

South Derbyshire Local Development Scheme – Index

Section	Page Number
1 Purpose of the document	2
2 Timescale	2
2 Status and Relationship of Existing & New Plans	2
4 Development Plan Documents	4
5 LDS Programme and Milestones	5
6 Gantt Chart of Programme	8
7 Survey Work	8
8 Strategic Environmental Assessment & Sustainability Appraisal	9
9 Resources	10
10 Risk Assessment	10
11 Monitoring	11
12 Document Profiles	12-15
13 Glossary	16

1 Purpose of this document

1.1 This revised Local Development Scheme (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 Act). The documents contained in the LDF will set out the policies and proposals for the use and development of land and the new style Local Development Documents (LDDs) will, over time, replace the South Derbyshire Local Plan and its supporting documents.

2 Timescale

2.1 The first LDS set out significant milestones during the first three years following commencement of the Act (28th September 2004) and was submitted by 28th March 2005 via the Government Office for the East Midlands to the Secretary of State for approval in accordance with the regulations. It also set out an indicative programme of work beyond September 2007. The first LDS came into effect on 20th April 2004.

3 Status and relationship of existing and new plans and the need to review the LDS

3.1 During the transition period the Act allows policies contained in an adopted Local Plan to be saved for three years from commencement of the Act and for those currently under preparation to be saved for three years from their adoption. Thus it was originally anticipated in the first LDS that policies in the 1998 Adopted Local Plan would form part of the LDF until superseded by the Emerging Local Plan. Unfortunately having completed consultation on Modifications to the Emerging Local Plan a legal challenge was made that has resulted in a decision to withdraw the plan. The transitional arrangements of the Act do not allow for a revision of the Local Plan to be re-commenced at this stage and an interim strategy will therefore be required.

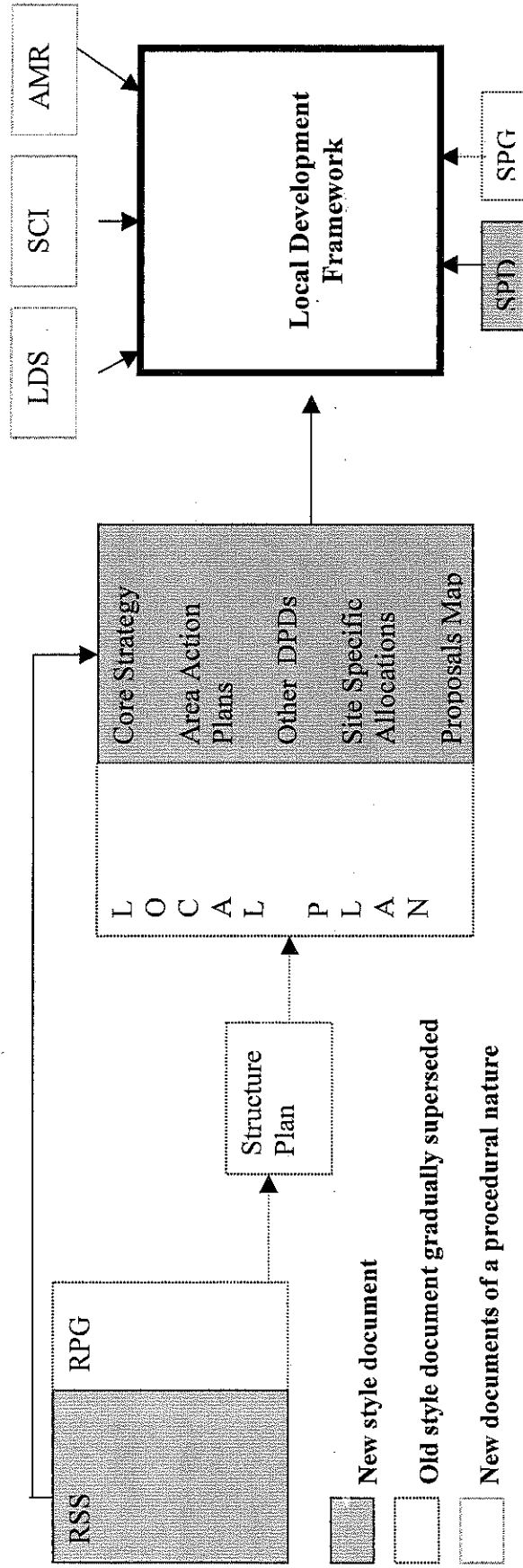
3.2 A revised LDS is therefore needed in order to bring forward preparation of the Core Strategy and Suite of Development Control Policies under the new legislation.

