

South Derbyshire Local Development Scheme - Index

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1 Purpose of this document

This revised Local Development Scheme (LDS) sets out how the Council will progress the Local Plan (previously known as the Local Development Framework over a 3 year period. The documents contained within the Local Plan will set out the policies and proposal for the use and development of land, which over time will replace saved policies within South Derbyshire's 1998 Local Plan and its supporting documents.

The Planning and Compulsory Purchase Act (as amended by the Planning Act 2008 and Localism Act 2011) states that the LDS must specify:

- the local development documents which are to be development plan documents
- the subject matter and geographical area to which each development plan document is to relate
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of joint committee under section 29
- the timetable for the preparation and revision of the development plan documents
- such other matters as are prescribed

2 Timescales

This is the fifth LDS to be published by South Derbyshire District Council. This LDS reflects an updated timetable to that published in March 2014.

The first LDS came into effect in April 2005, the second on 18th July 2005, and the third in March 2007. Following the Governments proposal to introduce the Localism Bill an indicative timetable was also produced that superseded the third Local Development Scheme.

Following the adoption of the LDS in March 2007, there were significant changes to the planning system at a national level. The changes included:

- Replacing National Planning Policy Guidance Notes and Planning Policy Statements with the National Planning Policy Framework (NPPF)
- The Introduction of the Localism Act 2011
- The revocation of the East Midlands Regional Spatial Strategy
- The publication of the National Planning Practice Guidance which supersedes many guidance notes and circulars that weren't replaced by the NPPF.

This revised LDS covers the period of August 2014 –August 2017 and takes a realistic view of the Local Plan documents to be prepared in the coming three-year period. The reason that an update is required so soon after the previous LDS was produced is due to further consideration that was required in regard to the Derby Housing Market Area housing number and to reflect the impact that has had on the timetable.

3 Local Plan

South Derbyshire and other local planning authorities are required to produce a Local Plan. South Derbyshire's existing Local Plan was adopted in 1998 and some policies were 'saved' under the Planning and Compulsory Purchase Act 2004 regulations, which extends the life of these plan polices until they are replaced by a new Local Plan. The saved adopted local plan policies can be viewed at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/adopted_local_plan_1998/default.asp

Supplementary Planning Guidance (SPG) associated with the saved polices in the 1998 adopted Local Plan will also remain a material consideration when determining planning applications, until such time as it is replaced by

Supplementary Planning Documents. SPG which remains up to date can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/supplementary_planning_guidance/default.asp

The National Planning Policy Framework paragraph 215 indicates that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan, to the policies in the Framework, the greater the weight may be given)”. The saved policies in the Local Plan therefore can be used for decision making when they are in line with the NPPF.

It is considered that the saved policies in the 1998 Local Plan are mainly consistent with the NPPF.

The Local Plan currently being prepared by South Derbyshire will contain a portfolio of planning documents which supports the preparation of the Local Plan. Alongside the LDS the portfolio of documents includes the following:

- Development Plan Documents (Local Plan)
- Supplementary Planning Documents
- Statement of Community Involvement
- Annual Monitoring Report

The Planning Practice Guidance was published on the 6th March 2014 and reiterates the need for a Local Development Scheme that is up to date and enables people to track the progress of documents.

Development Plan Documents (DPDs) set out the policies and proposals for a Local Authority Area and carries the most weight in the determination of planning applications. They are subject to independent examination by a Planning Inspector and subject to community involvement through consultation and a Sustainability Appraisal. South Derbyshire will provide the following DPDs:

- Local Plan Part 1 (formally known as the Core Strategy), which will set the long-term vision, objectives and strategy for the spatial development of South Derbyshire and provide a framework for promoting and controlling development. Strategic housing and employment sites will be allocated, along with Development Management policies to be used in determining planning applications.
- Local Plan Part 2, which will allocate non-strategic housing sites and review all settlement boundaries. It will also look at more detailed Development Management policies to support strategic policies in Part 1 in the areas of retail, conservation and heritage and the countryside.
- Proposals Map: A map that identifies those areas to which specific policies apply.

