

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	22 SEPTEMBER 2022	CATEGORY: (See Notes) DELEGATED or RECOMMENDED
REPORT FROM:	FRANK MCARDLE - CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS 07971 604326 STEFFAN.SAUNDERS@SOUTHDERBYSHIRE.GOV.UK	DOC:
SUBJECT:	LOCAL PLAN ISSUES AND OPTIONS CONSULTATION AND DRAFT SCOPING REPORT	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS03

1.0 Recommendations

- 1.1 That the Committee authorises the Local Plan Issues and Options document (at Appendix 1) for public consultation in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 That the Committee authorises the publication of the associated draft Scoping Report document (at Appendix 2) for a statutory five-week consultation with the 'Consultation Bodies' and other appropriate stakeholders.
- 1.3 That delegated authority be given to the Chair of this Committee and the Head of Planning and Strategic Housing to agree any final changes required to either of the above documents, prior to their respective consultations.

2.0 Purpose of the Report

- 2.1 To seek authorisation for both the first round of consultation related to the Local Plan review – the Issues and Options consultation – and its associated statutory draft Scoping Report.

3.0 Background

- 3.1 A full review of the Local Plan Part 1 was authorised by this Committee on 12 August 2021. Authorised concurrently was the inclusion of the Infinity Garden Village (IGV) and Freeport sites for detailed policy consideration as part of the Local Plan review. The Council has continued to work closely with its Derby Housing Market Area (HMA) partners since the adoption of the current Local Plan, both at officer level and through the Derby HMA Joint Advisory Board, both to facilitate the timely production of individual Local Plans and to coordinate a strategy for the Derby HMA as a whole.

- 3.2 A revised Local Development Scheme (LDS) was approved by this Committee on 20 April 2022, setting out the timetable for production of development plan documents for 2022 – 2025. The LDS commits to an Issues and Options consultation being undertaken, in accordance with Regulation 18 of the Town and Country Planning Regulations 2012, to set out and consult on the issues that the Council considers relevant to the production of the emerging Local Plan, together with seeking the views on any options by which those issues could be addressed.
- 3.3 In preparation for the Local Plan review, a fresh call for sites was undertaken in September 2019 and a new Strategic Housing and Economic Land Availability Assessment (SHELAA) methodology consulted on and finalised to appraise those sites. To date, 200 sites have been put forward for inclusion in the SHELAA, details of which will also be published alongside the Issues and Options consultation.

4.0 Detail

Issues and Options Consultation

- 4.1 The emerging Local Plan will need to address key strategic issues, including those related to housing need and distribution, economic growth, the infrastructure required to support development, and the key strategic sites already identified through the Local Plan Part 2 and a potential National Strategic Infrastructure Project – IGV and the East Midlands Freeport respectively. The emerging Local Plan will also consider issues around health, climate change, carbon neutrality and biodiversity.
- 4.2 The Issues and Options consultation seeks to identify topic areas and receive comments from as wide a range of agencies, stakeholders, businesses, landowners and communities as possible, in advance of formulating a draft local plan. No decisions are being taken nor allocations made through the publication of the Issues and Options consultation.
- 4.3 The Council's Statement of Community Involvement sets out a range of consultation mechanisms that can be employed during Local Plan consultations, including drop-in events. These have been spaced out across the District and are planned as follows, running 3-7pm:
- Findern Village Hall – 11th October
 - Rosliston Village Hall – 14th October
 - Frank Wickham Hall, Etwall – 26th October
 - Sharpe's Pottery Museum, Swadlincote – 27th October
 - Stenson Community Centre – 31st October
 - Melbourne – venue and date to be confirmed
- 4.4 The consultation will also be publicised at Area Forum meetings, as follows:
- Lullington Village Hall – 5th October
 - Stenson Community Centre – 11th October
 - Foston and Scropton Village Hall – 13th October
 - St George's and St Mary's Church, Church Gresley – 2nd November
 - St John's Church, Newhall – 8th November
 - Aston Recreation Centre – 9th November

- 4.5 Drop-in sessions will also be available on Tuesdays and Wednesdays, 10am-4pm at the Council Offices throughout the consultation.

