

# **Local Development Scheme**

**Version 9 – February 2025**

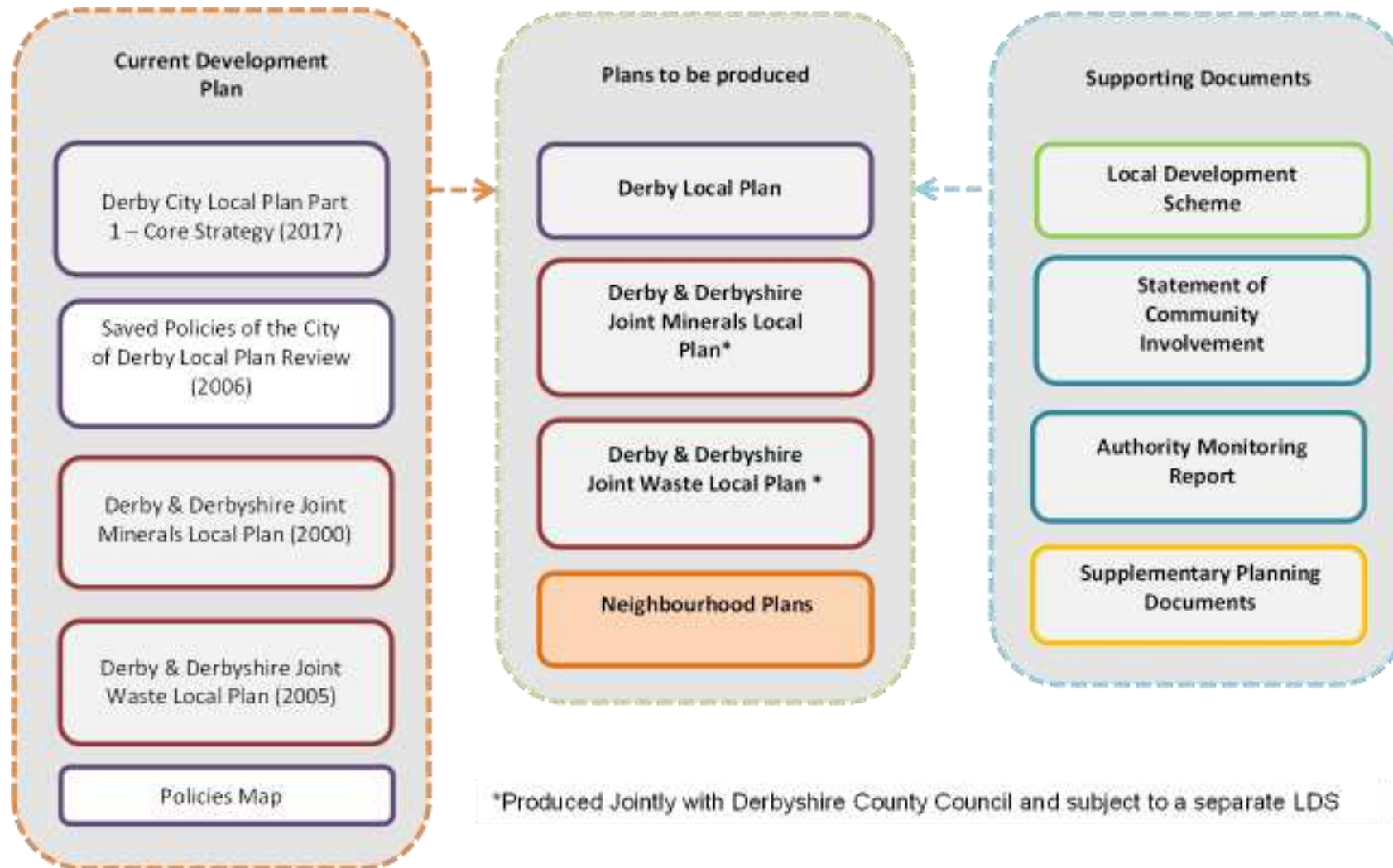
# Contents

1. Introduction	3
2. Background	5
3. Existing Planning Documents	5
4. Programme of Plan Preparation	8
5. Governance and Resources	10
6. Monitoring	12
7. Evidence base and Background Information	12
8. Risk Analysis	13
Appendix A: Profiles of Local Development Documents	16

