

REPORT TO:	Environmental and Development Services	AGENDA ITEM: 11
DATE OF MEETING:	22 nd August 2013	CATEGORY: DELEGATED
REPORT FROM:	Director of Community and Planning Services	OPEN:
MEMBERS' CONTACT POINT:	Nicola Sworowski 01283 595983 nicola.sworowski@south-derbys.gov.uk	DOC:
SUBJECT:	Draft South Derbyshire Local Plan Part 1	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS02

1.0 Recommendations

That:

- (i) Members endorse publication of the Draft Local Plan Part 1, for the purposes of public consultation.
- (ii) Authority be delegated to the Director of Community and Planning and Chair of this Committee in consultation with the Member Working Group to approve a public consultation version of the Draft Local Plan Part 1.
- (iii) Wide ranging public consultation to be undertaken from September to November 2013 in accordance with arrangements to be agreed by the Chair of this Committee.

2.0 Purpose of Report

2.1 To endorse the publication of the Draft Local Plan Part 1 including a Sustainability Appraisal for the purposes of undertaking public consultation.

3.0 Executive Summary

3.1 The report explains the background to the Local Plan, including the consequences of recent legislative changes and the abolition of the East Midlands Plan, and sets out a locally derived housing requirement for South Derbyshire for the period 2008-2028. This results in the need to identify new sites for at least 6,402 dwellings in order to meet the housing target. The report recommends the location of additional housing sites to meet the requirement, plus alternative locations for a strategic reserve site to provide resilience should one of the strategic sites not proceed.

3.2 Locations for two strategic employment sites are identified and the report explains the background to the Sustainability Appraisal, which will accompany the draft Local Plan.

4.0 Detail

Background

4.1 Members will recall that the Local Plan, formerly known as the Local Development

Framework (“LDF”) Core Strategy is intended to be the principal means of deciding South Derbyshire’s long-term development strategy.

- 4.2 This Council has continued to work closely with the Derby Housing Market Area authorities, Derby City and Amber Valley in pulling together joint evidence bases and aligned Local Plans. Amber Valley has already published its consultation document, and that consultation will finish at the end of August 2013. This has not affected the joint working that has been in place since 2009.
- 4.3 As Members are aware, following the abolition of regionally set housing targets, the National Planning Policy Framework (NPPF) requires Local Planning Authorities to “objectively assess the needs for market and affordable housing...including identifying key sites which are critical to the delivery of the housing strategy over the plan period”. This work was done through the Housing Requirements Study, which has since been updated with the release of relevant pieces of the 2011 census data, and also an inclusion of the shortfall in house building from the period 2008 - 2011. This update is included in the recently published Strategic Housing Market Assessment and has changed the Derby HMA total housing requirement from 33,700 to 35,354.
- 4.4 This increase has required the three Derby HMA Authorities to agree the distribution of the additional requirement between the authorities, and to identify the additional suitable sites required.
- 4.5 The next step of the Local Plan was previously intended to be the Publication Draft but due to the increase in the housing number, the need for additional housing sites, the lack of previous consultation on the Sustainability Appraisal, and a desire to consult on the policies to be included in the Local Plan, it is necessary to undertake a further ‘Regulation 18’ consultation with the formal Publication Draft consultation to follow. Regulation 18 means notifying all relevant bodies and people, and giving them the opportunity to comment on the Local Plan. This differs from the next Regulation 19 consultation which is a formal submission to the Secretary of State.
- 4.6 It is still intended that the Local Plan will be split into two parts, with Part 1 covering the overall vision and strategy, strategic sites and general policies. The Part 2 will contain smaller non-strategic site allocations across the District (villages and the urban area), and will assess all of the existing settlement boundaries. Part 2 will also include the Gypsy and Traveller requirements for sites as required through the NPPF, following the publication of the Gypsy and Traveller Accommodation Assessment expected towards the end of this year.

Housing

- 4.7 The HMA authorities commissioned consultants to undertake a Housing Requirements Study in 2012 that fully assessed the housing needs across the three Local Authorities that make up the Derby HMA.
- 4.8 The report concluded that 33,700 additional dwellings would be required across the Derby HMA in the period 2008 – 2028. This has since been updated to take account of the Census 2011 data, and the inclusion of the shortfall in house building over the period 2008 – 2011. This update established that a further 1,654 dwellings would be required and therefore resulted in a revised housing target of 35,354. This target was agreed by the Joint Advisory Board (JAB) on the 10th June 2013 with the assumption that no further revision work would be undertaken.

