

# **Local Plan - Part 1 Core Strategy**

## **Duty to Co-operate Compliance Statement**

December 2015



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# 1. Introduction

- 1.1 Section 110 of the Localism Act<sup>1</sup> and paragraphs 178-181 of the National Planning Policy Framework<sup>2</sup> (NPPF) create a 'duty' on all local planning authorities and other bodies to cooperate with each other to address strategic issues. Both highlight the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either joint policies or informal strategies such as infrastructure and investment plans.
- 1.2 The 'Duty to Co-operate' (DtC) requires on-going constructive and active engagement throughout the plan preparation process and associated activities relating to sustainable development and the use of land, in particular in connection with strategic infrastructure.
- 1.3 This document sets out how Derby City Council has co-operated on key strategic issues with 'Prescribed Bodies', neighbouring local authorities and public organisations in the development of the Core Strategy up to the submission of the document to the Secretary of State for Communities and Local Government for examination. It is through this that the Council will demonstrate that it has met the requirements of the 'duty'.
- 1.4 The statement will first provide some context as to the requirements of the DtC, followed by a description of the cooperation that has taken place between authorities at a strategic level. This will be followed by a more detailed analysis of how each of the key strategic topic areas the plan covers has been considered and who has been involved.
- 1.5 Section 110 of the Localism Act states that the DtC:
- Relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a County Council
  - Requires that councils set out planning policies to address such issues
  - Requires that councils and public bodies to 'engage constructively, actively and on an on-going basis' to develop strategic policies
  - Requires councils to consider joint approaches to plan making
- 1.6 Planning Practice Guidance<sup>3</sup> (PPG) provides additional clarity by bringing together the requirements of the Localism Act and the NPPF.

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

<sup>2</sup> <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

<sup>3</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/duty-to-cooperate/what-is-the-duty-to-cooperate-and-what-does-it-require/>

- 1.7 In addition to Councils and other public bodies, the DtC requires us to consult with a number of other organisations or ‘Prescribed Bodies’. The PPG provides a list of the bodies that are required to co-operate with Councils on issues of common concern to develop sound Core Strategies. This includes:
- the Environment Agency (EA)
  - the Historic Buildings and Monuments Commission for England (known as Historic England)
  - Natural England
  - the Civil Aviation Authority
  - the Homes and Communities Agency (HCA)
  - each clinical commissioning group established under section 14D of the National Health Service Act 2006
  - the Office of Rail Regulation
  - each ‘Integrated Transport Authority’ (Highways England)
  - each highway authority within the meaning of Section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
- 1.8 Although listed as ‘Prescribed Bodies’, the following are not relevant to the Derby and the Derby Housing Market Area:
- Mayor of London
  - Transport for London
  - Marine Management Organisation
- 1.9 It should be noted that Local Enterprise Partnerships and Local Nature partnerships are not subject to the requirements of the DtC. However, the PPG states that the local planning authority must have regard to their activities.
- 1.10 Appendix 1 sets out how the Council engaged with the ‘Prescribed Bodies’ throughout the Core Strategy process; Appendix 2 provides details of how the Council engaged with partner organisations and service providers and Appendix 3 provides information on how we engaged with neighbouring authorities.
- 1.11 Paragraph 156 of the NPPF sets out what the Government considers to be ‘strategic priorities’ that its Local Plan must address. They are:
- The homes and jobs needed in the area
  - The provision of retail, leisure and other commercial development

- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk...and the provision of minerals and energy (including heat)
  - The provision of health, security, community and cultural infrastructure and other local facilities
  - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape
- 1.12 Through the Examination process, an Inspector will assess whether the Local Plan has been prepared in-line with the relevant legal requirements. The DtC is a key element in determining if this is the case.

## 2. Continuing Co-operation

### Organisation of the HMA and Political Management

- 2.1 This section provides a high level overview of the continuing co-operation between authorities in the Derby Housing Market Area (HMA). The HMA is made up of four authorities: Amber Valley Borough Council, Derby City Council, South Derbyshire District Council and Derbyshire County Council.
- 2.2 The now revoked East Midlands Regional Plan established the principle of the HMA, as well as setting housing targets for each authority and the general location for development. The Regional Plan also established the concept of the 'principal urban area' (PUA) and set specific targets for Amber Valley and South Derbyshire in terms of delivering urban extensions to the City. Finally, the Plan recognised that Derby City would not be able to meet its housing needs within its administrative boundary and would, therefore, be required to export its growth across its boundaries as urban extensions. It is within this context that a culture of joint working with Amber Valley Borough Council and South Derbyshire District Council was established. Indeed, in 2009, prior to the creation of the DtC, work started on the three aligned 'Core Strategies'.
- 2.3 Four posts were created to facilitate close working between the HMA authorities; a Growth Point Co-Ordinator managed the Growth Point Funding, a Growth Point Planning Manager co-ordinated joint working across the HMA, a Transport Engineer co-ordinated transport planning across the HMA and a Housing Strategy Officer whose remit was to liaise with developers regarding the provision of affordable dwellings. All posts facilitated close working between the HMA authorities, with other organisations such as the Greater Nottingham HMA and the procurement of joint evidence base studies. These posts have been invaluable over the course of the plan-making process in helping to develop options and policy across the HMA and helping to ensure strategies remain aligned.

- 2.4 Cross boundary political involvement and steering has been addressed through the creation of the Derby HMA Joint Advisory Board (JAB). This board is comprised of an Elected Member, a Director/Senior Manager and a senior planning officer(s) from each HMA authority. An officer from Erewash Borough Council was also invited to attend and observe. This group provides a strategic steer on spatial planning matters across the Derby HMA. The terms of reference for this group can be found in Appendix 4; the revised terms of reference signed in June 2014 is also appended.
- 2.5 Joint working at an officer level has been formalised across the period through the HMA Co-ordination Group. This is a group consisting of senior planning officers from each authority and, up until April 2015, the HMA co-ordinator officer (discussed below). The group has met regularly over the past six years. Since being established, the group has addressed progress on Local Plans, the joint evidence base and other relevant matters. The Co-ordination Group has facilitated discussion regarding future infrastructure and service provision and policy formulation, particularly regarding housing, economic growth and cross-boundary allocations. It has also procured and managed the production of a large number of joint evidence base documents.
- 2.6 The importance of the co-ordination group has been recognised by all participants and has been highlighted as good practice by the Planning Advisory Service<sup>4</sup>. The terms of reference can be found in Appendix 5.
- 2.7 To ensure the long-term co-operation of the HMA authorities following the adoption of their respective Core Strategies, a Statement of Continuing Joint Working was published in July 2013. This document was signed by senior officers and lead members from each HMA authority and sets out how key strategic issues will be addressed following adoption of each respective Core Strategy. A revised Statement of Continuing Co-operation was published in October 2014 which took account of the rise in housing numbers following the Amber Valley Examination. A further revision of the Statement was published in November 2015 following the work undertaken at the request of the Inspectors at the Amber valley and South Derbyshire examinations. Copies can be found in Appendix 6.
- 2.8 Appendix 7 contains an agreement, signed by the four HMA authorities and East Staffordshire Borough Council, which formally agrees that *“authorities have co-operated at a planning officer level constructively, actively and on an on-going basis in discussing the evidence base which underpins their respective Strategic Housing Market Area Assessments (SHMAs). Each Council believes that its SHMA has taken or will take sufficient account of housing markets extending*

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<sup>4</sup> <http://www.pas.gov.uk/pas/core/page.do?pagelId=370535>



*beyond its administrative boundary*". It was established that the Derby HMA did not need to export its unmet housing to East Staffordshire and East Staffordshire did not need to export any of its need to the Derby HMA. No other significant DtC issues have been identified.

- 2.9 Political approval of the plans has remained with each respective authority. Elected members have been engaged at each stage of the Core Strategy process through a number of avenues including presentations to each political party, the Council's democratic process, member briefings, joint HMA Member events, face-to-face meetings and engagement through the City Council's Neighbourhood Partnerships.
- 2.10 At all stages, the relevant City Council Cabinet Member has been responsible for approving the strategy following the necessary Cabinet or Full Council resolutions.

### **Joint Planning**

- 2.11 Section 28 of the Planning and Compulsory Purchase Act 2004<sup>5</sup> provided the three HMA authorities an option to prepare a joint plan. When the Joint Advisory Board (JAB) was established in 2008, its terms of reference specifically referred to the preparation of separate but aligned Core Strategies and a Joint Site Allocations Plan for an area somewhat larger than the urban area of Derby. At that time it was envisaged that detailed site allocations, including most of the urban extensions to the City beyond its boundaries, would be made through a Site Allocations Document rather than the Core Strategies. The Core Strategies were seen as more broad brush and strategic at that time. However, as the Core Strategies developed they became more detailed and included the allocation of a number of larger strategic sites. This change in approach now means that there would be much less value or need to produce a joint plan. South Derbyshire removed the proposal for a joint plan from LDS several years ago and the current 'Terms of Reference' for the JAB no longer refer to the preparation of a Joint Site Allocations Document.
- 2.12 At a meeting of the JAB on the 18 November 2014 it was resolved to:
- re-affirm that their preferred approach is for separate but aligned Core Strategies/Local Plans ; as a single joint plan would be likely to raise complexities that go well beyond the Derby urban area that are best dealt with by individual authorities.
  - confirm that this would have been their view if formally asked to consider the issue in 2011 or any time thereafter.
  - continue to discuss the most appropriate approach to joint working beyond the current Core Strategies/Local Plans, including scope for

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<sup>5</sup> <http://www.legislation.gov.uk/ukpga/2004/5/section/28>

preparing joint site allocations plans, supplementary planning documents or at least using a common evidence base and joint consultation as part of aligned plans.

- 2.13 Subsequently, it was resolved at a meeting of the Council's Cabinet on the 21 January 2015 to reaffirm the appropriateness of the approach taken in the preparation of aligned Core Strategies rather than a Joint Local Plan. It was also agreed to continue to discuss the most appropriate approach to joint working beyond the current Core Strategies/Local Plans, including scope for preparing joint site allocations plans, supplementary planning documents or at least using a common evidence base and joint consultation as part of aligned plans *if* they should be considered appropriate or necessary in the future.
- 2.14 The approach taken to joint working and the alignment of the three Core Strategies is an acceptable approach in terms of national guidance and the DtC.

#### **Dialogue with other Local Authorities and Neighbouring Housing Market Areas**

- 2.15 The City Council has positively engaged in discussions with other local authorities outside of the Derby HMA regarding the overall strategy and policies contained in the Core Strategy. Appendix 3 sets out which authorities the Council have engaged with in the preparation of the plan.
- 2.16 In relation to co-operating with other HMAs, the City Council has a close working relationship with the authorities that form the Greater Nottinghamshire HMA; particularly Erewash Borough Council which borders the City. In some instances, officers from Erewash Borough Council, attended meetings to discuss the provision of housing across the two HMA's and contributed to a number of cross-boundary studies. In addition, there were periodic meetings between the Nottingham and Derby HMA's to discuss the implications of their respective, emerging Core Strategies.
- 2.17 City Council officers regularly attend a number of long-standing meetings such as the Derbyshire Planning Officer's Group (DPOG), the Derbyshire Planning Policy Officers Group (DPPOG) and Planning and Information Monitoring Officers Group (PIMOG). These meetings are vital as a vehicle to network, share concerns and information.
- 2.18 An informal relationship continues between the three HMAs which formed the 6Cs Growth Point as a legacy of the New Growth Points Funding programme.
- 2.19 Since the beginning of the Core Strategy process, the Council has engaged with a number of Parish Councils; informing them either by

letter or email that a consultation has begun. A list of the Parish Councils contacted can be found in Appendix 3.

## **Strategy & Policy Development**

2.20 The City Council has proactively engaging with other organisations to ensure that there is a high level of co-operation in producing the Core Strategy. This commitment not only stems from the more recent 'Duty to Cooperate' but is also from the Council's Statement of Community Involvement. At each stage of the Core Strategy process, key stakeholders, all relevant local authorities and public bodies were contacted and invited to submit representations consultation exercises. In addition, key stakeholders, all relevant local authorities and public bodies were invited to attend the various workshops and exhibitions held during these consultations. Full details, including who was contacted, how and when, are set out in the City Council's 'Statement of Consultation'.

2.21 Throughout the process, HMA authorities had a high level of co-operation with the prescribed bodies, organisations and other local authorities to ensure a robust evidence base for the Core Strategy. At each of the following consultations, the 'Prescribed Bodies' were invited to submit comments:

- Issues and Ideas (February 2009)
- Core Strategy Options (January 2010)
- Your Neighbourhood (January 2011)
- Options for Housing Growth (July 2011)
- Consultation on shopping, parking standards and open space (February 2012)
- Preferred Growth Strategy (October 2012)
- Derby City Local Plan, Part 1: Draft Core Strategy Consultation (October 2013)
- Derby City Local Plan, Part 1: Core Strategy Pre-Submission Consultation (August 2015)

2.22 In addition to this liaison, workshops were also organised jointly by the Derby HMA authorities. Table 1 below shows the joint HMA workshops undertaken as part of the Core Strategy process. These were used to help identify the broad HMA growth requirements and distribution strategy that would be delivered through individual plans; starting with the publication of three 'Preferred Growth Strategies' in 2012.

**Table 1: Joint HMA Workshops**

Preferred Growth Strategy Briefing Event, The Avenis Suite, Pride Park Stadium, Derby held on Wednesday 17 October 2012.	This event was held by the Derby HMA authorities to introduce their strategies and give a wide range of planning consultants, utility companies, land owners, developers and other organisations the opportunity to ask questions and make comments.
Derby HMA Economic Viability Assessment, Bakewell Suite, Holiday Inn Derby held on Thursday 15th November 2012	This workshop was held with a wide variety of planning consultants and developers to help inform the content of the HMA Viability Assessment.
Derby HMA Employment Land Review Workshop, Bakewell Suite, Holiday Inn, Derby held at 10.00 am on Friday 23rd November 2012	This workshop was held with a wide variety of planning, property consultants and developers to help inform the content of the HMA Employment Land Review.
Derby HMA Strategic Housing Market Assessment update Workshop, Bakewell Suite, Holiday Inn, Derby held at 2.00pm on Friday 23rd November 2012	This workshop was held with a wide variety of planning consultants, property consultants, land owners and developers to help inform the content of the HMA Strategic Housing Market Assessment update.

- 2.23 Joint working across the Derby HMA culminated in the production of aligned timetables for the preparation of the authorities' respective Local Plans and, in July 2011, a joint consultation on the 'Options for Housing Growth'. Aligned working has produced a number of studies which form part of the HMA's joint evidence base; these are shown in Table 2 below.

**Table 2: Derby HMA Joint Evidence Base**

Housing
<ul style="list-style-type: none"><li>• Gypsy and Traveller Accommodation Assessment: 2008</li><li>• Gypsy and Traveller Accommodation Assessment: 2015</li><li>• Derby HMA Strategic Site Options Study: 2010</li><li>• Derby HMA Housing Requirement Study: 2012</li><li>• Derby HMA Strategic Viability Assessment: 2013</li><li>• Derby HMA Strategic Housing Market Assessment Update: 2013</li><li>• Derby HMA Sensitivity Testing Analysis: 2014</li></ul>

<ul style="list-style-type: none"> <li>• Review of Objectively Assessed Housing Need: 2014</li> </ul>
Green Infrastructure
<ul style="list-style-type: none"> <li>• Technical Assessment of the Derby Principal Urban Area Green Belt Purposes: 2012</li> </ul>
Water and Flooding
<ul style="list-style-type: none"> <li>• Derby HMA Water Cycle Study: 2010</li> </ul>
Employment
<ul style="list-style-type: none"> <li>• Derby HMA Employment Land Review: 2008</li> <li>• Derby HMA Employment Land Review: Forecasts Update: 2013</li> </ul>
Climate Change
<ul style="list-style-type: none"> <li>• Cleaner, Greener Energy Study: 2009</li> </ul>
Transport
<ul style="list-style-type: none"> <li>• Derby HMA Transport Position Paper and Non-Technical Summary: 2012</li> <li>• Derby Urban Area: MVA Transport Modelling Report: 2012</li> <li>• On-going Transport Modelling of Development Scenarios</li> </ul>
Viability and Delivery
<ul style="list-style-type: none"> <li>• The Peter Brett Associates – Strategic Viability Report (2013)</li> <li>• The National CIL Services – HMA Viability Report (2014)</li> </ul>

- 2.24 Through the JAB, Coordination Group and joint evidence base, the three authorities have agreed an overall HMA target (ostensibly accepted by Inspectors), an agreed approach to meeting those needs across the HMA – including meeting the 'unmet needs' of the City - and have identified large cross boundary sites with complementary policy frameworks to deliver strategically significant sustainable development and infrastructure. It is quite clear from this that the DtC has been met in terms of overall strategy development.
- 2.25 Joint working has continued during the Examinations of both Amber Valley's and South Derbyshire's Core Strategies. Officers from the City Council attended a number of hearings and contributed to the discussions on housing, employment and infrastructure. This included attendance at Joint Hearings that took place on household growth and target setting for the HMA as a whole. The City Council were there to support the broad HAM strategy and the robustness of the joint evidence base. This is a particularly clear example of the good

working relationships developed through the plan making process and the cooperative approach to strategy development.

