



This information is available free of charge in electronic, audio, Braille and large print versions.

For assistance in understanding or reading this document or specific information about this Agenda call Democratic Services on 01629 761300 or e-mail committee@derbyshiredales.gov.uk

11 September 2015

To: All Councillors

As a Member of the **Local Plan Advisory Committee**, please treat this as your summons to attend the meeting on **Monday 21 September 2015 at 6.00 pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sandra Lamb', with a stylized, cursive flourish.

Sandra Lamb
Head of Democratic Services

AGENDA

1. APOLOGIES

Please advise the Committee Team on 01629 761300 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence.

2. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING. NB: REPRESENTATIONS MUST RELATE SPECIFICALLY TO ITEMS BEING CONSIDERED BY THE COMMITTEE AT THIS MEETING.**

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

8 July 2015.

3. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

4. **DERBYSHIRE DALES LOCAL PLAN EVIDENCE BASE UPDATE** 3 - 17

To consider a report which sets out the outcomes of work that has been undertaken to support the preparation of a revised Derbyshire Dales Local Plan in respect of the Assessment of Housing and Economic Needs, the Strategic Landscape Sensitivity Assessment and the Gypsy and Traveller Accommodation Assessment. It recommends that the outcomes of these studies are used in the preparation of the Revised Derbyshire Dales Local Plan.

5. **DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2015-2018** 18 - 40

To consider a report that advises of the statutory requirement for the preparation of a Local Development Scheme and seeks approval of a revised Local Development Scheme (LDS) for the preparation of the Revised Derbyshire Dales Local Plan.

Members of the Committee: Councillors Martin Burfoot, Albert Catt, Phil Chell, Tony Morley, Tony Millward, BEM, Garry Purdy, Mike Ratcliffe, Lewis Rose, OBE, Andrew Shirley, Andrew Statham, Peter Slack, Jacquie Stevens

Substitutes: Councillors Jason Atkin, Richard Bright, Deborah Botham, Sue Burfoot, Ann Elliott, Richard FitzHerbert, Chris Furness, Alyson Hill, Susan Hobson, Neil Horton, Angus Jenkins, Joyce Pawley

NOT CONFIDENTIAL – For public release

LOCAL PLAN ADVISORY COMMITTEE
21st SEPTEMBER 2015

Report of the Corporate Director

DERBYSHIRE DALES LOCAL PLAN EVIDENCE BASE UPDATE

SUMMARY

This report sets out for Members the outcomes of work that has been undertaken to support the preparation of a revised Derbyshire Dales Local Plan in respect of the Assessment of Housing & Economic Needs, the Strategic Landscape Sensitivity Assessment and the Gypsy & Traveller Accommodation Assessment. It recommends that the outcomes of these studies are used in the preparation of the revised Derbyshire Dales Local Plan.

RECOMMENDATIONS

1. That the Committee endorse the findings of the evidence base reports as set out in Section 2.
2. That the Corporate Director progress discussions with relevant neighbouring local authorities and other public bodies in respect of the issues arising from the reports in accordance with the Duty to Cooperate.
3. That progress reports on the Duty to Co-operate be presented to future meetings of this Committee.
4. That the findings of the reports be incorporated into a revised Derbyshire Dales Local Plan.

WARDS AFFECTED

All Wards outside the Peak District National Park

STRATEGIC LINK

The Derbyshire Dales District Council Local Plan will be a pivotal tool in the delivery of the Council's Corporate Plan and the Peak District Partnership Statement of Priorities.

1 BACKGROUND

- 1.1 At the meeting of this Committee held on 8th July 2015, Members considered a Progress Report on work that has been undertaken to further develop the Local Plan evidence base to support the preparation of a revised Derbyshire Dales Local Plan. At that meeting, it was resolved that a series of reports would be presented to future meetings of this Committee in respect of the evidence base, Local Development Scheme and Statement of Community Involvement.
- 1.2 This report sets out the outcomes of the Assessment of Housing & Economic Needs, Gypsy & Traveller Accommodation Assessment and the Strategic Landscape Sensitivity Assessment.

1.3 A copy of each report of the above reports is published on the Members Portal and on the Council website.

2 ASSESSMENT OF HOUSING AND ECONOMIC DEVELOPMENT NEEDS

2.1 The NPPF indicates that robust evidence is required to support Local Plans and the policies within them. It sets out that Local Authorities should:

Prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:

- *meets household and population projections, taking account of migration and demographic change;*
- *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
- *caters for housing demand and the scale of housing supply necessary to meet this demand;*

2.2 The National Planning Practice Guidance advocates a wider approach to objectively assessed needs. It sets out that the assessment of housing and economic development needs includes the Strategic Housing Market Assessment requirement as set out in the National Planning Policy Framework. It also advises that the primary objective of identifying need is to:

- identify the future quantity of housing needed, including a breakdown by type, tenure and size;
- identify the future quantity of land or floorspace required for economic development uses including both the quantitative and qualitative needs for new development; and
- provide a breakdown of that analysis in terms of quality and location, and to provide an indication of gaps in current land supply

2.3 As Members will be aware, following the Examination in Public in July 2014, Inspector Holland in his report concluded that the approach taken by the District Council to setting its Objectively Assessed Need for Housing did not adequately take account of the need to provide for affordable housing needs, and the economic aspirations for growth set out within the Derbyshire Dales Local Plan. Given the significant emphasis within the plan to adequately addressing the housing and economic needs of the area, it was considered appropriate to undertake a further review of the Housing and Economic Development Needs.

2.4 Following a comprehensive tendering process consultants were appointed to provide advice on the following specific issues:

- a) The extent and nature of the housing market area within which Derbyshire Dales sits, and the extent to which the housing market extends into

neighbouring local planning authority areas. In considering this requirement account must be taken of the advice in the NPPG about self-containment and the work undertaken by CURDS¹ and should take account of the 2011 Census Data on Travel-to-work.

- b) The extent to which the functional economic area in relation to economic uses for Derbyshire Dales covers the District Council area or otherwise.
- c) In accordance with the Advice in the NPPG, the overall (objectively assessed) housing requirement for the housing market area and the District Council area for the period 2012-2031 and 2012-2033. In undertaking this element of the commission the appointed consultants were required to liaise with the consultants appointed by Sheffield City Region (David Simmonds and AECOM) to undertake an assessment of the potential spatial distribution impacts of the Strategic Economic Plan (SEP) ambition for 70,000 new jobs over the period 2015-2025 and to ensure that the impact of these ambitions is taken into account appropriately. Similarly the appointed consultants were advised to engage with D2N2 to seek views on the extent to which their SEP ambitions will influence the housing requirements for Derbyshire Dales.
- d) A breakdown of the overall housing figure by tenure, household type and household size for the period 2012- 2031 and 2012-2033
- e) An estimate of the future requirements for affordable housing for the period 2012- 2031 and 2012-2033
- f) Taking account of the Oxford Economics employment forecasts for Derbyshire, Experian retail expenditure data, the EKOSGEN report, the ambitions set out in the D2N2 SEP, Sheffield City Region SEP, the District Council's Economic Plan and future population forecasts, an assessment of the overall amount of land and floorspace required for economic development uses (including town centre uses) for the whole of the economic functional area, and the District Council area. The amount of land and floorspace required should be identified for the National Park area of Derbyshire Dales and the area for which the District Council is the local planning authority for the period 2012 - 2031 and 2012-2033.²
- g) A breakdown of the overall figure for land and floorspace required for economic development uses (including town centre uses) by quality, type, size and location, based on a detailed assessment of current supply, vacancy rates, need and demand, making clear the amount of employment land required for new development, for the period 2012- 2031 and 2012-2033

2.5 The appointed consultants were also asked to ensure that the advice took account of evidence from the 2012-based population and household projections and the economic ambitions set out in the D2N2 Strategic Economic Plan, the Sheffield City Region Strategic Economic Plan, and the District Council's Economic Plan.

