

District Local Plan



Making
your district
a better
place

Local
Development
Scheme

December 2019



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1 Introduction

What is the Local Development Scheme

1.1 Dover District Council is required to prepare and maintain a Local Development Scheme (LDS) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

The scheme must specify:

- The local development documents which are to be development plan documents;
- The subject matter and geographical area to which each development plan document is to relate;
- Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- Any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29;
- The timetable for the preparation and revision of the development plan documents

Planning and Compulsory Purchase Act 2004 (Section 15)

1.2 The LDS is a project plan that sets out the timetable for the production of new or revised Development Plan Documents which will form the Council's Local Development Plan. This LDS supersedes the May 2018 LDS. It will be reviewed annually through the Authority Monitoring Report which can be found here: [Authority Monitoring Report](#)

Why do we need a Local Development Scheme

1.3 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.

1.4 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. The Statement of Community Involvement can be found here: [Statement of Community Involvement](#)

1.5 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.

What is the Development Plan

1.6 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)

1.7 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.

2 Local Policy Documents and Guidance

Existing Position

Statement of Community Involvement

2.1 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. The Statement of Community Involvement can be found here: [Statement of Community Involvement](#)

Core Strategy

2.2 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

2.3 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. All of 'saved' 2002 Local Plan policies would be reviewed and replaced as part of the Local Plan review.

Land Allocations Local Plan

2.4 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

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

2.6 Worth Parish Council was 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 as Worth Parish Council are not updating their Neighbourhood Plan.

The Kent Minerals and Waste Local Plan

2.7 The Kent Minerals and Waste Kent Plan (KMWLP) sets out the vision and strategy for mineral provision and waste management in Kent to the year 2030. It contains a number of minerals and waste development management policies for evaluating planning applications and considers strategic site provisions. The KMWLP was adopted by the County Council in July 2016.

Authority Monitoring Report

2.8 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 here: [Authority Monitoring Report](#)

Local Plan Evidence Base

2.9 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 here: [Evidence Base](#)

2.10 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

2.11 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

2.12 Supplementary Planning Documents (SPDs) should be prepared only where necessary and in line with 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.

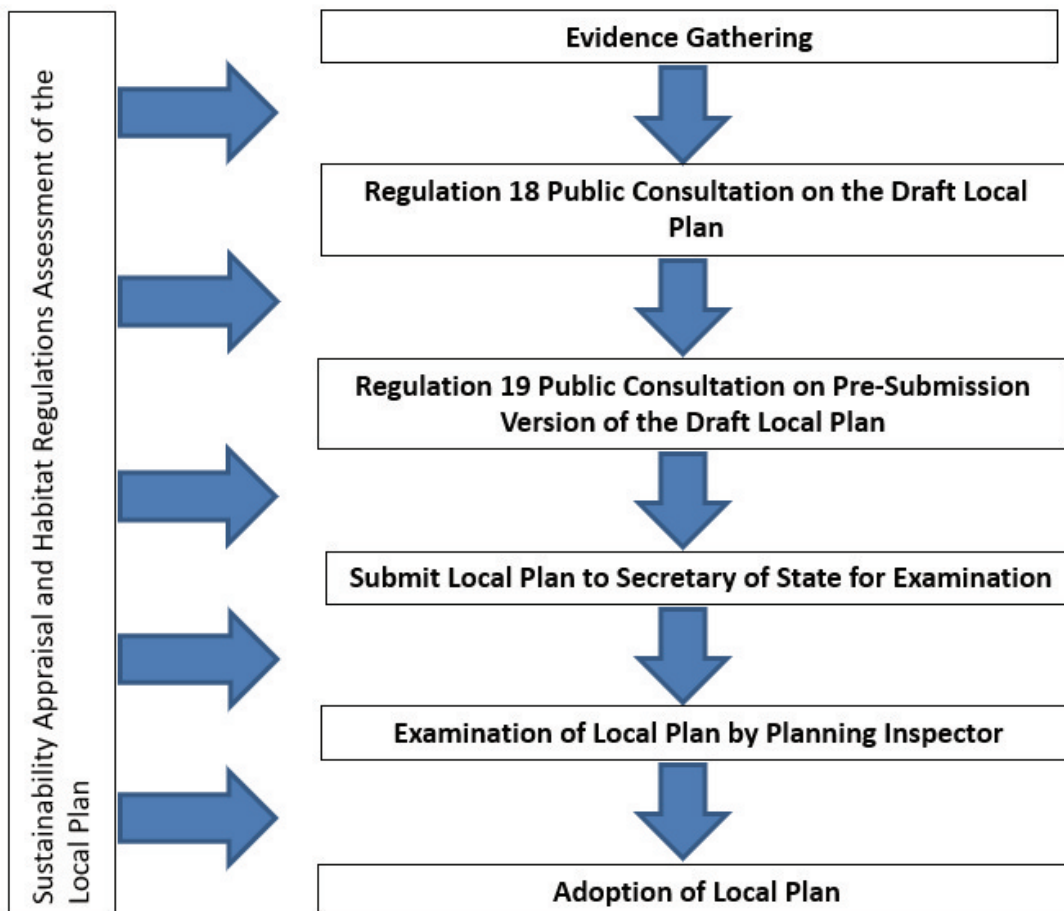
2.13 The Council has prepared a number of SPDs and SPGs are these are available here: [Planning Guidance](#)