### **The Infrastructure Delivery Plan**

2.26 At the outset, the importance of engaging with key stakeholders in the development of the Infrastructure Delivery Plan (IDP) was recognised. To assist in this process, two infrastructure groups were established:

- A Derby City Partnership Infrastructure Planning Group was established at the start of the IDP process. Membership of the group comprises of representatives from:
  - Derby City Council (representatives from Transport and Planning, Education, Leisure Services, Regeneration and Climate Change)
  - Environment Agency
  - Lightspeed Derby
  - Derby Hospitals
  - NHS Derby PCT
  - Derbyshire Mental Health Services NHS Trust
  - Derbyshire Fire and Rescue
  - Derbyshire Constabulary
  - Severn Trent Water
  - University of Derby
  - Derby College
  - Derby Community Safety Partnership
  - Derby City Partnership
  - Rigby & Co (representing the City Growth Group)
- In June 2010, a Derby HMA and Erewash Infrastructure Planning Group was established to ensure a co-ordinated approach to infrastructure delivery across both the County and the HMA was adopted. Membership was made up of Officers from the three HMA authorities, Erewash Borough Council and Derbyshire County Council.

2.27 Wide-ranging co-operation has taken place regarding issues such as school and health care provision and highways. In addition discussions and information and data sharing took place with organisations including utility providers; Highways England and the EA to identify what infrastructure improvements were required to meet the level of growth within the Derby HMA. This is discussed in more detail in Section 3.

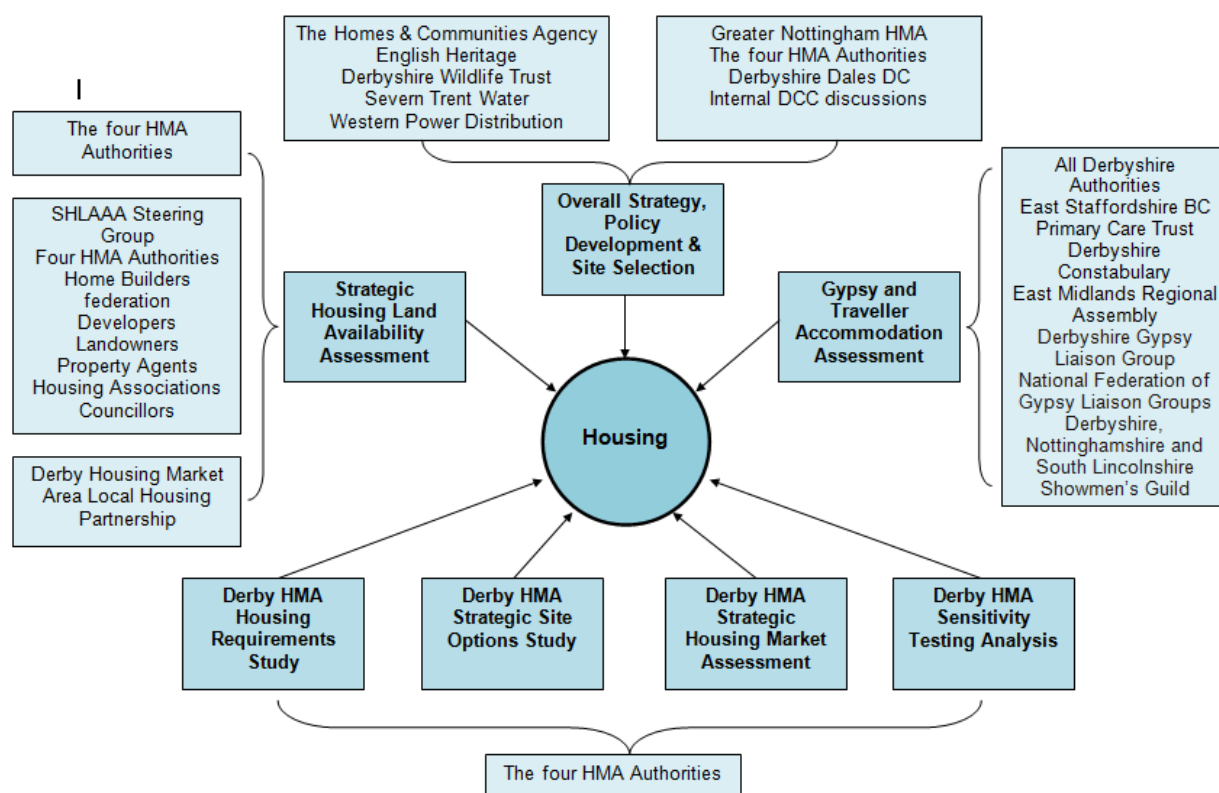
- 2.28 The City Council's IDP has been aligned with Amber Valley and South Derbyshire's documents to ensure that infrastructure requirements generated from development in the DUA is taken account of in the City Council's strategy.
- 2.29 Officers from the City Council liaised with their colleagues at Derbyshire County Council and had an input into the County Infrastructure Plan. This process ensured a consistent approach to infrastructure delivery.
- 2.30 The draft IDP is one of the documents made available for consultation. This provides another opportunity for partners and 'prescribed bodies' to input in the IDP process.

### **3. Strategic Topic Areas**

- 3.1 In the development of the Core Strategy, a number of strategic issues were identified. The following section sets out how the Council co-operated with relevant bodies, groups and partners to develop its strategy. This includes how shared evidence has been prepared and utilised in the production of the plan. Each section begins with a diagram which illustrates the evidence base which has fed into the development of the Core Strategy and the organisations who have had an input. These help to illustrate the wide-ranging collaborative approach the Council has had to developing its strategy.
- 3.2 Derby City Council, as a Unitary Authority, has a number of functions such as highways, education and land drainage which are replicated by the County Council. In a number of instances, and to ensure a strategic approach across the Derby HMA, officers from both the City and the County have liaised in the development of the Core Strategy, its evidence base and the provision of infrastructure.



## Housing



3.3 One of the principle aims of the Core Strategy is to facilitate the provision of new housing to meet the needs of the population. This section will show how Derby worked with its HMA partners to deliver a sustainable approach, informed by a number of studies which provided a robust evidence base for the aligned Core Strategies.

3.4 The diagram above indicates the various studies and assessments which have been produced since the start of the Core Strategy process.

### Understanding our 'Objectively Assessed Need' (OAN)

3.5 One of the key issues facing the Derby HMA was how to respond to the Government's challenging objectives for housing growth. The NPPF requires all LPAs to meet their 'objectively assessed housing needs' (OAN).

3.6 The fundamental strategic issue within the Derby HMA is that Derby has a limited capacity for what it is able to provide in terms of housing sites. This issue was initially recognised in the East Midlands Regional Plan which set the foundations of the HMA's growth strategy by establishing the principle of creating sustainable urban extensions adjacent to Derby. Following the Government's announcement of its intention to revoke Regional Plans, the HMA authorities agreed to commission new evidence on overall housing needs and consider the HMA strategy in light of this. This culminated in consultation on HMA



'Options for Growth' in 2011. This was all done at an HMA level, commissioning the work and consulting on options jointly.

- 3.7 Following this, further work was carried out to confirm the OANs of each authority and the HMA as a whole. A detailed assessment of Derby's sustainable and deliverable capacity has also been undertaken. This confirmed the general conclusions of the RSS that Derby could not meet all of its needs within the City's boundaries.
- 3.8 Discussions between the three HMA authorities to determine how to meet Derby's unmet need in Amber Valley and South Derbyshire have continued throughout the plan-making process at both officer level and JAB level. This has resulted in agreed housing targets for the three authorities. This evidence and resulting agreements informed each authority's 'Preferred Growth Strategy' (PGS) which were all consulted on in 2012 and subsequent Draft and Publication Plans. As will be illustrated below, the principles established at the PGS stage have remained in place throughout.

### **Developing the Housing Strategy**

- 3.9 The Strategic Housing Land Availability Assessment (SHLAA) has underpinned much of the evidence relating to the 'supply' side of the Council's strategy. The methodology for this was developed in partnership by the four HMA authorities to ensure a consistent approach across the HMA and was endorsed by the Derby Housing Market Area Local Housing Partnership (LHP). This group contains a mix of public and private sector members. The methodology for assessing sites is based on CLG guidance.
- 3.10 A SHLAA Steering Group (which is a sub group of the LHP) was established at the outset; membership consisted of representatives from the HMA authorities and key stakeholders such as the HCA, Home Builders Federation, developers, land owners, property agents, housing associations and Councillors. The SHLAA therefore, is based on an agreed and consistent methodology and has 'buy-in' from a wide range of relevant organisations. This has been particularly important in the identification of cross boundary opportunities.
- 3.11 Prior to the Preferred Growth Strategy (PGS) consultation, an assessment of all the potential site allocations was undertaken. Each authority produced its own consultation document however there was a constant dialogue between Officers to ensure the cross boundary sites were assessed consistently. To support the PGS consultation, the Council published a Site Summary Compendium. The document pulled together all of the information the Council had gathered for each strategic site. Input from Officers from Amber Valley and South Derbyshire was essential for the cross-boundary sites.
- 3.12 In light of the large amounts of development planned to take place adjacent to the City, particularly in South Derbyshire, numerous

meetings have been held between 'specialist' officers from the different service areas of the two Councils. A good example of this is the liaison between the City's Urban Design Officer and SD's Design Excellence Officer over the form and nature of development on cross boundary sites. Equally, discussions have been held between the two authorities' parks and recreation officers to agree an approach to provision of facilities across the border.

- 3.13 The meetings have ensured coherence between the policy approach to be taken in the two local authorities, eliminating potential conflicts and contradictions as far as possible. In addition, the Council continues to liaise with South Derbyshire and developers to address any cross-boundary issues affecting strategic sites. This is serving to ensure development is of an appropriate quality; meeting the requirements of both authorities.

### **HMA Housing Issues: Amber Valley Borough Council and South Derbyshire District Council Examinations**

- 3.14 As noted in Section 2, the strategies of Amber Valley and South Derbyshire have already started to be examined. In terms of the DtC perhaps the biggest issues to be considered has been the calculation of the OAN and the meeting of Derby's 'unmet needs' in the remainder of the HMA.
- 3.15 In a letter dated 12 May 2014, the Inspector examining Amber Valley's Local Plan Part 1 Core Strategy set out a number of concerns regarding their plan and, significantly, the objectively assessed housing need. He indicated that the figure should be 33,388 – which represented an increase on the previous figure of just under 1,500 units.
- 3.16 In his letter, the Inspector stated that his adjusted figures *“will require the HMA authorities to revisit the Duty-to-Cooperate (DtC) to review the way in which the City of Derby’s increased unmet needs should be distributed between Amber Valley and South Derbyshire, bearing in mind agreement that Derby’s ability to meet its own needs is capped by its fixed physical capacity”*.
- 3.17 Following the publication of the Inspector's letter, the HMA Co-ordination Group held regular fortnightly meetings where officers discussed the ramifications of the Inspector's letter and develop a HMA response to the recommendations. On the 30 May 2014, Derby City Council sent a letter to Amber Valley and South Derbyshire confirming, following additional work undertaken by officers, *“that in order to progress a sustainable, deliverable and, above all, ‘sound’ plan, we do not believe that we are in a position to increase our housing target above what has been previously agreed”*.
- 3.18 Amber Valley subsequently confirmed that, based on additional work they had undertaken, they resolved to consult on a change to their

strategy that would be able to meet the increase suggested by the Inspector. This would ensure that the overall HMA OAN would continue to be met (and help to ensure AVBC had a five year supply of deliverable housing sites). Following further consultation, a revised AVBC strategy resulted in an overall HMA provision figure of just under 400 'short' of the overall HMA OAN.

- 3.19 Notwithstanding this, both Amber Valley Borough Council and South Derbyshire District Council continued to agree that Derby cannot meet its need within its administrative boundary and that they would work together to meet the shortfall. This is reiterated in Amber Valley's report to Full Council on the 23 July 2014<sup>6</sup> and South Derbyshire's report to Full Council on the 3 July 2014<sup>7</sup>.
- 3.20 South Derbyshire's Core Strategy was examined in November and December 2014. A joint hearing with Amber Valley took place on 25<sup>th</sup> November – which the City in attendance – to consider HMA OAN issues once again. Although evidence had been presented which indicated a lower OAN figure was justifiable, on 10<sup>th</sup> December 2014, a joint statement from the Inspectors was issued which stated that they were satisfied with previously agreed figure of 33,388. The City's 'apportionment' of this was 16,388.
- 3.21 It is worth noting that, at no point, did the Inspectors query whether the DtC had been met. However, the Inspectors did raise some concerns about how the apportionment of 'unmet needs' between the districts had been agreed and wished to see further evidence produced. The three authorities are working together toward producing a joint appraisal of options for meeting unmet needs outside the City.
- 3.22 The first step in this has been the re-assessment of Derby's 'capacity cap' to give comfort to the other HMA authorities and the Inspectors. This exercise has been carried out to the satisfaction of both districts, who continue to be happy that Derby's deliverable and sustainable capacity is 11,000 dwellings. This was considered at a Joint hearing of Amber Valley and South Derbyshire's Examinations on 23<sup>rd</sup> October 2015. The issue of Derby's 'cap' was discussed at this hearing and no concerns were raised by any parties as to its validity.
- 3.23 The City Council's assertion that there is a limit to how much development can be accommodated was also recognised and accepted in a report presented to Amber Valley's Full Council on 15 July 2015<sup>8</sup>. While this report recommended amendments to Amber

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<sup>6</sup> <http://www.ambervalley.gov.uk/council-and-democracy/councillors,-democracy-and-elections/council-meetings/committee-documents.aspx?CommitteeRef=CNL&MeetingRef=1808>

<sup>7</sup> <http://tinyurl.com/prrxddy>

<sup>8</sup> <http://www.ambervalley.gov.uk/council-and-democracy/councillors,-democracy-and-elections/council-meetings/committee-documents.aspx?CommitteeRef=CNL&MeetingRef=1870>

Valley's strategic allocations, it re-affirmed their commitment to meeting a share of Derby's unmet needs. This position was also re-affirmed at Full Council meetings on 16 September 2015 and 18 November 2015 where the target of 9,770 continued to be confirmed. All three parties have also signed up to a Statement of Joint Working' (see page 63), which sets out their continuing commitment to meeting the above OAHN and the apportionment between the three authority areas. This was signed in early December.

- 3.24 On 11 December 2015, Amber Valley formally withdrew their Core Strategy, on the basis that it was no longer confident that it could demonstrate a 5 year supply of deliverable housing land. At the time of Submitting Derby's Core Strategy, there was nothing to suggest that the standing agreements relating to the OAHN of the HMA or the apportionment between the districts would no longer be in place as a result of this. As such, the City considered that, in terms of the 'duty', there was no reason not to progress to Submission.
- 3.25 This continues to demonstrate the long-term commitment of the three authorities to meeting the requirements of the DtC and that we are collectively approaching a difficult issue in a sensible manner.

