



OPEN REPORT LOCAL PLAN SUB-COMMITTEE

Local Plan Sub Committee – 30th November 2023

Derbyshire Dales Local Plan – Business Case for Additional Staffing Resources

Report of Director of Regeneration and Policy

Report Author and Contact Details

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Wards Affected

All outside of the Peak District National Park

Report Summary

This report seeks support for additional staffing resources for the Planning Policy team to achieve the Progressive Alliance's 'fresh approach' to the Derbyshire Dales Local Plan review within the timescales required by the Government and approved in the Derbyshire Dales Local Development Scheme 2023-2026.

Recommendations

1. That the need for the appointment of additional staff within the Planning Policy team is noted.
2. That the Local Plan Sub Committee supports the appointment of a Principal Planning Policy Officer
3. That if following further review it is considered necessary, delegated authority be given to the Director of Regeneration and Policy to appoint either a Graduate Planning Policy Officer or Planning Policy Officer.
4. That Council be recommended to approve a supplementary revenue budget of £13,922 for 2023/24 for a Principal Planning Policy Officer from 1st January 2024 to 31 March 2024, to be funded from the Revenue Grants Unapplied Reserve, and to note that the estimated annual cost of £55,688 from 1st April 2024 will be built into the Medium-Term Financial Plan, financed from the Neighbourhood Planning Grant and the Custom Build Register Grant, that sit within the Revenue Grants Unapplied Reserve, until exhausted.

List of Appendices

None

Background Papers

None

Consideration of Report by Council or Other Committee

Yes – the budget will require approval by Council.

Council Approval Required

Yes – Scheduled for Council 14th December 2023

Exempt from Public or Press

No

Derbyshire Dales Local Plan – Business Case for Additional Staffing Resources

1. Background

- 1.1 In November 2020 Council approved the start of a review of the Derbyshire Dales Local Plan, adopted in 2017. Since that time work has been ongoing on the review process, including updating the evidence base; a detailed assessment of the availability of land to meet potential future housing needs; and a review of the existing policies in the adopted Plan to ensure that they are up to date and in accordance with the National Planning Policy Framework (NPPF).
- 1.2 To date the focus of the review process has been on the implications that the updated evidence base has highlighted and the identification of areas stemming from proposed changes in emphasis in national policy and local priorities expressed by Members.
- 1.3 The review of the Local Plan was considered in a report presented to Council on 19th January 2022, where it was resolved that for the purposes of the legislation the review of the Derbyshire Dales Local Plan had been completed and that a number of the existing policies required modification to ensure that they were considered up to date.
- 1.4 The new administration elected in May 2023 has made it clear that it would take a ‘fresh approach’ to the Local Plan¹.
- 1.5 The Local Plan Sub Committee on 3rd July 2023 widened the scope of the Local Plan review and resolved as follows (Minute 37/23).

1. That the scope for the Local Plan and its policies be confirmed as:

- (a) To enable and strengthen flourishing communities within Derbyshire Dales.*
- (b) To ensure that the housing need in the Local Plan arises from the geographic area it covers, and that the proposed number and type of new housing units reflects a careful consideration of the actual likely needs of local people.*
- (c) To provide social and affordable housing where it is needed.*
- (d) To accommodate the requirements of a revised Economic Plan.*
- (e) To ensure a continued improvement in the biodiversity and natural capital of Derbyshire Dales.*
- (f) To ensure rapid progress towards net zero emissions in the Derbyshire Dales within the scope of the Local Plan.*
- (g) To ensure the Derbyshire Dales character in its landscape and townscapes is protected.*
- (h) To ensure the necessary infrastructures (grey, green and blue) and services are available for planned development.*
- (i) To ensure that the Plan will enable all residents to understand how their communities will change during the period of the Plan.*

¹ <https://www.derbyshiredales.gov.uk/your-council/news-and-social-media/latest-news/new-approach-for-derbyshire-dales-local-plan-review>

