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Your Ref: Pre-examination checklist

Our Ref: PINS/C1055/429/2

Date: 18 November 2026

Dear Philip,

Local Plan for Derby 2023 to 2043: matters to address before submission for examination

Thank you for completing the pre-examination checklist which we received on 13 November 2026.

Based on the answers that you provided to the checklist questions and a review of the explanations for some of the answers and relevant parts of documents referred to, I recommend that you address the matters set out in the attached Annex before submitting the Local Plan for Derby for examination.

Once you have addressed the matters I have identified, I suggest you submit the Plan and other documents under regulation 22 as soon as possible. When you do so, please provide a brief written explanation of what you have done to address each of my recommendations and list any documents you have added or changed.

When you have submitted the Plan and other documents under regulation 22 we will seek to appoint an Inspector (or Inspectors) to conduct the examination in accordance with the timescales set out in the Service Level Agreement.

The completed checklist that we received on 13 November 2026, this letter and Annex, and your appropriately referenced (**CR1**, **CR2** etc) written description of the actions taken to address my recommendations should be published on the examination website in due course along with the Plan and other submission and supporting documents.

Please note that this is not an assessment of whether the Plan satisfies all relevant legal requirements and is sound as that will be determined by the examining Inspector(s) who will take account of all the Council's evidence, the representations made under regulation 20, and any further information gathered during the examination. It is also possible that

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the examining Inspector(s) may have concerns about procedural matters, the scope of the plan, or evidence that I have not identified from the pre-examination checklist.

Yours sincerely

Catherine Jack

Inspector

ANNEX

Local Plan for Derby 2023 to 2043: recommended actions before submission

Checklist Question	Recommendation	Reason for recommendation
Examination website		
Q1.3	The examination website (as accessed on 16 November 2026 via the link in the checklist) currently indicates multiple documents as "to be added". These documents should be published on the website at the time of submission or very shortly thereafter [**CR1**].	To ensure the examination website meets the relevant requirements of the Procedure Guide for Local Plan Examinations and to ensure all essential evidence and documents are completed and published from the start of the examination to help avoid delays. The checklist responses indicate that the Council identifies the "to be added" evidence documents and topic papers as necessary to ensure the rationale for the plan's content is clear, so it will be necessary for them to be completed and added to the examination library to avoid delay during the examination.
Local Development Scheme and Public Consultation		
Q2.1 Q2.2	The Council should provide relevant previous versions of the Local Development Scheme and Statement of Community Involvement as background documents in the examination library [**CR2**].	The CD01 LDS version 9 is dated September 2025, and the CD18 SCI version 3 is dated July 2023. It therefore appears that previous versions of both are likely to have been relevant during the earlier stages of the plan's preparation.
Maintaining effective cooperation		
Q2.3 Q2.4 Q2.5 Q2.6 (Q3.27)	A statement of cooperation (CD16 identified as yet-to-be finalised/published) and the statements of common ground referred to in the Council's responses to Q2.3, Q2.4, Q2.5 and Q2.6 (and Q3.27), should be	The Duty to Cooperate under section 33A of the 2004 Act has been abolished, including for plans being finalised and examined under transitional arrangements against the 2012 Regulations (the 'legacy' system). However, Inspectors

	finalised by the time the plan is submitted. The statement of cooperation should set out: • The relevant strategic matters on which collaboration has occurred • The local planning authorities (LPAs) and other bodies engaged in relation to each strategic matter • Specific activities undertaken in liaison with all of the relevant LPAs and other bodies from the start of preparation of the plan up until submission • Areas of agreement and any remaining areas where agreement has not been reached [**CR3**]	are still required to examine plan soundness having regard to the NPPF including in relation to maintaining effective cooperation in the preparation of strategic policies in the plan[1]. A number of the Council's responses to checklist questions indicate it will rely upon CD16 and statements of common ground that are yet to be completed. It is indicated that CD16 will be submitted with the plan but the timeframe for outstanding statements of common ground is not entirely clear, albeit the Council's response to Q3.27 suggests that some may not be completed before submission. National policy and guidance expect these to be prepared alongside the plan, and therefore submitted with it. Where in exceptional circumstances a draft statement of common ground cannot be fully completed/signed by the time of submission, the evidence should clearly identify the current position (the latest draft version), and the expected completion date (as soon as possible after plan submission) should be specified – CD16 should set out the latest position.
Sustainability Appraisal		
Q2.8	The updated SA report will need to be submitted with the plan and added to the examination library [**CR4**].	To ensure the submitted SA report provides an up-to-date SA/SEA assessment of the submitted plan given the response to Q2.8 indicates that an updated SA is to be provided.
Supporting documents		
Q2.22 (Q3.27)	As set out in the Council's response to Q2.22 the listed evidence documents and topic papers should be finalised by the time the plan is submitted and	The Council has identified multiple documents (including as mentioned above and below) which it intends to rely upon to justify the plan, but which have