### **Engaging with other Local Authorities**

- 3.26 The HMA authorities recognise the need to co-operate with authorities outside of the market area. Discussions are regularly held the Greater Nottinghamshire HMA regarding the provision of housing. In particular this focussed on the City's neighbour, Erewash Borough Council.
- 3.27 Through formal and informal discussions with Erewash Borough Council, it has been established that they did not require any assistance from the Derby HMA to help meet their objectively assessed need or the provision of employment land. Equally, it has been agreed that there is no requirement for Derby HMA housing needs to be met in Erewash or any other part of the Greater Nottingham HMA at this time.
- 3.28 Through the draft Core Strategy consultation, representations were received from both Erewash Borough Council and Nottingham City Council (who represented the remaining Greater Nottingham HMA authorities) stating their support for Derby's Strategy. In the case of Erewash Borough Council, they recognised that Derby cannot meet its objectively assessed needs within its boundary and particularly supported the creation of sustainable urban extensions in South Derbyshire.
- 3.29 It should be noted that the Erewash Core Strategy was formally adopted at a meeting of Full Council on Thursday 6 March 2014 and contains no potential for significant cross boundary impacts on housing delivery, economic growth, Green Belt and highways for the City.

- 3.30 On-going discussions with East Staffordshire District Council have been taking place through the HMA co-ordination group. These have confirmed that HMA did not require East Staffordshire to meet any of their unmet housing need or vice-versa. East Staffordshire's Plan is currently at Examination. There has been no suggestion that the DtC has not been met in terms of the Derby HMA or the City itself.
- 3.31 Derbyshire Dales have recently withdrawn their Core Strategy and are in the process of developing a revised evidence base. At this stage there has been no suggestion that the City would be asked to assist in meeting their needs, though as evidenced elsewhere, the City would not be able to owing to its own capacity constraints. Discussions with Derbyshire Dales are continuing through the HMA co-ordination group as and when necessary.
- 3.32 There has been no requirement to liaise with any other local authorities over issues of housing need or distribution.

### **Gypsy and Traveller Accommodation**

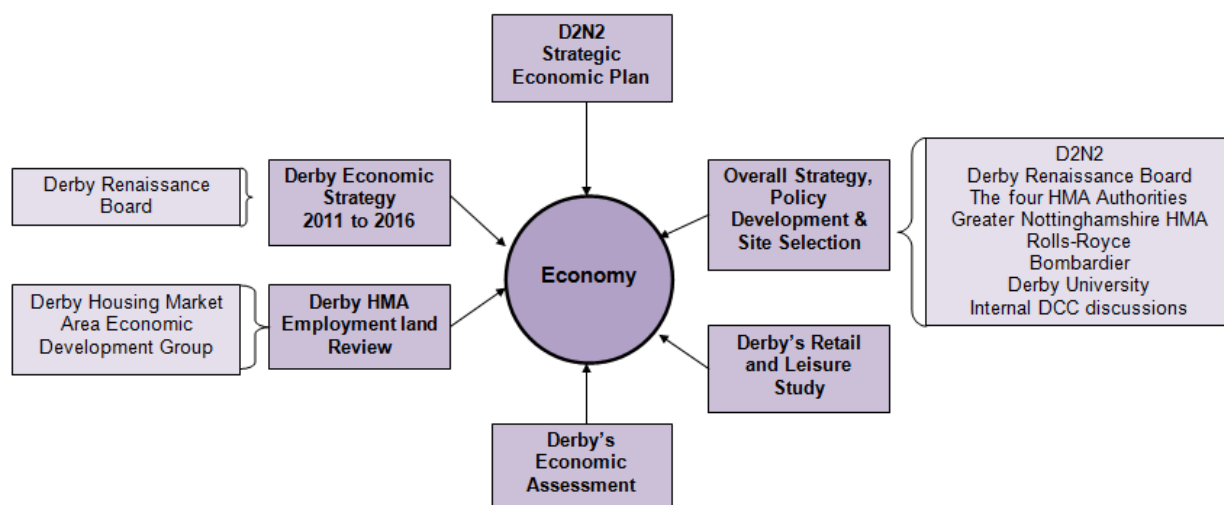
- 3.33 The NPPF and Planning Policy for Traveller Sites<sup>9</sup> require local planning authorities to carry out assessments of the future accommodation needs of Gypsies and Travellers, known as Gypsy and Traveller Accommodation Assessments (GTAA). A collaborative approach has been adopted to meeting this requirement with other local authorities and partner organisations.
- 3.34 The 'Derbyshire Travellers Issues Working Group' commissioned the first GTAA for Derbyshire in 2008. Membership was made up of all local authorities in Derbyshire, the Primary Care Trust, Derbyshire Constabulary, East Midlands Regional Assembly, Government Office for the East Midlands and the Derbyshire Gypsy Liaison Group.
- 3.35 A refresh of the GTAA, was commissioned in 2013 by Derbyshire County Council. Members of the Steering Group were drawn from all local authorities in Derbyshire, Derby City Council, East Staffordshire Borough Council and the Peak District National Park Authority working with the Derbyshire Gypsy Liaison Group. This was published in the autumn of 2015.

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf)

## Economy



- 3.36 Building upon the aspirations of both D2N2's Strategic Economic Plan and the Council's Economic Strategy, the Core Strategy aims to support a thriving local economy, deliver new employment uses and sustaining a vibrant City Centre

## Employment Land Issues

- 3.37 There is a high degree of economic inter-dependence between the three HMA authorities and Erewash Borough Council. Derby provides local employment opportunities with major employers including Rolls-Royce, Bombardier and the University. South Derbyshire is home to Toyota, which has a significant impact on the local economy and will draw a large number of its workforce from the City. The importance of the City is recognised in Derby's Economic Assessment which states that "*Derby is relatively self-contained with 74% of the city's working residents working in Derby*". It continues by stating that "*South Derbyshire provides the largest proportion of inward commuting to the city, followed by Amber Valley and Erewash*". There are clear inter-relationships and cross boundary strategic issues to consider.
- 3.38 The PPG notes that Local Enterprise Partnerships (LEP) are not subject to the requirements of the DtC but local planning authorities must co-operate with the LEP and have regard to their activities when they are preparing Local Plans. The relevant LEP to Derby is the D2N2 partnership, made up of Derbyshire and Nottinghamshire authorities. Since its creation, the HMA has actively approached the LEP for discussion on strategic planning issues. The LEP is also consulted as a matter of course through each consultation and has had ample opportunity to comment on the emerging strategy. However, at the time of publishing this statement, the Council has not been able to open an on-going dialogue with the LEP regarding the Core Strategy.
- 3.39 Notwithstanding this, the aims and aspirations of D2N2 have been embedded in the strategic aims of the plan. There has also been



extensive dialogue between senior Council officers and D2N2 as part of the 'Growth Deal 2' funding stream, where the Council has made bids for funding for key infrastructure projects for the City. In this instance, the Council considers that the required outcomes of the DtC have been achieved.

- 3.40 The City Council has actively engaged with the Derby Renaissance Board (DRB). The DRB is the lead partnership body for economic development, comprising senior figures from business, public and voluntary sector organisations across the City. The implementation of Derby's Economic Strategy 2011-2016 is being overseen by the Derby Renaissance Board and its key objectives have been incorporated into the Core Strategy.
- 3.41 Planning and Economic Development officers from the HMA authorities established the HMA 'Economic Development Group' to cooperate in the production of a joint employment evidence base. A joint study by independent consultants, the BE Group, was commissioned to assess the supply, need and demand for employment land and premises in the HMA to 2026. The study, known as the Derby HMA Employment Land Review (2009) comprised an assessment of the area's economy to inform the quantity, locations and types of employment land and premises required to facilitate its development and growth; a review of the established portfolio of employment land and premises and recommendations on the future allocation of employment land and premises to maintain the study area's economic growth.
- 3.42 To take account of the revised housing targets, the HMA jointly commissioned GL Hearn to review the forecasts of employment land need. The forecasts were published in 2013. These bring the requirements up-to-date and reflect the new plan period.
- 3.43 The HMA wide forecast of employment land need that emerged formed the basis for the determination of the quantum of land to be identified in the area, the remainder of Amber Valley Borough and the remainder of South Derbyshire District. The resulting strategy reflects the broad apportionment of housing growth in the HMA and reflects the aim of balancing new dwellings and jobs in the interests of sustainability. This is clear evidence of a coordinated approach to sustainable economic growth.

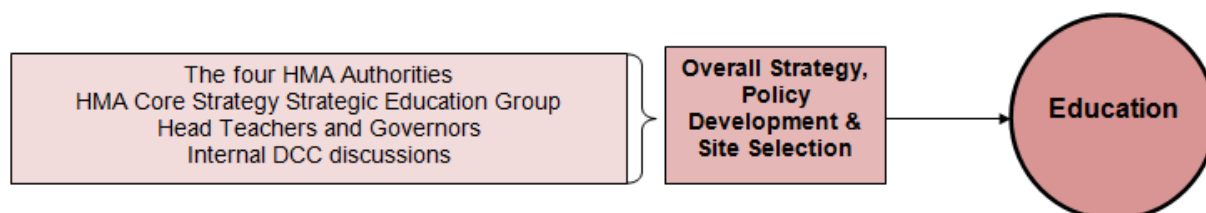
## **Retail**

- 3.44 Although retail isn't necessarily a HMA issue, the Council recognises that the City's retail catchment extends beyond the City's boundary and, as such, has engaged with a wide range of stakeholders to help in the development of the relevant Core Strategy policies.
- 3.45 Prior to the publication of the draft Core Strategy, a consultation was undertaken in the autumn of 2012 to help the Council formulate its policies on the role and function of the City's retail centres. Statutory

bodies, local organisations and other interested parties were invited to submit comments in line with the SCI.

- 3.46 Officers from the City Council also sit on the 'Vibrant Centre Board'. This group consists of the Council (including planning, regeneration and 'Derby LIVE' officers), the two 'Business Improvement Districts (BIDs), intu (the operator of the main shopping centre) and local agents and businesses. This group oversees the management of the City Centre. The emerging retail and leisure strategy for the City has been considered by this group (or its forbears) at every stage in the process. This engagement has had a particular influence on policies relating to the future of shopping frontages and the mix of uses allowed in the Centre. It has also influenced the approach to city centre parking and out-of-centre retail and leisure provision.

## Education



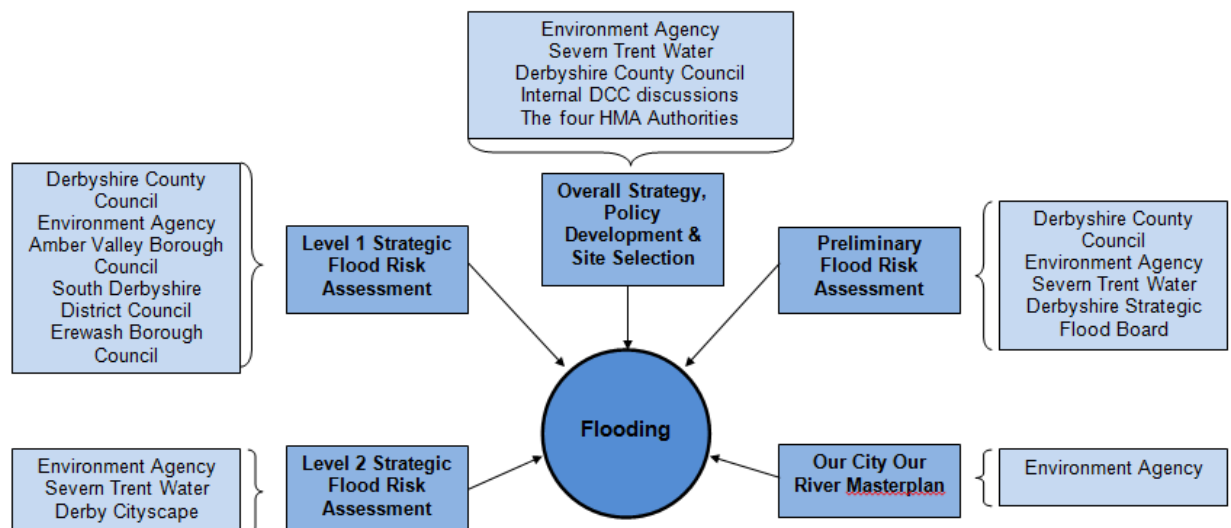
- 3.47 Due to cross-boundary housing provision, particularly between Derby City and South Derbyshire, close joint working between the education and planning authorities has been essential in identifying and quantifying pressures and needs over the plan period.
- 3.48 Strategic education issues were initially discussed at 'special' Derby HMA Core Strategy Co-ordination Group Meetings. It was noted early on, however, that the school place planning issues facing the HMA were significant and needed a more focussed approach. A new HMA Core Strategy Strategic Education Issues (CSSEI) Group was established in March 2012.
- 3.49 The CSSEI Group comprises of representatives from the City and County Council's Education Departments and planners from the four HMA authorities. Typically the group meet at regular, monthly intervals.
- 3.50 Throughout the plan making process there has been a continuous dialogue between the planning and education functions of the HMA authorities to consider the impact the strategy would have on pupil numbers and the need for new or extended schools. This has been an iterative process and the results are set out in the HMA Education Position Statement and have informed the development of the respective strategies. Both the City and County Councils, as Local Education Authorities, have taken reports to their respective Cabinet's outlining the developing School Place Planning Strategy. Essentially, the growth in and around the City is generating a need for eight new primary schools, extensions to a number of existing primary and



secondary schools across the area and a new secondary school in South Derbyshire. This has been agreed through on-going and successful cooperation between authorities.

- 3.51 As well as the on-going dialogue with the authorities there have also been discussions with the head teachers and Governors of the secondary schools serving the southern Derby edge, located both in the City and County. This is to ensure that they are aware of the housing growth being proposed and the impact that will have in terms of pupil numbers and the need for a new secondary school in the middle part of the Local Plan period.
- 3.52 At key stages of Core Strategy preparation joint papers have been produced outlining the HMA's understanding of education issues in the three authorities based on the continuing development of our evidence base. The County and City Council's Education Departments were involved in writing these papers and an agreed strategy exists.
- 3.53 Discussions have continued with officers from the two education authorities and head teachers after our HMA partners submitted their Local Plans to the Secretary of State. It is recognised that the adoption of the plan does not end the need to continue discussions on this important issue and that delivering the school places required to support growth will be equally as important. Policies in both plans allow for this issue to be addressed over time.