2. *That progress on the review of the Derbyshire Dales Local Plan to date be noted.*
 3. *That an update to the Icen Projects Housing Needs Assessment (2021) is commissioned and the results of that exercise be reported to a future meeting of this Sub-Committee.*
 4. *That a review of the current Settlement Hierarchy be undertaken to determine the extent to which communities across the Local Plan area are 'sustainable'. The results of this review be reported to a future meeting of this Sub-Committee.*
 5. *That consultants be commissioned to prepare advice to the District Council as local planning authority on the design policies and proposals of the Local Plan, including setting out the most appropriate approach to preparing Design Codes. The results of this commission to be reported to a future meeting of this Sub-Committee.*
 6. *That the commissions identified in this report as already commissioned be completed as appropriate and reported to future meetings of this Sub-Committee as is considered necessary.*
 7. *That Members meet with the Peak District National Park to explore what options might be available to improving the delivery of housing within the Peak District National Park area of Derbyshire Dales.*
 8. *That officers meet Peak District National Park officers to explore what options might be available to improving the delivery of housing within the Peak District National Park area of Derbyshire Dales.*
- 1.6 Discussions with Leading Members from the Progressive Alliance have indicated that the review of the Local Plan is one of their highest priorities, and they would like to see the review process expedited so far as is possible.
- 1.7 The Progressive Alliance draft Strategic Framework sets many policy areas that it wishes to see within a revised Local Plan, including more focus on sustainable communities, the delivery of more affordable housing to meet local needs, more emphasis on mitigating climate change, and ensuring high quality design of new development.
- 1.8 The current Planning Policy team consists of the following 2.1 FTE posts:
- Policy Manager 0.9 FTE (Scale 13)
 - Senior Planning Policy Officer 0.6 FTE (Scale 10)
 - Casual Senior Planning Policy Officer – 0.0 FTE (Scale 10)
 - Planning Policy Officer 0.6 FTE (Scale 7)
- 1.9 The work programme envisaged by the Progressive Alliance for the review of the Derbyshire Dales Local Plan involves the following:
- Reviewing & Updating the Evidence Base
 - Enhanced Public Consultation on Issues and Options
 - Preparation of a Draft Plan
 - Statutory Consultation & Examination in Public

2. Key Issues

- 2.1 The Government has recently published its proposals for reforms to Local Plans, a report on which was presented to the Local Plan Sub Committee on 27th September 2023. This indicates that **if Local Plans currently being prepared/reviewed are not submitted to the Secretary of State by 30th June 2025 then it will necessitate a new Local Plan to be prepared under the proposed new arrangements.**
- 2.2 Whilst there may be some advantages to the preparation of an entirely new plan under the proposed new arrangements, there is also some considerable risk to substantially delaying the adoption of the Derbyshire Dales Local Plan, which would be the case if a new Local Plan were necessitated.
- 2.3 Members of the Local Plan Sub Committee were advised of the June 2025 cut-off date and, on the basis of discussions held on Thursday 17th August, have accepted that this date is both reasonable and achievable for the submission of the Derbyshire Dales Local Plan, taking account of their aspirations for a ‘fresh approach’.
- 2.4 This deadline for the submission of the Derbyshire Dales Local Plan to the Secretary of State has been included in the Local Development Scheme approved by this Committee on 27th September 2023 (Minute 134/23)
- 2.5 At this time Icen Projects have been re-engaged to undertake an assessment of the future housing needs for Derbyshire Dales, and an Officer review of the Settlement Hierarchy has commenced to address the Progressive Alliance’s aspirations in relation to ‘thriving and flourishing communities’. A report on the latter is included on the agenda for this meeting.
- 2.6 A specification for consultants to provide advice on future design policy and codes was approved by the Local Plan Sub Committee on 27th September 2023. (Minute 135/23)
- 2.7 Future work prior to the submission of the revised Local Plan to the Secretary of State will necessitate undertaking public consultation, the preparation of a draft plan, and then formal statutory consultation on its contents.
- 2.8 The extent of work that has already commenced, and is still to be completed to address the aspirations of the Progressive Alliance in regard to the review of the Local Plan is significantly more than anticipated prior to the election of the new administration.
- 2.9 As such, additional resources are now required within the Planning Policy team to enable the review of the Derbyshire Dales Local Plan to be submitted to the Secretary of State by 30th June 2025 and adoption by December 2026.

