

District Local Plan



Making
your district
a better
place

Local
Development
Scheme

May 2018

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1 Introduction

1.1 What is the Local Development Scheme

1.1 A Local Development Scheme (LDS) is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made publicly available on the Council's website and be kept up-to-date to enable local communities and interested parties to keep track of progress.

1.2 This LDS supersedes the Council's previous LDS published on 4th September 2017. It has been updated to take into account changes to the preparation, consultation and adoption of:

- District Local Plan and Dover Waterfront;
- Statement of Community Involvement and
- A number of Conservation Area Character Appraisals.

1.2 What is the Development Plan

1.3 Local Planning Authorities are required to produce a Development Plan for their area. The Development Plan currently consists of:

- Dover District Core Strategy (2010);
- Dover District Land Allocations Local Plan (2015);
- Dover District Local Plan 2002 (saved policies);
- Worth Neighbourhood Development Plan (2015); and
- Kent Minerals and Waste Local Plan (2016)

1.4 The National Planning Policy Framework (NPPF) emphasises the need to involve all sections of the community in Plan-making. The Council also has a legal duty to consult residents and businesses when appropriate. Many individuals and organisations contribute to the preparation of planning documents. These are set out in the Council's Statement of Community Involvement (SCI) which explains how to become involved in decisions about plan-making and planning applications.

1.3 Why do we need a Local Development Scheme

1.5 It is important that the local community, businesses and others with an interest in the future planning of the District are aware of the planning documents that we intend to produce and the timescale for their preparation, consultation and adoption.

1.6 Although consultations on the District Local Plan will continue to be advertised and interested parties notified in accordance with the Council's Statement of Community Involvement and the Local Plan Engagement Strategy, the LDS provides information about when consultations are likely to happen.

1.7 The LDS is also a useful tool for establishing and reflecting the Council's priorities and enables work programmes to be set for the preparation of planning documents. It also provides a context for the review of planning documents once they have been prepared.

1.4 Will there be further revisions to the Local Development Scheme

1.8 Progress on meeting the milestones in the LDS is reviewed annually as part of the preparation of the Authority Monitoring Report (AMR) which is published on the Council's website:

www.dover.gov.uk/Authority_Monitoring_Report.aspx

1.5 Local Policy Documents and Guidance

Existing Position

Statement of Community Involvement

1.9 The Statement of Community Involvement (SCI) sets out how, when and where the Council will consult with local and statutory stakeholders both during production of development plan documents, and within the development management function. The Council is required by law to produce a SCI and, once adopted, provisions that relate to plan-making become binding.

1.10 The SCI was adopted by the Council in May 2016:
www.dover.gov.uk/Statement-of-Community-Involvement.aspx

1.11 In order to address recent change as a result of the Neighbourhood Planning Act 2017, the Council will be consulting on a number of minor changes to the SCI. A timetable has therefore be included in this LDS to allow for consultation and adoption on a minor change to the Council's adopted SCI.

Core Strategy

1.12 The Core Strategy is the principal document in the Local Plan. It was adopted in February 2010 and contains the Council's vision and spatial strategy for the future development of the District for the period up to 2026. The Core Strategy allocates four strategic sites for housing and mixed use development, which are central to the success of the Plan. It also contains a separate section on Development Management Policies, which replaced some of the 'saved' Local Plan policies. These policies form part of the Development Plan and are used in the decision making process and would be reviewed and where appropriate, replaced as part of Local Plan review.

Saved Dover District Local Plan Policies 2002

1.13 The Dover District Local Plan was adopted in 2002 and covered the period to 2006. In September 2007 the Secretary of State confirmed that a number of the existing Local Plan policies could be 'saved' until they are subsequently superseded by new or revised policies. The Council's intention is that all of 'saved' 2002 Local Plan policies would be reviewed and replaced as part of the Local Plan review.

Land Allocations Local Plan

1.14 The Land Allocations Local Plan was adopted by the Council in January 2015. Its primary purpose is to allocate land for development and to set out any issues or criteria that subsequent planning applications will need to address. In setting out what type of development is promoted where, the Plan provides local communities, landowners, developers and infrastructure providers a large degree of certainty about the future pattern of development in the District. Specific development proposals for the sites identified in the Plan will, however, need to gain planning permission before development can take place. Policies in the LALP would be reviewed and replaced as part of Local Plan review.

Worth Neighbourhood Development Plan

1.15 Regulations introduced by the Government in 2012 concerning neighbourhood planning make provision for Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build.

1.16 Worth Parish Council is the first Parish in the District to produce a Neighbourhood Plan and to go successfully through the referendum process. The Worth Neighbourhood Plan was made part of Council's Development Plan for Worth on the 28th January 2015. Policies in the Worth NP would be reviewed and where appropriate, replaced as part of Local Plan review.

