

# Appendix 1

## Draft RSS – SoS’s Proposed Changes

### List of Recommended Responses, October 2008

#### **Policy 2 - Promoting Better Design**

The need to address climate change through the planning system is strongly endorsed by the District Council. In particular, the interim requirement for new development of 10 dwellings or more or for other uses exceeding 1,000 sq. m. to secure at least 10% of their energy from decentralised and renewable or low carbon sources is supported. Currently however, it is unclear how such a policy might be implemented and monitored in practice. Clear guidance is therefore urgently required to accompany the new policy.

#### **Policy 3 – Concentrating Development in Urban Areas**

The Council welcomes the recognition of its previous concerns with respect to the need to plan for sustainable rural communities. The additional guidance in this policy is therefore welcomed.

The Council also continues to support the overall policy of urban concentration in making the most of brownfield opportunities in major towns and cities before looking to greenfield options. However, the Council maintains its objections to the approach to the Derby Principal Urban Area (PUA) which assumes that most development in Derby HMA districts will be as urban extensions physically contiguous with the existing built up area of the City. This issue is addressed in response to proposed Changes to Three Cities Policy SRS 3.

#### **Policy 12 – Development in the Three Cities Area**

As a guiding principle, the new reference to the need to maintain an overall balance of housing and employment is welcomed as the uncontrolled loss of existing employment land to other uses (particularly housing) is a cause for concern locally.

#### **Policy 13 – Regional Housing Provision**

The modest increases proposed for housing provision in the Derby HMA are noted and the Secretary State’s proposal not to increase housing requirements further in this HMA is welcomed. In this regard, the Council made strong submissions to the Examination Panel setting out the serious local difficulties in matching high levels of past growth with community facilities and infrastructure. The Council’s position on this remains unchanged, and it is noted that the latest (2007) ONS Mid-Year Population

Estimates confirm South Derbyshire as being the 6<sup>th</sup> fastest growing local authority area in England since 2001. It is also noted, however, that the Proposed Changes give no indication that a partial review of the RSS is imminent. The Council would therefore have serious objections if the levels of housing required were elevated above the requirements now being set out in the Proposed Modifications.

The Proposed Changes now set out the overall housing requirement in a series of 5 and 10 year phases, with annual requirements being higher in the period 2006-11 (630 dpa) than in the remainder of the Plan period. The rationale for the phasing proposed is unclear and unrealistic. In this respect, it contradicts the findings of the RSS Panel who concluded (in paragraph 4.22 that: “ .... It seems to us most likely that build rates will be significantly higher in the second decade of the 21st century than it will be in the first. This should be reflected in the way the figures are presented”. The District Council supports this conclusions given the likely infrastructure which will be needed to support further significant growth. The phasing requirement should therefore be deleted from the RSS, and required to be set out instead in LDF Core Strategies, on the basis of technical and local knowledge.

The opportunity to redistribute apportionments between District and County areas is welcomed. However, this Council is concerned that this may only be possible in the event of joint Core Strategies being prepared. In the Derby Housing Market Area, co-ordinated, rather than joint, Core Strategies are being prepared and the wording of the Policy should be amended to reflect this.

Given the narrow definition of the PUA, there is also no clear justification for 55% of the new dwellings to be located within it. This objection is addressed in more detail in the Council's response to Policies 3, 17 and Three Cities SRS 3.

#### **Policy 14 – Affordable Housing**

The advice that affordable housing requirements should be based on local Housing Market Area Assessments is welcomed, together with the recognition of the need to address issues of rural affordability.

#### **Policy 16 – Provision for Gypsies and Travellers**

The requirement for local authorities to work across administrative boundaries in making provision for pitches is welcomed. However, the figures cited in Appendix 2 for Derbyshire do not properly reflect the findings and recommendations of the Derbyshire GTAA. In recommending district pitch requirements based on CLG guidance, the GTAA made clear that some re-apportionment would be appropriate for public sites in ensuring provision is made in areas of actual need, rather than simply perpetuating areas of existing provision.

The final sentence of the policy should therefore be amended to read as follows:

“Local Development Frameworks should make provision for the minimum additional pitch requirements set out in Appendix 2. Individual local authority requirements should be re-apportioned through cross-boundary working where needs assessments indicate this would be appropriate”.

### **Policy 17 – Managing the Release of Land for Housing and Three Cities Policy SRS3 – Housing Provision**

The proposal to require the preparation of joint Core Strategies in the Derby HMA is unnecessary as indicated in response to Policy 17. Moreover, the requirement for joint DPDs between the Derby HMA and the West Midlands is premature and inappropriate.

It is essential that the RSS does not pre-judge the question of the growth needs of the West Midlands being met in South Derbyshire. Thusfar, no joint studies have been undertaken by respective regional partners, for example into how the National Forest Line can be provided, and no evidence has been produced to show that development in the East Midlands, to meet the needs of the West Midlands, is necessary, desirable or more sustainable than alternative options. The following amendments should therefore be made to Policy 17 and the explanatory text to Three Cities SRS Policy 3 in para 4.2.26:

Policy 17:

“ ... To achieve this, in the following HMAs joint development plan documents will be expected, with the development of joint or co-ordinated Core Strategies across HMAs particularly encouraged:

- ~~Derby HMA and the West Midlands~~”

Para 4.2.26:

~~“Depending on the outcome of any such joint study, Co-operative working on core strategies development plan documents in South Derbyshire and East Staffordshire would~~ may be appropriate in view of the role being considered ...”.

Furthermore, given the narrow definition of the PUA, Policy Three Cities SRS 3 is unnecessarily prescriptive. The remedy would be either to re-define the PUA more broadly to include those areas which are related to Derby (for example as defined in the Strategic Housing Market Assessment), or to require LDFs to determine the proportion of the housing requirement to be located in the PUA as currently defined. A possible re-wording of Policy Three Cities SRS 3 would be as follows:

“South Derbyshire: 15,250 dws, of which 6,430 dws should be within or adjoining the Derby PUA (or in other locations with a strong functional

relationship with Derby as defined in LDFs), including sustainable urban extensions as necessary. Development in the remainder ...”.

### **Policy 21 Strategic Distribution**

Amend Policy 21 as follows:

“Local authorities, emda, Sub-Regional Strategic Partnerships, the Highways Agency and Network Rail should work together with private sector partners to allocate ~~bring forward~~ sites for strategic distribution use in the region in local development documents. ~~with p~~Preference should be given to sites in the following broad locations:

~~In allocating sites in local development documents local authorities~~ Priority should be given ~~priority~~ to sites which can be served by rail freight, and operate as inter-modal terminals.

Consideration should be given to the following criteria:

- Good access to the strategic highway network and to appropriate points on the trunk road network; thus avoiding use of local roads”;