## Flooding and Drainage



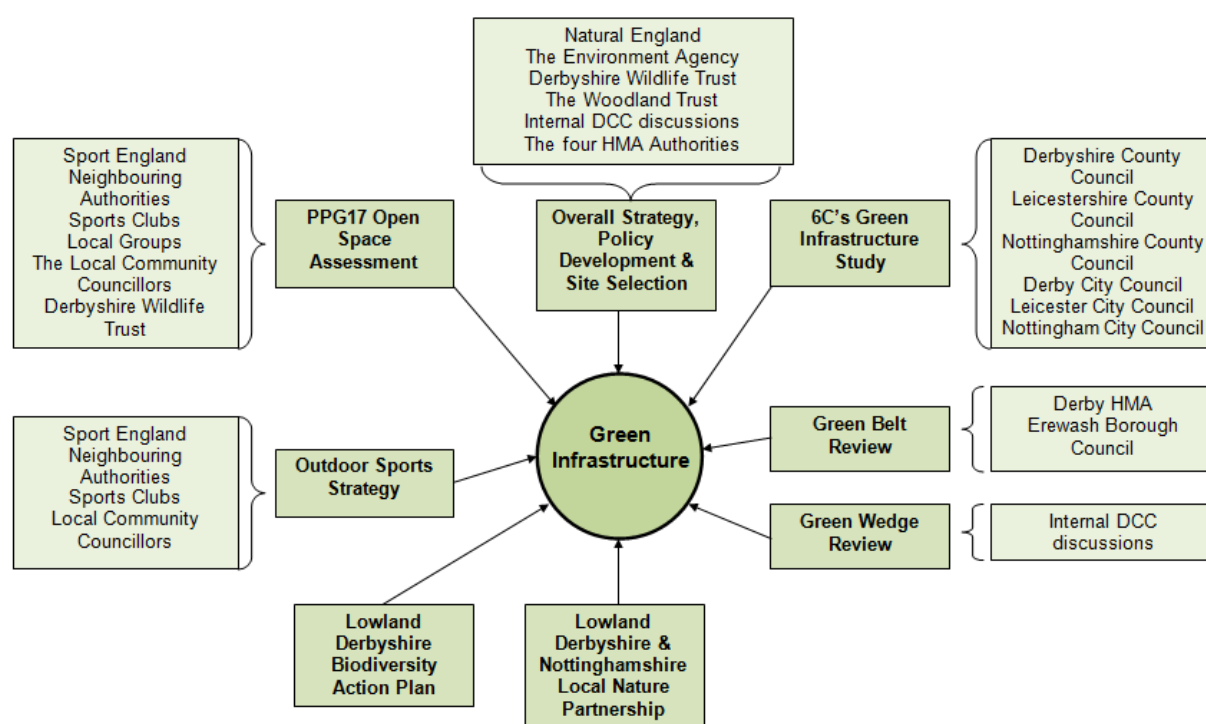
- 3.54 One of the major impacts of a changing climate is an increased risk of flooding either from raised watercourse levels or from problems related to the inability of water to drain effectively. Both of these issues are particularly relevant in Derby because of its urban nature. Indeed, significant parts of the City, including some of the City Centre, are at an

increased risk from flooding. The NPPF, paragraph 99, requires Local Plans to take account of climate change, which includes factors such as flood risk and steer new development away to areas at a lower risk of flooding.

- 3.55 The 'Our City, Our River' (OCOR) project aims to reduce the risk of flooding in Derby by creating new flood defences set back which will create a wider corridor to allow the rapid conveyance of water through the City during extreme flood events. The Masterplan for the scheme was developed in conjunction with the EA, other partners and through consultation with the local community. The Core Strategy supports the implementation of this multi-agency scheme.
- 3.56 The City Council's 'Level 1' Strategic Flood Risk Assessment (SFRA1) was written by the Council's Land Drainage Team but was undertaken in conjunction with Officers from the County Council and formally agreed by the EA. Agreement was sought from Amber Valley Borough Council, Erewash Borough Council and South Derbyshire District Council as the City's SFRA1 indicated its understanding of the various flood zones beyond its administrative boundary. This is particularly important in the context of cross boundary site allocations. Officers from relevant authorities have worked with the EA and developers to ensure the policies for the sites are appropriate and where proposals are coming forward, the interests of both Councils are being protected.
- 3.57 A 'Level 2' SFRA was undertaken for three key development sites in the City. The Study was funded by the East Midlands Development Agency and undertaken in partnership with the EA, Derby Cityscape and Severn Trent Water. This has influenced the resulting policies for sites identified and provided comfort that they developable.
- 3.58 At key stages of the Core Strategy joint 'position papers' have been produced outlining the HMA's understanding of water issues in the three authorities based on the continuing development of our evidence base. In all cases, comments from the EA and Severn Trent Water were sought prior to publication.
- 3.59 Input from the Council's Land Drainage Team and discussions with the EA have helped refine the Core Strategy policies relating to the OCOR Masterplan, flooding and sustainable drainage measures in addition to help refine the site-specific policies. The EA have been seen as a particularly important partner in ensuring the policies and strategy is appropriate in the context of the NPPF. All appropriate 'DtC' measures have been taken to ensure cross boundary drainage issues are being adequately addressed, both strategically and on a site-by-site basis. Where necessary, all relevant site policies contain specific measures to address flooding and drainage issues.
- 3.60 On-going discussions with Severn Trent have ensured that the company has begun developing a strategy to address the issues

affecting the City, especially the disposal of waste water. The results have been incorporated in to the Council's Infrastructure Delivery Plan.

## Green Infrastructure



- 3.61 The protection and enhancement of the City's Green Infrastructure network is a key element in promoting a sustainable city. Green Infrastructure, in all its forms enhances biodiversity, helps promote healthy communities, helps to address the impact of climate change and provides an environment which makes the City attractive for future investment. The Core Strategy recognises that the provision of GI should not be limited to the City itself but that Derby can play an important role in improving GI at the regional and sub-regional level.
- 3.62 The Green Belt in and around Derby covers four local authority administrative areas including Amber Valley Borough, Derby City itself, Erewash Borough and South Derbyshire District. A comprehensive review was undertaken as part of the East Midlands Regional Plan review, carried out by Officers from Derbyshire and Nottinghamshire County Councils. Officers from Derbyshire County Council, the three Derby HMA authorities and Erewash Borough Council, jointly carried out a Technical Assessment of the Derby PUA Green Belt Purposes in 2012. The assessment comprised a detailed analysis of five broad areas of the Nottingham - Derby Green Belt to the north-west, north, north-east, east and south-east of Derby's urban area. It was carried out to inform Green Belt policy in each of the four authority's Local Plans; to inform decisions made by the authorities about the most appropriate locations for growth; and to identify if there were any areas of the Green Belt where further consideration needed to be given to

possible review of boundaries or the possibility of identifying 'safeguarded land'.

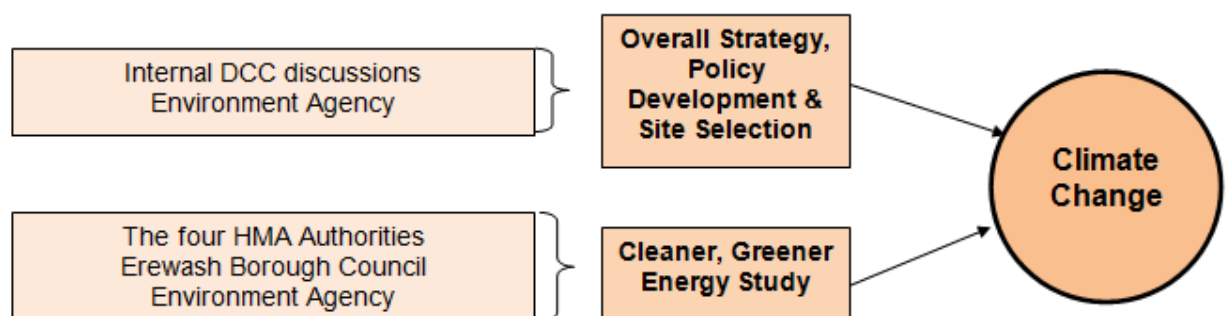
- 3.63 The findings ensured that the Council will, through the Core Strategy, continue to protect Green Belt within the City from inappropriate development; in addition the Study has ensured that Erewash Borough Council has developed an approved strategy which will not result in development occurring to the east and north of the City.
- 3.64 It was recognised that the three cities of Derby, Leicester and Nottingham and the three counties of Derbyshire, Leicestershire and Nottinghamshire will see a large amount of growth in the next few decades. Consultants were commissioned to provide a long-term vision and action plan for the delivery of green infrastructure across the area. To oversee the project, a Strategic GI Board was established containing representatives from English Heritage, the EA and Natural England. The resultant 6C's Green Infrastructure Strategy provides a framework for all those working to plan and deliver sustainable development and Green Infrastructure delivery in particular, within the sub-region and elsewhere around the East Midlands Region.
- 3.65 At the 'Options' Stage a joint paper was produced outlining the HMA's understanding of green infrastructure issues in the three authorities based on the continuing development of our evidence base. This was followed up in the autumn of 2012 with a specific consultation on green infrastructure. This was carried out to help the Council formulate its policies on green infrastructure, open space and biodiversity. Statutory bodies, local organisations and other interested parties were invited to submit comments. Natural England welcomed the Council's recognition of the role green space plays in people's lives. Their response also reiterated the importance Green Infrastructure play in creating sustainable communities. The responses helped the Council develop the Core Strategy policies, specifically Policy CP17: Public Green Space. For example, the policy retains the standard for the amount of open space set out in the adopted Local Plan and ensures that different types of open space is provided through new development.
- 3.66 The Council has also liaised with Natural England, the EA, Derbyshire Wildlife Trust and the Woodland Trust in preparing general policies on biodiversity and green infrastructure included in the Plan prior to its publication.
- 3.67 The PPG notes that Local Nature Partnerships (LNPs) are not subject to the requirements of the DtC but local planning authorities must co-operate with the LNP and have regard to activities when they are preparing Local Plans. Since its creation, the City Council has actively approached the LNP, in this case the Lowland Derbyshire & Nottinghamshire Local Nature Partnership, however the Council has not been able to open dialogue with the organisation. It should be

noted that the LNP recognises the importance of the DtC but states on their website<sup>10</sup> that:

*"Although LNPs have been assigned a 'duty to co-operate', at the present time the Lowland Derbyshire and Nottinghamshire Local Nature Partnership does not have the capacity to work with all the relevant local authorities on their emerging Local Plans. However, we have begun to give ad hoc feedback and are currently preparing a planning response policy".*

- 3.68 Notwithstanding the issues over engaging with the LNP, the aims and aspirations of the LNP have been embedded in the strategic aims of the Core Strategy. For example by improving habitats and increasing biodiversity, by improving people's health and wellbeing through access to the natural environment and by creating opportunities for sustainable economic development. These principles are upheld in a number of policies throughout the plan.
- 3.69 Sport England was a key contributor to the Council's PPG17 Open Space Study and the draft. 'Outdoor Sports Strategy' which is to be published later this year. Guidance published by Sport England provided the foundation for the study whilst regular meetings have been held to ensure that they are happy with the process and outcomes.
- 3.70 On-going discussions with the Council's Natural Environment and Leisure Teams, plus informal discussions with the EA and Derbyshire Wildlife Trust have helped refine the Core Strategy's policies on green infrastructure, open space, sport and recreation and biodiversity. These policies have been generally accepted and supported by these 'prescribed bodies'.

## Climate Change



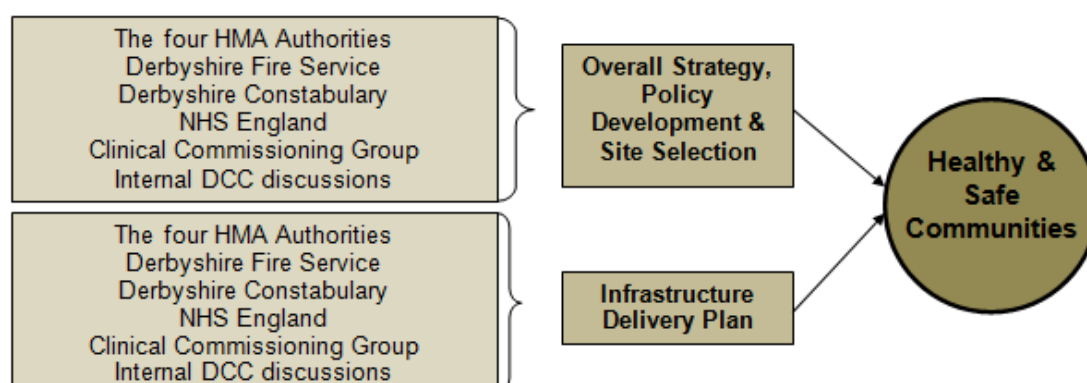
- 3.71 The NPPF recognises that planning plays an important role in helping to reduce greenhouse gasses, providing resilience to the impacts of climate change and supporting the delivery of renewable energy and low carbon infrastructure. Although this is a cross-cutting theme in the Core Strategy; encompassing, for example, transport and green

<sup>10</sup> <http://ldnlnp.org/duty/>

infrastructure, the Council has worked with various agencies to ensure that the impact of climate change is addressed in the Core Strategy. This is not an issue specific to the City therefore the Council has worked with its HMA partners to ensure consistency across the aligned Core Strategies.

- 3.72 The 'Cleaner Greener Energy Study' was undertaken on behalf of the four HMA authorities and Erewash Borough Council to provide an evidence base for each respective Core Strategy. This was published in 2009. As part of the study, recommendations on key carbon reduction opportunities, which included analysis of options for the delivery of renewable energy generation, were made and used to inform the Council's strategy.
- 3.73 Input from the Council's Climate Change Team and informal discussions with the EA have helped refine the Core Strategy policies. They are considered to be consistent with the requirements of the NPPF.

## Healthy and Safe Communities



- 3.74 It is recognised that the amount of development, especially the HMA's aim to build a number of sustainable urban extensions, will impact on the emergency services and on health provision such as doctors, pharmacies and opticians. This diagram above indicates the organisations that have had an input into the Core Strategy and the supporting evidence base.
- 3.75 All three emergency services and health providers (initially the Primary Care Trust and latterly NHS England and the Southern Derbyshire Clinical Commissioning Group) were invited to submit comments at each consultation stage and the responses received are contained within the Council's Statement of Consultation and the Regulation 19 Statement of Consultation and Publicity.
- 3.76 A representative from the Derbyshire Fire and Rescue Service has regularly attended meetings of the Derby City Partnership Infrastructure Planning Group. An Officer from the Fire Service has



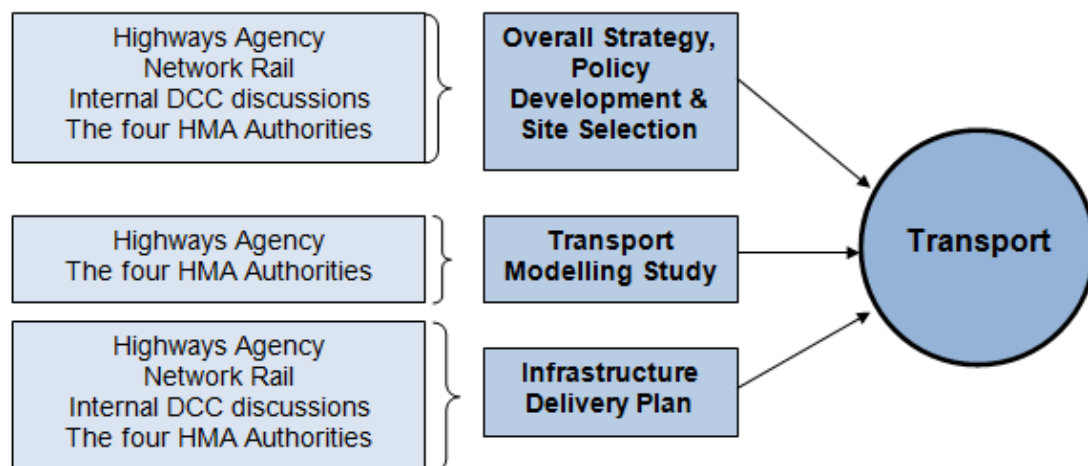
attended any workshops run by the Council as part of a consultation. In addition, regular face-to-face meetings have been held with the Fire Service to determine the impact our strategy would have on their service and to understand their asset rationalisation programme. Information provided by the Fire Service has been incorporated into the IDP. In addition, the Core Strategy recognises the importance of the Fire Service's campaign to incorporate sprinklers into domestic properties by making reference in Policy CP3.