4.9 This figure, whilst an increase, is still considerably under what is suggested by the national household projections of nearly 50,000 dwellings. It has been suggested by a consortium of developers during previous consultations, that we should be using this higher figure as our target. However, based on the housing requirements study, and initial (whilst informal) feedback from a senior Planning Inspector, the HMA Authorities are satisfied that the revised target will meet our objectively assessed need within the plan period.

4.10 Officers have considered how to distribute the revised housing target and the following distribution has been recommended (with approval given at JAB already for Amber Valley's proportion):

Local Authority	Previous Target	Target 2008 – 2028	Extensions to Derby Urban Area(in plan period)
Amber Valley	9,000	9,400	530
Derby City	12,000	12,500	NA
South Derbyshire	12,700	13,454	6,085
TOTAL	33,700	35,354	6,615

4.11 This distribution reflects the constrained nature of Derby City to offer any more flexibility on the maximum number of dwellings that can be accommodated within the City's boundary. It also continues to reflect the fact that the least constrained development opportunities lie outside of the City, predominantly in South Derbyshire.

4.12 It should be noted that the 13,454 dwellings required in South Derbyshire covers the period 2008 to 2028 and therefore the following numbers need to be subtracted from the total:

1. Dwellings which have been completed since the 1st April 2008 to the 31st March 2013 – **1,756 dwellings**
2. Planning Permissions implemented but not yet completed – **1,039 dwellings**
3. Unimplemented planning permissions for dwellings - **4,159 dwellings**

4.13 This means that, in South Derbyshire, new sites need to be found for at least 6,402 dwellings in order to meet the housing target.

4.14 The previous consultation, the Preferred Growth Strategy, identified preferred housing sites, which followed a strategy of concentration around the Derby and Swadlincote areas, with an additional preferred site in the village of Hatton. It is proposed to broadly continue with this strategy, but in order that we are able to demonstrate a more balanced strategy, and to allow for a greater delivery of short term sites, the following sites are now proposed:

Site	Total dwelling number	Dwellings within plan period
Boulton Moor Phase 2	700	700
Boulton Moor Phase 3	190	190
Chellaston Fields	450	450
Wragley Way	1950	1180
Primula Way	366	366
Stenson Fields	98	98
Land off Holmleigh Way	150	150
Hackwood Farm	290	290
Broomy Farm	400	400
Land to the NE of Hatton	400	400
Land north of William Nadin Way/	400	400

west of Depot		
Land in the vicinity of Church Street/ Bridge Street & Gresley FC site	400	400
Land off The Mease, Hilton	375	375
Land off Longlands, Repton	100	100
Willington Road, Etwall	100	100
Aston Hall Hospital, Aston	100	100
TOTAL	6,469	5,699
Lowes Farm or Newhouse Farm	RESERVE(1,000 – 1,200)	RESERVE(1,000 – 1,200)

4.15 The delivery of the short term sites is particularly important in ensuring that we have a rolling five year housing land supply. Members will be aware that currently South Derbyshire cannot demonstrate a five year housing land supply, and is therefore open to the 'presumption in favour of sustainable development' guidance in the NPPF due to also not having an up to date Local Plan.

4.16 The housing target is intended to be met in the following way:

	Total	Cumulative Total
Completed Dwellings	1,756	1,756
Implemented planning permissions started but not completed	1,039	2,795
Unimplemented planning permissions	4,159	6,954
Suggested Allocations	5,699	12,643
Windfall allowance	400	13,043
Part 2 Local Plan	600	13,653

4.17 The changes to the strategy include four sites within village locations, and also a site adjacent to Derby City to the north west of Mickleover, at Hackwood Farm. There has also been some revision to the dwelling numbers expected from some of the sites, as further information has been received.

4.18 The amendments to the housing sites link into the Settlement Hierarchy policy and the identified Key Service Villages within that. There are 10 settlements identified as having a regular bus service and sufficient other services to fall within this category. The table showing all of the Settlement Hierarchy categories can be seen at Appendix 1.

