
REPORT TO:	Special Environmental & Development Services Committee	AGENDA ITEM: 6
DATE OF MEETING:	20th November 2002	CATEGORY: DELEGATED
REPORT FROM:	Deputy Chief Executive	OPEN
MEMBERS' CONTACT POINT:	Gill Hague (595821)	DOC:
SUBJECT:	South Derbyshire Local Plan Review	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: ES03

1.0 Recommendations

That Members

- 1.1 Welcome those expressions of support for policies in the First Deposit Draft Local Plan set out in Appendix A;
- 1.2 accept the recommendations in Appendix B in response to objections relating to the First Deposit Draft Local Plan;
- 1.3 approve the content of Appendix C as the basis for the Second Deposit Draft of the South Derbyshire Local Plan for public consultation;
- 1.4 agree that no submissions relating to the Second Deposit Draft will be accepted after the end of the consultation period;
- 1.5 agree use of the revised Policy H1 of Appendix C for development control purposes in relation to applications for residential development during the interim period pending adoption of the Local Plan; and
- 1.6 adopt for development control purposes those policies to which no objection was received namely Policies S4, S5 and S11.

2.0 Purpose of Report

- 2.1 To inform Members of the responses received during the consultation period on the First Deposit Draft Local Plan, to suggest changes that shall be incorporated into the Second Deposit Draft, and to seek approval publication of the Second Deposit Draft for public consultation.

3.0 Detail

- 3.1 The First Deposit Draft of a new Local Plan for the District was made available for public consultation during the period 18th February 2002 to 3rd April 2002. Some 1,459 submissions were received made up of 1,214 objections and 245

representations of support. Of the objections so far 49 have been unconditionally withdrawn and a further 57 conditionally withdrawn.

- 3.2 The types of objection received can be divided into categories as follows:-
- Objections caused by misunderstanding which following explanation are unconditionally withdrawn
 - Objections that can be conditionally met by amended wording
 - Objections seeking significant changes to the emphasis of policy
 - Objections to allocated sites
 - Objections seeking the inclusion of additional or alternative sites (a map identifying where those relating to housing, employment and major leisure uses will be displayed at Committee)

Guidance acknowledges that those objections in the last three categories are unlikely to be resolved quickly by negotiation and that they will therefore be discussed at the public inquiry.

- 3.3 Appendix B sets out all the objections together with a recommended response. Appendix C is a copy of the local plan with deleted wording shown struck through and new wording shown in italics to indicate the proposed changes resulting from the recommendations and other factual corrections and updates.

- 3.4.1 The main recommended changes to the plan are as follows:

The Introduction

- A retrospective amendment to the objective for the Derby Sub-area to reflect a change in circumstances since the objectives were agreed in February 2000 and which was taken into account during production of the First Deposit Local Plan in relation to the availability of a large brownfield site.
- An update of the timetable.

The Environment

- Amendments to meet objections particularly from statutory bodies such as the English Nature e.g. Policy ENV1 to differentiate between the different levels of protection given to the various wildlife sites.
- Addition of new Sites Important to Nature Conservation proposed by objectors (where they meet the criteria).
- Amendment of Policy ENV2 to take account of new legislation regarding habitats.
- Amendments to Policy ENV13 to be consistent with the Environment Agency's interpretation of PPG25 and to clarify the status of their indicative floodplain maps.
- Deletion of Policy ENV22 and inclusion of relevant text in Policy ENV21 for clarification.

Transport

- Revamping of Policies T1 and T2 in response to an objection from GOEM and the Highways Agency to better reflect PPG13 and to include new car parking standards as an appendix to the plan instead of as supplementary planning guidance.
- The deletion of a rail freight facility at the former Willington Power Station site in Policy T8 as a consequence of amendments to Policy EMP1.

- A change in emphasis in Policy T10 from 'reserved' to 'protection' and reference in the explanatory text to a further study by Derby City Council to determine the optimum size and location of a facility to meet the needs of the A6 corridor.

Housing

- A revised settlement hierarchy in Policy H1 to reflect Member's concerns regarding the search sequence contained in PPG3 (and the deletion of Policy H9 as a consequence).
- Revision of Table 1 to take account of more recent housing land availability figures and to discount some of the dwellings with planning permission as unlikely to come forward in the plan period particularly at Church Gresley.
- An alteration to the Proposals Map regarding the H7 site at Boulton Moor to enable the site to be developed on more than one frontage to ensure its deliverability within the plan period.
- The inclusion of a lower threshold for affordable housing in Policy H10 relating to smaller settlements in line with Circular 6/98 and inclusion of a definition of affordable housing.

Employment

- A reduction in the amount of employment land identified in Policy EMP1 at Willington Power Station and deletion of the site south of Cadley to meet an objection from Derbyshire County Council. This is because the County Council has adopted a different approach regarding what it considers to be redevelopment than previously established in the adopted local plan and therefore considers the District to have an over allocation of employment land.

Shopping

- Amendment to Policy S1 in response to an objection from GOEM to better reflect PPG6 and in response to Somerfield Stores Ltd to avoid confusion regarding provision in relation to local centres and villages.

Community

- Deletion of the protected school site at Barrow on Trent as the County Council has notified that it is no longer required.

Leisure, Recreation and Tourism

- Deletion of Policy LRT6 and incorporation of text into Policy LRT3 to avoid duplication

5.0 Financial Implications

- 5.1 Estimates of the costs of producing the local plan including the Public Inquiry are already built into the budget.

6.0 Corporate Implication

- 6.1 The local plan is one of the delivery mechanisms for several of the Council's Corporate objectives mainly:
- To safeguard and enhance the natural and built environment
 - To address the needs of South Derbyshire residents for good quality homes, of a variety of tenures, located in well planned and safe environments
 - To promote the health and welfare of all sections of the community, including access to leisure and cultural activities

- To support the development of The National Forest and its enjoyment by residents and visitors
- To strengthen and develop the local economy through support for business development and inward investment.

6.2 Policies in the local plan will have implications for the future development of land in Council ownership, and for the land use aspect of other strategies such as those for housing, economic development, heritage and tourism.

7.0 Community Implications

7.1 Although the local plan should not contain policies for matters other than the development and use of land, PPG12 Development Plans states that it is important that regard is had to the Government's wider sustainable development objectives such as 'social progress which recognises the needs of everyone'. It will deliver the land use aspects of a Community Strategy.

8.0 Conclusions

8.1 Although changes are proposed to the document its general thrust is not undermined. The changes will ensure that land use planning within the District better reflects national planning policy of reducing the need to travel and ensuring that important natural resources and aspects of the built environment are protected for future generations, while taking account of local circumstances. Policies will ensure that new development is carried out to a high standard of design that respects the local character and distinctiveness of South Derbyshire. This general environmental led approach appears to have been well supported.

8.2 The next stage in the process is for the document to be made available for public consultation to enable objections or representations of support to be submitted in relation to the changes. It is only to those changes that objections can be made. The process can commence as soon as the legal formalities are undertaken. Unresolved objections to the First Deposit Draft and those received regarding the changes set out in the Second Deposit Draft will be the subject of discussion at the public inquiry now likely to commence end May/beginning June 2003.

8.3 Despite two staff changes since the start of the whole process the target of publishing the Second Deposit Draft for consultation no later than 6 months from the end of the first consultation period will only have slipped by some 2 months.

9.0 Background Papers

9.1 None other than those referred to in the report