



**OPEN REPORT
COMMUNITY AND ENVIRONMENT COMMITTEE**

Community and Environment Committee – 1 November 2022

Derbyshire Dales Local Development Scheme 2022-2025

Report of Director of Regeneration and Policy

Report Author and Contact Details

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Wards Affected

All Wards Outside the Peak District National Park

Report Summary

This report seeks approval of a revised Local Development Scheme (LDS) for the period covering 2022-2025 to be published on the Council's website.

Recommendations

1. That the Derbyshire Dales Local Development Scheme 2022-2025 as set out in Appendix 1 to this report be approved and brought into immediate effect

List of Appendices

Appendix 1 Derbyshire Dales Local Development Scheme 2022-2025

Background Papers

[Adopted Derbyshire Dales Local Plan](#) (December 2017)

[National Planning Policy Framework](#) (July 2021)

[Planning Practice Guidance](#) (June 2021)

[Report to Council on Local Plan Review](#) (19 January 2022)

[Report to Council on Local Plan Review – Next Steps](#) (24 March 2022)

[Derbyshire Dales Local Development Scheme 2020-2023](#) (October 2020)

Consideration of report by Council or other committee

None Directly – Council on 24th March approved an timetable for the review of the Derbyshire Dales Local Plan. This report seeks to update the Local Development Scheme to reflect the updated timetable.

Council Approval Required

No

Exempt from Press or Public

No

Derbyshire Dales Local Development Scheme 2022-2025

1. Background

- 1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the Localism Act) requires that local planning authorities prepare a Local Development Scheme (LDS), which sets out the Council's programme for the preparation and adoption of Local Development Documents over a three year period.
- 1.2 The National Planning Policy Framework requires that the planning system should be plan led, with an up to date plan providing a positive vision for the future of the area that sets out a framework for addressing housing needs, economic, social and environmental priorities. The National Planning Practice Guidance states that local planning authorities must keep communities informed of plan making activity, by publicising and keeping up to date their timetable for producing their Local Plan in a Local Development Scheme (LDS). The LDS should be published on the authority's web site
- 1.3 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetables for producing other planning documents such as the Community Infrastructure Levy (CIL), Supplementary Planning Documents (SPD's) and the Statement of Community Involvement (SCI) in the LDS. However, where being prepared details of these documents, and their timetable for preparation should be set out on the Council's website. Local Planning Authorities are however encouraged to include within their Local Development Scheme, details of other documents which form (or will form) part of the development plan for the area such as Neighbourhood Plans.

2. Key Issues

- 2.1 The Derbyshire Dales Local Plan was adopted on 7 December 2017 and the most recent Local Development Scheme was brought into effect in October 2020 and covers the period 2020-2023¹.
- 2.2 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires local planning authorities to review and assess whether local plans need updating at least every five years from their adoption date to ensure that policies remain relevant and effectively address the need of the local community.
- 2.3 In accordance with the National Planning Policy Framework Local Plan reviews should be completed no later than five years from the adoption date of the Plan, and should take into account changing circumstances affecting the area, and/or any relevant changes in national policy. Members will recall that a report was presented to a Meeting of Council on 24 March 2022 (Minute 347/21), which set out the work that had been undertaken on the Local Plan Review and proposals for future work to finalise the Local Plan following completion of the Local Plan Review by the Council at an Extraordinary Council meeting on 19 January 2022 (Minute 241/21).

¹ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-development-scheme>

- 2.4 The local planning authority is required to set out the timetable for producing and reviewing the Local Plan within the Local Development Scheme. A revised Local Development Scheme has been prepared to cover the period 2022-2025, as set out in Appendix 1.
- 2.5 The revised Local Development Scheme provides details of the next stages of local plan preparation to allow interested parties to keep track of progress and reflect the requirements of the regulations. The Local Development Scheme also sets out the resources required to take the Plan forward and the risks associated with its preparation. The key milestones, as approved at the meeting of Council on 24 March 2022 (minute 347/12) form the basis of the timetable for the preparation of the revised Derbyshire Dales Local Plan within the Local Development Scheme 2022-25

Completion of Additional Options Appraisal	May 2023
Draft Modifications	October 2023
Draft Submission Modifications	April 2024
Submit Modifications to Secretary of State	June 2024
Examination in Public (End)	October 2024
Adoption of Modifications	December 2024

3. Options Considered and Recommended Proposal

- 3.1 It is a legal requirement to prepare and keep up to date a Local Development Scheme which sets out a publically available timetable for the preparation/review of a Local Plan. This reports seeks approval for an updated timetable which reflects the timetable approved by Council in March 2022.
- 3.2 Members are recommended to approve the Derbyshire Dales Local Development Scheme, as set out in Appendix 1 and to publish it on the District Council's website as soon as practically possible

4. Consultation

- 4.1 None Required

5. Timetable for Implementation

- 5.1 It is recommended that the Derbyshire Dales LDs be brought into immediate effect.

6. Policy Implications

- 6.1 None – this is a technical document which has no policy implications for the District Council.

7. Financial and Resource Implications

- 7.1 Any future review of the Local Plan may have financial implications for the District Council. However the costs of undertaking such review have been taken into account in the District Council's Medium Term Financial Strategy.

8. Legal Advice and Implications

- 8.1 The proposals accord with the provisions of the relevant legislation, accordingly the legal risk is low

9. Equalities Implications

- 9.1 The Derbyshire Dales LDS has no direct equalities implications. The review of Derbyshire Dales Local Plan will be subject to a comprehensive Equalities Impact Assessment.

10. Climate Change Implications

- 10.1 The Derbyshire Dales LDS has no direct climate change implications. The review of the Derbyshire Dales Local Plan will include revised policies which will seek to mitigate the effects Climate Change.

11. Risk Management

- 11.1 At this time the risk associated with the preparation of the Derbyshire Dales LDS is low. The review of the Derbyshire Dales Local Plan will influence the ability of the District Council to achieve a number of its key aims and objectives during the next three years including the delivery of affordable housing, business growth, job creation and delivering a thriving district. Any significant delays in undertaking the review of the Derbyshire Dales Local Plan will increase the risk to the District Council of delivering its key aims and objectives.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	31/08/2022
Director of Resources/ S.151 Officer (or Financial Services Manager)	Alison Wood	31/08/2022
Monitoring Officer (or Legal Services Manager)	James McLaughlin	31/08/2022