Authority Monitoring Report

1.17 The Council publishes this document at the end of each year. The report monitors the effectiveness of planning policies and proposals, and records progress with meeting the milestones identified in the LDS. Further information on the Authority Monitoring Report (AMR) is available on the [Council's web page](#).

Local Plan Evidence Base

1.18 A robust evidence base was prepared to support the planning policies in the Core Strategy and Land Allocations Local Plan. This is published in the form of background documents. Further information on the Council's current evidence base is available on www.dover.gov.uk/Planning/Planning-Policy/Evidence-Base/Home.aspx

1.19 The Local Plan evidence base is being updated as part of the Local Plan review - see section 'Development Plan Documents Under Preparation'.

The Policies Map

1.20 The Council has to have an adopted Policies Map in the Local Plan which needs to be updated when Development Plan Documents are adopted.

Supplementary Planning Documents

1.21 Supplementary Planning Documents (SPDs) should be prepared only where necessary and in line with paragraph 153 of the National Planning Policy Framework. They should build upon and provide more detailed advice or guidance on the policies in the Local Plan. They should not add unnecessarily to the financial burdens on development. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents. In exceptional circumstances a Strategic Environmental Assessment may be required when producing a Supplementary Planning Document.

1.22 The Council has prepared a number of SPDs and SPGs are these are available on:

www.dover.gov.uk/Planning/Planning-Policy/Supplementary-Planning-Documents/Home.aspx

1.6 Development Planning Documents Under Preparation

District Local Plan Review

1.23 The 2014/2015 Authority Monitoring Report signalled the need to review key parts of the Council's Adopted Core Strategy (CS) evidence base. Two important studies have now been completed: The Strategic Housing Market Assessment (SHMA) and the Economic Development Needs Assessment (EDNA); both of these studies have indicated that there is a strong case to review the Council's Adopted CS and the Adopted Land Allocations Local Plan (LALP). Allied to this the CS was based on housing figures in the Regional Spatial Strategy (RSS) that has now been revoked, the economic growth targets have not been met and the current strategy is dated and is not in conformity with the national policy because it preceded the publication of the NPPF.

1.24 The policies in the Adopted CS predate and in some case are not compliant with the NPPF/PPG as they were prepared when the RSS was in place. At the time of preparing the CS the Council made a specific policy decision to not repeat policies in the RSS or the Government's Planning Policy Guidance which were in force at the time. This means that as part of a District Local Plan Review it will be important to carefully consider whether there is a need for any locally distinct policies for example, a policy on design. A comprehensive review will need to be undertaken all of the policies in the CS/LALP along with the 'saved' 2002 Local Plan policies in order to update and amalgamate them into one set of policies that is compliant with current Government policy and practice.

1.25 A Local Plan Review would have the added advantage that all of the Development Management Policies could be consolidated into one single Local Plan which would make it easier for Members, the general public/developers/Town/Parish Councils to understand the planning policy framework that operates in the District.

Regulation 18

1.26 The first stage of preparing a Local Plan is Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In accordance with the Regulations, this stage of the Local Plan making process would invite interested parties/specific consultation bodies/Town/Parish Councils to make representations about what a Local Plan ought to contain, it would set out what studies have already been completed, which ones were currently underway and draft policies. There would be engagement and informal consultation in the form of a series of workshops to help inform the Draft Local Plan.

Regulation 19

1.27 There would be public consultation on the Submission version of a Local Plan would take place at the next stage of the Local Plan making process (Regulation 19) prior to the submission of the Local Plan to the Secretary of State for an independent Examination.

1.28 The new timetable for the production and consultation of the District Local Plan Review is set out in Chapter 3.

Evidence Base

1.29 In order to withstand close scrutiny at an Examination a District Local Plan Review would need to be based on proportionate up-to-date relevant evidence about the economic, social and environmental characteristics and prospects of the District. The following studies are either underway or will be commissioned:

- Strategic Housing Market Assessment - available on the DDC website
- Economic Development Needs Assessment - available on the DDC website
- Strategic Housing Land Availability Assessment - currently underway and is due to be completed by Autumn 2018
- Refresh of the Dover Transportation Study - Traffic forecasting undertaken - currently on 'pause' until the distribution of development is known.
- North Deal Transport and Access Study - transport modelling is currently underway and due to be agreed by Highways England/KCC Highways by Summer 2018 and subject to the outcome of this work, further work would be undertaken in Autumn/Winter 2018

