

27 October 2016

**Delivered by email**

Derby City Council  
Spatial and Transport Planning  
The Council House  
Corporation Street  
Derby  
DE1 2FS

Ref: MILQ3025

Dear Sir / Madam,

## **DERBY CITY LOCAL PLAN - PART 1 CORE STRATEGY: PROPOSED MAIN MODIFICATIONS**

We write on behalf of our client, Miller Homes (Midlands) (hereafter referred to as "Miller") in response to the Derby City Council Local Plan Part 1 Proposed Main Modifications, which the Inspector has deemed necessary to make the policies in Local Plan Part 1 sound. The Local Plan Part 1 has been prepared by Derby City Council and the content and approach of this has been considered by Miller in respect to their significant interest at land to the west of Spondon.

Our client has most recently made Representations to the Inspector's letter dated 14 June 2016 and to the Call for Housing and Employment Sites in August 2016.

### MM5, MM9 and MM11

Our client advocates the removal of text which formerly set out the expectation for new residential development to achieve high levels of energy efficiency with particular emphasis on the support for zero and low carbon developments.

The Local Plan Part 1 now accords with the Written Ministerial Statement dated 25 March 2015, which underlined that from the date the Deregulation Act 2015 is given Royal Assent (26 March 2016), local planning authorities should not set out in their emerging Local Plan any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.

### MM18

Our client welcomes the removal of the policy requirement to provide lifetime homes standards on residential developments on sites of 15 or more dwellings. The Lifetime Homes standard is now a requirement under a separate national framework centred on the Building Regulations; therefore local authorities should only make reference to Requirement M4(2) and / or M4(3) of the optional requirements within policy.

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## MM25 and MM26

Our client supports the deletion of text regarding the indicative targets for affordable housing by size at paragraph 5.7.8 and Table 3, which had stated:

**“The 2013 SHMA Update identifies a need to provide smaller 1 and 2 bedroom affordable homes. The assessment recommends indicative targets for the size split of affordable homes based on the recommendations set out in Table 3.”**

It is acknowledged that the Strategic Housing Market Assessment provides an appropriate evidence base for Derby City Council; however it should be noted that this can only ever, at best, underline the Council’s understanding of the housing market at that time of publication.

The housing market is dynamic and it is therefore inappropriate to establish static targets for the mix of affordable dwelling sizes that need to be provided. It is recommended that the Council collaborate with housebuilders / developers in order to gain an understanding of the viability of individual sites. Housebuilders / developers have first-hand experience of the types of dwellings which best suit the market. Permitting the appropriate housing mix in a given location will provide the optimal market for house sales. This in turn will help the Council meet its identified housing need and significantly boost its housing supply in accordance with paragraph 47 of the NPPF.

Affordable housing has a significant impact on the viability of a site and plan. The removal of over prescriptive affordable housing sizes has demonstrated that Derby City Council has carefully considered viability and costs in plan-making, as set out in paragraph 173 of the NPPF. It is considered the Council can ensure that appropriate affordable housing sizes are delivered on a site by site basis through discussions with house builders or developers during the early stages of the planning application process.

## MM40

Our client strongly supports the insertion of text underlining that the Local Plan Part 2 will consider further amendments to the Green Wedge boundaries, as part of the process of identifying non-strategic housing sites, and to take full account of all other issues and opportunities raised in the Green Wedge Review (2012).

The forthcoming Green Wedge Review should closely align with the objectives of Local Plan Part 1, in particular Spatial Objective 6, which seeks to ensure that new, well designed, sustainable residential development is provided to meet the City’s housing needs (i.e. at least 11,000 new homes).

Draft policy CP18 ‘Green Wedges’ establishes that Green Wedges are areas of land that define and enhance the City’s urban structure and maintain the identity of the different residential neighbourhoods. Any forthcoming Green Wedge Review and Local Plan Part 2 should note paragraph 5.18.2-3 of the Local Plan Part 1 Submission Draft, which outlines that Green Wedges do not have the permanence of the Green Belt.

The Green Wedge Review (2012) states that the Spondon / Chaddesden Green Wedge is approximately 55 hectares and serves key functions including: flood storage; penetration of the open countryside into the urban area; climate change mitigation; and mental and physical well-being for residents. Our client advocates that support should be afforded to housing allocations within the Spondon / Chaddesden Green Wedge; where an individual site can demonstrate that no significant adverse impact would be proposed to these specific key functions of the Green Wedge, and relates well to the City’s existing and proposed urban structure.

## MM70

Our client supports reference to an early review of the Local Plan to roll forward the plan period beyond 2028, specifically as it is unlikely Derby will be able to meet its objectively assessed needs in full within its own administrative boundary.

However, our client recommends that the opportunity should be taken through the preparation of the Local Plan Part 2 to identify sufficient additional suitable and deliverable sites to demonstrate a five year supply of housing. Derby City Council should place great emphasis on identifying available, achievable and deliverable sites within the Green Wedge to offer a realistic prospect that housing will be delivered within five years.

We trust that these Representations are helpful in taking the Local Plan Part 1 to the point of adoption. However, should you wish to discuss our comments any further, please do not hesitate to contact me.

Yours sincerely

Sam Lake  
**Planner**

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