2.6 A copy of the final report forms a background paper and is available on the Members Portal and the Council website.

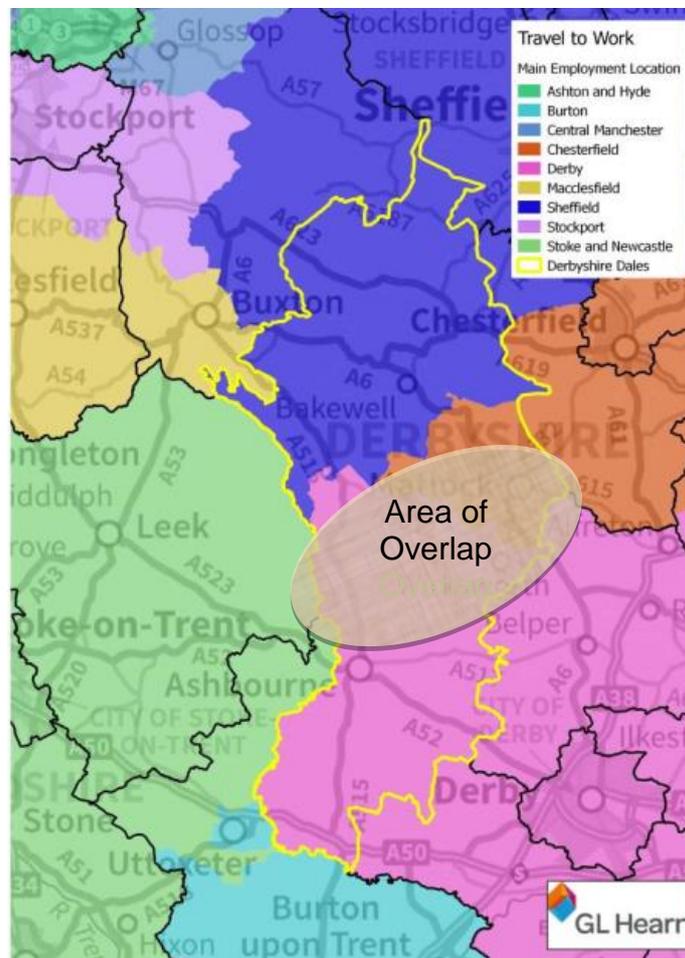
¹ <http://www.ncl.ac.uk/curds/research/defining/NHPAU.htm>

² Any assessment of requirement for the National Park area must be assessed in the light of the statutory purposes of national parks, the adopted development plan for the National Park and the specific policy references to National Park contained within the NPPF, as well as the anticipated different population change trajectories for Derbyshire Dales inside and outside the National Park.

2.7 The key findings of the report are as follows:

Housing Market Area and Functional Economic Area

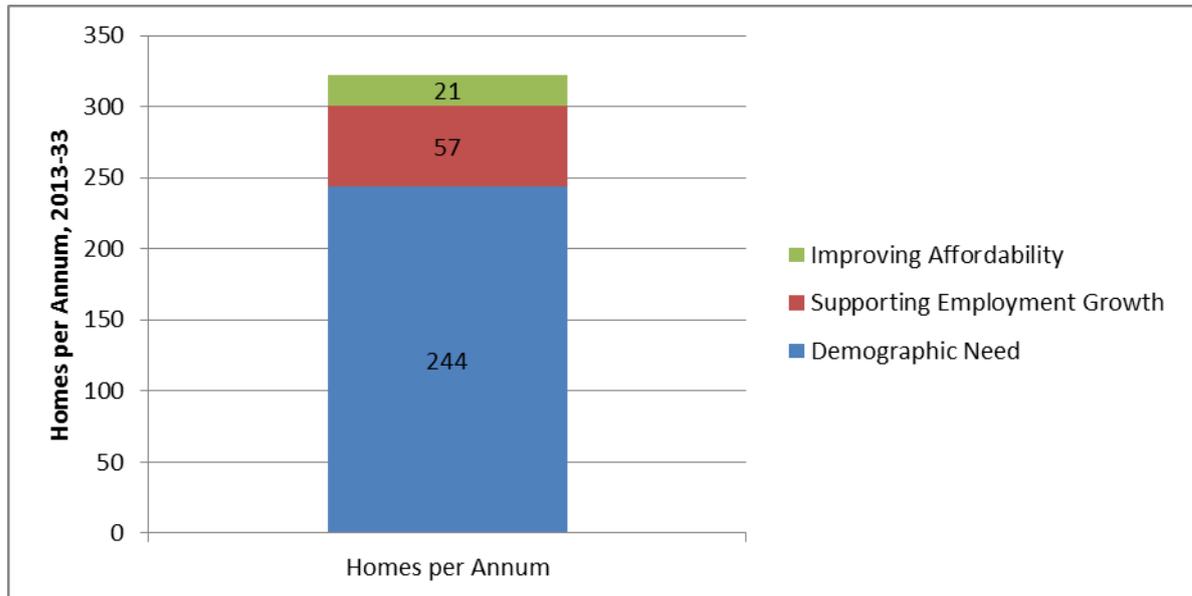
- 2.8 A review of a wide range of indicators was undertaken to determine the extent to which the Housing Market Area (HMA) and Functional Economic Areas (FEMA) in Derbyshire Dales operate. The indicators included house prices, migration patterns, commuting patterns as well as retail and leisure provision, and transport infrastructure.
- 2.9 The report concludes that there are economic and housing market relationships between the north of the District and Sheffield; and the south of the District and Derby. The central part of the District is slightly more complex, with relationships between this area and a number of surrounding cities/ larger towns – including Chesterfield.
- 2.10 The consultants consider that it is appropriate to define the southern part of the District as falling within a Wider Derby-focused HMA / FEMA. This area includes Ashbourne and Wirksworth.
- 2.11 It is further recommended that the northern part of the District should be defined as falling within a Sheffield-focused HMA / FEMA. This includes Bakewell and Hathersage. There are localised inter-relationships between the north of the District and High Peak (particularly Buxton).
- 2.12 The central part of the District, including Matlock, is considered to fall within an “area of overlap” between Housing and Functional Economic Market Areas; with influences from Sheffield; from Chesterfield; and from Derby.



Objectively Assessed Need for Housing

- 2.13 The consultants make it clear in their report that by taking account of the guidance in the NPPF and the NPPG, and relevant case law precedents, the identification of the Objectively Assessed Need (OAN) for housing is a policy-off position. The OAN does not take account of any constraints to development within a particular area, which might influence what a local plan target may ultimately be.
- 2.14 The approach taken in the report seeks to follow the guidance in the NPPF and NPPG, both of which set out that the starting point for determining the OAN is the most recent population and household projections. In this case the 2012-Based Population and Household Projections.
- 2.15 The projections are however trend-based and the NPPG advises that in setting the OAN, consideration needs to be given to whether it is sustainable to plan on the basis of past trends, or whether wider evidence suggests that level of housing provision (in the absence of development constraints) should be adjusted to take account of:
- Employment trends
 - Market signals
 - Need for affordable housing
- 2.16 The NPPG sets out that employment trends should be considered to assess whether an alternative level or distribution of housing provision is necessary to support economic growth; or whether housing provision should be adjusted upwards to improve the affordability of market housing or enhance the delivery of affordable housing.
- 2.17 Throughout the report the consultants have sought to sensitivity test the data to ensure that the inputs into the OAN calculation for Derbyshire Dales are wholly appropriate for the area, including the 2012-Based Sub-National Population Projections.
- 2.18 The 2012-based Sub-National Population Projections (SNPP) indicates population growth of 8.4% in the District between 2013-33. This is modestly below that projected for Derbyshire as a whole (9.5%), but above recent rates of population growth.
- 2.19 The report indicates that when sensitivity checked, the 2012-based SNPP appear to be a sound demographic projection for Derbyshire Dales. Population growth sits above recent trends, but higher migration is projected moving forwards taking account of the likelihood that net migration to the District will increase as a result of age structure changes in the District; and growing populations in areas from which people typically move to the Derbyshire Dales. The wider evidence suggests that recent population growth has been constrained to some degree.
- 2.20 The 2012-based Household Projections, based on the SNPP, project a need for an average of 244 dwellings per annum over the 2013-33 period. This is based on past trends in births, deaths, age-specific trends in migration and household formation.

- 2.21 In order to consider the economic growth prospects for Derbyshire Dales a range of economic forecasts and other economic data was taken into account. The report concludes that on the basis of all of the available data, a reasonable evidence-based assessment of economic growth potential would be for employment growth of 1,700 jobs over the period 2013-2033. On the basis of this level of jobs growth it is considered that there would be a need for approximately 301 dwellings over the plan period to 2033 (244 demographic + 57 economic growth).
- 2.22 The final element in the OAN equation is the amount of housing required to meet future affordable housing needs. The assessment indicates that there is a need for 93 affordable houses per annum, and at this level it represents approx 38% of the overall demographic need, and 31% of the need derived from the economic-led projections. Following the approach in the PPG, the affordable housing needs evidence supports the case for a marginally higher level of housing provision than shown in the demographic-led projections. The higher housing provision in the economic-led projections will contribute to enhancing affordable housing delivery. Overall, there is case to be made for an uplift on the overall housing requirement to address the affordable housing needs of the District.
- 2.23 The report also considers the extent to which house prices across the District influence the need to deliver more housing to meet housing needs. Comparatively high house prices contribute to affordability pressures. In this regard, affordability ratios in the Derbyshire Dales are high and are above national and county averages. Median house prices in the Derbyshire Dales are 8.6 times the median earnings in the District, compared to a national rate of 6.5 and a county rate of 5.5. The demographic data shows fewer younger people (in their 20s and 30s) living in the district suggesting that those priced out of the market are leaving or remain living outside of the district for longer. The evidence further suggests that housing costs would make it more difficult for younger people to live in the District.
- 2.24 Overall, the analysis clearly points to higher affordability pressures on housing in Derbyshire Dales than in other parts of the country, and higher prices and more acute affordability pressures than seen in neighbouring area. Taking account of the evidence, the report concludes that in order to improve affordability, an additional 21 homes per annum are required. Drawing this together, the report identifies an Objectively-Assessed Need (OAN) for housing for 322 homes per year (2013-33) across then whole of Derbyshire Dales (244 demographic + 57 economic growth + 21 affordable = 322) as illustrated below:



2.25 It is important to note that the OAN does not represent a policy target for housing provision. It needs to be brought together with other evidence regarding the capacity of the District to accommodate development. However it is an important starting point for considering how much housing provision to plan for.