3 Development Planning Documents Under Preparation

District Local Plan Review

3.1 The policies in the Adopted Core Strategy (CS) predate and in some case are not compliant with the NPPF/PPG as they were prepared when the Regional Spatial Strategy (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, policies 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.

3.2 The Local Plan 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.



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

Pre-Publication Stage (Regulation 18)

3.4 This Initial stage involved extensive evidence gathering, engaging with the local community, businesses and stakeholders on emerging issues and options, consulting with statutory environmental consultees on the scope of the sustainability appraisal, and infrastructure providers with regards to the development options.

Publication of Submission Draft local Plan (Regulation 19)

3.5 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.

Submission and Examination of the Local Plan (Regulation 22)

3.6 Following Regulation 19 stage, the next stage is for the council to formally submit the draft Local Plan and evidence base to the Planning Inspectorate for examination on behalf of the Secretary of State. An independent Planning Inspector will assess the Plan against the tests and soundness contained in the NPPF, taking account of any representations (comments) received.

Adoption

3.7 If the Plan is found to be 'Sound', the Council may adopt the Plan as soon as practicable following receipt of the Inspector's report unless the secretary of State intervenes. Once adopted the Local Plan will form the main part of the statutory development plan.

Evidence Base

3.8 In order to withstand close scrutiny at an Examination the District Local Plan Review needs to be based on proportionate up-to-date relevant evidence about the economic, social and environmental characteristics and prospects of the District. The Evidence Base can be found here: [Evidence Base](#)

Sustainability Appraisal and Habitat Regulations Assessment

3.9 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.

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

Local Development Documents

3.11 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.

3.12 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.

3.13 A considerable amount of progress has been made with working with a range of local organisations to adopt CACAs (Kingsdown and Nelson Street) and a number of others are nearing completion.

3.14 The proposed timetable for the production, consultation and adoption of the CACAs has been set out in the LDS.

Neighbourhood Development Plans

3.15 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.

3.16 The first stage in producing a Neighbourhood Plan is to designate a Neighbourhood Area. Whilst five areas have been designated only two (Ash and Dover) are currently progressing with work on their Neighbourhood Plans.

3.17 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.

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

Monitoring

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

Duty to Co-operate

3.20 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.

3.21 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.

3.22 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.

3.23 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.

3.24 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.

4 Timetable for the Preparation of Future Planning Documents