3.3 An Area Action Plan for the land between Woodville and Swadlincote Town Centre will be prepared in advance of the Core Strategy as there is an urgent need to assist the regeneration of the area. Under normal circumstances such a plan would be expected to comply with the Core Strategy but on this occasion the work will comply with a policy in RSS8 and the saved Structure Plan.

3.4 Supplementary Planning Guidance (SPG) associated with the saved policies in the 1998 adopted Local Plan will also remain as a material consideration when determining planning applications until such time as the policy that it supports is replaced by a policy in the new Core Strategy or other LDD.

3.5 Under the old system housing requirements for Derbyshire were established in Regional Planning Guidance (RPG8). In future District housing requirements will be set out in the Regional Spatial Strategy (RSS8) and a review of the RSS in order to do this is to commence in 2005 with anticipated adoption by 2008. The new document containing District targets is likely to cover the period up to 2026 and any Development Plan Documents prepared by the Council should be in general conformity with the RSS. Policies in the Structure Plan are saved for three years from commencement of the Act but will eventually disappear completely.

3.6 Planning documents must have regard to other Council Strategies such as those for Housing, Economic Development, Tourism, Heritage and Leisure. Regard must also be had to the Community Strategy, which in South Derbyshire is being prepared by the Local Strategic Partnership (LSP) that was established in October 2003. A draft of that document has been published for consultation and Action Plans are being drawn up following the Annual General Meeting of the LSP in January 2005.



4 Development Plan Documents (DPDs)

4.1 These will be the documents that comprise the Development Plan for the purposes of the Town & Country Planning Acts. Not all of the documents in the LDF will have this status. The chart below illustrates how over time Structure and Local Plans that previously comprised the Development Plan will disappear.

Document Title (date if adopted)	2004	2005	2006	2007	2008	2009
Regional Planning Guidance (RPG8) 2002*						
Regional Spatial Strategy 8(RSS8) 2005						
Revised Regional Spatial Strategy 8 (RSS8)						
Joint Structure Plan (2001)						
Local Plan (1998)						
Woodville-Swadlincote Action Area Plan						
Core Strategy						
Development Control Policies						

* became RSS on 28th September 2004

4.2 Waste and Minerals Local Plans prepared jointly by Derbyshire County Council and Derby City Council will have separate frameworks.

5 LDS Programme and Milestones

Document Title	DPD/SPD	Brief Description	Conformity	Commence i.e. survey & data gathering	Pre-submission consultation DPD	Pre-submission participation DPD (formal participation if SPD)	Submission to Secretary of State & formal participation for DPDs/SCI	Pre – examination meeting	Examination	Adoption
Statement of Community Involvement	N/A	Sets out how the Council will consult and involve the local community & other stakeholders	Must meet minimum standards set out in regulations & comply with the Race Relations (Amendment) Act 2000 and the Disability Discrimination Act 1995	December 2004	February 2005	June 2005	September 2005	November 2005	January 2006	March 2006
Woodville – Swadlincote Area Action Plan	DPD	Will provide the framework for securing economic and environmental improvements for the area between Woodville & Swadlincote Town Centre.	RSS Policy 1	Commenced	June 2006	October 2006	March 2007	June 2007	September 2007	May 2008
Core Strategy	DPD	Sets out the key elements of the planning framework for the District comprising of a vision &	Must be in general conformity with RSS & PPSs	June 2005	October 2006	March 2007	September 2007	December 2007	March 2008	November 2008

4 The following SPGs are current and will therefore be used as a material consideration by the council for as long as their parent Local Plan Policy is saved. When appropriate they will be reviewed in accordance with the new requirements to become SPD in support of a policy in the new Core Strategy and a timetable for their preparation incorporated into a future amended LDS .

