



DERBYSHIRE DALES DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

2023-2026

September 2023

DERBYSHIRE DALES DISTRICT COUNCIL
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1. INTRODUCTION

Localism Act 2011

- 1.1 The Local Development Scheme (LDS) is a three year project plan which sets out the timescales for the preparation and review of Local Development Documents within Derbyshire Dales. An LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). 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 a joint committee;
 - The timetable for the preparation and revision of the development plan documents; and
 - Such other matters as are prescribed.
- 1.2 The LDS must set out (among other matters) the documents which, when prepared will comprise the Development Plan for the area. It must be made publically available and kept up to date. To enable local communities and interested parties to keep track of progress this LDS has been prepared and covers the period 2023 – 2026. Up to date and accessible reporting on the Local Development Scheme in the Authority Monitoring Report is an important way in which authorities can keep informed of plan making activity. This LDS supersedes the previous version of the LDS published in November 2022.

Local Plan Regulations

- 1.3 The Town and Country (Local Planning) (England) Regulations 2012 came into force on 6 April 2012. These Regulations prescribe the form and content of a Local Plan and Policies Map and set out the procedural arrangements for preparing Local Plans. They also list the prescribed bodies in relation to the Duty to Co-operate, the requirements in relation to the Authority Monitoring Report (AMR), and set out how information should be made available for inspection.
- 1.4 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetable for the production of other planning documents, such as Supplementary Planning Documents (SPDs), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI) in the LDS. However, it is considered good practice, that where these are being prepared their details and timetable for preparation are set out on the local planning authority website¹.

¹ [Planning policy - Derbyshire Dales District Council](#)

Neighbourhood Planning Regulations

- 1.5 Town and Parish Councils can prepare *Neighbourhood Development Plans*. These can set out the vision and planning policies for the use and development of land in a particular designated neighbourhood area. Neighbourhood Plans, must, however, be in general conformity with the National Planning Policy Framework and the local planning authority's strategic planning policies. When a Neighbourhood Development Plan is approved by an independent examiner and agreed through a local referendum, the local planning authority must adopt it as part of its Development Plan and take it into account when making decisions on planning applications in the area.
- 1.6 As Neighbourhood Development Plans are not prepared by the District Council and their timetables are dependent on the progress made by the respective communities, they are not required to be included in the LDS. However, to reflect good practice, information on neighbourhood planning activity and 'made' Neighbourhood Plans in the Derbyshire Dales is included in this LDS. More detailed information is, however, available on the District Council's website².

The National Planning Policy Framework

- 1.7 A revised National Planning Policy Framework (NPPF) was published in July 2021. It commits the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out the importance of Local Plans as being key to delivering sustainable development that reflects the vision and aspirations of local communities and providing a framework for addressing housing needs and other economic, social, and environmental priorities; and platform for local people to shape their surroundings.
- 1.8 Various strategic priorities must be addressed in a Local Plan, including policies to deliver the homes and jobs needed together with any necessary retail, leisure and other commercial development. The NPPF stresses that plans must be based on adequate, up to date and relevant evidence. National planning policy sets out clear expectations about how a Local Plan must be developed to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.

The National Planning Practice Guidance

- 1.9 The National Planning Practice Guidance (NPPG) provides complementary guidance for local planning authorities on the production, preparation and deliverability of Local Plans. The NPPG reiterates the key role of Local Plans in delivering sustainable development that reflects the vision and aspirations of local communities. It advocates the role of the Local Plan as an important tool in guiding decisions on development proposals and acting as the starting point for decision making.
- 1.10 The NPPG sets out that the Local Plan should make clear what is intended to happen in the area over the life of the Plan, where and when this will occur and how

² <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/neighbourhood-planning>

it will be delivered. A key diagram and policies map must also be included to indicate the geographic application of the policies in the plan. The NPPG also indicates the type of documents which should form the appropriate and proportionate evidence base to support the preparation of a Local Plan.

2. PROPOSED LOCAL DEVELOPMENT SCHEME

The Development Plan

2.1 The 'Development Plan' comprises one or more 'adopted development plan documents'. The Local Plan is the main document produced by the District Council which sets out the policies and proposals for the use and development of land for the period up to 2033. This is one of the documents that make up the 'Development Plan' for Derbyshire Dales. Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following documents currently comprise the statutory Development Plan for Derbyshire Dales;

- **The Derbyshire Dales Local Plan³** – Adopted December 2017; sets out up to 2033 the overall vision, objectives and policies for the future development of those parts of the Derbyshire Dales that lie outside the Peak District National Park. The Local Plan provides a strategy for the spatial development of the Derbyshire Dales and provides a framework for promoting and controlling development. The Plan allocates sites for housing and employment development and provides development management policies for use in the determination of planning applications.
- **Neighbourhood Development Plans** – The Localism Act 2011 introduced the right for communities to prepare their own Neighbourhood Development Plans. Neighbourhood Development Plans to become part of the Development Plan and used in the determination of planning applications have to follow a formal statutory process for preparation; consultation and be examined by an appointed person. When adopted, the 'made' Neighbourhood Plan is used to assess and determine planning applications within the Plans Designated Area.