# **1. Introduction**

- 1.1 The Local Development Scheme (LDS) is a project plan which sets out the timescales for the preparation and review of statutory planning policy documents covering Derby.
- 1.2 It provides the starting point for the local community, businesses, developers and other interested parties to find out what the City Council's current planning policies are for the area. It includes 'milestones' to inform the public about opportunities to get involved with the plan making process and to let them know the likely dates for involvement.
- 1.3 This LDS excludes the planning policy documents for Mineral and Waste, as these are produced jointly with Derbyshire County Council and are covered by a separate [LDS](#).
- 1.4 This is the ninth full review of the LDS for Derby. The LDS was last updated in January 2022 and since then a number of key changes have taken place, meaning that it is now time for an update:
- 1.5 This LDS sets out the Council's commitment to produce planning documents that will make up the Development Plan for Derby. It details the timetable for the preparation of these documents and any additional documents which will assist with the effective implementation of the City's Development Plan.
- 1.6 The documents to be produced will eventually replace the Derby City Local Plan Part 1 (DCLP1) which was adopted in January 2017 and the remaining 'saved' policies of the City of Derby Local Plan Review (CDLPR) which was adopted in 2006.
- 1.7 The documents to be prepared need to be informed by detailed evidence and external stakeholder involvement. As such, any timings must be flexible enough to ensure that all policies are given adequate time for robust development. For that reason, indicative timetables are provided. This should make people aware of how and when they can become involved in local plan making. The contents of each document will be regularly monitored through the Authority Monitoring Report and updated as required.
- 1.8 Figure 1 shows the documents that make up the current and proposed Development Plan and other supporting documents. Further details on the programme for establishing the new Development Plan are set out in Section 4 and Appendix A.

Figure 1: Development Plan Components



## **2. Background**

- 2.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 7 and 8 of the Town and Country Planning (Local Development) (England) Regulations 2004 require councils to prepare and maintain a Local Development Scheme (LDS). The LDS sets out the work programme for the preparation of documents to be included in the Local Plan. This document supersedes the previous version of the LDS published in December 2017.
- 2.2 In 2012 the Government introduced the National Planning Policy Framework (NPPF), which sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was most recently updated in 2024 and is supported by Planning Practice Guidance (PPG). The NPPF and PPG set out how local plans should be shaped to accord with the principles of sustainable development, and all new local plan documents must be consistent with the NPPF in order to be 'Sound'. At the heart of the NPPF is a presumption in favour of sustainable development.
- 2.3 The Levelling-up and Regeneration Act 2023 introduced a new planning system for England which will change the way that Local Plans are produced. For plans such as the Derby City Local Plan which are currently being produced, there is a deadline for submission of December 2026. The plan must be submitted by this date in order to be examined under the current system which is the basis on which it has been developed.

## **3. Derby's Development Plan**

- 3.1 Derby's Local Plan contains a range of policies to guide development within the City. The term Local Plan is the collective name for those planning documents produced by the Council which comprise the Development Plan. Planning law states that applications for planning permission are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following documents currently comprise the statutory development plan for Derby.

### **Derby City Local Plan Part 1 – Core Strategy (2017)**

- 3.2 The Derby City Local Plan Part 1 (DCLP1) was adopted on 25 January 2017, it sets out the strategic planning framework for the City to 2028. The overarching strategy underpinning the plan seeks to meet the City's needs within our environmental limits; balancing the need for new housing with that of protecting the Green Belt and Green

Wedges and bringing forward development on green field sites whilst securing regeneration of urban areas and the city centre.

- 3.3 Due to capacity constraints, the Local Plan sets out a housing target of 11,000 new homes in the City itself between 2011-2028. The strategy of the Plan was that the remaining 5,388 dwellings, to meet the full objectively assessed housing need for Derby of 16,388, would be met by our Derby Housing Market Area (HMA) partners in Amber Valley and South Derbyshire, mainly as urban extensions to the City.