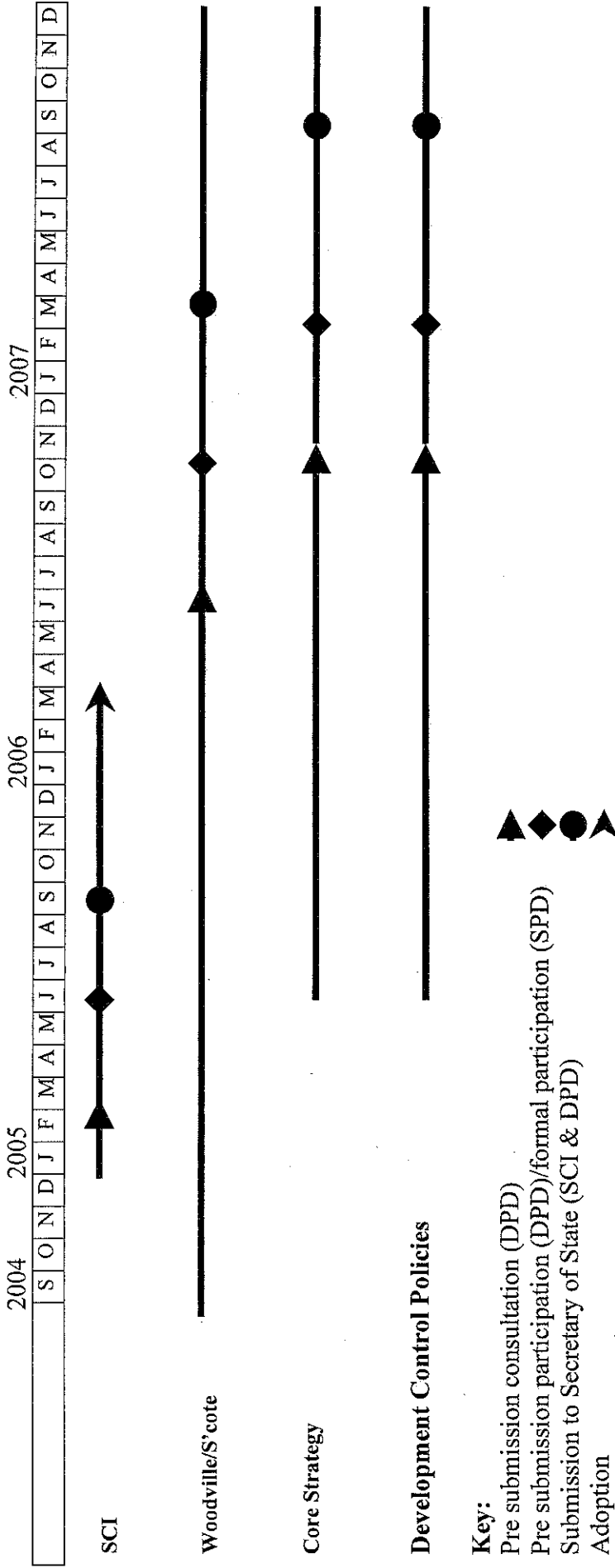
- Housing Design and Layout Adopted Local Plan Housing Policy 11,
- Extending Your Home Adopted Local Plan Housing Policy 13,
- Display of Advertisements Adopted Local Plan Environment Policy 12,
- Trees and Development Adopted Local Plan Environment Policy 9 & Housing Policy 11,
- Industrial & Office Design & Layout Adopted Local Plan Employment Policy 8
- Swadlincote Walking Strategy Adopted Local Plan Transport Policy 7
- South Derbyshire Cycling Strategy Adopted Local Plan Transport Policy 8
- The Provision of Outdoor Playing Space in New Development Adopted Local Plan Policy Recreation & Tourism Policy 4

Longer Term Programme

Work is likely to start beyond September 2007 on the following Development Plan Documents & Supplementary Planning Documents:

- Housing Allocations 2011-2026 (the end date will depend upon the period specified in the RSS).
- Employment Allocations 2011-2026 (the end date will depend upon the period specified in the RSS)
- A Supplementary Planning Document relating to the provision of outdoor playing space will be produced once the appropriate policy in a DPD has been adopted (thus replacing the existing SPG)
- Once the Core Strategy or other Development Plan Document has been prepared those SPGs relating to policies in the 1998 Adopted Local Plan will be reviewed and reissued if appropriate as Supplementary Planning Documents in support of policies in those new documents.

