



Acres Land & Planning Ltd

'Acres of space'

British & Continental Co. Ltd

Respondent No. 1045

Matter 8: Green Infrastructure

DERBY CITY LOCAL PLAN PART 1: CORE STRATEGY EXAMINATION

Main Issue: Whether the Local Plan provides a sound strategy for the provision, protection, enhancement or designation of green infrastructure and open space (CP16, CP17, CP18)

a) Does the Local Plan appropriately address development in the Green Belt in the context of national policy?

In our view the Local Plan completely fails to grasp the critical relationship between development needs and the designation (or protection) of green belt and green wedges. The Council has made a bold statement in paragraph 4.25 of the Local Plan which states:-

'The Derby HMA Authorities have discussed the potential of releasing land from the Green Belt for housing development with Erewash Borough Council. Together with Derbyshire County Council, this potential has been assessed in terms of the contribution of land to the Green Belt. This work has confirmed that all areas of the Green Belt on the edge of Derby continue to fulfil their purpose and should not be looked at for release, except as a very last resort'.

With all due respect, this is not the point. The Councils need to review their green belt boundaries to reflect longer term development needs so that they can make an appropriate balance between the economic and social needs of Derby and the purpose of the green belt in separating Derby from Nottingham and Long Eaton – two cities which are some distance apart. Whether the Green Belt ‘continues to serve its purpose’ is only one factor.

The Green Infrastructure policy (CP16) c) simply states that *‘the Council will retain the principle of the Nottingham/Derby Green belt and resist harmful and inappropriate development as defined by national policy’*. This is fair. But this very different from retaining fixed GB boundaries through the Local Plan review – thereby allowing Derby no ‘breathing space’ on its eastern side at all.

Paragraph 5.6.1 lists the elements of green infrastructure in the city (identifying 10 different categories), but then inexplicably links green wedge and green belt in the same category. This is misleading to the public (since they are completely different animals) and imply that they have the same status and the same policy requirements, which they clearly don’t.

Paragraph 5.16.6 then refers to the commitment to protect Green belt land '*unless exceptional circumstance can be generated*'. It is not explained here that the review of the Local Plan is the moment when these 'exceptional circumstances' need to be addressed, one of which is meeting people's legitimate housing needs – which is a key purpose of planning. The Council has simply avoided the issue and chosen to deflect their needs elsewhere instead for local political reasons.

The Council therefore needs to change policy CP16 to emphasise the distinction between the green belt and green wedges and preferably create a new policy to deal with Green Belt areas (and specifically the approach towards green belt review). In addition:-

Firstly, the Council needs to re-visit the Green Belt boundaries in the context of their current development needs and ensure that those areas (such as the pocket of Erewash which lies within Acorn Way) can be released to deliver more housing close to the City, rather than allowing sites to be allocated some distance from Derby, and

Secondly, the Council needs to set out a clearer policy which explains why and how this has occurred, the mechanism for its release and what policies apply in those areas to be retained as green belt and released from green belt (using the criteria within the NPPF).

b) Do the criteria in Policy CP18 provide an appropriate basis for the consideration of proposals for development in Green Wedges?

No. The Council's whole approach to green wedges demonstrates their inability to plan positively by using green wedges to shape the future of Derby within the context of their legitimate development needs. The Green wedge has been applied as a rigid constraint with policy wording in the individual criteria within part a) which is every much as strict as the statutory policy for Green Belts – but not containing any of the safeguards and caveats which exist in green belt policy. (Yet green wedges are not mentioned anywhere in national policy or guidance and therefore are no longer supported by any national policy backing).

The reference to climate change (in the first paragraph) is irrelevant – since development deflected elsewhere will have a similar if not identical climate change impact.

c) Should Policy CP18 include a commitment to review Green Wedge boundaries in the Part 2 Local Plan in the context of the need to provide non-strategic housing allocations?

The pattern of Green Wedges has remained virtually identical since they were declared in the 1989 Derbyshire Structure Plan (and I attended the EIP at the time). The 2012 review examined all the 13 green wedges 'around the clock face' of Derby and explored the merits in keeping land open (or releasing them for development). However, this was a subjective exercise and the purposes for criteria for designation or retention are still not clear. The main justification for green wedges appears to be to maintain a structure for Derby, and retain the identity of communities, but it is not clear why communities should be separate.

The in-house Green Wedge Review conducted in 2012 was insufficiently thorough, was too subjective and was undertaken under the overall authority of the City Council. It cannot therefore be truly independent. It therefore needs to be brought up to date before the Local Plan progresses any further. This is essential since the important balance between development and green wedge structure is completely absent and the Council has completely ducked the issue.

There also needs to be a formal review mechanism which is linked to future and growing housing needs and considers the effect of not making changes in Derby in terms of the alternative impact elsewhere. Furthermore the green wedge review should look at ways of improving the function and appearance of green wedges in the context of the Council's clear obligation to achieve positive planning.

With respect to the Acorn Way/Derby Road site, whether or not the appeal inspector upholds the appeal, the Council needs to review the contribution which the site makes to the purposes and green wedge and how this could be improved.

d) Is the green infrastructure strategy in Policy CP16 justified and deliverable?

Policy CP16 is designed to enhance and upgrade the City's green infrastructure with a view to improving the recreation facilities, health and well-being of local people. We feel it is helpful to 'raise the bar' in terms of improving the current Green Infrastructure assets, but is dangerous if the bar is set too high to achieve. This policy appears to have been written by the Recreation Department who probably have little or no obligation to address other equally important priorities – such as delivering homes for people in a growing City.

e) Are the standards for the provision of public green space in Policy CP17 and Appendix D justified?

No further comment at this stage. We may comment at the EIP

f) Is the Local Plan based on an appropriate assessment of the need for new sports facilities? Does the Local Plan, and Policy CP17 in particular, provide an adequate framework for the protection and development of sports and recreation facilities?

No further comment at this stage. We may comment at the EIP.

John Acres

March 2016