There are currently six 'made' Neighbourhood Plans in Derbyshire Dales:

- Ashbourne, made on the 1st July 2021.⁴
- Brailsford, made on 1st July 2021.⁵
- Darley Dale, made on 19th February 2020⁶
- Doveridge, made on 26th July 2018.⁷
- Kirk Ireton, made on 1st July 2021⁸
- Wirksworth, made on 25th June 2015⁹

³ <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/local-plan/local-plan-information-and-adoption>

⁴ [Ashbourne Neighbourhood Plan - Derbyshire Dales District Council](#)

⁵ [Brailsford Neighbourhood Plan - Derbyshire Dales District Council](#)

⁶ [Darley Dale Neighbourhood Plan - Derbyshire Dales District Council](#)

⁷ [Doveridge Neighbourhood Plan - Derbyshire Dales District Council](#)

⁸ [Kirk Ireton Neighbourhood Plan - Derbyshire Dales District Council](#)

⁹ [Wirksworth Neighbourhood Plan - Derbyshire Dales District Council](#)

Other Material Considerations to Decision Making

2.2 Decisions on planning applications must be made in accordance with Development Plan Documents unless other material planning considerations indicate otherwise. There are however other documents that complement DPDs, and provide detailed guidance that can assist in the determination of planning applications, and which are material to the District Council's decision making.

- **Supplementary Planning Documents (SPD's)** – provide supplementary advice and guidance and are material considerations in the determination of planning applications. SPD's are not subject to independent examination but are subject to public consultation in accordance with the Regulations and the District Council's Statement of Community Involvement. The District Council has a number of adopted SPD's that support the policies of the Derbyshire Dales Local Plan.
 - Conversion of Farm Buildings¹⁰
 - Landscape Character and Design¹¹
 - Developer Contributions¹²
 - Climate Change¹³
 - Shop front and commercial properties¹⁴

2.3 As part of the review of the Derbyshire Dales Local Plan revisions to the adopted Supplementary Planning Documents may be required and/or new Supplementary Documents prepared to reflect and support policies in the revised Derbyshire Dales Local Plan 2017-2040.

¹⁰ <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/supplementary-planning-documents/conversion-of-farm-buildings>

¹¹ <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/supplementary-planning-documents/landscape-character-and-design>

¹² https://www.derbyshiredales.gov.uk/images/D/Adopted_S106_SPD_Final_Clean_Version_Feb_2020.pdf

¹³ <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/supplementary-planning-documents/climate-change>

¹⁴ <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/supplementary-planning-documents/shopfronts-and-commercial-properties>

Derbyshire Dales Local Plan Review

- 2.4 The Derbyshire Dales Local Plan was adopted in December 2017. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires Local Planning Authorities to review and assess whether local plans need updating at least every five years. To comply with this duty a review of the Derbyshire Dales Local Plan had to be completed by December 2022.
- 2.5 The advice in the National Planning Practice Guidance (NPPG) is that Local Plan reviews should be proportionate to the issues in hand. The guidance also suggests that policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years. The review process is a method to ensure that a plan and the policies within remains effective at managing the use and development of land in the future.
- 2.6 To ensure that this requirement was met the District Council commenced a review of the adopted Derbyshire Dales Local Plan in November 2020¹⁵.
- 2.7 The review process involved commissioning an update of the evidence base, and to identify the extent to which the policies and proposals in the adopted Derbyshire Dales Local Plan required updating to ensure compliance with national planning policy and local priorities.
- 2.8 In January 2022, the District Council resolved that for the purposes of Regulation 10A that it had completed the review of the Derbyshire Dales Local Plan¹⁶. Whilst the District Council resolved that the review of the Derbyshire Dales Local Plan had been completed it also resolved that detailed further work was required on those parts of the adopted Derbyshire Dales Local Plan that had been identified as necessary to be modified. Since January 2022, work has been undertaken to consider the detailed policy wording in relation to topics such as Climate Change, Biodiversity and Design.
- 2.9 In March 2022 the District Council resolved that further additional work was required to ascertain whether there was sufficient land available to meet the potential future housing needs of the District Council up to 2040¹⁷. In November 2022¹⁸ a six-week public consultation was undertaken on the potential future Local Plan housing strategy. Further work on the review of the Local Plan is ongoing.
- 2.10 This LDS has been prepared to inform the preparation and review of the adopted Derbyshire Dales Local Plan over the next three years for the period 2023-2026. This LDS sets out the timetable for the review of the Local Plan, the resources required to take the Plan forward and the risks associated with its preparation.
- 2.11 The Programme for the Review of the Derbyshire Dales Local Plan set out within Section 3 envisages the adoption of a new revised Local Plan by early 2026.