Draft Scoping Report

- 4.5 Under the Planning and Compulsory Purchase Act, a Sustainability Appraisal (SA) is mandatory in the preparation of local plans. It is also necessary to conduct an environmental assessment in accordance with the requirements of the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC), as transposed into law in England by the SEA Regulations. Therefore, it is currently a legal requirement for the emerging Local Plan to be subject to SA and SEA throughout its preparation.

- 4.6 The requirements to carry out SA and SEA are distinct, although it is possible to satisfy both using a single appraisal process (the SA), as advocated in planning practice guidance. The SA process comprises a number of stages with scoping being the first stage. A summary of the main stages is below:

Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope of the appraisal. This is the stage the SA for the emerging Local Plan is currently at.

Stage B: Developing and refining options, including site allocations, and assessing effects.

Stage C: Preparing the SA Report.

Stage D: Consultation on both the emerging Local Plan and the SA report.

Stage E: Monitoring the significant effects of implementing the Local Plan.

- 4.7 Accordingly a draft Scoping Report (at Appendix 2) has been prepared for consultation, outlining the Council's proposed approach to SA in preparing the emerging Local Plan and setting a framework against which promoted sites can be reviewed. The results of the SA help inform which sites will be selected for inclusion in the draft Local Plan. There is a legal requirement to consult on the draft Scoping Report with the Environment Agency, Natural England and Historic England, however, in line with previous scoping consultations undertaken by the Council, views will be sought from other environmental bodies and governance agencies, and will also be available for public comment.
- 4.8 Following this statutory five-week consultation, it is likely that technical changes will be made to the Scoping Report, including the SA framework. The updated version of the Scoping Report will then be published on the Council's website and any sites put forward for allocation, together with policies proposed, will be tested against the updated framework. The result of the SA and details of how the SA has informed site selection will be published alongside the emerging Local Plan.

5.0 Financial Implications

- 5.1 There are no direct financial implications from this report that are not already met within existing budgets.

6.0 Corporate Implications

Employment Implications

- 6.1 None directly arising from this report however staff resources will have a direct bearing on delivery of the LDS.

Legal Implications

- 6.2 None directly arising from this report.

Corporate Plan Implications

- 6.3 Delivery of a timely and deliverable Local Plan is necessary for delivering objectives within the Corporate Plan.

Risk Impact

- 6.4 Failure to review the Local Plan in a timely manner incurs the financial risk of potential planning appeals, together with the uncertainties for communities that significant speculative planning applications can cause.

7.0 Community Impact

Consultation

- 7.1 Local plan reviews require significant consultation with communities, businesses, landowners, stakeholders and public agencies. The Statement of Community Involvement will be updated as required, particularly to reflect post Covid-19 ways of working.

Equality and Diversity Impact

- 7.2 An Equality Impact Assessment will accompany the Plan on submission.

Social Value Impact

- 7.3 An up-to-date local plan has a direct bearing on the communities in the District.

Environmental Sustainability

- 7.4 Local plans are subject to SA as part of the production process and the draft Scoping Report will be published for statutory consultation alongside the Issues and Options consultation. Local plan policies enable development to be located in the most suitable, sustainable locations and for provision to be made for appropriate supporting infrastructure.

8.0 Conclusions

- 8.1 The Issues and Options consultation and associated draft scoping report marks an important milestone in the local plan review. The consultation has been designed to flexibly accommodate either a single or two-part Local Plan, together with any changes that may arise through planning reform following the Levelling Up and Regeneration Bill.

9.0 Appendices

Appendix 1 – Local Plan: Issues and Options

Appendix 2 – Draft Scoping Report for the emerging South Derbyshire Local Plan

10.0 Background Information

[Local Plan review evidence base](#)

[SHELAA Methodology](#)