need for a varied housing mix, including smaller

and affordable homes, and note potential economic and employment benefits from construction and new resident expenditure.

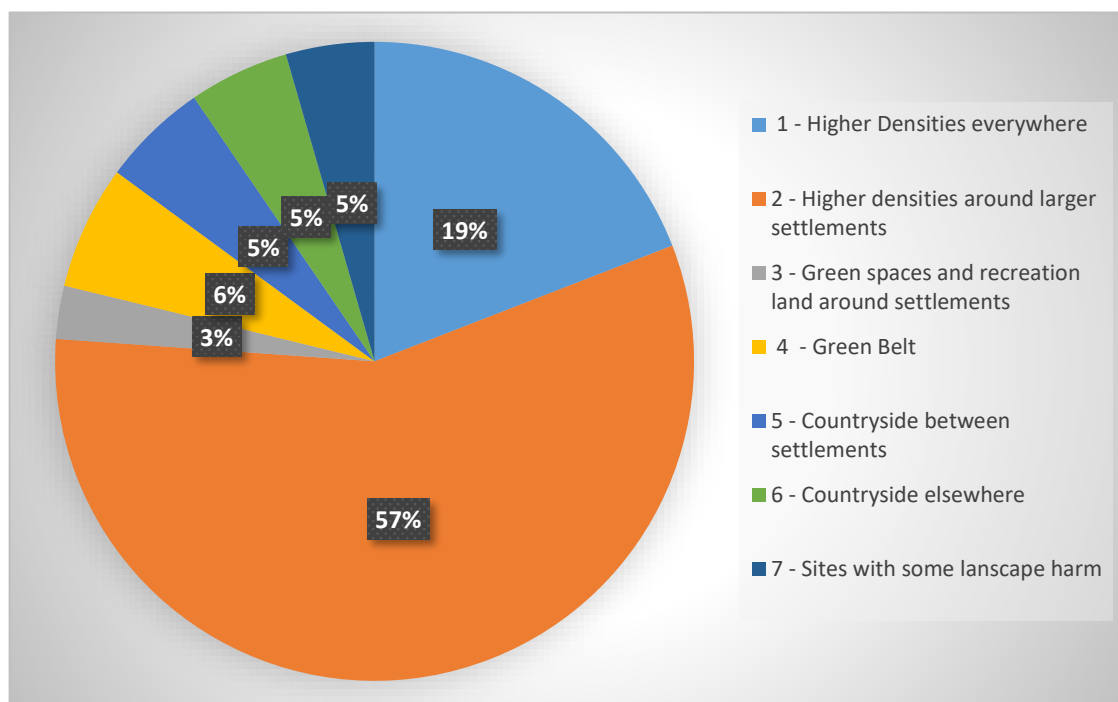


Figure 6: Question 21 – Preferred Site Types - Quantitative Responses

#### Focus Groups (November 2025)

- 4.14 The Council commissioned Arc 4 (an extension of the contract relating to the Housing Strategy) to undertake a series of focus groups during November 2025. These included in-person events in different locations across the district, 2 evening sessions by Microsoft Teams and events specifically for District and Parish Councillors.
- 4.15 The focus groups were asked a series of questions to explore the underlying reasons behind the answers given by respondents to the issues and options consultation (including the issues identified above). The same questions were asked at each of the sessions and a summary of the findings has been produced by Arc 4. Officers are reviewing this at the time of writing. The contents will be discussed with the LPWG and the report will form part of the Consultation Statement submitted alongside the next Local Plan consultation early in 2026.
- 4.16 A focus group to engage sixth form age children in the development of the Local Plan will also take place in early 2026. All 3 secondary schools in the district were contacted and approximately 12 students will be involved in this process.
- 4.17 Further focus groups are planned for 2026 to align with programmed consultation stages and dates will be advertised in advance.