6 Gantt Chart of Programme and Milestones



7 Survey Work

7.1 In order to ensure that policies in documents are based upon up to date information the Council will undertake the following survey work:

Existing Commitments

- An Open Space, Sport & Recreation Study in accordance with PPS17 - consultants – final report expected May 2005. This will inform a review of the Council's Leisure Strategy and subsequent production of revised guidance on the Provision of Outdoor Playing Space in New Development.
- A Swadlincote Town Centre Retail & Leisure study in accordance with PPS 6 to complement and update the existing Vision & Strategy Document - consultants– final report expected May 2005.

- Affordable Housing Needs Assessment for the rural area – consultants appointed for a 3 year programme and work started. This data will support the affordable housing policy in the Local Plan and feed into a Local Housing Assessment.
- Annual surveys of housing and employment land availability – undertaken in-house – final report expected June each year. The monitoring of this information is necessary to ensure that the needs of the district are met.
- Update of the Swadlincote Urban Capacity Study and expansion to cover serviced villages –in house –report expected September 2005. This will complement the work on housing land availability by underpinning assumptions regarding windfall sites.
- Preparation of Conservation Area Character Statements –consultants - final reports on first 12 areas October 2005. This information will complement Historic South Derbyshire, and inform a Good Practice Guide on Local Distinctiveness.
- Analysis of existing consultation methods and preparation of a draft Statement of Community Involvement –consultants– final report expected May 2005.

Future Work

- Assessment of local distinctiveness – to be undertaken during 2005/6 to inform the subsequent production of Good Practice Guidance
- Assessment of employment land – to be undertaken by consultants during 2005 to inform the determination of applications for the redevelopment of employment sites for residential development and inform the future use of land within the Woodville-Swadlincote Area Action Plan.
- Assessment of the District’s potential to meet the requirements of the different sustainable energy production techniques/review and appraisal of current best practice regarding sustainable development techniques –requires corporate involvement and co-ordination prior to the preparation of Good Practice Guidance.
- Survey of Gypsy Needs – consultants to be appointed for a Countywide study to which the District will contribute. This will feed into the Local Housing Assessment and may require the review of policy in due course.

8 Strategic Environmental Assessment (SEA) & Sustainability Appraisal (SA)

- 8.1 The Act requires all documents to be subject to SA, the only exception being the SCI. The SA is integral to document preparation as a means of assessing their potential social, environmental and economic effects. SA is an iterative process and the outputs should be made available at each consultation stage during a document’s preparation.
- 8.2 The Council will also need to conduct environmental assessments in accordance with the requirements of the EU Directive 2001/42/EC. Derbyshire County Council is promoting an initiative with the Districts to develop a protocol and standards for information gathering that will form the baseline data for SEAs and SAs. It is highly likely that the Council will have to buy in specialist expertise/establish a new post to undertake this work

9 Resources

Staff

9.1 The Local Plans Team currently comprises the Local Plans Manager, 2 Local Plans Officers, 1.5 Technical Assistants, a Design & Conservation Officer, a Heritage Officer and the Council's Graphic Designer. The team however has other responsibilities in addition to preparing the LDF documents. There will be a need to call upon other key officers within other sections of the Council at appropriate times when dealing with specific topics and issues. Currently external resources are used to produce the web and hard copies of Local Plan documents due to their size and complexity.

Financial

9.2 Funding for surveys and studies by consultants referred to has been made available for 2004/5 & 5/6 from the Planning Delivery Grant (PDG) award. Funding for new staff may also be made available from the Planning Delivery Grant or sought at the appropriate time as part of the Council's normal procedures for Service Development Proposals.

9.3 Some budget provision has been set aside for specialist input to the preparation of SEA & SA.

10 Risk Assessment

10.1 The Council does not have control over all aspects associated with the preparation of a LDF and its constituent documents. Completion relies upon input to the process from a wide variety of individuals and organisations ranging from members of the public to the Secretary of State. All those involved will have their own priorities and processes that need to be dealt with and they may not reflect the timescales placed on the Council by legislation. The Council will endeavour as best it can to ensure that working relationships with external groups and organisations begin to move towards joined up working where this is not already in place, and will use the information gathered during the preparation of the SCI to improve corporate consultation.

10.2 It is impossible to accurately identify the cost of employing an Inspector and Programme Officer for a Public Examination until the number of objectors is known, as that influences the number of sitting days for the examination. However, by front loading the preparation of documents with public consultation it is anticipated that most issues will be known if not resolved by the time of formal submission to the S of S.