¹⁵ <https://democracy.derbyshiredales.gov.uk/CeListDocuments.aspx?CommitteeId=137&MeetingId=352&DF=09%2f11%2f2020&Ver=2>

¹⁶ <https://democracy.derbyshiredales.gov.uk/CeListDocuments.aspx?CommitteeId=137&MeetingId=366&DF=19%2f01%2f2022&Ver=2>

¹⁷ <https://democracy.derbyshiredales.gov.uk/CeListDocuments.aspx?CommitteeId=137&MeetingId=370&DF=24%2f03%2f2022&Ver=2>

¹⁸ <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/local-plan/local-plan-review-consultation>

Derbyshire Dales Local Plan Review - Consultation

2.12 The National Planning Policy Framework requires that Plan making should be shaped by proportionate and effective engagement between plan makers, communities, local organisations, business, infrastructure providers and operators and statutory consultees (Paragraph 16 NPPF). Local Planning Authorities are required to set out in their Statement of Community Involvement how they intend to engage with communities and stakeholders during plan making and how they will be involved in the preparation, alteration and review of Local Plans and also in the determination of planning applications. The District Councils Statement of Community Involvement is available to view on the District Councils website¹⁹.

Monitoring

2.13 Up to date and accessible reporting on the Local Development Scheme is set out in the District Councils Authority Monitoring Report and is an important way in which local communities and stakeholders can be kept informed of plan making activity. The AMR monitors the implementation of the adopted Derbyshire Dales Local Plan and progress of the LDS on an annual basis, reporting in December each year. The latest AMR covers the period 2021-2022 and is available on the District Councils website.²⁰

2.14 The AMR will monitor the delivery of policies in the Local Plan when they have been adopted as well as referring to the Council's five-year housing land supply; Neighbourhood Plans; Infrastructure Delivery; projects and programmes in relation to the Duty to Co-operate and targets and indicators have been identified for the policies within Local Plan.

Programme for Derbyshire Dales Local Plan Review – 2023-2026

Derbyshire Dales Local Plan Review LDS Timetable 2023-2026											
Derbyshire Dales Local Plan	2023		2024				2025				2026
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
Housing Issues and Options Consultation - March 24											
Draft Modifications - September 24											
Draft Submission Modifications - February 25											
Submit Modifications to SoS-June 25											
Examination in Public (End)- November 25											
Adoption of Modifications- March 26											

Table 1: Derbyshire Dales Local Plan LDS Timetable 2023-2026

3.1 An explanation of the key milestones in Table 1 are set out below:

3.2 **Housing Issues and Options Consultation** – The Council will undertake 'Issues and Options' consultation on housing aspects of the Local Plan.

3.3 **Draft Modifications** – The Council will publish draft modifications for public consultation to the Local Plan as part of its review.

3.4 **Draft Submission Modifications** – The Council will finalise its modifications and prepare them for submission.

¹⁹ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/statement-of-community-involvement>

²⁰ <https://www.derbyshiredales.gov.uk/planning/planning-policy-and-local-plan/authority-monitoring-report>

- 3.5 **Submit Modifications to Secretary of State** – The Council will submit the modifications to the Secretary of State.
- 3.6 **Examination in Public (End)** – The modifications will be subject to public examination.
- 3.7 **Adoption of Modifications** - Once the Council has received the Inspectors report it will revise the Local Plan and seek to formally adopt the revised Plan.