Peak District National Park

2.26 Half of the District of Derbyshire Dales is included within the Peak District National Park Authority (PDNPA), as such the District Council is only Local Planning Authority for those parts of the district which lie outside the PDNPA.

2.27 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development whereby local plans should meet objectively assessed needs unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies within the Framework indicate that development should be restricted. The footnote to Paragraph 14 clearly outlines that the Framework expects the designation of a National Park to restrict development and thus there is not an expectation that a National Park will seek to meet its objectively assessed housing needs in full. Instead, the policy focus is on meeting local needs with a specific focus on providing affordable housing within the Park; and working with local authorities to plan to meet housing needs across the wider Housing Market Area.

2.28 It is estimated that based upon the 2011 Census (population at output area level) that 35.9% of the District's population live within the National Park with 64.1% living outside the National Park. Using these proportions, the consultants have sought to calculate the need arising from within and outside the National Park. This is set out below:

	Homes per Annum	Within PDNP	Plan Area
Demographic Need	244	88	156
Supporting Employment Growth	57		57
Improving Affordability	21	8	13
Total	322	95	227

2.29 Furthermore the consultants advise that these conclusions should be discussed with the PDNPA, as part of the Duty to Co-operate and that the District Council should consider the likely supply in the National Park.

Future Housing Types & Sizes

2.30 Paragraph 159 of the NPPF requires local planning authorities to identify the range of types and sizes of accommodation likely to be needed by the population in future, including that required by those groups with specific housing needs.

2.31 There are a range of factors which will influence demand for different sizes of homes, including demographic changes, future growth in real earnings and households' ability to save; economic performance and housing affordability. Taking account of the forecast changes in the size and structure of the population during the plan period, the report considers that the majority of demand for market housing will be for mid-market homes with 2 and 3 bedrooms. The evidence also points to a strong demand for bungalows from older households.

2.32 In terms of the mix of affordable and market homes, the report recommends the following provision over the plan period to 2033:

	1-bed	2-bed	3-bed	4+ bed
Market	5%	40%	50%	5%
Affordable	40%	35%	20%	5%
All dwellings	15%	40%	40%	5%

2.33 In terms of the different types of affordable homes the report identifies that 80% of the net need for affordable housing is for social and affordable rented homes, with 20% for equity-based intermediate housing options such as shared ownership homes. Intermediate housing includes:

- Help-to-Buy Shared Ownership
- Affordable Rent
- Rent-to-Homebuy
- Low Cost Sale

2.34 The population projections indicate that over the plan period the number of residents aged over 65 is expected to increase significantly, and as such is likely to require additional specialist housing provision. Based principally on the expected growth in population of older persons, the report estimates a need for an additional 1,182 specialist dwellings for older persons over the 2013-33 period (59 per annum). This need is principally for market housing, and forms part of the OAN identified above for 342b dwellings (being 17% of this).

2.35 The District Council will, in conjunction with other agencies need to give consideration as to how best to deliver this specialist need housing.

Employment Land and Floorspace Requirements

2.36 The report has also considered the need for employment land and floorspace in Derbyshire Dales taking account of economic trends and projected growth in

employment, commercial property conditions and a survey of businesses across the District.

2.37 The evidence confirms that the economic appeal of the District is primarily from SME's and micro-businesses, and that there is generally a positive outlook with a significant number of businesses surveyed expecting business activity, turnover and staffing numbers to increase over the next five years.

2.38 Taking account of all the evidence the report provides forecasts for future employment space needs as follows:

Gross Need	Ha: Derbyshire Dales District
Net Demand	11.3
Allowance for Vacant Floorspace	1.1
Margin to Provide Choice and Flexibility	2.3
Total Gross Need	14.7

2.39 The consultants consider that it would be appropriate to plan to provide 15 hectares (gross) of employment land provision with development potential across the District. This takes account of the preferred economic scenario, but includes an allowance to provide a choice of sites and flexibility of supply

Future Retail Capacity

2.40 As part of the assessment of economic development needs the consultants have prepared an updated assessment of the quantitative capacity for retail floorspace within the District, and assessed the performance of town centres within the District.

2.41 The report is split into two sections, the first setting out a health check for each of the main retail areas across the District:

- Ashbourne;
- Bakewell;
- Darley Dale;
- Hathersage;
- Matlock;
- Tideswell; and
- Wirksworth.

2.42 In general terms the report concludes that each of the main retail areas are generally healthy, well maintained, with low vacancy rates, and each retail centre fulfils its role as either a primary or secondary location well.

2.43 The second part of the report provides an updated quantitative assessment of retail floorspace capacity. It assesses the need for new retail floorspace by examining current shopping patterns and projecting potential turnover of these destinations in the future – taking account of expected trends in spending, as well as population growth.

2.44 To inform the retail assessment the consultants undertook a telephone household survey from 700 respondents who as a result provided up-to-date information on the patterns of expenditure and market share across the area.

- 2.45 The combination of the predicted growth in population levels and personal expenditure produces a growth in the pool of available expenditure in the survey area. It is estimated that available convenience expenditure will grow by 16.4% from £337.6 million in 2015 to £392.8 in 2033. This amounts to a total increase in available convenience expenditure of £55.2 million over the plan.
- 2.46 Estimated comparison growth rates are higher than convenience rates and it is anticipated that the total pool of available comparison expenditure will grow by 87% between 2015 and 2033. There is currently £525.5 million of spend available in the survey area. This is expected to grow to £982.6 million by 2033 which is an increase of £457.1 million. Some of this additional spend will be absorbed by existing floorspace through efficiency gain, some will be absorbed by commitments and pipeline development projects, and the remainder will be available to support additional floorspace.
- 2.47 Combining the results of the household survey, and the expenditure data enables the calculation of turnover levels within each retail area to be derived, and from that the extent to which expenditure is retained within the District. The report indicates that only 33% of convenience expenditure is being retained within the Derbyshire Dales, with significant alternative draws from outside the area in Buxton, Chesterfield and Belper. In terms of comparison expenditure the report suggests that only 16% of comparison expenditure is actually retained within the Derbyshire Dales.
- 2.48 Whilst the result of the survey indicates low retention rates across the District Council area, the assessment of capacity for additional convenience floorspace across each of the settlements set out above does not show any potential scope for additional retail floorspace. In contrast the report suggests that by the end of the plan period there may be potential for up to 1,332 sqm of additional floorspace for comparison goods. However the report caveats this conclusion by indicating that it will be not be until approximately 2030 that there is any anticipated headroom for growth in retail capacity. In the interim, caution should be given to using these figures as a basis for future planning.

Strategic Landscape Sensitivity Assessment

- 2.49 As Members will be aware, the strategy adopted in the withdrawn Derbyshire Dales Local Plan sought to continue previous strategies for the area of balancing the housing and economic needs of the area whilst also seeking to safeguard the high environmental quality of the District. However, the Inspector in his report concluded that on the basis of the evidence presented, he was not satisfied that the District Council had effectively demonstrated that the level of development proposed secured an appropriate balance between meeting development needs and safeguarding environmental quality.
- 2.50 Given the view taken by the Inspector, it was considered appropriate to undertake a strategic landscape sensitivity analysis to assess the extent to which the landscape of the plan area is capable of accommodating new development.
- 2.51 In order to take this forward, landscape consultants were commissioned to undertake the following:

- A strategic landscape sensitivity³ analysis of areas in and around selected settlements across the local planning area.
- Landscape and visual impact assessments (LVIA)⁴ of sites that have been identified as being available for development.