3. Options

- 3.1 Four Options, set out below, have been considered to address the resourcing issue for the Planning Policy team.

- 3.2 **Option 1** - During previous periods of work related to the production of the Derbyshire Dales Local Plan to overcome 'humps' in workloads a Graduate Planning Policy Officer has been employed on a temporary contract. This arrangement has worked well in the past, and previous incumbents have been a valuable resource for the team and gained professional planning experience which they have used to further their careers.
- 3.3 One option, therefore, would be to once again employ a Graduate Planning Policy Officer on a full-time basis for the period up to 31st December 2026.
- 3.4 Such a post would be Grade 5 with annual costs of £30,829 including on-costs.
- 3.5 Whilst a Graduate Planning Policy Officer has proved to be a valuable arrangement previously it is considered that given the necessity to move at pace on the completion of the review of the Derbyshire Dales Local Plan the time required to oversee and provide training to a new graduate is likely to be counter-productive to achieving Members' goal.
- 3.6 **Option 2** – An alternative option would involve employing an additional Senior Planning Policy Officer, on a full time basis, who would have at least five years professional planning experience. This again would be a temporary appointment for the period to 31st December 2026.
- 3.7 Whilst inevitably there would be a period of bedding-in, this option would enable a suitable candidate to be much more productive and not require the same degree of supervision as a Graduate Planning Policy Officer. This option would allow the Policy Manager to focus on servicing Members requirements more effectively and delegate some of essential work associated with the review to the three Senior Planning Policy Officers.
- 3.8 Such a post would be a Grade 10 and with annual costs of £51,368 including on-costs.
- 3.9 **Option 3** – This would be similar to Option 2 but would involve employing a Principal Planning Policy Officer on a full-time basis, who would add in supervisory responsibility for the existing staff in the Planning Policy team. This post would provide support to the Policy Manager, add in resilience within the team and provide more capacity for engagement with both Members and other stakeholders at the level required.
- 3.10 Such a post could be either a temporary appointment for up to 31st December 2026 or a permanent position. It is worth noting however that recent attempts to recruit to temporary professional posts have proved fruitless.
- 3.11 This would be a Grade 11 post with annual costs of £55,688 including on-costs.
- 3.12 **Option 4** - This could be a combination of a Senior and/or Principal Planning Policy Officer, and a Graduate Planning Officer and/or Planning Policy Officer. Both posts would be full time and for a temporary period of two years.

- 3.13 This option would allow for a newly qualified graduate or a graduate with at least three years' experience to benefit from experience within the Planning Policy team. This would allow for the Principal/Senior Planning Officer to utilise their experience to the benefit of the Local Plan review. It would also allow them to provide supervision to the lesser experienced members of the team.
- 3.14 The annual costs of this option would be one of the following:
- Principal Officer (Grade 11) & Graduate Planning Policy Officer (Grade 5); £86,517 including on-costs
 - Senior Officer (Grade 10) & Policy Officer (Grade 7): £88,092 including on-costs
- 3.15 Other Options considered but not subject to any detailed consideration include the following:
- Do Nothing – Completion of Local Plan review unlikely to be completed within the required timescales.
 - Apprentice - Whilst attractive in principle, the level of experience and skills, required makes an apprentice unsuitable for the tasks envisaged. Notwithstanding this current disadvantage, an apprentice could potentially be added to the team in future.
 - Consultants/Contractors – Whilst this would enable a relatively quick appointment, whatever level a candidate may be appointed to. However from experience the consultants/contractors costs are likely to be significantly higher than employing staff directly, and the level of experience is not guaranteed to be any better than employing staff directly.
- 3.16 Taking all factors into account it is considered that on balance the most pragmatic option for now and into the future would be the appointment of a permanent full time Principal Planning Policy Officer.
- 3.17 All other posts within the Planning Policy team would retain their current job descriptions and person specifications, and not be subject to any change of grades.
- 3.18 Whilst it is anticipated that the appointment of a Principal Planning Policy Officer would enable the completion of the review of the Derbyshire Dales Local Plan as set out in the Local Development Scheme appropriate contingency arrangements should be considered. As such, in the event that further additional resources are required further consideration should be given to the appointment of either a Graduate Planning Policy Officer or a Planning Policy Officer. It is therefore recommended that delegated authority be given to the Director of Regeneration and Policy (in conjunction with the Corporate Leadership team) to appoint either a Graduate Planning Policy Officer or a Planning Policy Officer.