Derbyshire Dales Local Plan Review

Overview

Role & Subject	Review of adopted Derbyshire Dales Local Plan (2017). Set out vision, objectives and spatial development strategy to 2040 within the context of the Derbyshire Dales. It will include land allocations and a suite of strategic and development control policies that will be utilised to deliver the overall vision and spatial development strategy.
Coverage	Local Planning Authority Area.
Status	Development Plan Document.
Conformity	NPPF/NPPG

Timetable

Stage	Dates
Commencement of Preparation Process	November 2020
Commence Identification of Key Issues	January 2021
Statutory Review of Local Plan Completed	January 2022
Housing Issues and Options Consultation	March 2024
Draft Modifications	September 2024
Draft Submission Modifications	February 2025
Submit Modifications to Secretary of State	June 2025
Examination in Public (End)	November 2025
Receipt of Inspector's Report	January 2026
Adoption of Modifications	March 2026

Arrangements for Production

Organisational Lead	Director of Regeneration and Policy & Policy Manager
Political Management	Local Plan Sub Committee, Community and Environment Committee and Council.
Internal Resources	Derbyshire Dales Planning Policy Section
External Resources	Peak District Partnership; Derbyshire County Council; Appointed Consultants; key Stakeholders and consultees
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 and the strategy set out in the Statement of Community Involvement.

Post Production

Monitoring and Review	The Local Plan sets out a number of Key Performance Indicators that will be monitored on an annual basis through the Authorities Monitoring Report, and changes will be made to the Local Plan as necessary.
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Development Plan Policies to be replaced

Derbyshire Dales
Local Plan Adopted
(2017)

4 Delivery and Implementation

Resources

- 4.1 All work undertaken in connection with the preparation of the Derbyshire Dales Local Plan will be managed by the District Council's Policy Manager. Staff resources will be drawn mainly from the Planning Policy section. The Planning Policy section consists of 2.6 full-time equivalent (FTE) posts, consisting of Policy Manager, Senior Planning Policy Officer, Planning Policy Officer, and Administrative Assistant. If required, a Programme Officer will be appointed to assist the Inspector through any future examination of the Derbyshire Dales Local Plan. Other sections from within the District Council will be drawn upon for extra resources when required to provide support to the Planning Policy team, such as the Business Support Unit and Officers from the Regulatory Services Department.
- 4.2 Advice will be sought from Council Officers in other sections and departments including the Development Manager; Head of Housing Services; and Director of Regeneration and Policy. Advice on traffic and transportation matters will be obtained from Derbyshire County Council. External advice will be sought on matters such as nature conservation from Natural England and Derbyshire Wildlife Trust and Historic England on the historic environment for instance.
- 4.3 The District Council has sufficient budget to support the preparation of Local Plan, including the Examination in Public.

Risk Assessment and Management

- 4.4 As part of the review of the Derbyshire Dales Local Plan a Risk Assessment has been undertaken which considers the possible risks to the Local Plan preparation process and degree of impact. A copy of this risk assessment is set out within Appendix 1.
- 4.5 Table 2 below identifies a range of potential risks, their impact and likelihood of occurrence, together with contingency and mitigation measures.

Risk	Likelihood	Impact	Contingency	Mitigation
Staff Recruitment & Retention A member of staff leaves or is off sick	Medium	High	Spread knowledge of the Local Plan and issues amongst team members, Manager and Head of Service.	Possibly pull in extra resources from the Policy and Regeneration Team, re-deploy staff or in the case of loss of staff, re-appoint as soon as possible if budgets permit
New National legislation	Medium	Medium	The National Planning Policy Framework, National Planning Practice Guidance and the Localism Act have reformed the planning system.	Review timescales and where necessary extend to some degree to incorporate changes to policy formulation work.

Risk	Likelihood	Impact	Contingency	Mitigation
			<p>Delays in the delivery of plans may occur in terms of compliance with the NPPF as a result of challenges on local interpretation and providing sufficient justification for decisions taken</p> <p>Further changes to regulations at later stages may lead to further modifications to the Local Plan being made prior to Adoption.</p> <p>Unanticipated significant changes to planning policy guidance including legislative changes.</p>	<p>Contact other Local Authorities to gain better understanding of the implications of changes if necessary.</p> <p>Ensure contingency measures are put in place to address revised policy guidance and discuss with DLUHC realistic solutions.</p>
Legal Challenge	Medium	Medium	Post adoption of a Local Plan, there is a six week challenge period.	To reduce the risk of challenge, ensure that the Local Plan is legally compliant and is based upon robust evidence
Compliance with the Duty to Co-operate , with DTC agreement cannot be reached with adjacent Local Planning Authorities	High	High	Close working with prescribed authorities and Members to detect issues early in the process. Ensure all discussions are documented in writing and formally agreed.	Commence discussions with neighbouring Local Planning Authorities early to ensure agreement can be reached in a timely manner. Continuing discussions with neighbouring authorities.
Local Plan not being found sound	Medium	High	Seek advice from PINS at key stages. Develop a sound evidence base and ensure that all policy decisions can be thoroughly justified.	Develop a sound and robust evidence base and ensure there are no gaps in the evidence to support the Local Plan. Ensure all evidence is regularly updated to reflect the latest information available.
Programme Slippage	Medium	High	Ensure that timescales are achievable and offer a degree of flexibility. Delays in the preparation of the evidence base, delays in securing external procurement, evidence being	Ensure sufficient resources are available to complete all the required work and future stages of the Local Plan process are achievable. Ensure all the team is involved in the preparation process and extend timescales if necessary. Utilises online