- District Retail and Leisure Needs Assessment - due to be completed by May 2018
- Strategic Flood Risk Assessment - due to be completed by May 2018
- Gypsy and Traveller Accommodation Needs Assessment - due to be completed by May 2018
- Dover Waterfront Masterplanning and Public Realm Improvements - due to be completed by Summer 2018
- Green Infrastructure/Landscape Characterisation Assessment - due to be completed by Winter 2018
- Playing Pitch Strategy and Review of Play Area Provision - due to be consulted on Autumn 2018
- Affordable Housing Viability Assessment - due to be undertaken Winter 2018/Spring 2019
- Local Plan Viability work - due to be undertaken Winter 2018/Spring 2019
- Infrastructure Delivery Plan - due to be undertaken Winter 2018/Spring 2019

Sustainability Appraisal and Habitat Regulations Assessment

1.30 A Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) is a legal requirement for certain plans and proposals including the District Local Plan and Neighbourhood Plans. This ensures that social, economic and environmental considerations are taken fully into account at every stage of the process for preparing Development Plan Documents. Alongside the SA, a Habitat Regulations Assessment (HRA) considers the potential effects of plans on protected wildlife habitats in the Natura 2000 network, Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar areas.

1.31 The timetable for the production and consultation of the SA and HRA is set out in Chapter 3.

Dover Waterfront

1.32 The Government has now placed greater emphasis on the need to review Local Plans every five years and the preparation of an AAP will slow down the preparation of the Local Plan. In view of this Officers now consider that due to the additional resources implications in terms of staff time and the additional expenditure that would be incurred with preparing a separate AAP, it would be more appropriate to include the work on the Dover Waterfront into the Local Plan rather than producing a separate AAP. This will allow Officers to focus all of their efforts on producing a Local Plan rather than having to prepare a Local Plan and a separate AAP.

1.33 Local Development Documents

1.34 The Dover District Heritage Strategy (2012) acknowledges that most of the districts conservation areas do not have an approved character appraisal, and it recommends that the Council should encourage local community groups to carry out such appraisals in conjunction with the Council.

1.35 A conservation area appraisal should consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change, or the need for further planning control. This information will be helpful to those considering investment in an area, and can be used to guide and inform new development. Character appraisals also have a wider application as educational and informative documents for the local community. There is a requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990, for local planning authorities to review their conservation areas and to formulate and publish proposals for their preservation and enhancement. A Conservation Area Character Appraisal considers what features contribute to the historic and architectural character and appearance of the conservation area, and helps to identify opportunities for beneficial change or the need for further planning control, for example through the use of Article 4 directions.

1.36 The Council's Heritage team are currently working on a number of Conservation Area Character Appraisals. The timetable for the production and consultation on these are set out in Chapter 3.

Neighbourhood Development Plans

1.37 The Localism Act 2011 enables local communities to produce Neighbourhood Plans to support development in their area. If the Plans are adopted by the Council they will have the same weight as other Development Plan documents for the District.

1.38 The first stage in producing a Neighbourhood Plan is to designate a Neighbourhood Area. There are currently four Parish Councils in the District with Neighbourhood Area designations who are at different stages in the planning process:

- Ash;
- Sandwich;
- St Margarets at Cliffe; and
- Shepherdswell with Coldred

1.39 Whilst the Council is not responsible for the production of Neighbourhood Plans and therefore no timetable can be included in the LDS for them, officers need to explore with the Town/Parish Councils that have a designated Neighbourhood Area if there are any issues holding back the progression of their Neighbourhood Plans and offer assistance where appropriate.

1.40 The Council will monitor the progress of Neighbourhood Plans in the District through the AMR and will set out in the SCI how it will help neighbourhood plan-making bodies.

Monitoring

1.41 The Council will continue to review the effectiveness of its planning policies and evidence base annually through the AMR.

Duty to Co-operate

1.42 The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

1.43 The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

1.44 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

1.45 Local planning authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.

1.46 The Government is currently consulting on a number of proposed changes to the NPPF that will require Council's to prepare a Statement of Common Ground with neighbouring Local Planning Authorities which means that it will be necessary to ensure that the Council continues to undertake cross boundary working as part of the District Local Plan Review.

1.47 The various meetings that have taken place in connection with the duty to cooperate are recorded annually in the Council's AMR which is available on the DDC website.

2 Timetable for the Preparation of Future Planning Documents

Local Plan Document	2018												2019												2020												2021											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Local Plan Review SA/HRA																																																
Statement of Community Involvement																																																
Sandwich Walled Town CACA																																																
Upper Walmer CACA																																																

C = Consultation (Reg 18) P = Publication (Reg 19) S = Submission E = Examination in Public A = Adoption