### Engagement with Parish Councils

- 4.18 Sessions have been held in each quarter of 2025. All Parish Councils were invited and a good number have been represented through the process. Officers have also met with Parish Councils who were unable to attend these sessions. The purpose of the forum is to provide updates to and hear feedback from Parish Councils as the development of the Local Plan progresses. Further sessions will be held during 2026.

### Future public consultation

- 4.19 A separate report on this agenda is proposing minor updates to the Local Development Scheme (LDS – the timetable for the development of the Local Plan) to reflect confirmation from government that Councils have until the end of December 2026 to submit a plan for examination under the current process. The changes include an additional consultation stage in March 2026 to consider key strategic policy matters and a refined schedule of sites that remain options for potential allocation, following initial feedback from technical consultees, and receipt of more information about their deliverability; and reschedule the Regulation 19 consultation to September 2026 to allow time to respond to findings of the additional (March) public consultation stage.
- 4.20 The Regulation 19 (Reg 19) is the final formal stage of consultation on the draft version of the Local Plan prior to submission to the Secretary of State. If the revised LDS is approved, the formal consultation on the draft Plan would occur for 6 weeks during September and October 2026. This allows for the process to occur fully outside the summer holidays and based on the experience of the current Plan, gives officers sufficient time to meet the deadline for submission to the Planning Inspectorate.

## **5. Evidence base update.**

- 5.1 Please see appendix 1 for a detailed breakdown of the items covered by the evidence base and current progress on each. The key pieces of work that have been completed to date are:

- Settlement Hierarchy Study;
- Housing Needs Study;
- Gypsy & Traveller Accommodation Assessment;
- Economic Development Needs Assessment (incorporating Strategic Warehousing & Logistics Study);
- Employment sites Study; and
- Open Space and Recreation – site assessment.

and the following Derbyshire County Council studies:

- Vision Derbyshire Climate Change Strategy: 2022-2025;
- DCC Renewable Energy Study;
- Natural Capital Strategy; and

- Local Nature Recovery Strategy.

5.2 The following evidence topics that are actively progressing at the time of writing this report are:

- Strategic Flood Risk Assessment;
- Land Availability Assessments for Housing, Employment & other uses;
- Town Centre Studies;
- Playing Pitch Strategy; and
- Plan for Nature (Biodiversity Study).

5.3 The following evidence topics are to be procured in quarter 1 of 2026:

- Green Belt Review (jointly with Chesterfield Borough Council);
- Local Settlement Gaps Update;
- Green and Blue Infrastructure Strategy;
- Transport Study; and
- Whole Plan Viability Study.

## **6. Concluding comments.**

6.1 This report is for noting as an update from Officers as to progress against the LDS, with the objective being submission of the draft Local Plan to the Planning Inspectorate by the end of 2026. Officers have made professional observations about the challenges and risks involved in the process, as considered appropriate, given the very tight nature of the programme.

6.2 Officers consider that the level of engagement from the public has been healthy and constructive and we have used innovative technology and focus groups to reach as broad a spectrum of views as possible. We are learning about the areas that we need to refine in relation to these new ways of working and open to feedback as we progress to the next phases of consultation.

6.3 Engagement with the LPWG will continue during 2026 and it is important that the Council makes significant decisions about the strategy to be pursued in order to meet the housing need identified by the standard method in the early part of the year.

## **7. Alternative Options and Reasons for Rejection**

7.1 The alternative to progression of the Local Plan under the current examination system alternative is to await the implementation of new planning guidance and/or the new plan-making system. This was rejected on the basis that significant changes are imminent and to do nothing would put the Council at greater risk of 'speculative' development for an additional extended period of time, by virtue of not having an up to date Local Plan. Awaiting the new system will also not change the housing target or the difficult decisions that need to be faced to develop a strategy for delivering the required level of growth in the district.

## DOCUMENT INFORMATION

Appendix No	Title
1	Evidence based progress tracker
<b>Background Papers</b> (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)	