**Saved Policies of the City of Derby Local Plan Review (CDLPR), 2006** The CDLPR was adopted in January 2006. The City Council received a direction from the Secretary of State on 25 January 2009, agreeing to 'save' all but 6 of the plans' policies until these are replaced by new documents. The DCLP1 partially replaces a large number of these saved policies. A list of the saved policies still currently in place can be found at [Appendix A](#) of the DCLP1.

### **Policies Map**

- 3.5 The Policies Map (previously referred to as the Proposals Map) illustrates graphically the policies and proposals of the Local Plan on an Ordnance Survey base map to allow them to be clearly understood. The Policies Map was amended following the adoption of the DCLP1 and it now contains the allocation and designations from the DCLP1 and those saved from the CDLPR. The Policies Map will be revised and updated as new policies are adopted.
- 3.6 Following the adoption of the DCLP1, an interactive version of the [policies map](#) was made available on the Council's website. This helpfully provides links directly to the policy wording of the relevant part of the development plan.

### **Saved Policies of the Derby and Derbyshire Minerals Local Plan (2000)**

- 3.7 In April 2000, together with Derbyshire County Council, the City Council adopted a Minerals Local Plan for Derby and Derbyshire, outside the Peak District. This guides decisions on planning applications for the extraction of minerals and associated works in the area. The Plan was slightly revised in 2002 to take account of changes in Government policy on coal extraction. From 27 September 2007, following a Government Direction, the following policies are no longer to be used: MP8, 9, 14, 20, 26, 30 and 31. All other policies are 'saved' until replaced by new documents.

### **Saved Policies of the Derby and Derbyshire Waste Local Plan (2005)**

- 3.8 In March 2005, together with Derbyshire County Council, the City adopted a Waste Local Plan for Derby and Derbyshire, outside the Peak District. This Plan guides the decisions on any planning applications for developments associated with the management of the waste we produce. The plan covers all types of waste. From February 2008, following a Government Direction, we no longer use the W1a policy. All other policies are 'saved' until replaced by new documents.

### **Non-Statutory Policies**

- 3.9 There are also a number of other existing planning policy documents that seek to guide development within the City but that are not formally part of the statutory development plan. These Include Supplementary Planning Documents and Area Action Plans.

### **Supplementary Planning Documents (SPD)**

- 3.10 The City Council has four adopted SPDs. These are:
- Nature Conservation Strategy SPD (April 2006)
  - Manor / Kingsway Hospitals SPD (April 2007)
  - Rykneld Road SPD (January 2008)
  - Planning Obligations SPD (December 2018)
- 3.11 These do not form part of the Development Plan, but they do provide supplementary advice and guidance which are material considerations in the determination of a planning application.

### **Changes since the last LDS**

- 3.12 The previous version of the LDS (version 8), set out the Council's intention to produce the Local Plan for Derby. Due to staffing and budgetary constraints, and the importance of reflecting changing government policy; the development timetable for this work has slipped, but the key project stages remain.

## **4. Programme of Plan Preparation**

- 4.1 The schedules at Appendix 1 set out the programme of plan preparation for the next three years. The purpose of the main documents within the programme are summarised below.

### **Local Plan for Derby**

- 4.2 The new local plan, the Local Plan for Derby (LPD) will review and replace the policies of the DCLP1 and all remaining 'saved' policies in the CDLPR. It will provide a new policy framework and set out the overarching planning strategy for the City over the coming years, in the context of future growth across the HMA. It will set out strategic policies determining the scale and distribution of growth for the period and allocate a number of sites to help meet the development needs of the City. It will update and revise detailed policies designed to ensure that growth is delivered in a truly sustainable way.
- 4.3 The LPD will reflect the requirements of the NPPF but will also have a local dimension in terms of being consistent with other strategies of the Council and facilitating the delivery of Council aspirations.

### **Policies Map**

- 4.4 The Policies Map illustrates geographically the policies and proposals of the Local Plan. The Policies Map will be revised and updated as part of the preparation of the new LPD.