South Derbyshire District Council had previously intended to produce an Area Action Plan (AAP) for the land between Woodville and Swadlincote Town Centre. The District is no longer intending to produce this AAP; however the principle of regeneration on this site including the Regeneration Route is being taken forward in the Local Plan Part 1 as a site specific policy.

Supplementary Planning Documents (SPD) will cover some Development Management policies in more detail. They will be used in the determination of planning applications, and will replace Supplementary Planning Guidance (SPG). SPD's are not subject to independent examination but will be considered through the Council's Committee process.

Statement of Community Involvement (SCI) sets out how the Council intends to engage and consult local communities and others in the preparation of the Local Plan and Development Management matters. South Derbyshire's SCI can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/statement_of_community_involvement/default.asp

Annual Monitoring Report (AMR) reviews the progress in the preparation of the Local Plan documents against the milestones set out in the Local Development Scheme and assesses the extent to which development plan

policies are being achieved. South Derbyshire's most recent AMR can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/annual_monitoring_reports/default.asp

The relationship of each of the Local Plan documents can be found in Appendix 1.

4 Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA)

All DPD's are subject to a SA and a SEA. The SA is an iterative process that is integral to the document's preparation as a means of assessing their potential social, environmental and economic effects.

The Council will also conduct an Environmental Assessment in accordance with the requirements of the EU Directive 2001/42/EC. The Council appointed a Planning Policy Officer with particular responsibility for SA matters in December 2005, which has enabled in-house expertise to be developed together with the progress of a monitoring framework.

The SA was published for consultation during the Regulation 18 consultation on the Draft Local Plan Part 1, which took place from 27th September to 15th November 2013. Following a review of the comments received during this consultation, the SA was updated and published for a further consultation (alongside the Local Plan Part 1 Regulation 19 consultation) from 10th March -22nd April 2014.

5 Links with other Strategies and Plans

The Local Plan will have regard to other Council Strategies such as those for Housing, Economic Development, Tourism, Heritage and Leisure. Work is ongoing with other parts of the Council to develop a joint approach to establishing and maintaining a robust and credible evidence base. This joint approach to data collection will be used to support the preparation and monitoring of the Local Plan. Additionally regard will be had to the Council's Corporate Plan 2009-2014 which the Local Plan will help deliver many of the aspirations within it and South Derbyshire's Sustainable Communities Strategy.

South Derbyshire is part of the Derby Housing Market Area (HMA) along with Amber Valley and Derby City with support from Derbyshire County Council. Given the functional relationship (housing markets and travel to work patterns) between the Derby HMA there has been joint working on the Authorities Local Plan's through the collation of a joint evidence base.

6 Adopted Local Plan Document

The following document has been adopted and is subject to ongoing monitoring. In the event of a formal review being necessary, this will be highlighted in the Annual Monitoring Report:

Document	Date of Adoption
1. Statement of Community Involvement	March 2006

7 Evidence

Government guidance emphasises the need for a robust evidence base in the preparation of Local Plans. South Derbyshire District Council will continue to undertake studies, research and public consultation in preparation of the Local Plan. Many of the studies have been undertaken on a HMA wide basis. Specific research and studies carried out to date include:

<u>Research/Study</u>	<u>Method</u>	<u>Completed</u>
EDS 21st August – Item 7 (Appendix)		

Sustainability Appraisal	In house	Ongoing
Habitats Regulations Screening Assessment	In house	September 2013
Infrastructure Delivery Plan	In house	March 2014
South Derbyshire's Five Year Housing Land Supply (2014-2019)	In house	May 2014
SHLAA	In house	Ongoing
Derby HMA Education Position Statement	In house	October 2012
Derby Urban Area Transport Position Statement	In house	November 2012
Derby HMA Strategic Housing Market Assessment Update *	Consultants	July 2013
Derby HMA Employment Land Review Forecasts Update*	Consultants	March 2013
Derby HMA Housing Requirements Study *	Consultants	2012
Derby Housing Market Area Water Cycle Study *	Consultants	2010
Derbyshire Gypsy and Traveller Accommodation Assessment * (Currently being updated)	Consultants	2008
Derby HMA Employment Land Review	Consultants	March 2008
South Derbyshire District Council Employment Land Review	Consultants	2007
South Derbyshire Level 1 Strategic Flood Risk Assessment (SFRA)	Consultants	2008

* Joint studies commissioned with Derby City Council and Amber Valley Borough Council and/or Derbyshire County Council.