- 3.77 Officers have discussed the impact of growth with Derbyshire Constabulary. The relevant officer at the constabulary has been kept updated at each subsequent consultation stage about the scale and location of growth. Information provided by the Police has helped to inform the IDP.
- 3.78 The City Council, and the other HMA authorities, have actively approached East Midlands Ambulance Service on numerous occasions, but to date, have not been able to open dialogue with the service. Notwithstanding this issue, the Ambulance Service's recent proposals to improve service delivery have been recognised in the IDP.
- 3.79 The Primary Care Trust (PCT), and its successor the Clinical Commissioning Group (CCG) were invited to submit comments at each consultation stage. In addition, representatives were invited to attend various workshops held as part of certain consultations. Following on from this, detailed discussions have been held with representatives from NHS England, the Southern Derbyshire Clinical Commissioning Group, representatives from the Local Doctor Board to determine the impact the growth strategy will have on Primary Care, Pharmacy and Dental provision. They have valued this interaction in terms of identifying their requirements and spending priorities.
- 3.80 Information was provided by the City Council to assist the CCG in the development of their Strategic Estates Plan which aims to identify key priorities and provide a process for supporting health care providers to meet the demands of changing population in the short, medium and long term.
- 3.81 Since 2013, officers have regularly met with colleagues from the Council's Public Health Team, initially to determine the location of health facilities in the City and to understand the impact development may have on current provision. More recently, discussions have been held to ensure that the Core Strategy supported the Council's emerging Obesity Strategy; particularly creating opportunities to address the impact of the obesogenic environment, for example the promotion of walking, cycling and the protection of open space.
- 3.82 Officers have also been key contributors to Derbyshire County Council's Planning and Health Group. The aim of the group is to create a Derbyshire Planning and Health Delivery Plan. The aim of this

plan is to ensure a collaborative approach to planning and health by improving health and quality of life and address health inequalities.

- 3.83 It should be noted that, although the Council believes that it has actively sought to engage with the relevant organisations; limited information has been provided by the East Midlands Ambulance Service, NHS England and the Southern Derbyshire Clinical Commissioning Group to assist the Council to understand the impact of development. Indeed, a holding email received on the 23 April 2014 from NHS England stated that, due to resources, a detailed response would not be provided. As noted above, this situation is now improving with more regular and constructive dialogue taking place and the nature of the policies in the plan dictates that the interests and requirements of the healthcare providers can be accommodated. This dialogue will, however, be particularly helpful in the implementation of said policies.

## Transport



- 3.84 Implementation of the growth strategy contained in the Core Strategy will, inevitably, create an additional burden on the City's transport network. The aim of the Core Strategy is to deliver a safe, sustainable and efficient transport network by implementing a range of different transport infrastructure projects. It was important to ensure, therefore, that early and on-going discussions with relevant prescribed bodies and local organisations took place to inform the plan's policies. This is reflected in particular by Policy CP24, which states that the Council will support and facilitate the implementation of transport projects that will be implemented by bodies other than the Council – in particular the Highways Agency and Network Rail. This is indicative of our cooperative approach.
- 3.85 The diagram above indicates the various agencies that have had an input into both the development of the Core Strategy and the supporting evidence base.

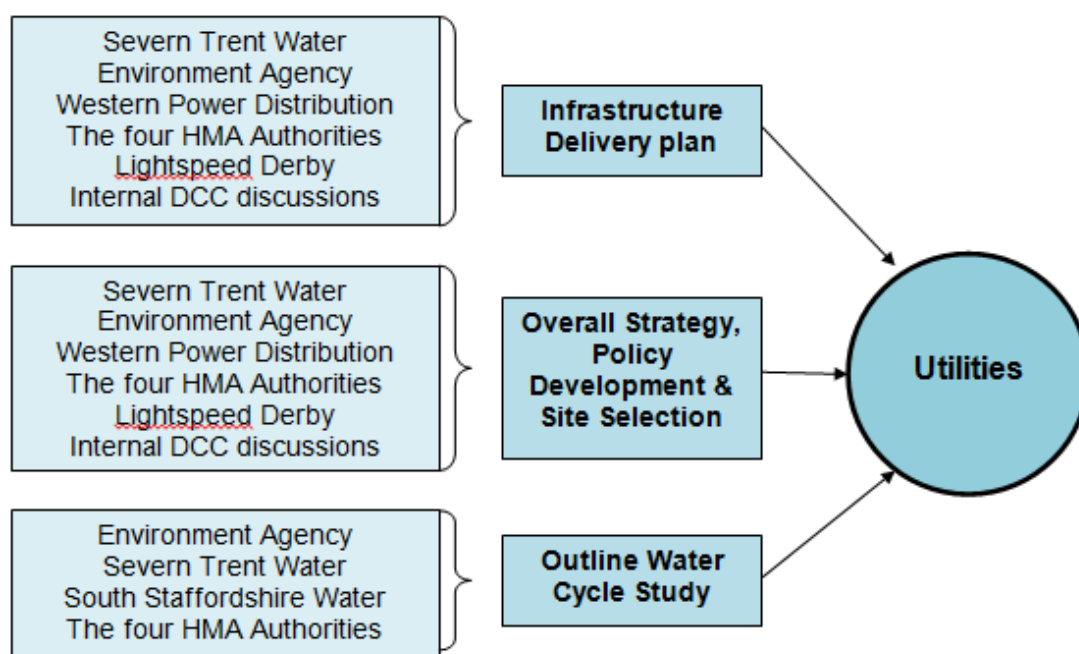


- 3.86 Highways England has been heavily involved in the process throughout. They are part of the HMA Transport Group, established to consider strategic transport issues and modelling methodologies. This group also includes all planning authorities in the HMA and representatives from both highway authorities. The HA have provided a great amount of technical assistance. They have assisted in determining the impacts on the Strategic Road Network (SRN) of potential new development sites and mitigation measures needed to reduce any adverse impacts to an acceptable level.
- 3.87 The MVA (now Systra) Transport Modelling Study (2009 to present) has been undertaken by consultants to assess the impact of development on the road infrastructure. The Steering Group for this project includes representatives from Highways England and the relevant Highways Authorities. This has been an iterative process, with different strategic testing taking place at each stage in the process. Initial modelling encompassed the area within the Derby Urban Area, comprising the City and adjoining land. This informed the most appropriate locations for development around the City and what mitigation would be needed. This also, therefore, informed the IDP. A second stage addressed the areas of Amber Valley and South Derbyshire District lying beyond the Derby Urban Area. The final test will consider the final strategies of each authority to confirm that they are robust and acceptable.
- 3.88 In addition to the MVA/Systra Study, officers from the HMA authorities have regularly met with representatives from Highways England to discuss the impact of the growth strategy on the strategic road network, especially the A38 and A50. The incorporation of the HA's projects into Council modelling and strategy development illustrates a joined up approach to transport. The HA's schemes – particularly the grade separation of the A38 junctions through the City – dovetail with, and help facilitate, the growth strategies of the HMA authorities. The HA have also shown support for other large infrastructure projects, such as the 'South Derby Integrated Transport Link' (SDITL).
- 3.89 Highways England and Local Authorities in the D2N2 area (which includes Derby City) meet several times a year to discuss matters of common interest with respect to economic growth and transport.
- 3.90 Network Rail has been involved in the preparation of the plan as both a major landowner and infrastructure/service provider. Formal discussions have led to a number of specific policy objectives and requirements. Transport policies make specific references to Network Rail priorities on electrification of the Midland Mainline and level crossings and safety. As such, the Council can be seen as facilitators of Network Rail's wider objectives.
- 3.91 Prior to the publication of the draft Local Plan, a consultation was undertaken in the autumn of 2012 to help the Council formulate its

approach to parking and parking standards. Statutory bodies, local organisations and other interested parties were invited to submit comments. The need for this consultation stemmed from discussions with local businesses and the Vibrant City Board who highlighted parking as a key constraint to office development within the City Centre. Being responsive to this, the Council agreed to consider the issue of standards through the Core Strategy process. This has resulted in a proposed change in approach, with standards in the City being relaxed

- 3.92 At key stages of the Core Strategy position papers have been produced outlining the HMA's understanding of transport issues in the three authorities based on the continuing development of our evidence base.

## Utilities



- 3.93 The provision of utilities such as water, gas, electricity and telecommunications are an essential part of every development and providers were engaged either through the development of the Core Strategy or in the production of the Infrastructure Delivery Plan. Through this process, utility companies were made aware of the City's growth strategy and, as a result, could ensure that future funding and work programmes could be updated accordingly.
- 3.94 Utility companies were invited to submit comments at each consultation stage and approached in the development of the Infrastructure Delivery Plan (IDP).
- 3.95 A number of meetings have been held between Western Power Distribution and the HMA Authorities. The purpose of these meetings

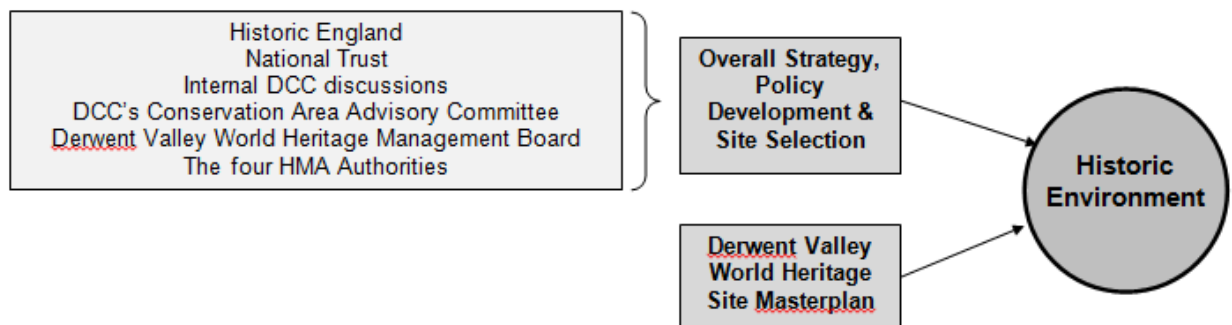
was to identify the potential effects that proposed growth could have on the electricity supply network and identify any strategic or local mitigation required to support growth to 2028. As a result Western Power were able to provide information which indicated the cumulative effect the growth strategy would have on their network in addition to the possible mitigation measures needed. These meetings also served to inform Western Power Distribution of the scale and location of growth and help inform their own asset management programme. These discussions are reflected in the IDP.

- 3.96 No meetings have been held between the HMA Authorities and Transco which operate the local gas supply network. The partner authorities have also approached National Grid on numerous occasions, but to date have not been able to encourage formal engagement. Transco have, however, submitted formal consultation responses to the City Council. Therefore, the plan has been formulated with their input.
- 3.97 An Outline 'Water Cycle Study' was commissioned by the HMA authorities in 2010. The study sought to ascertain the impact of future development on water supply and the treatment of waste water. Severn Trent Water, South Staffordshire Water and the EA were key stakeholders in the development of this study. In addition, the Land Drainage and Flooding Teams from Derbyshire County Council and the City Council were involved throughout the process.
- 3.98 As part of the site selection process, and following on from the recommendations of the Outline Water Cycle Study, the HMA authorities considered that it was essential to discuss the emerging strategic sites with both Severn Trent Water and South Staffordshire Water.
- 3.99 Further meetings have been held with Severn Trent and the EA in order that the scale of likely effects of proposed growth in respect of water supply and sewerage could be considered and the deliverability of sites and the need for strategic or local mitigation identified. These meetings also served to inform water companies of the scale and location of growth to 2028 to help inform their own asset management processes.
- 3.100 As a result of the early dialogue between the HMA authorities and Severn Trent, the water company was able to begin development of a scheme which would alleviate the sewer capacity issues encountered to the south of the City. Severn Trent envisage that a solution will be agreed at the time of submitting the Core Strategy to the Secretary of State; this will be followed by detailed design work and the construction of the initial phase of the scheme in early 2016.
- 3.101 At key stages of the Core Strategy supporting position papers have been produced outlining the HMA's understanding of water issues in

the three authorities based on the continuing development of our evidence base. The EA, Severn Trent and South Staffordshire Water had an input into the content of these papers.

- 3.102 As part of the Government's commitment in 2011 to the UK's broadband network, Digital Derbyshire is a programme to help deliver better access to broadband across Derbyshire. One of the partners involved is Derbyshire County Council along with BT to help deliver access to 95% of homes in Derbyshire. There has also been on-going dialogue with Lightspeed Derby and internal Council officers with regard to the City's digital infrastructure. This has resulted in the inclusion of relevant communication projects in the IDP.

## The Historic Environment



- 3.103 The City contains a number of important heritage assets of national and international importance, including the Derwent Valley World Heritage Site (WHS). The Core Strategy can obviously have significant implications for the continued protection of such assets, both through the location of growth and through its development management policies. There are also a number of assets on the periphery of the City that could be affected by proposals within the City; for example Kedleston Hall in Amber Valley and Elvaston Castle in South Derbyshire. It has been important to ensure, therefore, that early and on-going discussions with relevant prescribed bodies and local organisations have taken place to inform the plan's policies.
- 3.104 Historic England (formerly English Heritage), the National Trust and the Derwent Valley World Heritage Management Board were invited to submit comments at each consultation stage.
- 3.105 A number of discussions have been held on a regular basis with the National Trust to discuss the impact possible development could have on the historic environment, focussing on the area around Kedleston Hall.
- 3.106 Historic England was invited to comment on draft policies relating to conservation and the historic environment prior to their publication in

the Pre-Submission Core Strategy. They have expressed their support for the policies in the plan.

- 3.107 Internal discussions have also been held with the Urban Design and Conservation Officers to help inform and refine the relevant Core Strategy policies. In addition, the views of the Council's Conservation Area Advisory Committee – which includes both Council Members and local conservation experts - were sought to help refine the plan's policies.
- 3.108 The approach in the plan toward heritage issues is consistent with the requirements of the NPPF and has been carried out in a fully DtC compliant manner.

### **Minerals and Waste**

- 3.109 In-line with good practice, the City and County Councils are working on joint plans for waste and minerals. As part of this process a City Council Planning Officer has been seconded to the County Council to work as part of a joint team.
- 3.110 The Waste Strategy, prepared in partnership by Derbyshire County Council, Derby City Council, and the eight Derbyshire District and Borough Councils, was adopted in 2006. This has been reviewed and a revised strategy 'Dealing with Derbyshire's Waste' was published in the autumn of 2014.
- 3.111 The Derbyshire Infrastructure Plan identified the need for a Waste treatment plant for Derby and Derbyshire which is proposed to be constructed in Sinfin. This already has planning permission and thus is not 'allocated' within the Core Strategy.

### **The Sustainability Appraisal & Habitat Regulations Assessment**

- 3.112 Although separate Sustainability Appraisals have been produced by each individual authority, there has been a continuous dialogue between the three authorities to determine an approach acceptable to all three authorities.
- 3.113 The scope and detail of the Council's Sustainability Appraisal was established during a five week consultation held in October 2008. At this point all statutory consultees were invited to comment on the proposed scope of the appraisal and the proposed methodology. The baseline position has been updated as and when necessary and is reflected in the final SA. The issues facing the City have, however, remained reasonably static over this period.
- 3.114 Following the suspension of the Amber Valley and South Derbyshire examinations, further work is being undertaken to update the

Sustainability Appraisal to ensure the concerns raised by the inspectors were addressed. Again, there has been regular dialogue between the three HMA authorities to ensure the approach taken would satisfy the Inspector's concerns.

- 3.115 A Habitat Regulations Screening Assessment was published for consultation alongside the Draft Local Plan. The statutory consultees all concluded that the HRA and its findings were robust.

## **4. Conclusion**

- 4.1 This document demonstrates that Derby City Council has consulted and co-operated properly with the relevant prescribed bodies and local authorities about strategic issues. Where problems or issues have arisen (such as the request by the Amber Valley and South Derbyshire Inspectors to re-affirm the HMA's housing need, the impact development will have on local schools or the impact will have on utility services) the City Council has worked in partnership with the relevant bodies to consider options and find appropriate and acceptable solutions.
- 4.2 Importantly, none of the relevant local authorities or prescribed bodies has objected to the Core Strategy on grounds of failing to meet the DtC.
- 4.3 It should also be recognised that both Amber Valley Borough Council and South Derbyshire District Council have followed a similar process in developing their Core Strategies and that no issues over the DtC have been raised by the Inspectors at the start of the respective examinations.
- 4.3 The City Council is also committed to continuing its partnership with Amber Valley and South Derbyshire as evidenced by the 'Statement of Continuing Joint Working'. This provides a formal agreement between the four authorities to carry on working together following the adoption of the relevant Core Strategies.
- 4.4 It is considered, therefore, that all the legal and test of soundness requirements have been met and the 'duty' satisfied.