2.52 The scope of the commission for the landscape sensitivity assessment was to identify different levels of sensitivity of the landscape to new development within and surrounding the following settlements:

- Matlock; Ashbourne; and Wirksworth;
- Darley Dale; Tansley; Hulland Ward; Brailsford; Doveridge Cromford; Matlock Bath; Middleton-by-Wirksworth;
- Northwood; Bonsall; Brassington; Clifton; Darley Bridge; Hognaston; Kirk Ireton; Kniveton; Marston Montgomery; Rowsley; Sudbury and
- Other locations at Two Dales; Upper Hackney; Bolehill; Carsington; Hopton; Bradbourne; Atlow; Mappleton; Hulland; Bradley; Yeldersley; Osmaston; Snelston; Wyaston; Norbury; Shirley; Ednaston; Rodsley; Yeaveley; Roston; Hollington; Alkmonton; Cubley; Longford; Boylestone; Somersal Herbert; Longcliffe

2.53 The scope of the commission for the LVIA was to assess the capacity of sites nominated through the 'Call for Sites' process taking account of the potential impact on landscape and visual amenity as well as identifying, where appropriate, the type of mitigation measures which may be required in order that development can be successfully accommodated in and around the following settlements:

- Bonsall; Brassington; Clifton; Darley Bridge; Hognaston; Kirk Ireton; Kniveton; Marston Montgomery; Sudbury
- Yeldersley; Osmaston; Snelston; Wyaston; Shirley; Ednaston; Rodsley; Yeaveley; Roston; Alkmonton; Boylestone

2.54 In undertaking the assessment, the consultants emphasise the advice in the NPPF which sets out in Paragraph 109 that the *“planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes”*

2.55 The report also takes into consideration comments made by the Minister of State for Housing and Planning outlined in a letter dated 27th March 2015 which stressed that the impact of development on landscape character, particularly outside National Parks, can be an important material consideration in the determination of planning applications.

2.56 The methodology employed by the consultants to undertake the assessment draws upon the guidance set out within the Landscape Institute and the Institute of Environmental Management & Assessment “Guidelines for Landscape and Visual Impact Assessment” Third Edition (LVIA). In practical terms it also took into account

³ Landscape sensitivity relates to the value attached to the landscape in terms of a wide range of factors including: its character; whether or not it is designated (as National Park or a Site of Special Scientific Interest or Local Wildlife Site for instance); whether it contains important features such as protected trees; its visual prominence; the nature of the local settlement pattern etc and its susceptibility to change brought about by development. In these terms landscape sensitivity can be assessed as being high, medium or low

⁴ LVIA is used to assess the impact that development is likely to have on a site in respect of the character and sensitivity of the landscape and the key features of it contained within the site and its surroundings and the impact on the visual amenity of those who live or work near the site or who travel through or past it. In these respects it can be used to assess the capacity of the site to successfully accommodate development.

work undertaken by the former Countryside Commission, and Derbyshire County Council on identifying the different landscape character types across Derbyshire Dales.

- 2.57 The assessment process involved a combination of both desktop and field survey work, which categorised and assessed areas as either High, Medium or Low Sensitivity:

High sensitivity:

Land with a high susceptibility to change and/or which is of high value, e.g. land adjacent to or visually prominent from the PDNP or WHS, land outside of the settlement pattern, land which has high visual prominence, land which contributes to heritage or ecological assets.

Medium sensitivity

Land with a medium susceptibility to change and/or which is of medium value, e.g. land which has medium visual prominence, land which partially contributes to heritage or ecological assets.

Low sensitivity

Land with a low susceptibility to change and/or which is of low value, e.g. land within the settlement pattern, land with low visual prominence, land which has no or very limited contribution to heritage or ecological assets

- 2.58 The distribution of the high, medium and low sensitivity areas are shown on the Maps set out in the Appendix to the report. The conclusions of the report are as follows:

“The northern half of the District is generally characterised by valley bottom settlements, both nucleated and linear in pattern. Settlements are larger in the north, with the Market Towns of Matlock and Wirksworth located here. Ashbourne is located near the centre of the District.

The density of settlements increases towards the north, with the collection of settlements located on the A6 around Matlock comprising the most densely developed area. In this area physical coalescence has occurred between many of the settlements, such as Matlock and Upper Hackney, and Darley Dale and Two Dales, and it is difficult to identify the delineation of settlements on a map. However visual coalescence is prevented due to the presence of extensive screening vegetation, and open space alongside the A6. Land which prevents visual coalescence is therefore of high sensitivity, and it is important that this land remains undeveloped in order to maintain the perceived breaks between settlements.

Land of high sensitivity in this area also relates to the proximity to the PDNP. Many of the settlements, such as Rowsley and Northwood, are located on the opposite side of the Derwent Valley to the PDNP. Therefore land surrounding them is visually prominent in views from the Park, and development could potentially adversely impact upon the setting of the Park.

The southern part of the District (south of Ashbourne) is generally characterised by nucleated settlements located on plateaus and ridges, which are generally more rural in character than in the north of the district. Settlements within the south are smaller and more dispersed, with the majority of the Small Villages and Other Locations concentrated in the south.

Areas of high sensitivity within the south predominantly related to visually prominent land which slopes down from the hilltop settlements, and land which contributes to the rural character of settlements. Sensitivity was also generally high in villages with heritage constraints, where the majority of the surrounding landscape was located within a Conservation Area, or was important for the setting of listed buildings.

Areas of low and medium sensitivity throughout the district were generally identified on land at a similar elevation to the adjacent settlement edge, which was enclosed or semi-enclosed with low visual prominence, and did not contribute to the character or setting of the settlement.”

Gypsy and Traveller Accommodation Assessment

- 2.59 The National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS) require local planning authorities (LPAs) to carry out assessments of the future accommodation needs of Gypsies and Travellers. These are called Gypsy and Traveller Accommodation Assessments (GTAA's), which can be used to inform the preparation of policy and site allocations for Gypsies and Travellers at Housing Market Area (HMA) or Local Plan level, as appropriate.
- 2.60 In accordance with the NPPF and the Duty to Co-operate set out in the Localism Act 2011, a GTAA covering Derbyshire and East Staffordshire was jointly commissioned in August 2013 by the following partners to update the previous study published in 2008 for Derbyshire and 2013 for East Staffordshire:
- D10 - including the Derbyshire County Council, Derby City Council and the eight District and Borough Councils in Derbyshire;
 - The Peak District National Park Authority;
 - East Staffordshire Borough Council; and
 - The Derbyshire Gypsy Liaison Group.
- 2.61 A copy of the GTAA 2014 has now been published by Derbyshire County Council on their website along with a Position Statement which sets out the status of the study.⁵ A copy of the final report is also available on the Members Portal.
- 2.62 The GTAA represents a piece of evidence which provides a starting point for considering pitch and plot requirements for Gypsies and Travellers and Travelling Showpeople in the study area for the period 2014/15 to 2033/34.
- 2.63 The data for the study was obtained from three main sources:
- **Primary data:** face-to-face surveys of Gypsies and Travellers
 - **Secondary information:** including a literature review and secondary data analysis
 - **Stakeholder consultation:** with local organisations involved with Gypsies and Travellers and Travelling Showpeople
- 2.64 The accommodation need was assessed using a Department for Communities and Local Government model in accordance with the advice set out in the NPPG. The

⁵ http://www.derbyshire.gov.uk/environment/land_premises/traveller_sites/gypsy_and_traveller_accommodation_assessment/default.asp

model contains seven basic components; five assessing need and two assessing supply, which are applied to each sub-group of Gypsies and Travellers, based on primary data.

2.65 Overall the total requirement for new accommodation across the whole of the study area over the next 20 years is as follows:

- 134 residential pitches
- 4 transit sites/emergency stopping places consisting of at least four or five pitches
- 13 Travelling Showpeople plots.

2.66 In respect of the requirement for accommodation within the Derbyshire Dales, the study indicates that over the next five years provision should be made for 6 pitches and in the future 1 additional pitch every five years for the next fifteen years, equating to a total requirement of 9 pitches to be found over the next 20 years.

2.67 The report sets out that need does not have to be met where it arises i.e. it could be met throughout the study area local authorities. This is particularly in relation to meeting needs arising from families residing on unauthorised encampments requiring permanent accommodation.