### **Neighbourhood Plans**

- 4.5 The Council has a statutory obligation to provide advice and support to local communities preparing Neighbourhood Plans through the Localism Act (2011). Derby currently has one designated Neighbourhood Planning Area, in Chellaston. However, the Chellaston Neighbourhood Forum has advised the Council they will no longer be continuing to prepare a Neighbourhood Plan, and the group has formally been disbanded.
- 4.6 As Neighbourhood Plans are not prepared by the Council (and their timetables depend on community progress) they have not been included in the document profiles section of this LDS.

### **Joint Derbyshire and Derby Minerals and Waste Local Plans**

- 4.7 Minerals and Waste Local Plans are being prepared jointly by Derby City and Derbyshire County Councils. These are subject to a separate LDS prepared jointly with Derbyshire County Council.



## **5. Governance and Resources**

### **Governance**

- 5.1 The production of the Local Plan, other Development Plan Documents and Supplementary Planning Documents is governed by the Council's Cabinet led system and the [Constitution](#). The production of the documents set out in this LDS are governed by the Cabinet Member for Regeneration, Decarbonisation, Strategic Planning and Transport, Council Cabinet and Full Council.
- 5.2 The Cabinet Member for Housing, Strategic Planning and Regulatory Services is the lead Member for strategic planning matters. They attend Derby HMA Joint Advisory Board and are regularly briefed on progress with the Local Plan. The Cabinet Member is also able to approve consultation arrangements and initial proposals for policies, plans and strategies, including the Local Plan.
- 5.3 In addition to Cabinet Member approval, the more formal stages of Local Plan Consultation are referred to Council Cabinet. With the submission and final adoption of the documents with Development Plan requiring approval at Full Council.
- 5.4 The production of the Local Plan is also steered by the Local Plan Working Group, a group of Councillors from all political parties, who act, in advisory capacity, as a sounding board for the production of the Local Plan and other policy documents. These meetings serve to inform Executive Scrutiny Board and eventual Cabinet / Full Council decision making and provide context from which decisions can be made.

### **Joint Working - Derby Housing Market Area**

- 5.5 The Derby Housing Market Area (HMA) is made up of Amber Valley, Derby City and South Derbyshire Councils. There is a long history of close collaboration in strategic planning across the Derby HMA. A Joint Advisory Board (JAB) was established in 2008 to advise on plan-making strategy across the HMA, especially addressing cross boundary development, and through continuing joint work to fulfil the Duty to Co-operate.
- 5.6 The Board is made up of senior Councillors and Planning Officers from each authority as well as Derbyshire County Council. As JAB is an advisory body, it cannot make its own decisions. Instead, any conclusions it reaches must be agreed separately by each member Council.

- 5.7 Working together through the duty to co-operate continues to enable the production of a number of joint pieces of evidence, even though each authority is at different stage of plan making. This enables the HMA authorities to share the load in developing the evidence necessary to underpin the Local Plans, from a cost and staff resource perspective.

The development of the documents set out in this LDS is guided both at an HMA and at a city wide level, as shown in Figure 2 below.