## Appendix 1: Engaging with the Prescribed Bodies

Organisation	Nature of Consultation	Preparation Stages & Plan Development
<b>Environment Agency</b>	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> <li>• Workshops</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Participation and input into background papers</li> <li>• Involvement in the Strategic Flood Risk Assessments Levels 1 &amp; 2</li> <li>• Involvement in the Water Cycle Study</li> <li>• Input in to the Preliminary Flood Risk Assessment</li> <li>• Input in to the Cleaner, Greener Energy Study</li> <li>• Discussions regarding infrastructure provision</li> <li>• Discussions regarding strategic sites</li> <li>• Assisted in policy development</li> <li>• Informed site specific policies in respect of land drainage, flood risk, foul sewerage, contamination and water quality</li> </ul>
<b>Historic England (formerly English Heritage)</b>	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Impact of development on the setting of Kedleston Hall</li> <li>• Assisted in policy</li> </ul>



<b>Organisation</b>	<b>Nature of Consultation</b>	<b>Preparation Stages &amp; Plan Development</b>
		<p>development</p> <ul style="list-style-type: none"> <li>• Informed site specific policies in respect of the historic environment</li> </ul>
<b>Natural England</b>	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> <li>• Workshops</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>
<b>The Civil Aviation Authority</b>	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>
<b>The Homes and Communities Agency</b>	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> <li>• Workshops</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into the Infrastructure Delivery Plan</li> <li>• Input into the Strategic Housing Land Availability Assessment</li> </ul>
<b>The Primary Care Trust (Clinical Commissioning Group) &amp; NHS England</b>	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> <li>• Workshops</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Impact of strategic sites on service delivery</li> <li>• Discussions during the preparation of the Infrastructure Delivery Plan</li> <li>• Discussions to help the CCG develop a Strategic Estates Plan</li> </ul>
<b>The Office of Rail Regulation</b>	<ul style="list-style-type: none"> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>



Organisation	Nature of Consultation	Preparation Stages & Plan Development
	<ul style="list-style-type: none"> <li>• Emails</li> </ul>	
<b>The Highways England (formerly the Highways Agency)</b>	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Provided evidence and guidance to inform modelling work for the Derby HMA in relation to the strategic road network, especially the A50 and the A38</li> </ul>

## Appendix 2: Engaging with Service Providers and other organisations

Organisation	Nature of Consultation	Preparation Stages & Plan Development
<b>D2N2 (The Local Enterprise Partnership)</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letter</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Incorporation of the LEP's aims and objectives into the Core Strategy</li> <li>• City Council input into the LEP's Strategic Economic Plan</li> </ul>
<b>Network Rail</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Incorporation of Network Rail's aims and objectives into the Core Strategy</li> <li>• Input into the Infrastructure Delivery Plan</li> </ul>

<b>Organisation</b>	<b>Nature of Consultation</b>	<b>Preparation Stages &amp; Plan Development</b>
<b>Lowland Derbyshire and Nottinghamshire Local Nature Partnership</b>	<ul style="list-style-type: none"> <li>• Emails</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Incorporation of the LNP's aims and objectives into the Core Strategy</li> </ul>
<b>National Trust</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Impact of development on the setting of Kedleston Hall</li> <li>• Assisted in policy development</li> </ul>
<b>Derbyshire Wildlife Trust</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into specific policies</li> </ul>
<b>The Woodland Trust</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into specific policies</li> <li>• Discussions about improving the City's environment</li> </ul>
<b>Western Power Distribution</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> <li>• Workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into site-specific policies</li> <li>• Input into the Infrastructure Delivery Plan</li> </ul>
<b>Transco</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>

Organisation	Nature of Consultation	Preparation Stages & Plan Development
<b>Derbyshire Fire and Rescue Service</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> <li>• Workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into specific policies</li> <li>• Input into the Infrastructure Delivery Plan</li> <li>• Discussions to assist the Fire Service in developing their future service provision.</li> </ul>
<b>Derbyshire Constabulary</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into the Infrastructure Delivery Plan</li> <li>• Discussions to assist the Service in developing future service provision.</li> </ul>
<b>East Midlands Ambulance Service</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>
<b>East Midlands Airport</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>
<b>Sport England</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into specific policies</li> <li>• Input and key partner in the Council's Outdoor Sports Strategy</li> </ul>
<b>Severn Trent Water</b>	<ul style="list-style-type: none"> <li>• Emails</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>

Organisation	Nature of Consultation	Preparation Stages & Plan Development
	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Face-to- face discussions</li> <li>• Workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Input into the Outline Water Cycle Study</li> <li>• Input into the Level 2 Strategic Flood Risk Assessment</li> <li>• Input into the Preliminary Flood Risk Assessment</li> <li>• Input into site specific assessments</li> <li>• Input in to site specific policies</li> <li>• Input into the Infrastructure Delivery Plan</li> <li>• Regular meetings to discuss the impact future growth will have on Severn Trent's assets and help the water company develop a strategic response to the HMA development strategy</li> </ul>
British Telecom	<ul style="list-style-type: none"> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>
Mobile Operators Association	<ul style="list-style-type: none"> <li>• Letters</li> <li>• Emails</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>
Lightspeed Derby	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> <li>• Workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into the Infrastructure Delivery Plan</li> </ul>

Organisation	Nature of Consultation	Preparation Stages & Plan Development
University of Derby	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> <li>• Workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into the Infrastructure Delivery Plan</li> </ul>
Derby College	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into the Infrastructure Delivery Plan</li> </ul>
Derby Community Safety Partnership	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into the Infrastructure Delivery Plan</li> </ul>
Derby City Partnership	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Face-to-face discussions</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Input into the Infrastructure Delivery Plan</li> </ul>

### Appendix 3: Engaging with Neighbouring Authorities and Parish Councils

Organisation	Nature of Consultation	Preparation Stages & Plan Development
Derbyshire County Council	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• DtC meetings</li> <li>• Workshops</li> <li>• Member engagement</li> </ul>	<ul style="list-style-type: none"> <li>• Key member of the Derby HMA Co-ordination Group</li> <li>• Statutory Consultations</li> <li>• Input into, and co-ordination of, evidence base studies</li> </ul>

Organisation	Nature of Consultation	Preparation Stages & Plan Development
		<ul style="list-style-type: none"> <li>• Input into overall strategy and policies in the Core Strategy</li> <li>• Helped bring forward the collection and preparation of a joint evidence base and liaison with other agencies</li> <li>• Input into the Infrastructure Delivery Plan</li> <li>• Helped liaise with partner organisations</li> <li>• Ensure a consistent approach to HMA-wide monitoring</li> <li>• Co-operation on the delivery of cross-boundary sites</li> <li>• On-going officer involvement in the production of the Waste DPD and the Minerals DPD</li> <li>• On-going officer involvement in the Derbyshire County Council's Planning and Health Group</li> </ul>
<b>Amber Valley Borough Council</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• DtC meetings</li> <li>• Workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Co-ordination to ensure consistent HMA level approach to Plan content and delivery</li> </ul>

Organisation	Nature of Consultation	Preparation Stages & Plan Development
	<ul style="list-style-type: none"> <li>• Member engagement</li> </ul>	<ul style="list-style-type: none"> <li>• Identify matters of HMA wide (mutual) concern and work collectively to resolve these issues</li> <li>• Helped bring forward the collection of data and preparation of a joint evidence base and liaison with other agencies</li> <li>• Ensure a consistent approach to HMA wide monitoring</li> </ul>
South Derbyshire District Council	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• DtC meetings</li> <li>• Workshops</li> <li>• Member engagement</li> </ul>	<ul style="list-style-type: none"> <li>• Co-ordination to ensure consistent HMA level approach to Plan content and delivery</li> <li>• Identify matters of HMA wide (mutual) concern and work collectively to resolve these issues</li> <li>• Helped bring forward the collection of data and preparation of a joint evidence base and liaison with other agencies</li> <li>• Ensure a consistent approach to HMA wide monitoring</li> </ul>
Erewash	<ul style="list-style-type: none"> <li>• Meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory</li> </ul>



<b>Organisation</b>	<b>Nature of Consultation</b>	<b>Preparation Stages &amp; Plan Development</b>
<b>Borough Council</b>	<ul style="list-style-type: none"> <li>• E-mails</li> <li>• Letter</li> <li>• DtC meetings</li> <li>• Workshops</li> </ul>	<p>consultations</p> <ul style="list-style-type: none"> <li>• Partner in the Cleaner, Greener Energy Study</li> <li>• Partner in the Gypsy &amp; Traveller Accommodation Assessment</li> <li>• Assisted in the development of the Council's Infrastructure Delivery Plan</li> <li>• Discussions relating to the provision of new housing</li> </ul>
<b>Greater Nottingham HMA</b>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> <li>• Meetings</li> <li>• DtC meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> <li>• Discussions relating to the provision of new housing</li> <li>• Production of shared evidence base</li> </ul>
<b>Derbyshire Dales District Council</b>	<ul style="list-style-type: none"> <li>• DtC meetings</li> <li>• Emails</li> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• On-going discussions over the production of the respective Core Strategies</li> </ul>
<b>East Staffordshire Borough Council</b>	<ul style="list-style-type: none"> <li>• DtC meetings</li> <li>• Emails</li> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• On-going discussions relating to infrastructure</li> </ul>
<b>The Parish Councils of:</b> <ul style="list-style-type: none"> <li>• Dale Abbey</li> <li>• Little Eaton</li> </ul>	<ul style="list-style-type: none"> <li>• Emails</li> <li>• Letters</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory consultations</li> </ul>

Organisation	Nature of Consultation	Preparation Stages & Plan Development
<ul style="list-style-type: none"> <li>• Morley</li> <li>• Mackworth</li> <li>• Radbourne</li> <li>• Twyford &amp; Stenson</li> <li>• Breadsall</li> <li>• Stenson Fields</li> <li>• Elvaston</li> <li>• Quarndon</li> <li>• Weston-On-Trent</li> <li>• Burnaston</li> <li>• Ockbrook</li> <li>• Barrow-On-Trent</li> <li>• Aston-On-Trent</li> <li>• Findern</li> <li>• Duffield</li> </ul>		

## Appendix 4

### Derby HMA Joint Advisory Board – Proposed Terms of Reference – February 2011

#### 1. Role

To advise on spatial planning and implementation matters of mutual concern within the Derby Housing Market Area (HMA), including delivery of the Growth Fund 2008-11 programme and HCA Local Investment Plan and HCA stream

#### 2. Key Tasks

To coordinate the Derby HMA NGP partnership to deliver the required quantity and quality of growth in the HMA, setting up project teams to assist this as required

To advise on the preparation of development plans, including the Regional Spatial Strategy and LDF plans of agreed mutual interest. This will include the coordination of Core Strategies and preparation of a joint Site Allocations DPD for the Derby Principal Urban Area.

To give advice on infrastructure and other investment priorities and programming within the HMA

To ensure a coordinated approach to the Derby HMA Local Investment Plan (LIP) process with the Homes and Communities Agency

To identify and make links to resources and funding, public / private investment programmes, including advising on ways existing funding and resources can be enhanced

To ensure project assurance for any relevant joint or cross boundary projects funded from NGP or other sources

To disseminate NGP progress updates, information on latest Government guidance and related initiatives, and national and local best practice, to all partners

To advise on and review the activities of the HMA Co-ordinator and other HMA posts

To liaise on planning, infrastructure and funding issues with the 6Cs Programme Management Board, the Green Infrastructure Board and the other HMA Boards within the 6Cs area and the DDNN LEP area

To ensure the appropriate monitoring of relevant projects and funding

### **3. Membership**

One Council member each from:

Derby City Council  
Derbyshire County Council  
Amber Valley Borough Council  
South Derbyshire District Council

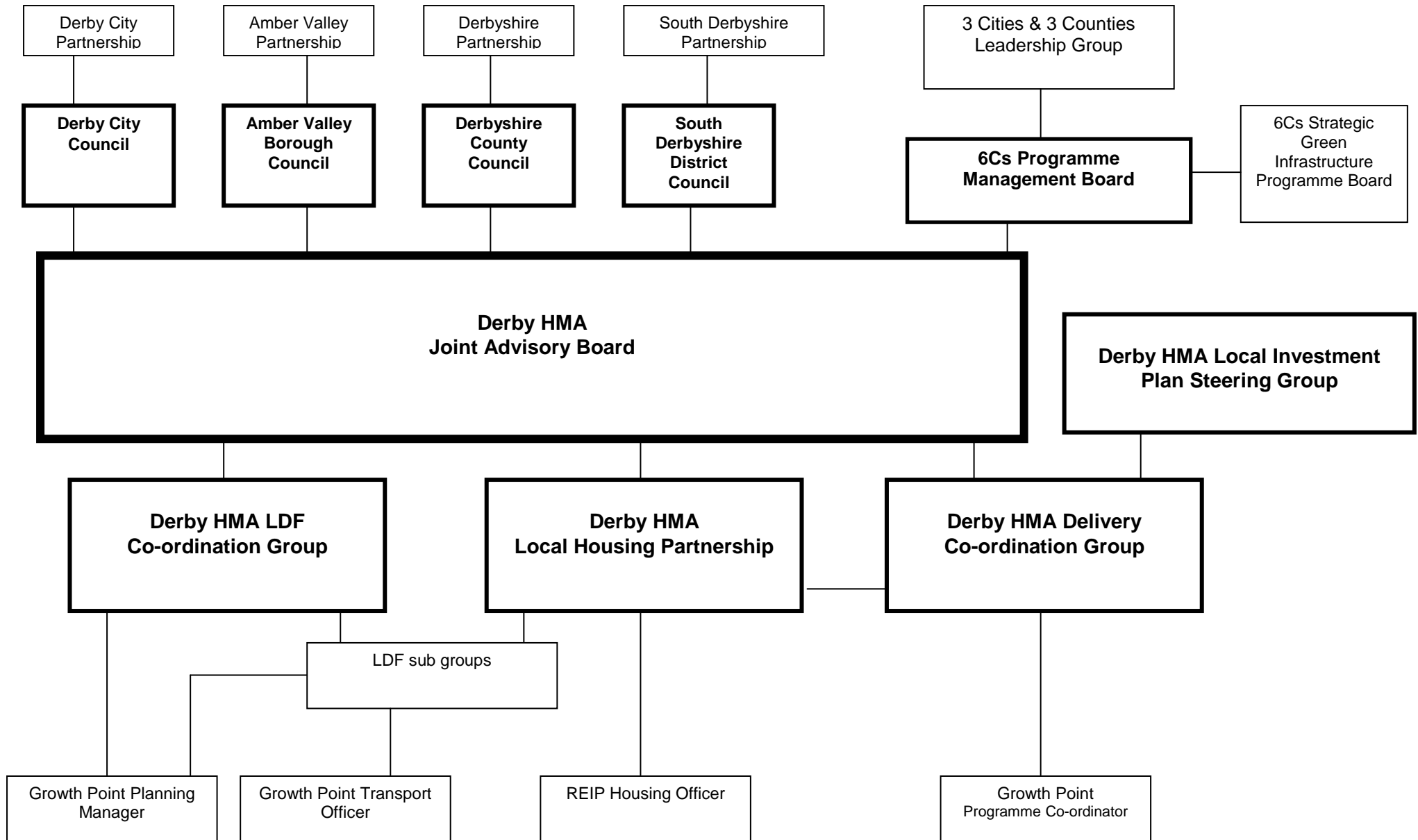
Member substitutes will be allowed. The Board will be supported by officers from the constituent Councils.

Additional observer members: GOEM, Erewash and relevant public agencies

### **4. Frequency of Meetings**

The Board will meet as and when required to discuss matters within its remit and to meet specific programme deadlines/ requirements. It is anticipated that this will normally involve 3-4 meetings each year.

## Derby HMA Governance - LDF and Growth Fund and Local Investment Plan



**Derby HMA Joint Advisory Board**  
**Terms of Reference**  
**August 2014**

**1. Role**

To advise on spatial planning and implementation matters through continuing co-operation to fulfil the Duty to Co-operate requirement for the Derby Housing Market Area (HMA), including but not exclusively to address cross boundary development and growth

To oversee the successful delivery of the New Growth Point (NGP) Growth Funding as part of the former 6Cs partnership for growth.

