

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	20 APRIL 2022	CATEGORY: DELEGATED or RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR - SERVICE DELIVERY	OPEN
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SUBJECT:	LOCAL DEVELOPMENT SCHEME 2022-2025	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS03

1.0 Recommendations

- 1.1 That the Committee endorses the Local Development Scheme (LDS) 2022-2025 at Appendix 1 for publication.

2.0 Purpose of the Report

- 2.1 To endorse the publication of the updated LDS as required by The Planning and Compulsory Purchase Act 2004, which will supersede the current LDS published in 2018, to support the delivery of the local plan review.

3.0 Background

- 3.1 The LDS is an important piece of evidence that sets out the programme for preparing the documents that together comprise the Local Plan, as well as the documents to be written as Supplementary Planning Documents (SPDs). The LDS also sets out the possible risks that exist with producing the Local Plan documents. The LDS is monitored through the Council's Authority Monitoring Report.
- 3.2 Planning Practice Guidance states that local planning authorities must publicise and keep up-to-date their timetable for producing their local plan, which should be published on the Council's website. A LDS is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS at Appendix 1 will be the tenth to be published by the Council.
- 3.3 Since the publication of the 2018 LDS, the Local Green Spaces Plan has been adopted and work has commenced in preparation of the formal local plan review; the latter includes the signing of an initial Statement of Common Ground as a Derby Housing Market Area (HMA) through the Joint Advisory Board (JAB) and the establishing of the Local Plan Working Group.

4.0 Detail

- 4.1 The primary purpose of the LDS is to set timescales for the preparation of Local Plan documents to inform the public and other key stakeholders. In so doing the LDS establishes new, and reflects existing, Council priorities and enables the required resources to be allocated to the preparation of these statutory documents.
- 4.2 The Committee authorised a full review of the Local Plan Part 1 in August 2021. The Council has continued to work closely with its Derby HMA partners since the adoption of the current Local Plan, both at officer level and through the JAB, both to facilitate the timely production of the next Local Plan and to coordinate Plan production.
- 4.3 The LDS attached at Appendix 1 sets out a timetable for the production of the Local Plan Part 1 that is coordinated with that of our Derby HMA partners, with adoption of the Plan by December 2024. The adoption date will be dependent on a variety of factors and can be affected by any of the issues set out in risk management section (Section 11) of the LDS. The LDS can be updated and the timescales revised if necessary, however the work already undertaken on the forthcoming Strategic Housing and Economic Land Availability Assessment (SHELAA) following the call for sites, the Growth Options Study commissioned through the JAB, and the commencement of Derby City's Capacity Study, means that the time is right to prepare an initial Issues and Options document for consultation over the summer.
- 4.4 The 2018 LDS includes the preparation of a separate Gypsy and Traveller Site Allocations Development Plan Document (DPD), as required by Policy H22 of Local Plan Part 1. This DPD has been awaiting the publication of the revised Derby and Derbyshire Gypsy and Traveller Accommodation Assessment (GTAA). In order to best facilitate the timely delivery of this Site Allocations DPD, the document will be produced separately to the revised Local Plan Part 1, as originally intended.

5.0 Financial Implications

- 5.1 There are no direct financial implications from this report. Failure to undertake a timely review could result in planning applications being upheld at appeal and the associated costs being awarded to the appellants.

6.0 Corporate Implications

Employment Implications

- 6.1 None directly arising from this report however staff resources will have a direct bearing on delivery of the LDS.

Legal Implications

- 6.2 None directly arising from this report.

Corporate Plan Implications

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

Risk Impact

- 6.4 Failure to review the Local Plan in a timely manner incurs the financial risk set out above, together with the uncertainties for communities that significant speculative planning applications can cause.

7.0 Community Impact

Consultation

- 7.1 Local plan reviews require significant consultation with communities, businesses, landowners, stakeholders and public agencies. The Statement of Community Involvement will be updated as required, particularly to reflect post Covid-19 ways of working.

Equality and Diversity Impact

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

Social Value Impact

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

Environmental Sustainability

- 7.4 Local plans are subject to sustainability appraisal as part of the production process. Local plan policies enable development to be located in the most suitable, sustainable locations and for provision to be made for appropriate supporting infrastructure.

8.0 Conclusions

- 8.1 The Council is required by primary legislation to update its LDS to inform all those with an interest in the District of the intended timescales for plan making. The timetables set out within the LDS reflect the priorities of both the Council and of our HMA partners, with whom plan making is coordinated to best reflect the intention behind the Duty to Cooperate.

9.0 Appendices

- 9.1 Appendix 1 – Local Development Scheme 2022 – 2025