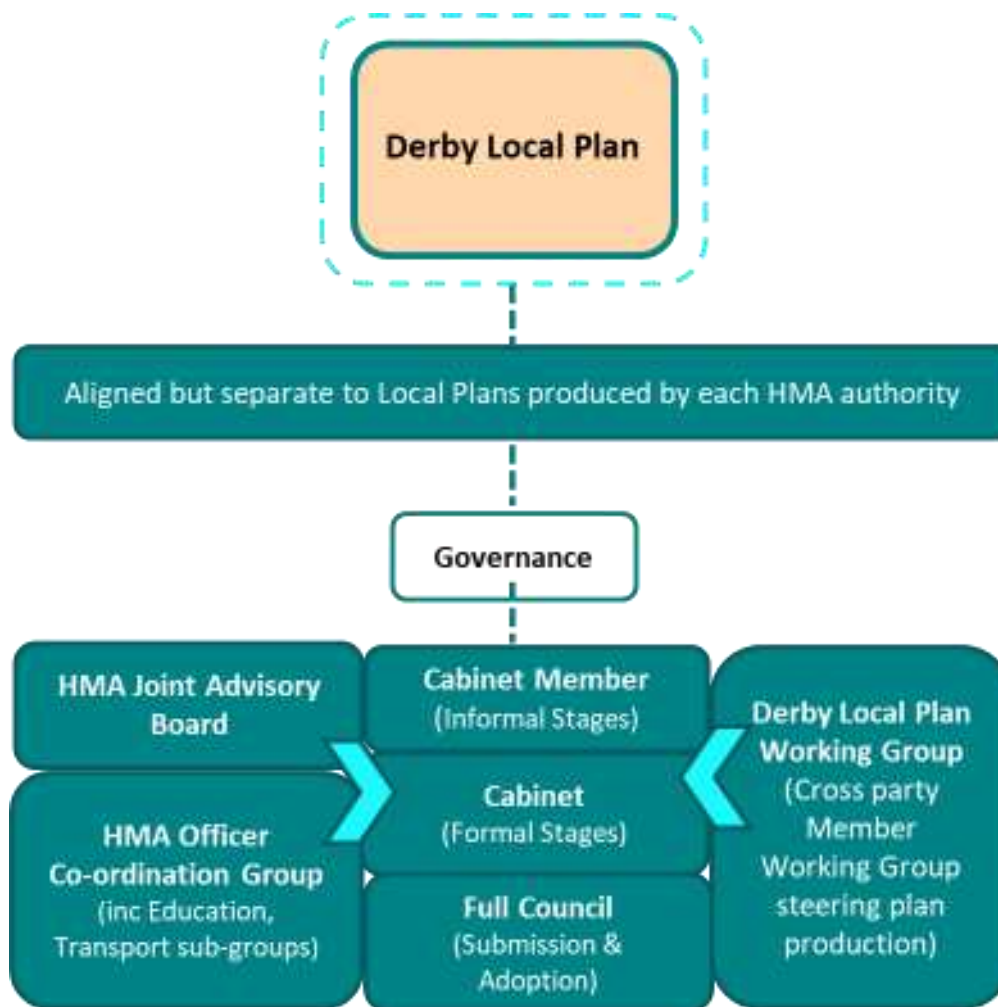


Figure 2: Governance Arrangements for producing the Local Plan

#### Joint Working – Derby & Derbyshire

- 5.8 The City and County Councils are jointly preparing Minerals and Waste Local Plans. Existing joint arrangements will continue. These involve consideration of documents by the Joint Derbyshire Development Plans Advisory Committee, but with final

approval by each Authority under its own arrangements.

## **Resources**

- 5.9 Staff resources for delivering the proposed programme will be drawn mainly from the 'Spatial Planning' Group, principally from the Planning Policy Team. There are some 5 FTEs available for work on the Local Plan, including support staff to assist in monitoring, administration and management. However, the team is not dedicated solely to Local Plan work and it is estimated that, on average, at least 25% of its work is focussed on other aspects of planning work.
- 5.10 Officers from other parts of the Council (for example, Transport Planning, Housing Strategy, Land Drainage, Environmental Health or Regeneration Projects) also contribute to plan preparation. The City Council also makes use of consultants to prepare individual studies as and when necessary.

## **6. Monitoring**

- 6.1 The Council is required to produce publish an Authority Monitoring Report (AMR) annually to be made available to the public. The AMR should review the progress in the preparation of the Local Plan against the milestones set out in the LDS and assess the extent to which the Development Plan policies are being implemented against established indicators.
- 6.2 An AMR will be produced annually as soon as the relevant information is available and will be published on the [Planning Policy](#) pages of the Council's website. The AMR reports on the period between 1 April and 31 March each year.

## **7. Evidence Base and Background Information**

- 7.1 Government guidance emphasises the need for a proportionate, robust and credible evidence base to support the preparation of documents included in the programme. Through the course of preparing the DCLP1, a significant amount of evidence was prepared. As new evidence is published to support the preparation of the new Local Plan, this will be added to the [Planning Policy](#) webpages.

## 8. Risk Analysis

- 8.1 The Council does not have control over all aspects associated with the preparation of the Local Plan. An analysis of potential risks has been carried out. These, together with the potential approach to managing risks are set out below.