**2. Key Tasks**

To coordinate the Derby HMA partnership to deliver the required quantity and quality of growth in the HMA, setting up project teams to assist this as required

To liaise on planning, infrastructure and funding issues with the other HMA partnerships and local authorities where appropriate within the D2N2 Local Enterprise Partnership (LEP) area wider sub-regional area (including former 6Cs partnership)

To provide co-ordinated responses to local, regional and national consultation related to planning policy matters where appropriate.

To advise on the preparation of our strategic development plans, in particular Local Plans and other development plan documents which are of agreed mutual interest.

To ensure a coordinated approach to the Derby HMA Local Infrastructure Delivery Plans

To advise on the development of aligned and co-ordinated infrastructure and other investment priorities and their programming within the HMA, D2N2 Local Enterprise Partnership (LEP) and Local Nature Partnership (LNP)

To identify and make links to resources and funding, public / private investment programmes, including advising on ways existing funding and resources can be maximised.

To ensure project assurance for any relevant joint or cross boundary projects funded from NGP Growth Fund or other jointly funded sources.

To ensure the appropriate monitoring of relevant projects and funding

To disseminate Growth Fund progress updates and programme closure details.

To advise on and review the activities of the HMA Co-ordinator and other HMA posts

### **3. Membership**

One Council Cabinet or relevant committee member each from:

Derby City Council  
Derbyshire County Council  
Amber Valley Borough Council  
South Derbyshire District Council

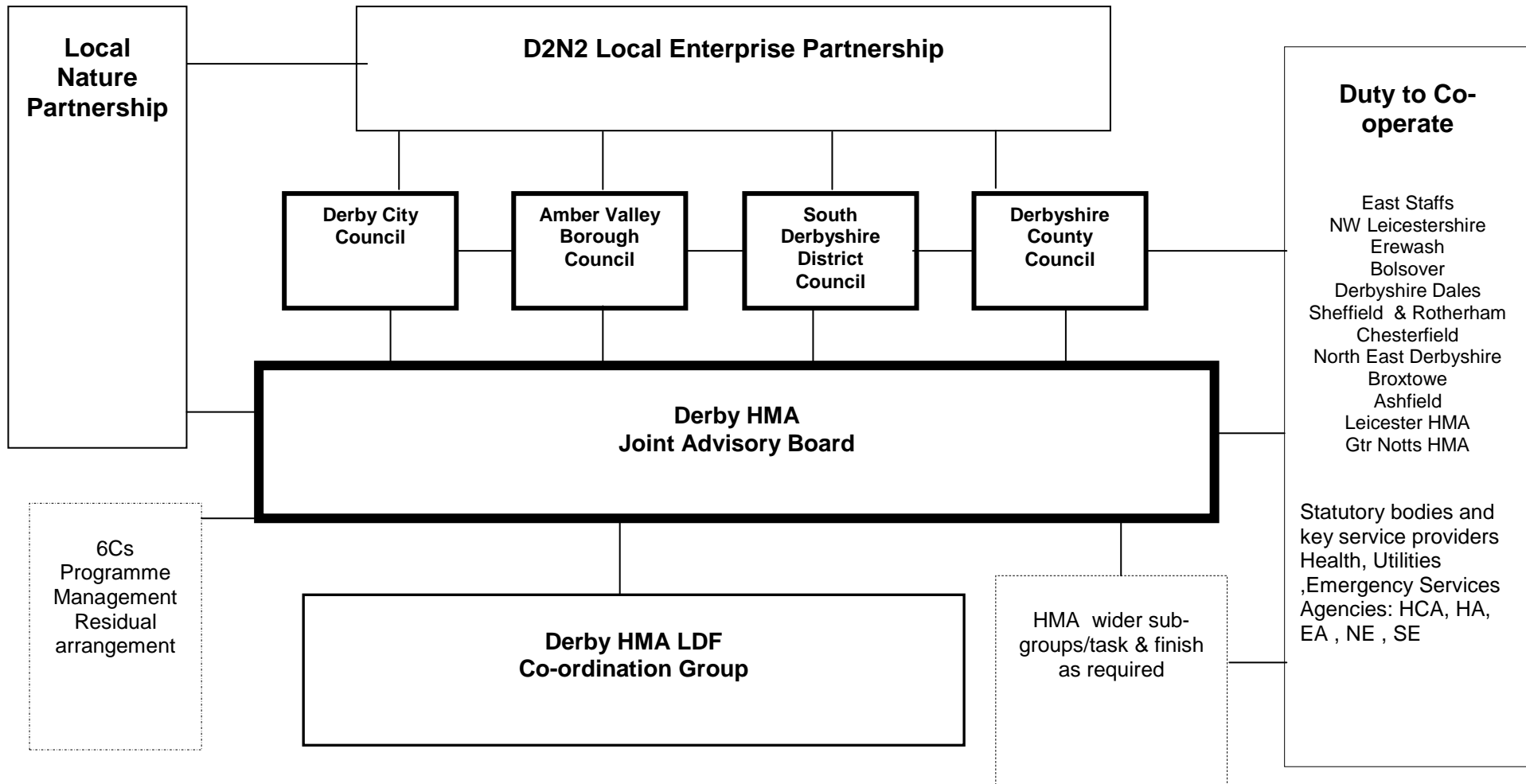
To ensure meetings are quorate appropriate Member substitutes are required. The Board will be supported by officers from the constituent Councils.

Additional observer members: Erewash, Homes & Communities Agency, Highways England, the EA and relevant public agencies

### **4. Frequency of Meetings**

The Board will meet as and when required to discuss matters within its remit and to meet specific programme deadlines/ requirements. It is anticipated that this will normally involve 3-4 meetings each year.

## Proposed Revised Derby HMA Structure – August 2014





## **Appendix 5**

### **Derby HMA LDF Coordination Group Draft Terms of Reference – February 2011**

#### **1. Role**

To coordinate joint working on the aligned Core Strategies and joint LDF plans within the Derby Housing Market Area (HMA), advising the Derby HMA Joint Advisory Board on these and other spatial planning issues.

#### **2. Key Tasks**

To coordinate the preparation of development plans of agreed mutual interest. This will include the coordination and alignment of the three HMA Core Strategies and preparation of a joint Site Allocations DPD.

To advise the Derby HMA Joint Advisory Board on the coordination and alignment of LDFs, and any other spatial planning matters of mutual concern.

To agree the commissioning, and manage the preparation, of any agreed joint evidence base studies in support of LDF plan making.

To ensure consistent HMA-level approach and content within relevant LDF evidence base documents, topic papers, sustainability appraisals and plans.

To coordinate the HMA's approach to reviews of the relevant strategies.

To give advice on investment priorities and programming associated with spatial planning within the HMA

To advise on and review the activities of the HMA Co-ordinator

To ensure that there is appropriate HMA-level monitoring of the implementation of LDF policies.

To mutually disseminate information on Government planning guidance and related initiatives and national and local best planning practice.

#### **3. Membership**

HMA Co-ordinator

Officers from:

- Derby City Council
- Derbyshire County Council
- Amber Valley Borough Council
- South Derbyshire District Council

Observer member: GOEM

The chair will rotate at each meeting between each local authority

#### **4. Frequency of Meetings**

The Group will meet monthly or more frequently if required.

## Appendix 6: Derby HMA Statement on Continuing Joint Working



### **Statement on Continuing Joint Working on Key Strategic Issues between Amber Valley Borough Council, Derby City Council, Derbyshire County Council and South Derbyshire District Council - July 2013**

#### **1. Introduction**

- 1.1 The Derby Housing Market Area (HMA) comprises the administrative areas of Amber Valley Borough, Derby City Council and South Derbyshire District Council.
- 1.2 Amber Valley Borough Council, Derby City Council, Derbyshire County Council and South Derbyshire District Council are committed to close co-operation and liaison on Development Plan matters at both the local and wider Housing Market Area (HMA) level. This involves on-going constructive and active engagement on strategic matters in the preparation of development plan documents and associated activities in-line with the Duty to Co-operate (Localism Act, Section 110<sup>11</sup>).
- 1.3 This co-ordinated approach began in 2009 and has continued as each authority's aligned Core Strategy has developed.
- 1.4 This approach has provided the HMA authorities with the opportunity to address a number of cross-boundary, strategic issues, such as the scale and location of housing and employment land, transport, social infrastructure and Green Belt.

#### **2. Purpose of the Statement on Continuing Joint Working**

- 2.1 The principle of joint working within the HMA was established in the East Midlands Regional Plan. Following its revocation in 2013, the HMA authorities have considered that a formal agreement would provide long-term surety to both local communities and the Government that joint working would continue both up to and after the respective Core Strategies have been adopted.

<sup>11</sup> <http://www.legislation.gov.uk/ukpga/2011/20/section/110/enacted>

- 2.2 This Statement of Continuing Joint Working identifies in more detail those cross-boundary strategic issues that are of particular importance to the HMA authorities and identifies specific short and long term actions. It is intended that this is a 'living' document and will be amended and updated with the agreement of all parties.

### **3. Key Strategic Issues**

#### **Planning For Housing Growth**

- 3.1 Paragraph 47<sup>12</sup> of the National Planning Policy Framework (NPPF) requires local planning authorities to set housing targets at the local level and that Local Plans should meet the full objectively assessed needs for housing in the housing market area.
- 3.2 The Derby HMA has developed a shared evidence base to ensure that the three authorities meet the requirements of the NPPF. Government projections suggest that the HMA's population will continue to grow. However, the HMA's Housing Requirements Study<sup>13</sup> (HRS) indicates that the increases will not be as high as the national projections suggest.
- 3.3 Using this evidence, the HMA authorities have identified that provision should be made for 35,354 new homes across the HMA.

#### **Short term actions**

- 3.4 It is agreed that the HMA authorities will continue to work together to objectively assess housing need, and deliver the required dwellings across the HMA.

#### **Longer term actions**

- 3.5 It is agreed that the HMA authorities will work co-operatively with partners on any future strategic review of housing growth and distribution. If evidence identifies a significant change in the housing requirement, the HMA authorities will commit to an early review of their Local Plan (either in full or in part). Reflecting current practice, the timetables for any review will be aligned.

### **Development Sites**

- 3.6 Over the plan period, development will occur in one administrative area which has the potential to impact on a neighbouring authority and therefore it is important to work co-operatively on a wide range of sites

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<sup>12</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>13</sup>

<http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/reports/localdevelopmentframework/DerbyCityCouncil-HMA-HRS-Final-Report-Sept-2012.pdf>

that are likely to have cross-boundary implications.

- 3.7 Such implications may arise as a result of the proximity of a site to the Borough, District or City boundary, or a result of the scale and nature of the proposal and/or its associated impact upon local communities or particular types of infrastructure, services or facilities. There are known sites (e.g. those with planning permission but not yet built), emerging sites (which have been allocated in the respective Core Strategies) or sites brought forward through speculative development.

#### Short term actions

- 3.8 The Derby HMA authorities agree to continue to work together in relation to:
- a) sites, development and/or growth proposals in locations close to district, borough or City boundaries, and
  - b) sites that are of a scale likely to have an impact beyond their own administrative boundaries.
- 3.9 This co-operation will continue to ensure effective consultation and co-ordination and to maximise potential benefits to all affected communities. With regard to policy documents, it will include early discussion and consultation on emerging Local Plan material, site briefs, masterplans and development frameworks. In respect of pre-application and application-processing stages, it will include discussion of cross-boundary principles and scoping of impact studies (such as transport, flood risk, retail/economic, open space and EIA), as well as the provision of key infrastructure to support new communities, such as the provision of education facilities, open space, affordable housing and transport.

#### **Transport Infrastructure**

- 3.10 The highway and transport evidence base for the Derby HMA has been prepared jointly between the HMA authorities Derbyshire County Council and Highways England.
- 3.11 The modelling forms part of the evidence base that will inform the respective Local Plans. It is being undertaken in consultation with all relevant stakeholders, including Highways England, developers, site promoters and other transport infrastructure and service providers. The mutual influence on transport of the HMA local authorities and other local authorities bordering the HMA area has been taken fully into account.
- 3.12 The conclusions drawn from the modelling exercises, together with all other relevant evidence, have informed or will inform the HMA

authorities in preparing the “Pre-Submission” versions of their respective Local Plans.

#### Short term actions

- 3.13 It is agreed that the HMA authorities will work constructively with Highways England to identify how strategic and cross-boundary infrastructure and any necessary mitigation measures will be delivered to the satisfaction of the Local Highways Authorities.

#### Long term actions

- 3.14 It is agreed that the HMA authorities will work co-operatively to encourage effective working relationships with the Local Highway Authorities and Highways England on strategic highway matters.

#### **Other Infrastructure (including social infrastructure, utilities and service providers)**



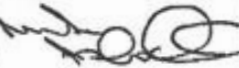


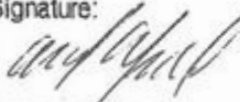


- 3.15 Since 2009 the HMA authorities have worked together in engaging with different infrastructure providers such as the Primary Care Trust (now known as the Clinical Commissioning Group), education and utility providers to ensure that the relevant infrastructure is delivered in a timely manner.

#### Short term actions

- 3.16 It is agreed that the HMA authorities will continue to engage jointly in discussions with service providers and operators to ensure that the required infrastructure is planned in a co-ordinated and strategic manner. Liaison will also continue to take place via the Derby HMA Infrastructure Delivery Group.

#### Long term actions

- 3.17 It is agreed that the HMA authorities will engage jointly in discussions with service providers and operators to ensure that the required infrastructure is planned in a co-ordinated and strategic manner. Liaison will also continue to take place via the Derby HMA Infrastructure Delivery Group.

Signatures of Senior Officers and Portfolio Members for Planning			
Amber Valley Borough Council	Derby City Council	Derbyshire County Council	South Derbyshire District Council
<b>Julian Townsend</b> Executive Director (Operations)  Date: 5-8-13  Signature: 	<b>Paul Robinson</b> Strategic Director for Neighbourhoods  Date: 5-8-13  Signature: 	<b>Mike Ashworth</b> Acting Strategic Director for Environmental Services  Date: 22/8/12  Signature: 	<b>Stuart Batchelor</b> Director of Community and Planning  Date: 17/9/2013  Signature: 
<b>Councillor Elizabeth Bowley</b> Cabinet Member for Delivering Places to Live & Work  Date: 5-8-13  Signature: 	<b>Councillor Asaf Afzal</b> Planning, Environment and Public Protection  Date: 12/08/13  Signature: 	<b>Councillor Steve Marshall-Clarke</b> Title:  Date: 5/8/2013  Signature: 	<b>Councillor Peter Watson</b> Environment and Development Services Committee  Date: 16 Sept 2013  Signature: 



## **Statement on Continuing Joint Working on Key Strategic Issues between Amber Valley Borough Council, Derby City Council, Derbyshire County Council and South Derbyshire District Council - October 2014**

### **1. Introduction**

- 1.1 The Derby Housing Market Area (HMA) comprises the administrative areas of Amber Valley Borough, Derby City Council and South Derbyshire District Council.
- 1.2 Amber Valley Borough Council, Derby City Council, Derbyshire County Council and South Derbyshire District Council are committed to close co-operation and liaison on Development Plan matters at both the local and wider Housing Market Area (HMA) level. This involves on-going constructive and active engagement on strategic matters in the preparation of aligned development plan documents and associated activities in-line with the Duty to Co-operate (Localism Act, Section 110<sup>14</sup>).
- 1.3 This co-ordinated approach began in earnest in 2009 and has continued as each authority's aligned Local Plan (previously referred to as Core Strategies) has been developed.
- 1.4 This approach has provided the HMA authorities with the opportunity to address a number of cross-boundary, strategic issues, such as the scale and location of housing and employment land, transport, social infrastructure and Green Belt essential for the agreed alignment of the Local Plans

### **2. Purpose of the Statement on Continuing Joint Working**

- 2.1 The principle of joint working within the HMA was established in the East Midlands Regional Plan. Following its revocation in 2013, the HMA authorities have considered that a formal agreement would provide long-term surety to both local communities and the Government that joint working would continue both up to and after the respective Local Plans have been adopted.
- 2.2 This Statement of Continuing Joint Working identifies in more detail those cross-boundary strategic issues that are of particular importance to the HMA authorities and identifies specific short and long term

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<sup>14</sup> <http://www.legislation.gov.uk/ukpga/2011/20/section/110/enacted>

actions. It is intended that this is a 'living' document and will be amended and updated with the agreement of all parties.