4.19 There are three sites proposed for around 100 dwellings each in Repton, Aston and Etwall. The site in Repton is off Longlands and will be a small extension of the village to the south east. The site in Aston is on remaining land of the former Aston Hall Hospital site, which will help to make the site more viable in terms of still bringing forward a care village, and helping to address the issues that local residents have with the site being left derelict. The site in Etwall is off Willington Road to the south east of the village. These are all sites that would have been considered through Part 2 of the Local Plan.

4.20 The largest addition is the site in Hilton for around 375 dwellings which is a substantial increase to the village of Hilton, but the scale of development would allow for a new primary school to be built which is much needed within the village. The site does represent a loss of some employment land, but the suggested use of the remaining employment land would increase the number of jobs from the current position. The new school and increased job opportunities would help to make Hilton a more balanced community.

- 4.21 The cross boundary site on the edge of Derby City for 290 dwellings is an extension to a site within the City that currently has a planning application on the site (for 370 dwellings). The extension of the site into South Derbyshire would allow for a primary school to be built on site.
- 4.22 Two potential reserve sites have been identified on the edge of Derby City, at Newhouse Farm adjacent to Mickleover, and Lowes Farm which is close to Chellaston. These sites have not been included in the housing numbers, and it is anticipated that they would only come forward should other suggested sites not be developed in the anticipated timescale within the plan period to 2028.

Strategic Employment Sites

- 4.23 The employment requirement for the HMA was calculated using the Derby HMA Employment Land Review: Forecast Update, which has calculated a need of 276 hectares for the HMA across the plan period to meet B1, B2 and B8 employment uses. This has been split across the HMA as follows: Amber Valley: 69 hectares, Derby City: 154 hectares and South Derbyshire: 53 hectares.
- 4.24 The requirement for South Derbyshire has already predominantly been found with 13.09 hectares having been completed from 2008 to 2013 and existing commitments of sites of 41.16 hectares allowing us to meet the requirement. However, with the expected loss of some employment land at Hilton, it is necessary to allocate some new land for employment.
- 4.25 It is proposed that 8 hectares of land at Tetron Point/Cadley Hill is allocated, and that 7 hectares of land at Hilton Business Park (which is not included in the current employment allocation of the 1998 Local Plan) is allocated.
- 4.26 It is proposed that an extension to Dove Valley Park is classed as an 'exceptional employment site' which would be developed if the need arose for an exceptionally large single occupier which cannot be accommodated on one of the suggested strategic sites. It is also proposed that the Global Technology Cluster extension will form a strategic location for the long term aspiration of helping to grow the Global Technology Cluster. The site is therefore not included in the employment totals as an allocation.
- 4.27 Members will be aware that a development partnership has been formed to promote a major rail freight interchange on land south of the A50 at Etwall, and it has been indicated that they are advancing towards an application for a Nationally Significant Infrastructure Project next year. A criteria based policy will be included within the Local Plan to provide a basis for the Council's comments to the Planning Inspectorate, should such a development come forward on land south of the A50 at Etwall or elsewhere in the District. A decision as to the precise location and the regional/national requirement of a rail freight interchange will be made by the Secretary of State.

Policies

- 4.28 The policies in the Local Plan will address the strategic elements of the Local Plan, but will also be used to guide Development Management on making decisions on planning applications. A list of the areas to be covered by the policies can be seen at Appendix 2.
- 4.29 One of the policies included that will need further detail is the Design Policy which will set out the broad principles, but will have further detail in a follow up Design Supplementary Planning Document. This will update and replace the Better Design for South Derbyshire document that is currently used.

Sustainability Appraisal

- 4.30 The European Directive 2001/42/EC enacted in England under the Environmental Assessment of Plans and Programmes Regulations (2004) requires a Strategic Environmental Assessment (SEA) to be completed at the same time as preparing the Local Plan.
- 4.31 The purpose of SEA is to *“provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development”*. Planning legislation in England further requires that additional assessments of economic and social impacts of the Plan are undertaken in preparing Local Plans. Consequently, a combined assessment known as a ‘sustainability appraisal’ consistent with government guidance, has been prepared to accompany the draft Part 1 Local Plan
- 4.32 Unfortunately there is currently a mismatch between the SEA Directive and the Local Planning Regulations and the Local Planning Regulations, creating a potential procedural (and hence legal) pitfall. The Local Planning Regulations require that the SA Report (which meets the requirements of an Environmental Report under the SEA Directive) is presented alongside the *proposed submission, submission and adopted plan documents*. However, if the Authority were to progress immediately to submission, the Environmental Report cannot fulfil its purpose under the SEA Directive , given that alternatives are no longer ‘on the table’ and cannot be taken into account during the preparation of the plan before its submission. In order to prevent the identified pitfall, the Authority is advised to republish its draft plan alongside a draft of the SA report.