Area of Risk	Impact	Mitigation
<b>Local Plan Documents not being found sound by Planning Inspector</b>	<p>Need to return to an early stage of preparation and review work.</p> <p>Potential for significant delays in adopting documents.</p> <p>Significant additional costs if background evidence has to be repeated.</p> <p>Risk of development management decision being challenged if planning policy context is not robust.</p>	<ul style="list-style-type: none"> <li>• Ensure that Local Plan documents are developed using a credible and robust evidence base</li> <li>• Complete soundness and legal compliance self-assessment toolkits</li> <li>• Ensure staff continue to be up-to-date with latest policy and guidance</li> </ul>
<b>Inadequate staff resources / Planning policy team required to do other work</b>	<p>Unable to produce the Local Plan on time or to required quality standards due to lack of in-house skills/resources for evidential work or policy formulation.</p> <p>Requirements placed on local authorities as increased, while resources have decreased.</p>	<ul style="list-style-type: none"> <li>• Ensure Local Plan is a priority within Council</li> <li>• Identify areas of work that can be carried out jointly with other local authorities</li> <li>• Prioritise evidence base requirements</li> <li>• Employ temporary staff/consultants subject to resource availability</li> </ul>
<b>Insufficient financial resources to progress project(s)</b>	<p>Work delayed or cannot be progressed.</p> <p>Objectives on quality compromised.</p>	Set adequate budgets by ensuring that the Local Plan is a corporate priority
<b>Change of political control</b>	Could cause delay in preparation of the Local Plan should new Leadership not be in support of the Local Plan strategy	Maintain the involvement of all political parties in the City through on-going dialogue
<b>Changes to national planning policy</b>	Could cause delay in preparation of the Local Plan through abortive/additional work.	<ul style="list-style-type: none"> <li>• Maintain scrutiny of Government publications and anticipate likely changes</li> <li>• Keep up-to-date on emerging guidance and respond to changes early</li> </ul>

<b>Reform of the Planning System</b>	<p>Levelling Up and Regeneration Act 2023 and changes to the NPPF in 2024 have made ongoing changes to the planning system. Further change is expected with both the publication of National Development Management Policies and the Planning and Infrastructure Bill to be published in spring 2025.</p>	<ul style="list-style-type: none"> <li>• Maintain scrutiny of Government publications and anticipate likely changes</li> <li>• Continue to work closely with neighbouring authorities to seek to agree approach to accommodating growth and secure this through statements of common ground.</li> </ul>
<b>Volume of work greater than anticipated – e.g. higher level of responses to consultation received</b>	<p>Causes slippage in the programme</p>	<ul style="list-style-type: none"> <li>• Ensure timetable is realistic but has some flexibility built in.</li> <li>• Review timetable if necessary</li> <li>• Consider seconding staff from other Council departments to assist in the processing of representations</li> </ul>
<b>Capacity of other stakeholder agencies and partners to engage in the process</b>	<p>Causes slippage in the programme</p>	<ul style="list-style-type: none"> <li>• Maintain on-going engagement with key stakeholders/partner organisations to they are aware of, and party to, plan making process</li> <li>• Provide sufficient notice of consultation exercises to give opportunities for partners to allocate sufficient resource</li> </ul>
<b>Capacity of the Planning Inspectorate (PINS) insufficient</b>	<p>Causes slippage in the programme</p>	<ul style="list-style-type: none"> <li>• Ensure close liaison with PINs alert to timetable – including any anticipated changes</li> </ul>
<b>Legal Challenge</b>	<p>Need to return to an early stage of preparation and review work.</p> <p>Potential for significant delays in adopting documents.</p> <p>Significant additional costs if background evidence has to be repeated.</p>	<ul style="list-style-type: none"> <li>• Ensure that Local Plan has been soundly prepared in accordance with legal and procedural requirements</li> <li>• Act on pre-submission advice from PINs</li> </ul>

<b>Joint Working</b>	Working with HMA authorities could create delays or complications owing to lack of political agreement.	<ul style="list-style-type: none"> <li>• Engage with Members through Joint Advisory Board</li> <li>• Establish effective professional working group which can identify problems at an early stage</li> </ul>
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# Appendix A: Profiles of Local Development Documents