10.3 Slippage in the timetable for preparing the RSS is a risk over which the Council has no control. It is the RSS that will set the target for new housing requirements beyond 2011 and therefore there would be a need to review the timetable for preparing the housing and employment allocations Development Plan .Document.

11 Monitoring

- 11.1 The Act requires the production of an Annual Monitoring Report (AMR). The Council has a detailed database for monitoring residential and employment land availability and produces annual reports on those topics. The database was set up by Derbyshire County Council and is operated by all Derbyshire Local Authorities in accordance with an agreed protocol.
- 11.2 The computer system used for recording planning applications is being developed to enable monitoring of additional requirements. The system will be developed to cater for the monitoring needs of the documents within the LDF. The AMR will also monitor progress in meeting the milestones in the LDS and inform a review of that document when necessary.
- 11.3 Some indicators such as those associated with the Cycling Strategy require information from other organisations such as the County Highway Authority and Police and the Council will work in partnership with those agencies to ensure that information is gathered in a compatible manner. Account will also be taken of government guidance when published. Baseline data used to underpin the policies in the LDF will also have to be monitored and updated when necessary. Briefs for the survey work currently being undertaken by consultants includes a requirement that all data shall be recorded in a manner enabling future updating by the Council.

Document Profile – Statement of Community Involvement

Purpose To set out how the Council will involve and consult the various sections of the community during the preparation of the new documents that will make up the LDF and on planning applications.

Coverage District Wide

Status Part of the Local Development Framework but is not a Development Plan Document

Conformity Should include as a minimum the requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004 and the Town and Country Planning (Transitional Arrangements) (England) Regulations 2004

Timetable	Start of preparation process Preferred Options/ Pre Submission Consultation Pre Submission Participation Submission/Formal Public Participation Pre Examination Meeting Examination Adoption	Commenced February 2005 June 2005 September 2005 November 2005 January 2006 March 2006
------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------

Arrangements for production

Organisational Lead	Local Plans Manager
Political Management	Environmental & Development Services Committee to make recommendations to full Council for approval
Internal Resources	Local Plans Team
External Resources	Specialist Consultants

Community & Stakeholder Involvement

In accordance with government guidance and as recommended by the consultants in line with the brief for the project.

Monitoring & Review

Progress on the preparation and production of the document will be carefully monitored to ensure that the milestones in the LDS are met. Reference will be made in the AMR to the various participation exercises undertaken each year. The number of individuals and types of groups representing the community participating in consultation will be recorded and a review of the methods set out in the SCI amended if necessary. Any proposed review will be included in a revised LDS.

Document Profile – Woodville – Swadlincote Area Action Plan

- Purpose** To provide further guidance in land use terms (taking account of social, economic and environmental issues) for the regeneration of the area of land adjoining and in the vicinity of the proposed Swadlincote Regeneration Route.
- Coverage** A specific area of land roughly bounded by Occupation Lane, Swadlincote Road, Woodhouse Street and Robin Hood Place through which will run the proposed new road.

Status Development Plan Document

Conformity RSS Policy 1 & Derby & Derbyshire Joint Structure General Development Strategy Policy 1

Timetable

Start of preparation process	Commenced
Options Appraisal	June 2006
Pre submission participation	October 2006
Submission/formal participation	March 2007
Pre Examination Meeting	June 2007
Examination	September 2007
Adoption	May 2008

Arrangements for production

Organisational Lead	Local Plans Manager
Political Management	Environmental & Development Services Committee to make recommendations for approval to Full Council
Internal Resources	Local Plans Team
External Resources	Specialist input for employment site assessment and possibly community involvement

Community & Stakeholder Involvement

In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and as set out in the Council's Statement of Community Involvement submitted to the Secretary of State in August 2005.

Monitoring & Review

Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Progress on the implementation of the land uses within the area in accordance with the Action Plan will form part of the AMR. Once the substantial development is complete i.e. the road constructed and the employment land developed, the document is likely to be taken out of the LDF.

Document Profile – Core Strategy

Purpose To set out the strategic vision, key objectives and the special strategy for meeting known and anticipated development requirements (other than for minerals or waste developments) including the number of dwellings required to 2026 (but not exact locations as these will be established in the Housing Allocations DPD). It will replace those policies in the adopted Local Plan that are of a strategic nature such as Housing Policies 4 - 6 & 8; Employment Policies 1 & 3 - 7; Environment Policy 1, 2, 4, 6 & 10; Transport Policies 6 - 10; Shopping Policies 1 & 2; Recreation & Tourism Policy 1; Community Facilities Policies 1 & 3; Green Belt Policies 1, 3 & 6.

