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Nathaniel Lichfield
& Partners

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Carmel Edwards
Programme Officer
c/o Planning Services
Derby City Council
The Council House
Corporation Street
Derby
DE1 2FS

14 Regent's Wharf
All Saints Street
London N1 9RL

020 7837 4477
london@nlplanning.com

nlplanning.com

Date 21 April 2016
Our ref 41544/JF/ABe/11227736v1
Your ref

Dear Ms Edwards,

Derby City Local Plan - Part 1 Core Strategy: Examination in Public

We write on behalf of our client Intu Properties Plc ('Intu') (respondent ref: 1050) in relation to the upcoming hearing session at the Examination in Public on the Derby Local Plan. We would appreciate if you could pass this letter on to the Inspector and the Council as soon as possible.

We are writing to let you know that having had an opportunity to review the examination material in more detail, Intu would like to inform the Inspector that it is withdrawing its attendance from the hearing session programmed for 29 April on Main Matter 4 (City Centre). It considers that previous comments made are sufficiently clear as to outstanding points of concern; and remedies required to make the plan sound. We summarise these below to assist the Inspector and the Council.

We previously submitted representations on the Pre-Submission version consultation document in October 2015 which noted Intu's general support for city centre Policies CP12, CP15, AC1 and AC2. Concerns were however raised in relation to the following matters:

- 1 The explicit support for out of centre retail development in Policy CP13.
- 2 Identification on Figure 18 in Policy AC5 of Intu Derby Shopping Centre as an area of 'public realm projects'.

Comments were subsequently submitted in February 2016 (enclosed with this letter for reference). This noted that in relation to AC5, the Council's main modifications, proposed to amend Figure 18 of AC5 to address concerns raised in relation to this. Subject to this change being carried forward, Policy AC5 would then be sound.

In terms of Policy CP13, we noted ongoing concern that as drafted Policy CP13 remained unsound. These concerns could however be readily addressed with some re-drafting of the policy, which we set out in Appendix 1 of that letter. This requested the removal of the second paragraph of the Policy to ensure that the wording accords with the Council's evidence base and will remove any implied acceptance or encouragement of out of centre retail development. This amendment



will render the Policy sound and consistent with national policy. Subject to these suggested amendments being taken on board CP13 would then be considered sound.

Finally, as noted in our letter dated 26 February 2016, intu has recently been working with the Council looking at the future of the Eagle Market, which forms a large parcel of land within the City Centre. Amendments were put forward to Policy AC2 (in Appendix 1 of the letter) to ensure the most up to date evidence on markets was reflected and to ensure a sound policy for planning the future of the City Centre is put into place.

Subject to the above three important amendments being carried forward, the plan would be considered to be sound. We trust these comments will be given full consideration by the Inspector and Council and taken on board at the hearing session and in finalising the plan. This will ensure that the positive framework for Derby the plan sets out is not undermined. Intu looks forward in the future to continuing to work with the Council to deliver this vision in the City Centre.

If you have any questions in relation to this letter please do not hesitate to get in contact with myself or Tor Barrett.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alison Bembenek'.

Alison Bembenek
Associate Director