Further information on the Derby HMA joint evidence base can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/evidence_base/hma_joint_evidence_base/default.asp whilst further information on South Derbyshire's evidence base can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/evidence_base/default.asp

8 Consultations to date

Seven consultations have been undertaken in the preparation of the Local Plan Part 1. The consultations undertaken are:

- Issues and ideas, January 2009 - 3 April 2009
- Issues and Alternative Options, January 2010 - 31 May 2010
- Your Neighborhood Talk to Us, 8 February 2011 – 3 May 2011
- Options for Housing Growth, 12 July 2011 - 30 September 2011
- Preferred Growth Strategy, 4 October - 21 December 2012
- Draft Local Plan Part 1, 27 September – 15th November 2013 (the deadline for the consultation statement was extended until the 22nd November 2013)
- Pre-Submission Local Plan Part 1, 10th March -22nd April (Regulation 19 consultation)

Further information on these consultations can be found at: http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/local_plan_part1/default.asp

9 Resources

The preparation of the Local Plan is led by the Planning Policy Team and comprises the Planning Policy Manager, two Planning Policy Officers, one Planning Policy Officer (Sustainability), one Assistant Planning Policy Officer, 1.5 Planning Assistants, one Conservation and Heritage Officer and one Design Excellence Officer. The work of the team will also be complemented by officers from other services with specialist knowledge within South Derbyshire District Council, such as Development Management, Housing and Economic Development. External resources may also be called upon such as the County Council and consultants for certain projects. However, as far as possible surveys and studies will be undertaken in house.

The team has other responsibilities in addition to preparing the Local Plan including:

- Providing advice and evidence to Development Management
- Neighbourhood planning support
- Compiling and maintaining an evidence base for the Local Plan and wider uses
- Maintaining a Duty to Co-operate.

10 Monitoring

The Council is required to produce and make available to the public an Annual Monitoring Report (AMR). The AMR should review the progress in the preparation of the Local Plan against the milestones set out in the Local Development Scheme and assess the extent to which development plan policies are being implemented, through the use of a range of indicators.

The introduction of the Localism Act in November 2011 removed the statutory requirement for local planning authorities to submit an AMR to the Secretary of State. However authorities still have a duty to monitor and report its activities to the local community.

The Council have produced nine AMR's with the most recent covering the period 2013/14. The Council has detailed databases for monitoring residential and employment land availability. The Council also holds detailed information regarding retail and leisure which are updated and form a key aspect of the annual monitoring. The residential and employment database is maintained by Derbyshire County Council as all Derbyshire Local Authorities use the same system in accordance with an agreed protocol. The AMR will monitor the progress in meeting the milestones in the LDS and inform a review of the document when necessary.

11 Risk Management

The Council does not have control over all aspects associated with the preparation of the Local Plan. Completion of the Plan relies upon input to the process from a wide variety of individuals and organisations ranging from members of the public to the Secretary of State. All those involved will have their own priorities and processes that need to be dealt with and may not reflect the timescales placed on the Council by legislation. The Council will endeavor to ensure that working relationships with external groups and organisations move forward and continue towards joined up working.

In preparing the LDS, the Council has identified some of the main areas of risk and their impacts, and potential ways to overcome these to ensure that the LDS timetable is delivered.

Area of risk	Impact	Mitigation
Inadequate staff resources	Unable to produce the Local Plan on time and to a decent standard due to lack of in house skills/resources for evidential work.	<ul style="list-style-type: none"> • Employ temporary staff/consultants subject to resource availability. • Use staff from other departments within the Council. • Joint working with the HMA Authorities (Derby City and Amber Valley Borough Council).
Change of political leadership of the Council	Could cause delay in the preparation of the Local Plan	<ul style="list-style-type: none"> • Maintain the involvement of all parties in the District Council through Committee and also the Local Plan Member Working Group.
Changes to national policy requirements	New/emerging policy could generate new issues, which need to be addressed within the Local Plan, which require additional work and could delay the preparation of the local plan.	<ul style="list-style-type: none"> • Keep up to date on emerging National policies. • Revise the LDS.
Capacity of the Planning Inspectorate (PINS)	PINS unable to meet the demand for Local Plan examinations, resulting in a delay in adopting South Derbyshire's Local Plan.	<ul style="list-style-type: none"> • Close liaison with the Planning Inspectorate to ensure early warnings of any delays. • Programme of Local Plan production including revisions will be provided to the PINS.
Public consultation	Public concern and stakeholder involvement on planning issues is increasing. This could add to the time required to process representations made, delaying the preparation of the Local Plan.	<ul style="list-style-type: none"> • Employ temporary staff subject to resource availability. • Resources from other departments within the Council could be drawn upon to process representations.

