

---

<b>REPORT TO:</b>	<b>Environmental &amp; Development Services Committee</b>	<b>AGENDA ITEM:</b> //
<b>DATE OF MEETING:</b>	<b>11<sup>th</sup> November 2004</b>	<b>CATEGORY:</b> <b>DELEGATED/</b>
<b>REPORT FROM:</b>	<b>Deputy Chief Executive</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>Gill Hague 595821</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>Local Development Scheme</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>All</b>	<b>TERMS OF REFERENCE: ES03</b>

---

### **1.0 Recommendations**

- 1.1 Members note the changes to the planning system resulting from the Planning & Compulsory Purchase Act 2004 and agree that a report be presented to their meeting on 27<sup>th</sup> January setting out a work programme to meet the new requirements.

### **2.0 Purpose of Report**

- 2.1 To inform members of the changes to the planning system that will result over time in new documents to replace the Local Plan and in particular the need to produce a Local Development Scheme (LDS) that sets out a work programme to comply with the requirements of the Planning & Compulsory Purchase Act 2004.

### **3.0 Detail**

- 3.1 Given the slippage in the introduction of the new Act the deadline for submitting a project plan to the Secretary of State is now March 2005 and not December 2004 as originally anticipated.
- 3.2 A LDS sets out how the Council will progress towards adopting a Local Development Framework (LDF) in accordance with the requirements of the Planning & Compulsory Purchase Act 2004. The LDF and the Local Development Documents (LDDs) referred to within it will ultimately replace the South Derbyshire Local Plan.
- 3.3 The first LDS must focus on the milestones to be met during the first three years following the Act with a provisional indication as to what will be done in subsequent years.
- 3.4 During the transition period policies contained in Local Plans currently under preparation can be saved for three years from their adoption in

order that development control decisions can be made in a consistent manner.

- 3.5 The most recent Local Plan was prepared to cover the time period up to 2011 and the policies contained within it are therefore likely to remain relevant. Such policies can be saved for longer than three years subject to the approval of the Secretary of State. Supplementary Planning Guidance associated with the saved policies will also be saved. (In future such documents will be called Supplementary Planning Documents (SPDs))
- 3.6 The LDF will comprise a suite of documents in a folder so that they can be updated more easily. The new type documents that will constitute the development plan are as follows:
- The Core Strategy
  - Site Specific Allocations and Policies
  - Generic Development Control Policies
  - Area Action Plans (for key areas of change or conservation)
  - Proposals Map

Although SPDs will be part of the LDF they will not be development plan documents because they will not be subjected to independent scrutiny i.e. a public inquiry.

- 3.7 One of the first documents to be prepared under the new system is a Statement of Community Involvement (SCI). Its purpose is to let the community know when and how it will be involved in the preparation of LDDs. The content of the SCI itself will be subjected to consultation and independent examination if necessary. Whether or not the Council has complied with the SCI when formulating the other documents will be a consideration at public inquiries.
- 3.8 The most controversial aspect of plan preparation is the number and location of new houses. Under the old system housing requirements for Derbyshire were established in the Regional Planning Guidance (RPG). Those figures in turn were broken down to District level in the Derby & Derbyshire Joint Structure Plan but that document will eventually disappear completely.
- 3.9 In future District housing requirements will be set out in the Regional Spatial Strategy (RSS) the document that will replace the RPG. The current RPG runs till 2021 but a review to transform it into a full RSS is to commence in 2005 with anticipated adoption by 2008. The new document will contain District targets and is likely to cover the period up to 2026. The Core Strategy of the new LDF must set out objectives and strategic policies to cover a longer time period than local plans. This will mean that that part of the LDF will not need to be reviewed so frequently.
- 3.10 At every decision stage of the new plan's preparation a Strategic Environmental Assessment (SEA) must be undertaken and published in line with Directive 2001/42/EC in order to demonstrate that the environmental impacts are fully understood and taken into account. A Sustainability Appraisal (SA) must also be carried out in order to demonstrate that the interaction of environmental, social and economic impacts are also fully taken into account in the policies and proposals

being put forward. Government guidance to assist Councils undertake such work is still at the draft consultation stage.

#### **4.0 Financial Implications**

- 4.1 Changing to the new planning system can have significant costs particularly if public inquiries are necessary at more frequent intervals and the requirements with regard to publishing documents on the web are to be met. The costs of engaging consultants to undertake the various specialist studies are covered by the Planning Delivery Grant as established by Committee at its meeting on 15<sup>th</sup> April 2004.

#### **5.0 Corporate Implications**

- 5.1 It is the Government's intention that the documents to which the LDS refers should draw on the various strategies that have implications for the development and use of land and provide an integrated approach to the implementation of those strategies. Input to the preparation of documents will therefore be required from other key officers in the Council for example those with responsibility for producing strategies for Leisure, Tourism, Housing, Economic Development, Asset Management, Air Quality and Crime & Disorder etc.

#### **6.0 Community Implications**

- 6.1 The main reason for producing a LDS is to enable the public to know what documents the Council intends to prepare and when.
- 6.2 There should be a clear relationship between the policies in local development documents and the Community Strategy.

#### **7.0 Conclusions**

- 7.1 It is intended to bring a report to Members at their meeting on 27<sup>th</sup> January 2005 that will set out the programme for preparing new documents. The LDS must be monitored and if for any reason the programme slips or indeed can be brought forward an amended scheme can be prepared and submitted to the Secretary of State.

#### **8.0 Background Papers**

- 8.1 None other than those referred to in the report

#### **Glossary**

DPD	Development Plan Document
LDD	Local Development Document
LDF	Local Development Framework
LDS	Local Development Scheme
RPG	Regional Planning Guidance
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SEA	Strategic Environmental Assessment
SPD	Supplementary Planning Document