2.68 As such, the GTAA recommends that the study area local authorities adopt HMA-type collaborative structures to help determine how to jointly meet the accommodation needs of Gypsies and Travellers. The report in its conclusions makes the following points:

- According to the survey undertaken with Gypsies and Travellers in the study area the preferred size for permanent/residential sites is for small, family sized sites. The stakeholder meetings undertaken as part of the GTAA confirmed that smaller sites are preferred.
- Following CLG (2008) guidance it is recommended that new sites contain a maximum of 15 pitches whilst smaller sites for individual extended families should be considered.
- Survey results suggest that a mix of public and private sites will be required dependent on need. Specific sites available should be outlined in future DPDs and guidance offered on the type of land that is likely to obtain planning permission as well as land that is unlikely to. Specific advice on the planning process should also be offered.
- Local authorities should consider how they can facilitate the provision of new sites including applying for funding as part of the HCA's 2015-18 Affordable Homes Programme (AHP); sites developed on a cooperative basis; shared ownership; small sites owned by a local authority, but rented to an extended Gypsy or Traveller family for their own use; and Community Land Trust options.
- Local authorities should jointly (within the HMA-type groupings) examine their Strategic Housing Land Availability Assessments (SHLAAs) as well as other land availability documents to identify suitable locations.
- Gypsies and Travellers living in bricks and mortar accommodation sometimes face discrimination and hostility from the settled community. Local authorities

should consider the provision of alternative accommodation which directly meet the needs Gypsies and Travellers such as group housing schemes.

3 RISK ASSESSMENT

3.1 Legal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Not having an up to date Local Plan in place which provides adequate land for housing places the District Council at risk to residential development being brought forward on appeal rather than on a plan-led basis. The legal risk is therefore high.

3.2 Financial

The cost of preparing the Derbyshire Dales Local Plan is contained within the District Council's budget. The financial risk is, therefore, assessed as low.

3.3 Corporate Risk

The Regeneration and Policy Risk Register identifies that preparation of the Local Plan carries a high risk rating score of 20 – this being the highest risk in the Regeneration & Policy Risk Register, and one of the highest corporately.

This indicates that lack of progress on the preparation of the Local Plan could have a significant impact on a number of areas. The timetable set out in Section 3 is considered to be realistic however any significant delay in the preparation of the Local Plan is likely to result in some of the consequential effects continuing to occur e.g. reputation and political.

4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

Mike Hase, Planning Policy Manager
Tel: 01629 761251 E-mail: mike.hase@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

Description	Date	File
Report to Council	2 nd October 2014	
Report to Local Plan Advisory Committee	8 th July 2015	
Derbyshire Dales Housing & Economic Development Needs Assessment	September 2015	
Derbyshire Dales Landscape Sensitivity Study	August 2015	
Derby, Derbyshire, Peak District National Park & East Staffordshire Gypsy and Traveller Accommodation Assessment	July 2015	

NOT CONFIDENTIAL – For public release
LOCAL PLAN ADVISORY COMMITTEE

21st September 2015

Report of the Corporate Director

DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2015-2018

SUMMARY

This report advises Members of the statutory requirement for the preparation of a Local Development Scheme and seeks Members' approval of a revised Local Development Scheme (LDS) for the preparation of the Revised Derbyshire Dales Local Plan.

RECOMMENDATION

That the Derbyshire Dales Local Development Scheme 2015 – 2018 as set out in Appendix 1 to this report be brought into effect immediately.

WARDS AFFECTED

All Wards outside the Peak District National Park

STRATEGIC LINK

The Local Development Scheme sets out the programme for the preparation and adoption of the Derbyshire Dales Local Plan and as such will significantly influence the ability of the Council to achieve a number of its key aims and objectives during the next three years in terms of delivering the Council's Corporate Plan and the Peak District Partnership Statement of Priorities.

1. BACKGROUND

- 1.1 Section 15 of the Planning & Compulsory Purchase Act 2004 (as amended by Section 111 of the Localism Act) requires that local planning authorities prepare a Local Development Scheme (LDS), which sets out the Council's programme for the preparation and adoption of Local Development Documents.
- 1.2 Following the publication of the National Planning Policy Framework, National Planning Practice Guidance and the introduction of the Town & Country Planning (Local Planning) Regulations 2012, the requirements for preparing Local Development Schemes changed significantly. Whereas the previous legislation and policy guidance set out the scope and content of the LDS, the current Regulations only make vague reference to Local Development Schemes in relation to the preparation of Authority Monitoring Reports. There is no reference to the preparation of a LDS in the NPPF. Consequently in the absence of detailed legislation and guidance, it is left to local planning authorities to decide on the scale and content of their LDS.

- 1.3 As part of the future Examination in Public of the Derbyshire Dales Local Plan the Inspector appointed to consider that plan will consider whether the plan has been prepared in accordance with all the relevant legal requirements, including whether the plan has been prepared in accordance with the LDS.
- 1.4 Following the legislative changes there is no longer a requirement for local planning authorities to specify the timetables for producing other planning documents such as Supplementary Planning Documents (SPDs), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI) within 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 authorities website.
- 1.5 As there is no statutory requirement that a LDS be submitted to the Secretary of State a local planning authority has the discretion about when to bring the scheme into effect. It must however, resolve that the scheme is to have effect and specify the date from which the scheme will have effect.

2. THE DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2015-2018

- 2.1 The current Local Development Scheme was brought into effect on 10th April 2014, at a time when the District Council was preparing the Pre Submission Draft Local Plan. The documents set out in the previous Local Development Scheme related to the Derbyshire Dales Local Plan Pre Submission Draft 2013 which, as Members will be aware, was formerly withdrawn in October 2014.
- 2.2 Following the withdrawal of the Local Plan preparation of a revised Local Plan has commenced. Therefore a revised LDS has been prepared that sets out a timetable for the production of the revised Local Plan and a copy is set out in Appendix 1 to this report.
- 2.3 The revised LDS covers the period 2015-2018, and sets out the timetable for the preparation of the Revised Derbyshire Dales Local Plan, the resources required to take the plan forward, and the risks associated with its preparation. The key milestones, as approved by this Committee at its meeting on 8th July 2015 form the basis for the timetable for the preparation of the Derbyshire Dales Local Plan within the Local Development Scheme:

Milestone	Date
Initial Strategy Consultation	November 2015
Draft Derbyshire Dales Local Plan Consultation	February / March 2016
Submission Plan Consultation	June / July 2016
Derbyshire Dales Local Plan Submitted	September 2016
Examination in Public	November / December 2016

Table 1- Local Development Scheme Key Milestones for Preparation of Revised Derbyshire Dales Local Plan

- 2.4 This report therefore seeks authority to bring the Local Development Scheme as set out in Appendix 1 into effect. As work is underway to prepare the revised Derbyshire Dales Local Plan it is appropriate that the Local Development Scheme be brought into effect immediately. In accordance with the regulations

the Local Development Scheme will be made available at the Council Offices and will be published on the Council's website.

3. RISK ASSESSMENT

3.1 Legal

The proposals accord with the provisions of the relevant legislation, accordingly the legal risk is low.

3.2 Financial

The cost of preparing the Derbyshire Dales Local Plan is contained within the District Councils budget. The financial risk is therefore, assessed as low.

3.3 Corporate Risk

The LDS identifies a number of key milestones for the preparation of the Derbyshire Dales Local Plan. The Regeneration and Policy Risk Register identified that preparation of the Local Plan carries a high risk rating score of 20 – this being the highest risk in the Regeneration and Policy Risk Register, and one of the highest corporately. This indicates that lack of progress on the preparation of the Local Plan could have a significant impact on a number of areas. The timetable set out in the Local Development Scheme is considered to be realistic, however any significant delay in the preparation of the Local Plan is likely to result in some of the consequential effects continuing to occur e.g. reputation and political.

4. OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5. CONTACT INFORMATION

Mike Hase, Planning Policy Manager
Tel No. 01629 761251
mike.hase@derbyshiredales.gov.uk

6. BACKGROUND PAPERS

Description	Date	File
Localism Act 2011	15 th November 2011	G/5/P2
Town and Country Planning (Local Development) (England) Regulations 2012	6 th April 2012	G/5/P2



DERBYSHIRE DALES DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

2015-2018

DERBYSHIRE DALES DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
2015-2018

CONTENTS	PAGE
1. INTRODUCTION	3
<ul style="list-style-type: none"> • Localism Act 2011 • Local Plan Regulations • Neighbourhood Planning Regulations • The National Planning Policy Framework • The National Planning Practice Guidance 	<p>3 3 3 4 4</p>
2. PROPOSED LOCAL DEVELOPMENT SCHEME	5
<ul style="list-style-type: none"> • Changes to the Derbyshire Dales Timetable • Derbyshire Dales Local Plan Progress • Saved Plans • Neighbourhood Plans 	<p>5 5 7 7</p>
<ul style="list-style-type: none"> • Programme for Derbyshire Dales Local Plan • Explanation of the Key Milestones • Overview of Local Plan Document • Delivery & Implementation • Resources • Risk Assessment and Management • Monitoring & Review • Evidence Base 	<p>9 9 11 12 12 12 15 15</p>
APPENDIX 1 – SCHEDULE OF ADOPTED LOCAL PLAN POLICIES	

1. INTRODUCTION

Localism Act 2011

- 1.1 Section 111 of the Localism Act amends Section 15 of the Planning and Compulsory Purchase Act 2004 and sets out that Local Planning Authorities are to prepare a Local Development Scheme (LDS), which sets out the Council's programme for the preparation and adoption of the Development Plan Document (DPD) in the form of a Local Plan for the next three years.
- 1.2 The District Council has prepared this Local Development Scheme (LDS) which sets out the Council's programme for the preparation and adoption of the Derbyshire Dales Local Plan and covers the period 2015-2018. It sets out the progress of the Local Plan and the review of timetables to reflect any changes in the programme. The LDS presents a section on delivery and implementation of the Local Plan, including resources available and a risk assessment of key stages of document preparation.
- 1.3 Revisions made to the Town & Country Planning (Local Planning) Regulations 2012 removes the requirement for Local Authorities to submit the LDS to the Secretary of State. However the LDS will be kept up to date following any changes made to the timetable and the latest version will be available on the Council's website.