Joint Working	Working with the HMA Authorities (Derby City and Amber Valley) could be problematic with political differences and conflict of interests occurring.	<ul style="list-style-type: none"> • Early and meaningful engagement with Members of all three Authorities. • Concise working arrangements with neighbouring local authorities.
Delay approval or require changes to the Local Plan by Council Members	Reports could miss council committee deadlines, or create unforeseen work, resulting in a slippage of timetable.	<ul style="list-style-type: none"> • Involve members through the preparation of the Local Plan, to ensure that the Councils priorities are reflected.
Local Plan found unsound	<p>If the Plan is found unsound at examination it could result in the withdrawal of the Plan.</p> <p>Extra work would be required for resubmission leading to failure to meet planned timescales.</p>	<ul style="list-style-type: none"> • Take PINS advice. • Ensure a robust evidence base with well documented community and stakeholder engagement. • Keep up to date with experience from other Local Authorities Public Examinations.
Incorporating change after Examination	The Planning Inspectorate could request changes to the Local Plan, which require further work than anticipated, leading to slippage on the Local Plans publication time.	<ul style="list-style-type: none"> • Allow for some inconsistency in the programme. • Use project management methods.
Legal Challenge	A legal challenge could result in the Local Plan being quashed.	<ul style="list-style-type: none"> • Ensure that the Local Plan has been prepared in accordance with legal and procedural requirements. • Act on pre submission PINS advice.

5 Schedule and Timetable of proposed Development Plan Documents

The profiles below set out the work and resources required in order to produce each DPD. The potential timings of each of the DPDs can be found below each document profile.

South Derbyshire Local Plan Part 1 (formally known as the Core Strategy)

Status	Development Plan Document
Geographical Area	South Derbyshire District
Conformity	Conform to legislation, case law and National Planning Policy Framework.
Description	<p>Local Plan Part 1 will provide a long term vision, objectives and strategy for the spatial development of South Derbyshire and provide a framework for promoting and controlling development. Part 1 will provide:</p> <ul style="list-style-type: none"> • Site allocations for strategic housing and employment sites across the District; • Development management policies that will be used in the determination of planning applications.

Joint Working	The Council recognises the importance of joint working between the Derby HMA and neighbouring authorities under the Duty to Co Operate. Work on this document has been closely aligned with Derby City and Amber Valley. There has been numerous pieces of evidence produced jointly with authorities within the Derby HMA, which can be found at: www.south-derbys.gov.uk/
Management	Director of Community & Planning ► Environment & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council ► Evidence agreed by Local Plan Member Working Group
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Strategic Housing team, Community teams, Economic Development team.
External Resource	Derby City Council, Amber Valley Borough Council, Derbyshire County Council and other key stakeholders.
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	2009 (start of aligned working within the Derby HMA)
Submission Consultation (Regulation 19)	March 10 th – April 22 nd 2014
Submission to Secretary of State (Regulation 22)	August 2014
Commencement of the Hearing Sessions	October 2014 (not within the control of SDDC)
Adoption by Council	February 2015

South Derbyshire Local Plan Part 2

Status	Development Plan Document
Geographical Area	South Derbyshire District Council
Conformity	Conform to legislation, case law and National Planning Policy Framework as well as Part 1 of the Local Plan.
Description	Local Plan Part 2 will cover non-strategic housing allocations and a full review of the settlement boundaries. It will include more detailed policies on retail including consideration of a Town Centre boundary. Other policies will include conservation and countryside policies.
Joint Working	There will be less need to work alongside Amber Valley and Derby City in such an aligned manner. Derbyshire County Council will be involved particularly in regards to highways and education expertise.
Management	Director of Community & Planning ► Environment & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council ► Evidence agreed by Local Plan Member Working Group
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Strategic Housing team, Community teams, Economic Development team.
External Resource	Derby City Council, Amber Valley Borough Council, Derbyshire County