[1] Local plan reforms – Update to the Duty to Co-operate

	published on the examination website (these documents generally correlate with the "to be added" evidence documents in CR1) [**CR5**].	not been completed and/or published by the time the checklist was submitted. It is important that essential evidence and documentation are complete for submission (in fact the "yes" responses given by the Council to a number of checklist questions currently depend upon outstanding documents that are still "to be added" [for example Q3.12 economic development, Q3.16 site selection methodology, Q3.23 the IDP and Q3.26 historic environment]). The "to be added" documents are likely to be necessary to inform the examining Inspector(s) initial assessment of the plan. Therefore, failure to complete and publish/submit the identified documents and topic papers at submission would risk delays in the examination. In relation to the Council's Q3.27 response (last sentence) - the Council should identify which of the "to be added" evidence documents it considers relate to ensuring the rationale for the plan's content is clear. Where that is the case, the evidence will need to be completed before submission. Essential supporting evidence should not be left to "before the hearings".
Plan period		
Q3.2	I am not recommending any specific actions for the Council to take before submission in relation to the plan period. However, the Council should be prepared to respond positively and promptly if the examining Inspector(s) have questions about this matter [**CR6**].	In responding to Q3.2, the Council has identified that the strategic policies in the plan look ahead over a minimum 15-year period from adoption, providing the plan is adopted before 1/4/28.
Housing requirement, housing land supply, affordable housing, Gypsies and Travellers		
Q3.3 Q3.4 Q3.5	I am not recommending any specific additional actions for the Council to take before	The Council has identified that the plan's housing requirement is

Q3.6 Q3.7 Q3.8	submission in relation to the plan's housing requirement, affordable housing, or Gypsies and Travellers. Nonetheless, the proposed **housing topic papers and Gypsy and Traveller topic paper** should be completed and provided at the time of submission (see also CR1 and CR5). Regarding **housing land supply,** the housing topic papers should include: • all of the information referred to in Q3.5 and Q3.6, and • clearly set out the calculation for and deliverable sites comprising the 5 year housing land supply. The Council should be prepared to respond positively and promptly if the examining Inspector(s) have questions about any of these matters [**CR7**].	less than standard method local housing need. The NPPF (Dec 2024) expects plans to identify a supply of specific deliverable sites for the 5-year period following the intended date of adoption, which the checklist footnotes say should be the period starting 1 April following the date of adoption of the plan. While Appendix 2 of the plan (CD02) sets out a housing trajectory and the year-by-year sources of supply, the 5 year supply calculation taken from the intended date of adoption and the specific associated supply composition do not appear to be clearly demonstrated in the plan or specifically set out in the supporting evidence provided alongside the checklist. I recommend this information is set out within the proposed housing topic papers ready for submission and for this purpose it may be reasonable to take the relevant five year period as 1 April 2028 – 31 March 2033 (this information is different from that set out in the Council's July 2026 five year housing supply position statement - monitoring documents M02 and M03 in the examination library - which do not specifically relate to the position at the plan's intended point of adoption). Guidance and land supply sites templates are available[2] which may assist in preparing the necessary housing land supply evidence.
Is the evidence base sufficiently up to date		
Q3.4 Q3.7 Q3.8 Q3.12	While I am not recommending any specific actions to take before submission, the Council should be prepared to respond positively and promptly if the examining Inspector(s) have questions in relation to the main	The Council's responses to these questions highlight that each of these evidence documents was published in 2023 (i.e. more than the guideline 2 years ago). The relevant topic papers could

[2] Local plans: housing land supply evidence (December 2024 Framework) - GOV.UK

	LHNA, the GTAA, and the ELR (and any other evidence) having been undertaken/published more than 2 years before submission will take place [**CR8**].	usefully set out the Council's position on whether evidence is sufficiently up to date where appropriate. See also PINS Procedure Guide 1.19[3]
Green Belt		
Q3.19	The Council should ensure that the evidence for the plan's approach to land in the Green Belt and Green Belt release is complete and that the Council's rationale for the plan's changes to the Green Belt, including NPPF exceptional circumstances and golden rules, is clearly set out at the time of submission. The rationale for the Green Belt assessment methodology should also be clearly set out. The Council should be prepared to respond positively and promptly if the examining Inspector(s) have questions about this matter [**CR9**].	The plan's policy HA7 (Stoney Lane, Spondon strategic site allocation) is identified as 'grey belt release' of a site in the Green Belt. This is identified (in Q3.27) as having received relatively large numbers of representations. The Q3.19c response indicates the Council's rationale will be set out in a Green Belt section within the spatial strategy and housing need topic paper, which is part of the indicated evidence that is not yet completed/published (CR1 and CR5). The Council's response to Q3.27 also identifies an unresolved objection by Amber Valley Borough Council to Derby's Green Belt assessment methodology.
Flood risk		
Q3.20 Q3.21	Up to date evidence that the sequential test and exception test (where applicable) have been appropriately applied should be provided in the examination library when the plan is submitted. It appears that this is intended through a flood risk topic paper, which should be provided at the time of submission. Additionally, the "to be added" documents relating to the SFRA will be required, as set out above in relation to CR1 and CR5. The Council should be prepared to respond positively and promptly if the examining	The sequential/exception test evidence will need to be completed and published for the time of submission of the plan so that the full evidence and rationale for the spatial strategy and selecting affected sites in relation to flood risk is set out.

[3] Procedure Guide for Local Plan Examinations - GOV.UK

	Inspector(s) have questions about this matter [**CR10**].	

End of Annex