Local Plan Regulations

- 1.4 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 revised procedural arrangements for preparing Local Plans. They also list the prescribed bodies in relation to the Duty to Co-operate (Regulation 4), the requirements in relation to the Authority Monitoring Report (Regulation 34), and set out how information should be made available for inspection.

Neighbourhood Planning Regulations

- 1.5 Alongside the Local Plan, 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 neighbourhood designated area, however, they must be in general conformity with the National Planning Policy Framework and the Local Plan's strategic policies. When a Neighbourhood Development Plan is approved by an independent examiner and agreed through a local referendum, the Council must adopt it as part of its Development Plan and take it into account when making decisions on planning applications in the area. As Neighbourhood Development Plans are not prepared by the Council and their timetables are dependent on the progress made by the respective communities, they are not included in the LDS, however information on neighbourhood planning activity and any 'made' Neighbourhood Plans is included.

The National Planning Policy Framework

- 1.6 The National Planning Policy Framework (NPPF) was published in March 2012. 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.
- 1.7 Various strategic priorities must be addressed in the Local Plan, including policies to deliver the homes and jobs needed together with any necessary retail, leisure and other commercial development. It is stressed that plans must be based on adequate, up to date and relevant evidence. In relation to housing, a Local Planning Authority should ensure that its evidence base looks at full objectively assessed needs for market and affordable housing in the housing market area. Any plan must be prepared in accordance with the Duty to Co-operate, legal and procedural requirements, and, be sound. Paragraph 215 of the Framework states that the weight to be attached to policies in existing plans depends on their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that can be given to them).

The National Planning Practice Guidance

- 1.8 Alongside the publication of the NPPF National Planning Practice Guidance (NPPG) was published on 6th March 2014. This provides complementary guidance for local authorities on the production, preparation and deliverability of Local Plans. The NPPG reiterates the key role of Local Plans in delivering sustainable development that reflect the vision and aspirations of local communities. It discusses the role of the Local Plan as an important tool in guiding decisions on development proposals, acting as the starting point for decision making.
- 1.9 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 it will be delivered. A 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

Changes to the Derbyshire Dales Timetable

- 2.1 This LDS sets out the timetable for the preparation of the Derbyshire Dales Local Plan, that covers part of the Derbyshire Dales that lies outside of the Peak District National Park. It supersedes the previous version which covered the period 2014-2017. The documents in the previous LDS related to the Derbyshire Dales Local Plan Pre Submission Draft 2013 which was withdrawn from Independent Examination (EIP) in October 2014.
- 2.2 Following the withdrawal of the Local Plan work on preparing a revised Local Plan has been ongoing in accordance with the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). Accordingly this has led to the requirement for the preparation of a revised LDS, which sets out a new timetable for production of the revised Derbyshire Dales Local Plan from 2015 until 2018.
- 2.3 Following changes in legislation in 2012 (through the Localism Act 2011 and new Town and Country (Local Planning) (England) Regulations 2012), there is no longer a requirement for Local Planning Authorities to specify the timetables for producing other planning documents such as Supplementary Planning Documents (SPDs), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI) within a 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 authorities website.
- 2.4 The Derbyshire Dales Local Development Scheme provides details on the timetable for the Derbyshire Dales Local Plan comprising of strategic and development management policies, site specific allocations of land, and proposal maps.

Derbyshire Dales Local Plan Progress

- 2.5 Following the termination of the joint working arrangements with High Peak Borough Council in 2012, the Council commenced work on the Derbyshire Dales Local Plan. In 2012 the Council undertook consultation on Housing Allocations Issues and Options, which included a review of the District Councils overall housing requirement and identified potential housing sites for allocation and the extent of draft Settlement Framework Boundaries. Subsequently between 13th June - 25th July 2013 consultation on the Derbyshire Dales Local Plan Pre Submission Draft was undertaken, seeking views on the legal compliance and soundness of the Plan. This work culminated in the submission of the Derbyshire Dales Local Plan Pre Submission Draft to the Secretary of State for Independent Examination on 13th May 2014. The Examination in Public (EIP) occurred on 22nd and 23rd July 2014.
- 2.6 During the examination the Inspector covered three main topics - The Duty to Cooperate, The Objectively Assessed Need for Housing (OAN) and the plan making process. The Local Plan Inspector concluded that in its submitted form the Derbyshire Dales Local Plan would not be found sound.

- 2.7 The Local Plan Inspector concluded that the level of housing provision proposed in the Pre Submission Draft Local Plan at 4,400 dwellings was inadequate and that the full Objectively Assessed Need for Housing (OAN) in the Derbyshire Dales in the period 2006-2028 should be at least 6,500 dwellings. This was due to the current backlog in housing needs, the identified need for affordable housing, the impact of the downturn in the economy and the Council's corporate objective of supporting economic growth and enhancing prosperity.
- 2.8 Additionally the Inspector considered elements of the Plan making process had failed to meet one of the important objectives of the Statement of Community Involvement, in that the Local Plan had not been specific enough in its approach to not meet the full OAN for housing and that no consultation had taken place on the evidence completed after the publication of the Derbyshire Dales Local Plan Pre Submission Draft in June 2013. Finally the Inspector concluded in relation to the Duty to Cooperate that the Council had sought cooperation with a wide range of stakeholders during the preparation of the Plan, but that it had failed to achieve effective cooperation. Accordingly the EIP was temporarily suspended in order to allow the Council to consider its options.
- 2.9 Following suspension of the EIP three options on how to proceed were considered by the District Council:
- Option 1 - Continue with the EIP, but risk the Derbyshire Dales Local Plan being found unsound
 - Option 2 – Suspension of the EIP for a period of 6-9 months to allow the Council to undertake further work and consultation
 - Option 3 – Withdraw the Plan and resubmit once the issues identified by the Inspector have been addressed
- 2.10 A Special Council meeting was held on 2nd October 2014 to consider the options and following consideration of the advantages and disadvantages of each option Council resolved to withdraw the Local Plan from Examination with immediate effect and re-submit at a later date. The Local Plan was therefore withdrawn in October 2014 on the basis that work would begin on preparing a revised Local Plan.
- 2.11 Since the withdrawal of the Local Plan work has been ongoing to refresh the evidence base in order to ensure that the policies and proposals that are brought forward are up to date and that the Plan is found sound at a future EIP. A progress report on the work that has been undertaken to update the evidence base to support the preparation of the Derbyshire Dales Local Plan was presented to the District Council's Local Plan Advisory Committee (LPAC) on 8th July 2015.
- 2.12 A major part of the process of updating the Local Plan is to refresh the evidence base in order to fulfil the requirement of Paragraph 153 of the NPPF that Local Plans should be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. A refresh of the evidence base has involved the following work:
- Strategic Housing Land availability Assessment Update

- Assessment of Housing and Economic Development Needs
- Strategic Landscape Sensitivity Assessment
- Review of infrastructure Needs and Plan Viability (including Community Infrastructure Levy)
- Gypsy and Traveller Accommodation Assessment
- Sustainability and Habitats Regulations Assessment

2.13 At the meeting of the Local Plan Advisory Committee on 8th July 2015 Members resolved that the key milestones for the preparation of the Derbyshire Dales District Council Local Plan should be:

Milestone	Month
Initial Strategy consultation	November 2015
Draft Derbyshire Dales Local Plan Consultation	February/March 2016
Submission Plan Consultation	June/July 2016
Derbyshire Dales Local Plan Submitted	September 2016
Examination in Public	November/ December 2016

2.14 At this stage it was envisaged that the Initial Strategy identified for consultation in November 2015 would set out the strategic direction for development across the plan area, taking account of the refreshed evidence base. It is anticipated that it would identify the objectively assessed housing and economic development needs.

