

<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 8</b>
<b>DATE OF MEETING:</b>	<b>12<sup>th</sup> AUGUST 2021</b>	<b>CATEGORY: (See Notes) DELEGATED or RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>ALLISON THOMAS - STRATEGIC DIRECTOR (SERVICE DELIVERY)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>KAREN BEAVIN, 07501 698400 <a href="mailto:karen.beavin@southderbyshire.gov.uk">karen.beavin@southderbyshire.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>LOCAL PLAN PART 1 – FIVE-YEAR REVIEW</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS 03</b>

## **1.0 Recommendations**

- 1.1 That the Committee considers the assessment of the Local Plan Part 1 set out in Appendix A.
- 1.2 That the Committee authorises a full review of the adopted Local Plan Part 1.
- 1.3 That the Committee authorises the inclusion of the Infinity Garden Village (IGV) and Freeport sites for detailed policy consideration as part of the Local Plan review.
- 1.4 That a new Local Development Scheme be produced and brought to a future meeting of this Committee for approval.

## **2.0 Purpose of the Report**

- 2.1 To review the policies within the Local Plan Part 1 (the Plan), as is legally required five years post adoption, to determine whether a full or partial review of the Plan is required.

## **3.0 Detail**

- 3.1 The requirement to review a Local Plan is set out in paragraph 33 of the National Planning Policy Framework (NPPF) which states:

*“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan and should take into account changing*

*circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.”*

- 3.2 In order to assist with this assessment of the Plan’s policies, officers have completed the relevant part of the Planning Advisory Service’s Local Plan Assessment Toolkit (Appendix A). The assessment has highlighted a few areas which indicate that a full review of the Plan would be prudent at this point, the key points from which are set out below.
- 3.3 Since the adoption of the Plan the NPPF has been reviewed twice, most recently in February 2019. For the development plan, that is the adopted Local Plan and any made Neighbourhood Plans, to reflect national planning policy requirements reduces the ‘friction’ that a mis-match causes for decision making.
- 3.4 The Council currently has a five-year supply of deliverable housing land. To maintain this position allows the Council to uphold the ‘plan-led system’ and provides the greatest certainty for communities. For a rolling five-year supply to be assured particularly towards the back end of the Plan period, it is recommended to commence a review of the Plan to establish where the next strategic housing sites should be located.
- 3.5 The Covid-19 pandemic will have affected businesses within the District and whilst there will, of course, be those that have been adversely affected, there will also be opportunities that a review of the Plan at this stage could assist in bringing to fruition.
- 3.6 South Derbyshire is part of the Derby Housing Market Area (HMA) and whilst HMA partners recognise the value and expediency of producing separate local plans, the recent introduction of the 35% uplift in Derby City’s housing requirement again requires timely consideration, as set out at A2 in Appendix A.
- 3.7 The Southern Derby Area and IGV is covered by policy INF13 of the current Part 2 Local Plan. This site and the freeport site are already subject to significant activity with pressing and expensive infrastructure requirements, a need for effective collaboration with public and private sector partners and a need to plan these locations in a coordinated way to ensure the best outcomes for the local communities affected and the District as a whole. This work has been progressed up to this point via the IGV Liaison Group which has cross-party political representation and has officer and member representation from South Derbyshire District Council (SDDC), Derby City Council and Derbyshire County Council, in addition to Local Parish Council’s. There is also representation from local landowners and education and health authorities.
- 3.8 The policy background to the IGV is primarily Policy INF13 of the current SDDC Part 2 Local Plan. The Policy requires ‘in order to implement the development comprehensively and support the required infrastructure delivery a joint development framework document will be prepared to guide the development and cross boundary collaboration between the Council, Derby City Council, Derbyshire County Council and developers.’ Further requirements include green and blue infrastructure, transport infrastructure including a new junction onto the A50 at Deepdale Lane, and a new secondary school.

- 3.9 Progress has been made on all of these requirements with the Development Framework document finalised in 2020, funding secured for the school, planning permission granted for the A50 junction and a Levelling up Fund bid of £50m submitted to assist in the delivery of this.
- 3.10 It will be necessary to progress with the work to deliver on much needed infrastructure including new health provision that is within walking distance of the site. With this in mind it is proposed to continue in the collaborative working with partners and subject to existing delegation arrangements be supportive in principle of new bids submitted by others on the delivery of infrastructure in advance of further progress on the local plan. In terms of development in the wider area this is subject to ongoing design work which will be accelerated with the successful recruitment of the Senior Planning Officer (Design) post. This design work together with the provision of transport, health, and education provision, together with any uplift in housing numbers, will all remain matters to be determined as part of the Local Plan review.
- 3.11 The freeport will be an equally important site that the Local Plan review will need to address. The freeport site (known as East Midlands Intermodal Park (EMIP)) is to the South West of the A38 / A50 junction and there is a rapidly evolving process underway including the other freeport sites at Radcliffe on Soar power station in Rushcliffe and East Midlands Airport, to secure the economic benefits that a freeport status will bring. It is also essential to plan to ensure benefits for local communities, that flooding issues are successfully addressed, and that the transport infrastructure (including rail) is planned in a coordinated way.
- 3.12 The fact that the planning approval process is still unclear for the freeport adds weight to the significance of planning in a coordinated way, to ensure sufficient policy requirements are in place in the Local Plan and to secure the local benefits that may get missed without a local policy framework in place.
- 3.13 Should the Committee approve a full review of the Plan the next step would be to draft a formal timetable for the review as part of a new Local Development Scheme.

#### **4.0 Financial Implications**

- 4.1 Failure to undertake a timely review could result in planning applications being upheld at appeal and the associated costs being awarded to the appellants.

#### **5.0 Corporate Implications**

##### **Employment Implications**

- 5.1 None directly arising from this report.

##### **Legal Implications**

- 5.2 None directly arising from this report.

## **Corporate Plan Implications**

- 5.3 Delivery of a timely and deliverable Local Plan is necessary for delivering objectives within the Corporate Plan.

### **Risk Impact**

- 5.4 Failure to undertake a timely review incurs the financial risk set out above, together with the uncertainties for communities that significant speculative planning applications can cause.

## **6.0 Community Impact**

### **Consultation**

- 6.1 A review of the Plan would require significant consultation with the communities and businesses within the District. A review of the Statement of Community Involvement will be undertaken as part of commencing a review of the Local Plan.

### **Equality and Diversity Impact**

- 6.2 An Equality Impact Assessment will accompany the Plan on submission.

### **Social Value Impact**

- 6.3 An up-to-date local plan has a direct bearing on the communities in the District.

### **Environmental Sustainability**

- 6.4 Up to date local plan policies assist in ensuring development is located in the most suitable, sustainable locations and that provision is made for appropriate infrastructure to support this.

## **7.0 Conclusions**

- 7.1 That having carried out an assessment of the Plan using the Planning Advisory Service's recommended toolkit and in recognising the value of maintaining a five-year supply to the end of the current Local Plan period, that a full review of the Local Plan Part 1 should be formally commenced.

## **8.0 Background Papers**

Appendix A – Assessment of Local Plan Review Factors