4. Timetable for Implementation

- 4.1 It is considered that recruitment of the additional resources should commence as soon as possible to ensure the timetable for completion of Local Plan review is met.
- 4.2 It is however anticipated that any new post is unlikely to recruited until March 2024 at the earliest.

5. Policy Implications

- 5.1 All recruitment would be undertaken in accordance with the Recruitment policies.

6. Resources (Finance, HR, Estates and IT) Implications

- 6.1 The approach being taken by the Progressive Alliance to the review of the Derbyshire Dales Local Plan is such that there is much more direct involvement by Members in the process. This approach requires much more Officer engagement with Members than has happened previously.
- 6.2 The consequence of this is that whilst Members are much more actively involved in the Local Plan process, Officers (at the current time primarily the Policy Manager) are having to prepare for significantly more Member meetings, many of which have already been held outside of the formal nature of the Local Plan Sub Committee.
- 6.3 Paragraph 3.18 of this report states that the most pragmatic option for now and into the future would be the appointment of a permanent full time Principal Planning Policy Officer. The cost of such a Grade 11 post, including oncosts, is estimated as £55,688 a year.
- 6.4 It is suggested that funds from the Neighbourhood Planning and the Custom Build Register Grant, that sit within the Revenue Grants Unapplied Reserve totalling £135,932 be used to fund the proposals in this Business Case until exhausted. This would fund the Principal Planning Policy Officer post for more than two years (i.e. approximately to March 2026). Thereafter the cost would be funded from the General Reserve and taken into account when setting budgets for 2026/27 onwards. If approved, this would be built into the Medium-Term Financial Plan.
- 6.5 The financial risk of this report's recommendations is assessed as medium. However, the financial risks that could arise from an inadequate or delayed Local Plan could be high.

7. Legal Advice and Implications, Data Protection

- 7.1 There is a statutory duty for the District Council to prepare a Local Plan. Government proposals to reform the approach to the preparation of Local Plans as set out above. If the District Council does not have a revised Local Plan adopted by December 2026 in addition to the risk implications, there will be significant costs and time implications as a result of the delay the adoption of a new Local Plan

7.2 There are 4 decisions recommended to be taken in relation to this report. The legal risk of a challenge to the Council in taking the decisions in line with the recommendations has been assessed as low.

8. Equalities Implications

8.1 The appointment of any new post on the District Council establishment would be subject to the complying with the Public Sector Equality Duty, along with the District Council's normal recruitment policy.

9. Climate Change and Biodiversity Implications

9.1 Appointees to any of the posts set out in this paper will be responsible for reviewing and preparing the policies and proposals in the Derbyshire Dales Local Plan which seek to mitigate climate change and addressing the needs of biodiversity.

10. Risk Management

10.1 An appointment as soon as possible is required to enable the progress of the review of the Derbyshire Dales Local Plan to progress it to its final adoption. The longer that the Local Plan review takes to complete the greater the risk to the District Council that the future shape and direction of new development will not be plan-led, rather it will be determined by decisions made on un-coordinated planning applications, often on appeal.

Report Authorisation

Approvals obtained from:-

| | Named Officer | Date |
|---|----------------------|-------------|
| Chief Executive | Paul Wilson | 17/10/2023 |
| Director of Resources/ S.151 Officer (or Financial Services Manager) | Karen Henriksen | 16/10/2023 |
| Monitoring Officer (or Legal Services Manager) | Kerry France | 20/11/2023 |