	Council and other key stakeholders.
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	April 2014
Options Consultations (Regulation 18)	December 2014
Proposed Submission Consultation (Regulation 19)	February 2015
Submission to Secretary of State (Regulation 22)	March 2015
Commencement of the Hearing Sessions	May 2015
Adoption by Council	August 2015

13 Schedule and Timetable of proposed Supplementary Planning Documents

Design SPD

Status	Supplementary planning Guidance
Geographical Area	South Derbyshire District
Conformity	Conform to National Planning Policy Framework and Guidance as well as Part 1 of the Local Plan
Description	Guidance for people assessing development and for those proposing it across the District. It will provide clear and concise design guidance for all types of development. The guidance will be split as: <ul style="list-style-type: none"> • Design Process • Design Principles
Joint Working	Derbyshire County Council
Management	Director of Community & Planning ► Environment & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council
Internal resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Strategic Housing team, Waste Collection team, Economic Development team, Tree Officer.
External Resource	Police Architectural Liaison, National Forest, Developers & House Builders
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review.	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	March 2014
Consultation	November 2014
Adoption by Council	March 2015

Car Parking Standards SPD (may be included as part of the Design SPD)

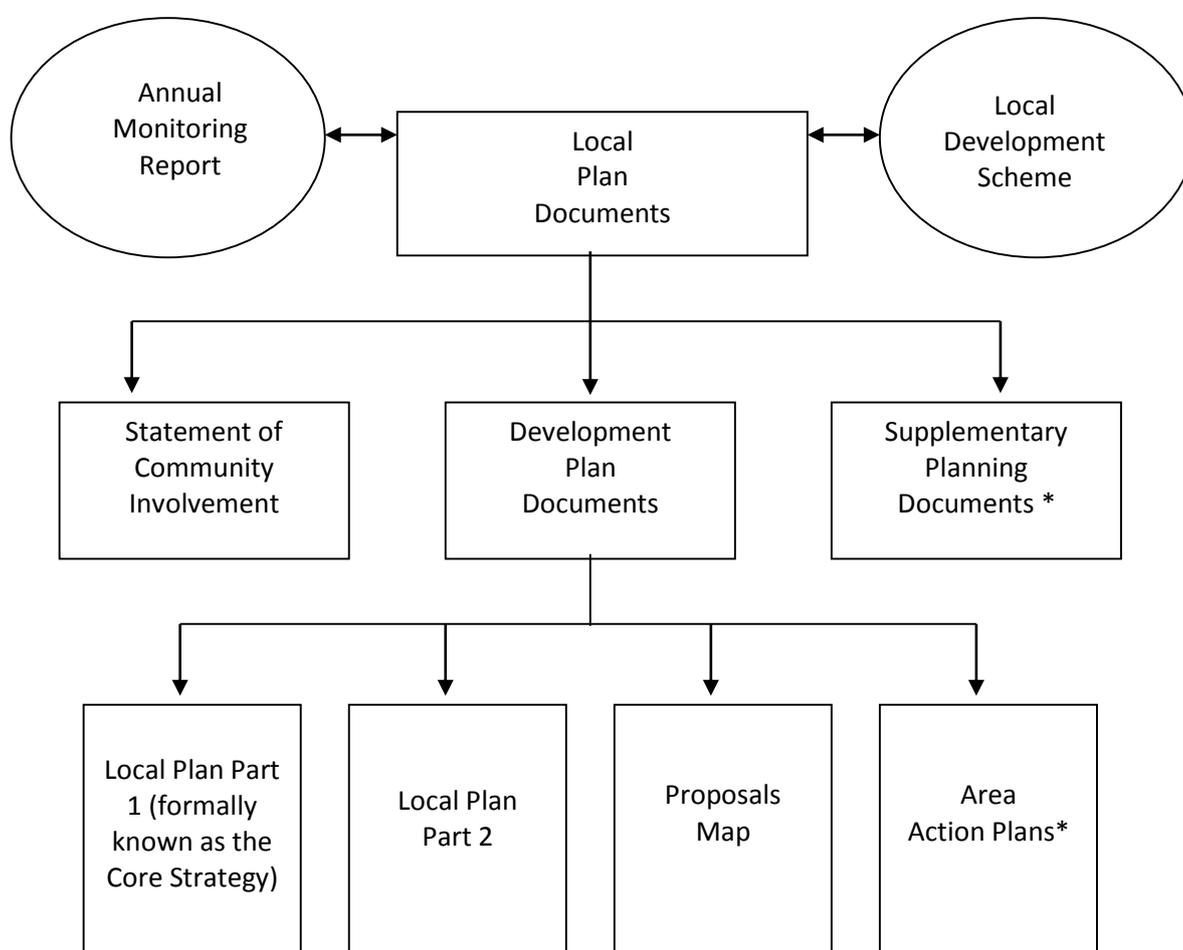
Status	Supplementary Planning Document
Geographical Area	South Derbyshire District
Conformity	Conform to National Planning Policy Framework & Guidance as well as Part 1 of the Local Plan.
Description	Guidance on car parking standards and requirements on all developments across the District.
Joint Working	Derbyshire County Council
Management	Director of Community & Planning ► Environmental & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council
Internal Resource	South Derbyshire District Council - Planning Policy Team, Strategic Housing team, Development Management team, Waste Collection team Economic Development team, Tree Officer
External Resource	Police Architectural Liaison Officer
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement.
Monitoring and Review	Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	March 2014
Consultation	November 2014
Adoption by Council	March 2015