Saved Plans

2.15 The plan period for the Derbyshire Dales Adopted Local Plan (2005) ran to 2011, and as such taking account of the guidance in the NPPF can only be given weight in the determination of planning applications depending upon their degree of consistency with the Framework. A list of the Derbyshire Dales Adopted Local Plan (2005) policies that are used as material considerations as part of the determination of planning applications are set out in Appendix 1.

Neighbourhood Plans

2.16 The Localism Act 2011, introduced the right for communities to prepare their own Neighbourhood Development Plans.

- 2.17 Neighbourhood Development Plans in order to become part of the Development Plan and used in the determination of planning applications have to follow a formal statutory process for preparation and consultation, and be examined by an appointed person. When adopted, the 'made' Neighbourhood Plan will be used to assess and determine planning applications within the Plan's designated area.
- 2.18 There is currently one 'made' Neighbourhood Plan in Derbyshire Dales, Wirksworth Neighbourhood Plan which was brought into force on 25th June 2015. Other areas which have been designated as neighbourhood areas include:
- Ashbourne
 - Brailsford
 - Darley Dale
 - Kirk Ireton
 - Middleton By Wirksworth
 - Shirley
- 2.19 There is significant interest in the preparation of Neighbourhood Development Plans elsewhere in the Derbyshire Dales and it is anticipated that other areas will come forward for designation as a Neighbourhood Area in the short to medium term.

Programme for Derbyshire Dales Local Plan (2015)

	2015			2016										2017												
	O	N	D	J	F	M	A	M	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Derbyshire Dales Local Plan		ISC				P				C		S		M	E			IR		A						

Local Development Scheme Key	
ISC-	Initial Strategy Consultation
P-	Public Participation in Preferred Options/Draft Plan
C-	Consultation of Pre-Submission Plan
S-	Submission to Secretary of State
M-	Pre-Examination Meeting
E-	Examination
IR-	Inspector's Report Received
A-	Adoption

Table 1: Derbyshire Dales Local Plan LDS Timetable 2014-2017

- 2.20 Further explanation of the key milestones still to be achieved for the Local Plan as presented in Table 1 are set out below:
- 2.21 **Initial Strategy Consultation** – The Council will undertake consultation on options for the initial strategy for the Local Plan, this will include consultation with the community and other stakeholders on the issues the Local Plan should address and the strategy it should contain.
- 2.22 **Draft Derbyshire Dales Local Plan Consultation** – Consultation on the Draft Local Plan will be undertaken, this will entail consultation on the draft strategy for the Local Plan, policies and relevant site allocations.
- 2.23 **Submission Plan Consultation** – consultation on the version of the Local Plan that the Council intends to submit to the Secretary of State for Examination will be undertaken, with representations sought on the soundness and legal compliance of the Plan.
- 2.24 **Submission to Secretary of State** – once the Council has chosen its strategy or policies; it will prepare a document and submit it to Secretary of State. At this time the Council will contact the Planning Inspectorate to arrange for an independent examination of the document to be held.
- 2.25 **Pre-Examination Meeting** – this is a short meeting in which the Inspector explains the procedures of the examination and participants can ask questions about it. It will not debate the issues themselves.
- 2.26 **Independent Examination** – the policies in the Derbyshire Dales Local Plan will be tested thoroughly during the independent examination to determine whether it satisfies the statutory requirements for the preparation of the plan, it is in general conformity with the National Planning Policy Framework and the document is sound.
- 2.27 **Receipt of Inspector's Report** – After the examination, the inspector will produce a report with recommendations that will be binding upon the Council. The report will set out precise recommendations for how the Local Plan and adopted proposals map must be changed.

2.28 **Adoption** – Once the Council has received the Inspectors binding recommendations it will revise the document accordingly and formally adopt the Plan

Derbyshire Dales Local Plan

Overview

Role & Subject	Sets out vision, objectives and spatial development strategy to 2033 within the context of the Derbyshire Dales. It will help take forward the themes and priorities of the Community Strategy providing its spatial dimension. 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	3 rd October 2014
Consultation on Scope of Sustainability Appraisal	6 th August 2015
Initial Strategy Consultation	November 2015
Public Participation in Preferred Options/Draft Plan	February/March 2016
Consultation of Pre-Submission Plan	July 2016
Submission To SoS	September 2016
Pre Examination Meeting	November 2016
Examination	December 2016
Receipt of Inspector's Report	March 2017
Adoption	May 2017

Arrangements for Production

Organisational Lead	Corporate Director & Policy Manager
Political Management	Local Plan Advisory Committee & Council.
Internal Resources	Derbyshire Dales Planning Policy Section
External Resources	Peak District Partnership; Derbyshire County Council; Appointed Consultants, Local Enterprise Partnerships
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.
------------------------------	--

Development Plan Policies to be replaced

Derbyshire Dales Local Plan Adopted (2005)	As set out in Appendix 1
---	--------------------------

3 Delivery and Implementation

Resources

- 3.1 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 Policy section consists of 4.4 full-time equivalent (FTE) posts, consisting of Policy Manager, Senior Planning Policy Officer, Planning Policy Officers, Graduate Planning Policy Officer and Administrative Assistant. A Programme Officer will be appointed from Council's Chief Executives Department to assist the Inspector through the examination of the Derbyshire Dales Local Plan. Other sections within the Council will be drawn upon for extra resources when required to provide support to the Planning Policy team, such as the Planning Services Department and Policy and Regeneration Department
- 3.2 Advice will be sought from Council Officers in other sections and departments including the Development Manager; Head of Housing Services; and Head of Regeneration and Policy and Corporate Director. 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 the Derbyshire Wildlife Trust and Historic England on the historic environment for instance
- 3.3 The District Council's has sufficient budget to support the preparation of Local Plan, including the Examination in Public.

Risk Assessment and Management

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	High	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. Delays in the delivery of plans may occur in terms of compliance with the NPPF as a	Review timescales and where necessary extend to some degree to incorporate changes to policy formulation work.

Risk	Likelihood	Impact	Contingency	Mitigation
			<p>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>	Contact other Local Authorities to gain better understanding of the implications of changes if necessary
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	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.	Continuing discussions with neighbouring authorities
Local Plan not being found sound	Medium	Medium	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	<p>The Council is in a vulnerable situation in terms of housing growth. Current Local Plan policies are out of date and ensuring a new target is approved for housing growth is essential to control the scale of future development.</p> <p>Ensure that timescales are achievable and offer a degree of flexibility.</p>	Ensure sufficient resources are available to complete all the required work and future stages of the Local Plan process are achievable.
Provision of Infrastructure	Medium	Medium	Discussions with infrastructure providers	Continuing engagement with infrastructure providers

Risk	Likelihood	Impact	Contingency	Mitigation
			to focus on the preparation of the Infrastructure Delivery Plan (IDP) including various workshops and meetings. Ensure emerging and updated regulations relating to CIL are taken into account and addressed through policy and IDP	and development of the IDP will ensure timely consideration prior to submission of Local Plan to the Secretary of State
Inspectors Report includes recommendations the Council find hard to accept	Medium	Medium	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.
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 Measures

Monitoring and Review

- 3.4 The Council is required to prepare an Authority Monitoring Report (AMR) annually. The AMR monitors the progress of the LDS on an annual basis, reporting in December each year. The latest AMR covers the period March 2012 to April 2013 and was published in March 2014 and is available to view on the Council's [website](#).
- 3.5 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.

Evidence Base

- 3.6 The preparation of the revised Derbyshire Dales Local Plan needs to be supported by a robust evidence base, following the withdrawal of the Derbyshire Dales Local Plan Pre Submission Draft from examination work to refresh the evidence base has been ongoing, the Council's extensive library of evidence base documents can be viewed in full on its website.
- 3.7 Mechanisms will be put in place within the District Council's Planning Policy Team and in association with other local planning authorities and key stakeholders to ensure that the evidence base is reviewed on a regular basis and kept up to date over the period of this Local Development Scheme.