Coverage District Wide

Status Development Plan Document

Conformity Regional Spatial Strategy

Timetable

Start of preparation process	June 2005
Pre Submission Consultation	October 06
Pre Submission Participation	March 2007
Submission/Formal Public Participation	September 2007
Pre Examination Meeting	December 2007
Examination	March 2008
Adoption	November 2008

Arrangements for production

Organisational Lead
Political Management

Local Plans Manager
Environmental & Development Services Committee to make recommendations to full Council for approval

Internal Resources
External Resources

Local Plans Team
As necessary

Community & Stakeholder Involvement

In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and as set out in the Council's Statement of Community Involvement

Monitoring & Review

Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Any proposed review will be included in a revised LDS. Monitoring policies in this document will be a main feature of the AMR.

Document Profile – Suite of Development Control Policies

Purpose A series of generic policies setting out the criteria against which planning applications should be considered in order to ensure that development takes place in accordance with the Core Strategy and will replace the following policies of the adopted Local Plan as follows: Housing Policies 7, & 9 – 15; Employment Policies 8 – 10; Environment Policies 3, 5, 7 - 9 & 11 - 15; Transport Policy 5; Shopping Policy 3; Recreation & Tourism Policies 2 - 10; Community Facilities Policies 2 & 4; Green Belt Policies 2, 4 & 5.

Coverage District Wide

Status Development Plan Document

Conformity Regional Spatial Strategy & Core Strategy

Timetable

Start of preparation process	June 2005
Pre Submission Consultation	October 06
Pre Submission Participation	March 2007
Submission/Formal Public Participation	September 2007
Pre Examination Meeting	December 2007
Examination	March 2008
Adoption	November 2008

Arrangements for production

Organisational Lead	Local Plans Manager
Political Management	Environmental & Development Services Committee to make recommendations to full Council for approval
Internal Resources	Local Plans Team
External Resources	As necessary

Community & Stakeholder Involvement

In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and as set out in the Council's Statement of Community Involvement

Monitoring & Review

Progress on the preparation and production of the document will be carefully monitored to ensure that milestones in the LDS are met. Any proposed review will be included in a revised LDS. Monitoring policies in this document will be a main feature of the AMR

GLOSSARY OF TERMS

Adopted Local Plan	The South Derbyshire Local Plan formally adopted in May 1998
AMR	Annual Monitoring Report to chart progress of producing and implementing policies and proposals
DP	Development Plan previously made up of the Structure Plan and Local Plan that will eventually be replaced by the RSS and those LDDs that set out planning policy and land use allocations at the strategic and local level respectively
Emerging Local Plan	A review of the adopted local plan that at January 2005 had reached the consultation on modifications stage (withdrawn)
LDD	Local Development Documents comprising DPDs and SPDs that together will make up the LDF
LDF	Local Development Framework a portfolio of plans that sets out the Council's planning policy framework
PPS	Planning Policy Statements produced by the Office of the Deputy Prime Minister that sets out Government policy on specific topics (previously called Planning Policy Guidance Notes (PPG))
Proposals Map	A map that identifies those areas to which specific policies apply
RSS	Regional Spatial Strategy to be produced by the Regional Planning Forum to replace Regional Planning Guidance
SA	Sustainability Appraisal – a tool to ensure that policies in all LDDs reflect sustainable development principles
SCI	Statement of Community Involvement that sets out how the Council will consult the community and stakeholders on the preparation of planning documents and planning applications
SEA	Strategic Environmental Assessment is a requirement of EU Directive 2001/42/EC and applies to plans and policies where impacts will be of a strategic nature.
SPD	Supplementary Planning Documents that provide additional detailed guidance to support policies in DPDs
SPG	Supplementary Planning Guidance that provides additional detailed guidance to support Local Plan policies
Structure Plan	Derby and Derbyshire Joint Structure Plan produced jointly by the Derby City & Derbyshire County Council
The Act	The Planning & Compulsory Purchase Act 2004 that sets out new procedures for the preparation of planning documents