Greenways SPD

Status	Supplementary Planning Document
Geographical Area	South Derbyshire District
Conformity	Conform to National Planning Policy Framework & Guidance as well as Part 1 of the Local Plan.
Description	Guidance and proposals on strategic multiuser routes for walkers, cyclists, horse riders and those with mobility difficulties across the District.
Joint Working	Derbyshire County Council who produce a County wide Green way Strategy
Management	Director of Community & Planning ► Environmental & Development Services Portfolio Holder ► Environment & Development Committee ► Full Council
Internal Resource	South Derbyshire District Council - Planning Policy Team, Development Management team, Economic Development team, Tree Officer, Open Space and Facilities Officer
External Resource	National Forest, Sustrans, Derbyshire County Council
Community and Stakeholder Involvement	In accordance with the Town and Country Planning Regulations 2012 and as set out in the Councils Statement of Community Involvement. This DPD will link to Derbyshire County Councils refresh of their Greenways Strategy.
Monitoring and Review	Progress on the preparation and production of the document will be

	carefully monitored to ensure that milestones in the LDS are met. Monitoring policies in this document will be a main feature of the AMR.
Timetable	
Stage	Date
Commencement of the process	December 2014
Consultation	April 2015
Adoption by Council	August 2015

Appendix 1: Chart to show the relationship between Local Plan documents



* Optional

Appendix 2 - Glossary of Terms

Adopted Local Plan	The South Derbyshire Local Plan formally adopted in May 1998
AMR	Annual Monitoring Report to chart progress of producing and implementing policies and proposals
Duty to Cooperate	A statutory duty placed on Local Planning Authorities to cooperate with other authorities and relevant bodies in the preparation of a DPD
LDD	Local Development Documents comprising DPDs and SPDs that together will make up the Local Plan
NPPF (National Planning Policy Framework)	Contains a range of planning policies set by National Government
Planning Inspectorate	An agency of Department of Communities and Local Government that provides independent adjudication on planning matters
Proposals Map	A map that identifies those areas to which specific policies apply.
SA	Sustainability Appraisal – a tool to ensure that policies in all LDD reflect sustainable development principle.
SCI	Statement of Community Involvement that sets out how the Council will consult the community and stakeholders on the preparation of planning documents and planning applications.
SEA	Strategic Environmental Assessment is a requirement of EU Directive 2001/42/EC and applies to plans and policies where impacts will be of a strategic nature.
SPD	Supplementary Planning Documents that provide additional detailed guidance to support policies in DPD.
SPG	Supplementary Planning Guidance provides additional guidance to support Local Plan Policies.