5.0 Financial Implications

- 5.1 The cost of preparing the Local Plan and the associated consultation and external support has been taken into account in the setting of the Planning Policy revenue budget.

6.0 Corporate Implications

- 6.1 The adoption of a South Derbyshire Local Plan is a key function of the District Council and an action within the Economic Growth priority in the Corporate Plan. The successful adoption has benefits throughout the work of the Council, and will enable control to be maintained on the spatial planning of the District.

7.0 Community Implications

- 7.1 South Derbyshire will remain as one of the fastest growing areas in the country, and an adopted Local Plan will ensure this is achieved in a sustainable way that provides an infrastructure of community facilities for both the new residents but also existing residents.

8.0 Conclusions

- 8.1 This process of producing the Local Plan has continued to be based around the Derby Housing Market Area, and growth figures and allocations assessed on the basis of empirical and sustainable principles. Once again the community will be encouraged to put forward their views through a widely promoted consultation process, in a similar way as was undertaken in the Preferred Growth Strategy consultation including drop in events.

9.0 Background Papers

- 10.1 Derby HMA Housing Requirements Study 2012
- 10.2 Strategic Housing Market Assessment July 2013
- 10.2 Sustainability Appraisal 2013
- 10.3 Preferred Growth Strategy consultation document 2012
- 10.4 Five Year Housing Land Supply Paper July 2013
- 10.5 Derby HMA Employment Land Review: Forecasts update

Appendix 1

	Extensions to Large Urban Areas	Growth Town	Key Service Villages	Local Service Villages	Rural Villages		Rural Areas
Settlements	Burton upon Trent	Swadlincote	Etwall	Aston on Trent	Ambaston	Lees	Other Rural Areas
	Derby	Incl. Woodville	Findern	Hartshorne	Barrow upon Trent	Long Lane	
			Hatton	Linton	Boundary	Lullington	
			Hilton	Mount Pleasant (Castle Gresley)	Bretby	Marston on Dove	
			Melbourne	Netherseal	Burnaston	Milton	
			Overseal	Newton Solney	Cauldwell	Osleston	
			Repton	Ticknall	Church Broughton	Radbourne	
			Rosliston ¹	Weston on Trent	Coton in the Elms	Scropton	
			Shardlow		Coton Park	Smisby	
			Willington		Dalbury	Stanton by Bridge	
					Drakelow Village	Stenson	
					Egginton	Sutton on the Hill	
					Elvaston	Swarkestone	
					Former Pastures Hospital	Thulston	
					Foston	Thulvaston and Trusley	
				Great Wilne	Twyford		
				Ingleby	Walton on Trent		
				Kings Newton	Woodhouses		
Qualifying Criteria	Wide range of higher order facilities and services	Wide range of higher order facilities and services	Bus Service ² and convenience store ³ plus at least five other services ⁴ .	Bus service ² and/or convenience store ³ and up to two other services ⁴ .	Limited or no services and facilities.		Limited or no services and facilities

¹ Whilst Rosliston does not meet the qualifying 'Key Service Village' criteria, it does serve as a key settlement to a wider rural area

² Bus Service is assessed by the frequency of the routes through each village throughout the day and into the evening

³ Convenience store to be defined as being capable of fulfilling day to day requirements.

⁴ Services include: primary school, library, indoor sports, GP surgery, dentist, railway station, employment site. Refer to Settlement Hierarchy paper for full details.

- Sustainable Growth and Regeneration
- Housing
- Settlement Hierarchy
- Employment Development
- Transport
- Leisure, Recreation and Tourism
- Retail
- Design
- Heritage
- Water and Flood Risk
- Green Infrastructure
- Climate Change
- Gypsy and Travellers
- Green Belt