Schedule of Derbyshire Dales Local Plan (Adopted 2005) Policies

Policy	Title	Retained Post 2008	Replaced by DPD
SF1	Development Within Settlement Frameworks Boundaries	✓	Local Plan
SF2	Protection of Important Open Spaces	✓	Local Plan
SF3	Development Conspicuous From The Peak National Park	✓	Local Plan
SF4	Development In The Countryside	✓	Local Plan
SF5	Design And Appearance of Development	✓	Local Plan
SF6	Protection Of The Best Agricultural Land	✓	Local Plan
SF7	Waste Management And Recycling	✓	Local Plan
SF8	Catering For The Needs Of People With Disabilities In Development And Redevelopment	✓	Local Plan
H1	New Housing Development Within Settlement Framework Boundaries	✓	Local Plan
H2	Extensions to Dwellings	✓	Local Plan

Policy	Title	Retained Post 2008	Replaced by DPD
H3	Dependent Persons Units	✓	Local Plan
H4	Housing Development Outside Settlement Framework Boundaries	✓	Local Plan
H5	Conversion And Re-Use Of Buildings To Provide Residential Accommodation Outside Settlement Frameworks	✓	Local Plan
H6	Replacement Dwellings In The Countryside	✓	Local Plan
H7*	New Dwellings For Agricultural Or Forestry Workers Or Rural Based Enterprises In The Countryside	✗	Local Plan
H8	Extending Domestic Curtilages Into The Countryside	✓	Local Plan
H9	Design And Appearance Of New Housing	✓	Local Plan
H10	Affordable Housing Within The Settlement Framework Of Market Towns	✓	Local Plan
H11	Affordable Housing Within The Settlement Frameworks Of Other Settlements	✓	Local Plan
H12	Alternative Provision For Affordable Housing Outside Settlement Frameworks	✓	Local Plan
H13	Affordable Housing Exceptional Sites In Rural Areas	✓	Local Plan
H14	Housing To Meet The Needs Of The Elderly And People With Disabilities	✓	Local Plan
H15	Accommodation For Gypsies	✓	Local Plan
EDT1	Land For General Industrial And Business Development	✓	Local Plan
EDT2	Existing Strategic Employment Land And Business Premises	✓	Local Plan
EDT3	Redevelopment Of Land At Clifton Road Ashbourne	✓	Local Plan
EDT4	Other Existing Employment Land And Business Premises	✓	Local Plan
EDT5	Industrial And Business Development Within Settlement Framework	✓	Local Plan
EDT6	Conversion And Re-Use Of Buildings For Industrial And Business Development Within Settlement Frameworks	✓	Local Plan
EDT7	Extension And Expansion Of Existing Industrial And Premises	✓	Local Plan
EDT8	Design And Appearance Of New Industrial And Business Premises	✓	Local Plan
EDT9	Provision For People With Disabilities In	✓	Local Plan

* Policies in the table that are crossed out are not saved beyond 20th November 2008

Policy	Title	Retained Post 2008	Replaced by DPD
	Schemes For Employment Purposes		
EDT10	Industrial Development Involving Hazardous Or Pollutant Substances	✓	Local Plan
EDT11	Retail Uses Within Employment Areas	✓	Local Plan
EDT12	Haulage Operations	✓	Local Plan
EDT13	Buildings Associated With Agriculture, Forestry Or Other Rural Based Enterprise	✓	Local Plan
EDT14	Farm Diversification	✓	Local Plan
EDT15	New Build Industrial And Business Development Outside Of Settlement Frameworks	✓	Local Plan
EDT16	Re-Use Of Rural Building For Industrial And Business Use	✓	Local Plan
EDT17	Tourist Attractions	✓	Local Plan
EDT18	Tourist Accommodation Within The Settlement Frameworks Of Market Towns And Other Settlements	✓	Local Plan
EDT19	Tourist Accommodation Outside Defined Settlement Frameworks	✓	Local Plan
EDT20*	Holiday Chalets, Caravan And Camp Site Developments	✗	Local Plan
NBE* 1	Sites Of International Importance For Nature Conservation	✓	Local Plan
NB* E2	Sites Of National Importance For Nature Conservation	✓	Local Plan
NBE3	Other Sites Of Importance For Nature Conservation	✓	Local Plan
NBE4	Protecting Features Or Areas Of Importance To Wild Flora And Fauna	✓	Local Plan
NBE5	Development Affecting Species Protected by Law Or Are Nationally Rare	✓	Local Plan
NBE6	Trees And Woodlands	✓	Local Plan
NBE7	Features Important In The Landscape	✓	Local Plan
NBE8	Landscape Character	✓	Local Plan
NBE9	Protecting The Important Open Spaces Alongside The A6 Through Darley Dale	✓	Local Plan

* Policies in the table that are crossed out are not saved beyond 20th November 2008

* Policies in the table that are crossed out are not saved beyond 20th November 2008

Policy	Title	Retained Post 2008	Replaced by DPD
NBE10*	Flood Risk And Surface Water Discharge	✗	Local Plan
NBE11*	Water Quality Protection	✗	Local Plan
NBE12	Foul Sewage	✓	Local Plan
NBE13*	Development On Or Adjacent to Contaminated And Unstable Land	✗	Local Plan
NBE14*	Light And Noise Pollution	✗	Local Plan
NBE15*	Air Quality	✗	Local Plan
NBE16	Development Affecting A Listed Building	✓	Local Plan
NBE17	Alterations And Extensions To A Listed Building	✓	Local Plan
NBE18	Conversion And Changes Of Use Of A Listed Building	✓	Local Plan
NBE19	Demolition Of Listed Building	✓	Local Plan
NBE20	Enabling Development	✓	Local Plan
NBE21	Development Affecting A Conservation Area	✓	Local Plan
NBE22	Shopfronts In Conservation Areas	✓	Local Plan
NBE23	Conservation Of Historic Parks And Gardens	✓	Local Plan
NBE24	Archaeological Sites And Heritage Features	✓	Local Plan
NBE25	Derwent Valley Mills World Heritage Site	✓	Local Plan
NBE26	Landscape Design In Association With New Development	✓	Local Plan
NBE27	Crime Prevention	✓	Local Plan
NBE28*	Percent For Art	✗	Local Plan
S1	Retail Development In Town Centres	✓	Local Plan
S2	Retail Development In Edge Of Centre Locations	✗	Local Plan
S3	Retail Development In Out Of Centre Locations	✗	Local Plan
S4	Non Retail uses in Primary Shopping Frontages	✓	Local Plan
S5	Amusement Centres	✓	Local Plan
S6	The Design And Appearance Of Shops And Commercial Premises	✓	Local Plan
S7	Shopfront Security	✓	Local Plan
S8	Development To Realise the Potential Of The River Derwent	✓	Local Plan
S9*	Development Of A Supermarket, Matlock	✗	Local Plan
S10	Development In Local Shopping Centres	✓	Local Plan
S11	Individual And Village Shops	✓	Local Plan

Policy	Title	Retained Post 2008	Replaced by DPD
S12	Important Local Services And Facilities	✓	Local Plan
TR1	Access Requirements And The Impact Of New Development	✓	Local Plan
TR2	Travel Plans	✓	Local Plan
TR3	Provision For Public Transport	✓	Local Plan
TR4	Safeguarding The Reinstatement Of Railway Lines	✓	Local Plan
TR5	Strategic Rail Freight Site	✓	Local Plan
TR6*	Pedestrian Provision	✗	Local Plan
TR7*	Cycling Provision	✗	Local Plan
TR8	Parking Requirements For New Development	✓	Local Plan
TR9	Public Coach Park	✓	Local Plan
TR10	Safeguarding Haulage Depot, Longcliffe	✓	Local Plan
TR11*	Safeguarding The Route Of The A6 Link Road, Matlock	✗	Local Plan
CS1	Sites Required For Community Facilities	✓	Local Plan
CS2	Development Of Land At the Meadows/Off St. John's Street, Wirksworth	✓	Local Plan
CS3	Provision Of New Community Facilities And Services	✓	Local Plan
CS4*	Magistrates Court Facilities, Matlock	✗	Local Plan
CS5	Renewable Energy Installations	✓	Local Plan
CS6	Wind Turbine Generator Development	✓	Local Plan
CS7*	Telecommunication Infrastructure	✗	Local Plan
CS8	Provision Of Community Infrastructure	✓	Local Plan
CS9	Utility Services & Infrastructure	✓	Local Plan
L1	New Leisure Centre, Matlock	✓	Local Plan
L2	New Sport And Recreation Facilities	✓	Local Plan
L3	Safeguarding Recreational Sites And Facilities	✓	Local Plan
L4	Land For Sport And Recreation	✓	Local Plan
L5	Safeguarding The Tourism/Leisure Potential Of Stancliffe Quarry and Ball Eye Quarries	✓	Local Plan
L6	Outdoor Playing And Play Space In New	✓	Local Plan

* Policies in the table that are crossed out are not saved beyond 20th November 2008

* Policies in the table that are crossed out are not saved beyond 20th November 2008

Policy	Title	Retained Post 2008	Replaced by DPD
	Housing Developments		
L7	Water Based Leisure Pursuits	✓	Local Plan
L 8	Development Around Carsington Reservoir	✓	Local Plan
L9	Safeguarding Public Rights Of Way	✓	Local Plan
L10	Leisure Routes And Trails	✓	Local Plan
L11	Equestrian Development	✓	Local Plan
L12	Potentially Intrusive Sport Or Recreation Activities	✓	Local Plan
L13	Matlock Park	✓	Local Plan
L14	The National Stone Centre	✓	Local Plan