## Local Plan for Derby

Overview	
<b>Title:</b>	Local Plan for Derby
<b>Geographical Area:</b>	City-wide
<b>Role &amp; Content:</b>	<p>The new Local Plan will set out a strategy for meeting Derby's growth needs in a sustainable way addressing the challenges of climate change. It will allocate land to meet housing and employment needs as identified through the evidence base along with the infrastructure physical, social and green infrastructure to support this growth. These will include both strategic and non-strategic allocations. Subject to evidence, it will also identify a target and sites for Gypsy and Traveller accommodation.</p> <p>It will review and, if necessary, update or replace saved policies of the CDLPR and the DCLP1.</p> <p>The review of development management policies will be subject to any changes in the forthcoming national development management policies, the 2024 NPPF and the Planning and Infrastructure Bill 2025. This would mean that the local plan would not need such policies and would instead focus on allocations and other specific locally distinctive policies.</p>
<b>Conformity:</b>	In accordance with legislation, case law and national planning policies.
Timetable	
Stage	Dates
<b>Commencement of Process</b>	2022
<b>Initial Consultation "Local Plan Priorities Survey"</b>	March 2024
<b>Consultation on The Draft Local Plan (Regulation 18)</b>	December 2025

<b>Proposed Pre-Submission Consultation (Regulation 19)</b>	Summer 2026
<b>Submission to Secretary of State (Regulation 22)</b>	December 2026
<b>Commencement of Hearing Sessions</b>	Spring 2027
<b>Adoption by Council</b>	Summer 2027
<b>Management Arrangements</b>	
<b>Organisational Lead</b>	Director of Planning City Growth & Vibrancy and Chief Planning officer
<b>Lead Officer</b>	Planning Policy Team Leader
<b>Political Management</b>	Cabinet Member, Cabinet, Council, Local Plan Working Group
<b>Internal Resource</b>	Planning policy team (lead) Input also from: Implementation Team, Development Management, Transport Planning, Highways. Regeneration Projects, Economic Development, Children and Young People, Housing Strategy, Land Drainage, Climate Change Team and Leisure Services.
<b>Joint Working</b>	Derby HMA - Joint Advisory Board and Officer Co-ordination Group, Derbyshire Planning Policy Officers Group
<b>External Resource</b>	Key Stakeholders including National Highways, Historic England, Derbyshire Wildlife Trust, Natural England, Environment Agency and infrastructure providers. Commissioning of professional expertise as required to develop the evidence base.
<b>Community &amp; Stakeholder Involvement</b>	In accordance with the relevant regulations and the strategy set out in the Statement of Community Involvement (SCI).
<b>Monitoring and Review</b>	Authority Monitoring Report (published annually)



## Policies Map

Overview	
<b>Title:</b>	Policies Map
<b>Geographical Area:</b>	City-wide
<b>Role &amp; Content:</b>	The Policies Map will illustrate relevant policies and land allocations of the local plan on an Ordnance Survey base map to allow them to be clearly understood. It will show the designations and locations for which specific policies will apply. Interactive and physical copies to be produced.
<b>Status:</b>	Regulatory requirement
<b>Conformity:</b>	In accordance with the Local Plan. Under the latest requirements, the Policies Map will be updated at the same time as the Local Plan is prepared or revised.
Timetable	
Stage	Dates
<b>Draft Changes</b>	On Submission of Local Plan (December 2026).
<b>Published</b>	Following adoption of Local Plan (Summer 2027)
Management Arrangements	
<b>Organisational Lead</b>	Chief Planning officer
<b>Lead Officer</b>	Planning Policy Team Leader
<b>Political Management</b>	Cabinet Member, Cabinet, Council, Local Plan Working Group
<b>Internal Resource</b>	Planning Policy Team (lead) but also input from IT/GIS teams in relation to the interactive policies map.
<b>External Resource / Joint Working</b>	None
<b>Community &amp; Stakeholder Involvement</b>	In accordance with the relevant regulations and the strategy set out in the Statement of Community Involvement (SCI). Consultation will be on the changes to the Policies Map resulting from changes to the Local Plan.
<b>Monitoring &amp; Review</b>	Authority Monitoring Report

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#### Punjabi

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#### Urdu

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Derby City Council

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