
REPORT TO:	Council	AGENDA ITEM: 25
DATE OF MEETING:	1st March 2007	CATEGORY:
REPORT FROM:	Deputy Chief Executive	OPEN:
MEMBERS' CONTACT POINT:	Ian Bowen X5821	DOC:
SUBJECT:	South Derbyshire LDF: Revised Local Development Scheme	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE:

1.0 Recommendations

That:

- (a) the revised Local Development Scheme be approved for formal submission to the Secretary of State to come into effect on 31st March 2007.
- (b) the Deputy Chief Executive be authorised to make minor or detailed textual changes to the LDS, in response to any comments raised by the Government Office for the East Midlands

2.0 Purpose of Report

- 2.1 To seek members' agreement for the revised Local Development Scheme (LDS) to be submitted to the Secretary of State.

3.0 Detail

- 3.1 The Planning and Compulsory Purchase Act 2004 has introduced major changes to the way the planning system operates particularly in relation to the preparation of planning policy documents. Under the new system, a

suite of documents comprising the 'Local Development Framework' (LDF) is required to be produced which will, over time, replace the adopted South Derbyshire Local Plan (1998). The LDF is required to contain a Local Development Scheme (LDS) which is a public statement identifying which documents will be produced, in what order and when.

- 3.2 The first South Derbyshire LDS came into effect in April 2005 and this was revised almost immediately (in July 2005) in direct response to the withdrawal of the emerging draft Local Plan.
- 3.3 More recently, the 2006/07 LDF Annual Monitoring Report which was considered by Council on 15th December 2006, concluded that a further revision is now necessary, largely because:
- there has been a growing understanding of the nature and requirements of the new LDF system - particularly in relation to the stringent application of the tests of 'soundness' being applied to LDF documents at public examinations.
 - there is a need to align the timing and policies of relevant LDF documents with the emerging East Midlands Regional Spatial Strategy ('RSS' or 'Regional Plan').
- 3.4 In addition, a recent Ministerial Statement has advised that in the context of Kate Barker's review of the land-use planning system and other new national planning policies, local authorities should review their LDSs by 1st April 2007. The clear expectation is that once reviewed, they should be departed from only in exceptional circumstances.

The Revised LDS

- 3.5 The draft revised LDS at appendix 1, which was considered by the LDF Member Working Panel on 26th February 2007, sets out the proposed key milestones and timetable for adoption of all LDF documents. It is a 3 year project plan but also indicates, where relevant, further work to be undertaken beyond that date. Once approved by members, the revised LDS will need to be formally submitted to the Secretary of State. The scheme will then take effect within 28 days unless the Secretary of State directs otherwise.
- 3.6 The revised LDS indicates the Authority will prepare the following documents:

1) The Core Strategy

This document will establish the long term spatial vision for South

Derbyshire and the strategic policies required to deliver that vision. It will set out broad locations for delivering housing and other strategic development needs such as employment, retail, leisure, community, essential public services and transport development. All other LDF documents are required to conform to the Core Strategy.

2) A Joint 'Site Allocations' document for the Derby Principal Urban Area (PUA)

'Site allocations' documents identify and allocate specific parcels of land to meet development needs identified in the Core Strategy. It can include land allocated for any purpose for which specific sites need to be identified e.g. housing (including affordable housing and sites for Gypsy caravans) and employment sites. The emerging RSS introduces the concept of a Derby PUA - an area including the built-up areas of the City and immediately adjoining land in neighbouring districts, which would receive a specific housing target to 2026. Whilst this Council has raised strong objections to the draft RSS, a site allocations document covering the periphery of Derby will be necessary in the event that any housing is required to be accommodate on the edge of the City. Given the complex cross border issues this raises for example in relation to the 'phasing' of inner City brownfield sites, it is considered that this document would benefit from being prepared jointly on a 'Derby HMA-wide' basis (with Derby City and Amber Valley Borough Councils).

3) A 'Site Allocations' document for the remainder of the District i.e. 'Swadlincote and Villages'

This document would cover all of South Derbyshire, outside the Derby PUA. It is proposed that both site allocations documents be prepared concurrently with the arrangements for public examinations to be agreed in detail with the GOEM and the Planning Inspectorate nearer the time, according to the views of the Inspector(s) appointed and the resources available to the Council and the Planning Inspectorate.

4) The Woodville - Swadlincote Area Action Plan

Preparation of this document has already commenced, with the assistance of development consultants Atkins through financial support from the Derby and Derbyshire Economic Partnership (DDEP). This document aims to bring forward economic regeneration and environmental improvements to a 71 ha area between Woodville and Swadlincote Town Centre, incorporating the Swadlincote Regeneration Route - a road increasing accessibility to the area and providing relief to Moira Road and the 'Clock' roundabout in particular. An 'issues and options' informal consultation is currently underway exploring broad strategic options for the area.

5) Generic Development Control Policies

This document will set out a limited suite of general policies against which to judge planning applications e.g. relating to residential amenity, landscaping etc. It is proposed that this document also be prepared concurrently with the site allocations document, with arrangements for examination being determined nearer the time.

6) Proposals Map

This will express geographically all adopted LDF policies. The adopted proposals map will always reflect the up-to-date spatial plan for the area; including where a policy is deleted or when a saved policy ceases to be part of the LDF.

4.0 Financial Implications

- 4.1 It is important that realistic and achievable milestones are established for the preparation of LDF documents to ensure clear project management and, possible, favourable Planning Delivery Grant settlements.

5.0 Corporate Implications

- 5.1 The LDF will be important in delivering key aspects of the Corporate Plan. A realistic and achievable LDS is important in project managing the delivery of LDF planning policies.

6.0 Community Implications

- 6.1 The timely preparation of LDF documents will be important in establishing spatial policies geared towards securing sustainable communities in South Derbyshire.

7.0 Background Papers

None