### 3. Key Strategic Issues

#### Planning For Housing Growth

- 3.1 Paragraph 47<sup>15</sup> of the National Planning Policy Framework (NPPF) requires local planning authorities to set housing targets at the local level and that Local Plans should meet the full objectively assessed needs for housing in the housing market area.
- 3.2 The Derby HMA has developed a shared evidence base to ensure that the three authorities meet the requirements of the NPPF. Government projections suggest that the HMA's population will continue to grow. However, the HMA's Housing Requirements Study<sup>16</sup> (HRS) indicates that the increases will not be as high as the national projections suggest.
- 3.3 The Strategic Housing Market Assessment (SHMA) Update (2012) made a revised recommendation of a higher housing target across the HMA of 35,354 for a plan period 2008-2028.
- 3.4 Using this evidence and following the Amber Valley Borough Council Local Plan Part 1 hearings in May 2014, the HMA authorities identified a revised provision should be made for 33,388 new homes across the HMA for a re-based plan period of 2011-2028. This is proposed to be apportioned across the HMA partners as follows:

Amber Valley	min 9,651 dwellings
Derby City <sup>17</sup>	min 11,000 dwellings
South Derbyshire <sup>18</sup>	min 12,341 dwellings
Residual 396	to be allocated

#### Short term actions

- 3.5 It is agreed that the HMA authorities will continue to work together proactively in preparation for the forthcoming PINS examination hearings.

#### Longer term actions

- 3.6 It is agreed that the HMA authorities will work co-operatively with partners on any future strategic review of housing growth and distribution. If evidence identifies a significant change in the housing requirement, the HMA authorities will commit to an early review of their

<sup>15</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/60777/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60777/2116950.pdf)

<sup>16</sup> <http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/reports/localdevelopmentframework/DerbyCityCouncil-HMA-HRS-Final-Report-Sept-2012.pdf>

<sup>17</sup> This figure is 13 dwellings higher due to Derby City rounding their total target

<sup>18</sup> The South Derbyshire submitted Local Plan Part 1 was submitted on the basis of a plan period 2008 – 2028.

Local Plan (either in full or in part). Reflecting current practice, the timetables for any review will be aligned.

### **Development Sites**

- 3.7 Over the plan period, development will occur in one administrative area which has the potential to impact on a neighbouring authority and therefore it is important to work co-operatively on a wide range of sites that are likely to have cross-boundary implications.
- 3.8 Such implications may arise as a result of the proximity of a site to the Borough, District or City boundary, or a result of the scale and nature of the proposal and/or its associated impact upon local communities or particular types of infrastructure, services or facilities. There are known sites (e.g. those with planning permission but not yet built), emerging sites (which have been allocated in the respective Core Strategies) or sites brought forward through speculative development.

### **Short term actions**

- 3.9 The Derby HMA authorities agree to continue to work together in relation to:
- c) sites, development and/or growth proposals in locations close to District, Borough or City boundaries, and
  - d) sites that are of a scale likely to have an impact beyond their own administrative boundaries.
- 3.10 This co-operation will continue to ensure effective consultation and co-ordination and to maximise potential benefits to all affected communities. With regard to policy documents, it will include early discussion and consultation on emerging Local Plan material, site briefs, masterplans and development frameworks. In respect of pre-application and application-processing stages, it will include discussion of cross-boundary principles and scoping of impact studies (such as transport, flood risk, retail/economic, open space and EIA), as well as the provision of key infrastructure to support new communities, such as the provision of education facilities, open space, affordable housing and transport.

### **Transport Infrastructure**

- 3.11 The highway and transport evidence base for the Derby HMA has been prepared jointly between the HMA authorities Derbyshire County Council and Highways England.
- 3.12 The modelling forms part of the evidence base that will inform the respective Local Plans. It is being undertaken in consultation with all relevant stakeholders, including Highways England, developers, site

promoters and other transport infrastructure and service providers. The mutual influence on transport of the HMA local authorities and other local authorities bordering the HMA area has been taken fully into account.

- 3.13 The conclusions drawn from the modelling exercises, together with all other relevant evidence, have informed or will inform the HMA authorities in preparing for their respective Local Plans.

#### Short term actions

- 3.14 It is agreed that the HMA authorities will work constructively with Highways England to identify how strategic and cross-boundary infrastructure and any necessary mitigation measures will be delivered to the satisfaction of the Local Highways Authorities.

#### Long term actions

- 3.15 It is agreed that the HMA authorities will work co-operatively to encourage effective working relationships with the Local Highway Authorities and Highways England on strategic highway matters.

#### **Other Infrastructure (including social infrastructure, utilities and service providers)**



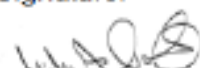


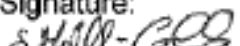

- 3.16 Since 2009 the HMA authorities have worked together in engaging with different infrastructure providers such as the Primary Care Trust (now known as the Clinical Commissioning Group), education and utility providers to ensure that the relevant infrastructure is delivered in a timely manner.

#### Short term actions

- 3.17 It is agreed that the HMA authorities will continue to engage jointly in discussions with service providers and operators to ensure that the required infrastructure is planned in a co-ordinated and strategic manner. Liaison will also continue to take place via the Derby HMA Infrastructure Delivery Group.

#### Long term actions

- 3.18 It is agreed that the HMA authorities will engage jointly in discussions with service providers and operators to ensure that the required infrastructure is planned in a co-ordinated and strategic manner. Liaison will also continue to take place via the Derby HMA Infrastructure Delivery Group.

Signatures of Senior Officers and Portfolio Members for Planning			
Amber Valley Borough Council	Derby City Council	Derbyshire County Council	South Derbyshire District Council
<b>Julian Townsend</b> Executive Director (Operations)  Date: 06.11.2014 Signature: 	<b>Paul Robinson</b> Strategic Director for Neighbourhoods  Date: 6/11/14 Signature: 	<b>Mike Ashworth</b> Strategic Director Economy, Transport and Environment  Date: 06.11.2014 Signature: 	<b>Stuart Batchelor</b> Director of Community and Planning  Date: 4/11/14 Signature: 
<b>Councillor Chris Emmas - Williams</b> Cabinet Member for Delivering Places to Live & Work  Date: 06.11.2014 Signature: EMMAS-WILLIAMS	<b>Councillor Ranjit Banwait</b> Leader  Date: 05/11/14 Signature: 	<b>Councillor Steve Marshall-Clarke</b> Derbyshire County Council  Date: 6/11/2014 Signature: 	<b>Councillor Peter Watson</b> Environment and Development Services Committee  Date: 4 Nov 2014 Signature: 

## **Statement on Continuing Joint Working between Amber Valley Borough Council, Derby City Council, Derbyshire County Council and South Derbyshire District Council - November 2015**

### **1. Introduction**

- 1.2 The Derby Housing Market Area (HMA) comprises the administrative areas of Amber Valley Borough Council, Derby City Council and South Derbyshire District Council.
- 1.2 Amber Valley Borough Council, Derby City Council, Derbyshire County Council and South Derbyshire District Council are committed to close co-operation and liaison on Development Plan matters at both the local and wider Housing Market Area (HMA) level. This involves on-going constructive and active engagement on strategic matters in the preparation of development plan documents and associated activities in-line with the Duty to Co-operate (Localism Act, Section 110<sup>19</sup>).
- 1.3 This co-ordinated approach began in 2009 and has continued as the decision not to have a joint HMA Plan or Principal Urban Area Site Allocations document was made but more appropriately have aligned Local Plans.
- 1.4 This approach has provided the HMA authorities with the opportunity to address a number of cross-boundary, strategic issues, such as the scale and location of housing and employment land, transport, social infrastructure and Green Belt.

### **2. Purpose of the Statement on Continuing Joint Working**

- 2.1 The principle of joint working within the HMA was established in the East Midlands Regional Plan. Following its revocation in 2013, the HMA authorities have considered that a formal agreement would provide long-term surety to both local communities and the Government that joint working would continue both up to and after the respective Local Plans have been adopted.

### **3. Planning For Housing Growth**

- 3.1 Paragraph 47 of the National Planning Policy Framework (NPPF) requires local planning authorities to set housing targets at the local

<sup>19</sup> <http://www.legislation.gov.uk/ukpga/2011/20/section/110/enacted>



level and that Local Plans should meet the full objectively assessed needs for housing in the housing market area.

- 3.2 The Derby HMA has developed a shared evidence base to ensure that the three authorities meet the requirements of the NPPF. Government projections suggest that the HMA's population will continue to grow. However, the HMA's Housing Requirements Study (HRS) indicates that the increases will not be as high as the national projections suggest.
- 3.3 The Strategic Housing Market Assessment (SHMA) update took account of the HRS work undertaken to consider further evidence and concluded with a revised housing total. Following this piece of work, Amber Valley undertook their hearings on their Local Plan – Part 1 in May 2014 where following a request from the Inspector sensitivity testing of the housing numbers from the SHMA update was undertaken. The result of this was the recommendation of a higher housing target across the HMA based on a plan period starting from 2011 and running to 2028.
- 3.4 This work was further subjected to examination through South Derbyshire's initial hearings in December 2014 through a joint session presided over by both Amber Valley's and South Derbyshire's Inspectors (Mr Foster & Ms Kingaby). Following this session the Inspectors wrote to the Derby HMA on the 10<sup>th</sup> December to confirm that 33,388 dwellings "represented the best estimate of objectively assessed housing need (OAN) for the Derby HMA, 2011-2028".
- 3.5 As part of this letter further work was asked to be undertaken to consider further how Derby's unmet housing of 5,388 dwellings was to split across Amber Valley and South Derbyshire. This work was undertaken and a further joint hearing session held.
- 3.6 From this work, the HMA authorities have agreed that provision should be made for 33,388 new homes across the HMA for a re-based plan period of 2011-2028. This figure has been endorsed by the two Inspectors Examining Amber valley's and South Derbyshire's Plans. This is to be split across the HMA as follows:

Amber Valley	9,770 dwellings
Derby City	11,000 dwellings
South Derbyshire	12,618 dwellings

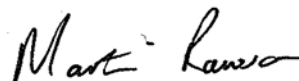
#### Short term actions

- 3.7 It is agreed that the HMA authorities will continue to work together pro-actively.



### Longer term actions

- 3.8 It is agreed that the HMA authorities will work co-operatively with partners on any future strategic review of housing growth and distribution. If evidence identifies a significant change in the housing requirement, the HMA authorities will commit to an early review of their Local Plans (either in full or in part). Reflecting current practice, the timetables for any review will be aligned if possible.

	<b>Agreement</b>			
	<b>Amber Valley Borough Council</b>	<b>Derby City Council</b>	<b>Derbyshire County Council</b>	<b>South Derbyshire District Council</b>
Name	<b>D. Stafford</b>	<b>P. Clarke</b>	<b>M. Ashworth</b>	<b>S. Batchelor</b>
Title	Assistant Director (Planning & Regeneration)	Head of Planning	Strategic Director – Economy, Transport and Environment	Director of Community and Planning
Date	4 December 2015	11 December 2015	1 December 2015	2 December 2015
Signature				
Name	<b>Cllr K Buttery</b>	<b>Cllr M Rawson</b>	<b>Cllr S Marshall-Clarke</b>	<b>Cllr P Watson</b>
Title	Cabinet Member for Regeneration	Deputy Leader and Cabinet Member for Communities and City Centre Regeneration	DCC Member for the Derby HMA Joint Advisory Board	Environmental and Development Services Chairman
Date	4 December 2015	10 December 2015	1 December 2015	3 December 2015
Signature				

## **Appendix 7: Statement of Common Ground between Authorities within or with a relationship to the Derby Housing Market Area Group.**

### **Introduction**

This Statement of Common Ground has been prepared to identify areas of agreement between authorities who form part of the Derby Housing Market Area (HMA) and those authorities that recognise that they have a housing market relationship to this Group. These authorities are:

- Derby City Council )
- South Derbyshire District Council )the Derby HMA
- Amber Valley Borough Council )
- East Staffordshire Borough Council
- Derbyshire County Council

This statement intends to provide an agreed position based on on-going discussions to demonstrate that authorities have complied with the Duty to Co-operate and the requirements of para 159 of National Planning Policy Framework and advice in National Planning Policy Guidance.

### **Matters Agreed**


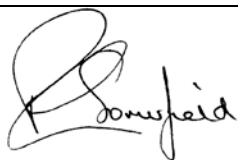

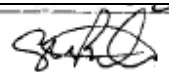
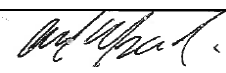
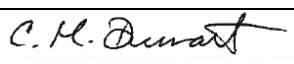
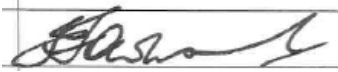
Officers from the above authorities have co-operated at a planning officer level constructively, actively and on an on-going basis in discussing the evidence base which underpins their respective Strategic Housing Market Area Assessments (SHMAs). Each Council believes that its SHMA has taken or will take sufficient account of housing markets extending beyond its administrative boundary.

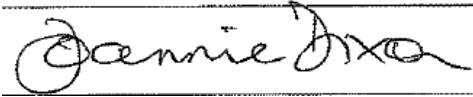

The Derby HMA Authorities has agreed that a quantified part of the Derby City's objectively assessed need will be accommodated in South Derbyshire and Amber Valley on identified locations in those local authority areas. The collective Derby HMA's objectively assessed need will therefore be accommodated entirely within the 3 constituent authorities' areas.

East Staffordshire expects that it will meet its own objectively assessed need within the area of the Borough.

Derbyshire County Council as a signatory to this statement confirms, as a result of its involvement in assisting the Derbyshire local planning authorities with identifying their objectively assessed needs and the housing capacity of each authority, that the position set out above is an accurate reflection of the housing position in each Derbyshire authority.

The four authorities and Derbyshire County Council are committed to undertaking further liaison and discussion regarding the provision of housing to meet objectively assessed need as part of their Duty to Co-operate should the matter arise.

	Date	Signature	Name and Position
<b>East Staffordshire Borough Council</b>			
	05 June 2014		Cllr Sonia Andjelkovic Deputy Leader for Regulatory Services
	05 June 2014		Philip Somerfield Head of Regulatory Services
<b>South Derbyshire District Council</b>			
	02 June 2014		Cllr Peter Watson Portfolio holder for Environmental and Development Services
	02 June 2014		Stuart Batchelor Director of Community and Planning
<b>Derby City Council</b>			
			Cllr Asaf Afzal Portfolio holder for Planning, Environment and Public Protection
			Christine Durrant Director of Planning and Property Services
<b>Amber Valley Borough Council</b>			
			Julian Townsend Executive Director (Operations)
<b>Derbyshire County Council</b>			

	17 June 2014		Cllr Joan Dixon Cabinet Member for Jobs, Economy and Transport
	26 June 2014		Mike Ashworth Strategic Director of Transport and Economy

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 640807  
Minicom: 01332 640666

### Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku.

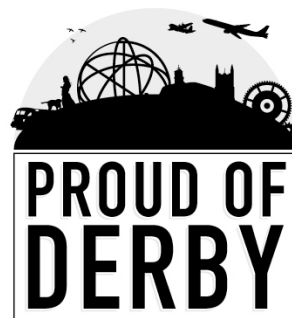
Prosimy o kontakt: 01332 640807 Tel. tekstowy: 01332 640666

### Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ 01332 640807 ਮਿਨੀਕਮ 01332 640666 ਤੇ ਸੰਪਰਕ ਕਰੋ।

### Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم 01332 640807 منی کام 01332 640666 پر ہم سے رابطہ کریں۔



Derby City Council

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