Risk	Likelihood	Impact	Contingency	Mitigation
			unable to be gathered in time e.g. public consultation results in an overwhelming number of representations.	survey to help assist with analysis of representations, close project management of external consultants. Keep human resources under review to ensure there is adequate staffing to complete project within timescales.
Provision of Infrastructure	Medium	Medium	Discussions with infrastructure providers to focus on the preparation of the Infrastructure Delivery Plan (IDP) including various workshops and meetings. Ensure emerging and updated regulations relating to CIL and Planning Obligations are taken into account and addressed through policy and IDP.	Continuing engagement with infrastructure providers and development of the IDP will ensure timely consideration prior to submission of Local Plan to the Secretary of State
Council does not agree Draft Submission Plan or the adoption of the Local Plan	Medium	High	Early and continuous engagement with Members to ensure support for Plan and proposals.	Ensure Council Members are kept up to date on the Local Plan preparation process and emerging Plan and policies.
Inspectors Report delayed and/or includes recommendations the Council find hard to accept	Medium	Medium	Close liaison with PINS and identify any contingency measures to address any possible delays. The Council will need to consider all recommendations if it wishes to have an up to date development plan in place as required by the NPPF.	Keep Council Members up to date on issues arising and likely recommendations, and allow for delegation arrangements were necessary to deal with difficult issues.
Unforeseen additional work	Medium	Medium	Timetabled work programmes and top priorities clearly set out, overall programme management of all areas of work is essential to delivering targets and deadlines	Ensure that a degree of flexibility is added into current work programmes to accommodate unforeseen work. Draw on additional resources within the Policy and Regeneration Department where required to meet deadlines.

Risk	Likelihood	Impact	Contingency	Mitigation
Financial Risk	Low	High	The cost of preparing the Derbyshire Dales Local Plan is contained within the Council's budget.	Ensure that budgets are managed and updated. Ensure efficient working practices. A specific budget exists to cover the costs of the EIP.

Table 2: Derbyshire Dales Local Plan Risks, Contingencies and Mitigation Measure

APPENDIX 1 – DERBYSHIRE DALES LOCAL PLAN REVIEW RISK ASSESSMENT

					timescales																
	PP3	LPSC does not agree to recommend LDS & SCI for approval to Council	3	4	12	Early engagement with Members prior to LPSC	2	3	6												
	PP4	Council does not agree LPSC Recommendations on LDS & SCI	3	4	12	Early engagement with Members prior to Council	2	3	6												
	PP5	Unanticipated Significant Changes to Planning Policy Guidance and/legislative changes	2	4	8	Ensure that there are contingency measures in place - discuss with MHCLG realistic solutions	2	2	4												
	PP6	Public Consultation results in overwhelming number of representations at all stages	3	3	9	Utilise online resource such as Survey Monkey to assist with the analysis of representations and enter manual representations as received	2	3	6												
	PP7	Delay in preparation of Pre Submission Draft	3	3	9	Keep human resources under review to ensure that there is adequate staffing to complete within timescales	2	3	6												
	PP8	LPSC & Council do not agree contents of Pre Submission Draft Local Plan	3	4	12	Early engagement with Members before LPSC & Council	2	3	6												
	PP9	Delay in commencement of Public Consultation on	2	4	8	Ensure that there are contingency measures in	2	2	4												

		Pre Submission Draft Local Plan				place - discuss with MHCLG realistic solutions													
	PP10	Delay in preparation of Draft Submission Plan	3	4	12	Keep human resources under review to ensure that there is adequate staffing to complete within timescales	2	3	6										
	PP11	Council does not agree to submission of Local Plan	3	5	15	Early engagement with Members prior to Council	3	3	9										
	PP12	Inspector does not agree DTC been met - plan review is delayed	3	5	15	Ensure timely preparation of DTC Statement with all relevant local planning authorities	3	3	9										
	PP13	Examination in Public Delayed by unforeseen circumstances	3	3	9	Identify with PINS contingency measures - if not already in place.	2	3	6										
	PP14	Mutliple & Complex Main Modifications require additional time to prepare	3	3	9	Liaise with Inspector throughout the EIP to ensure no hidden surprises in the modifications	2	2	4										
	PP15	Council does not agree to Adoption of Local Plan	3	5	15	Early engagement with Members prior to Council	2	3	6										