

PAS LOCAL PLAN ROUTE MAPPER TOOLKIT PART 1: LOCAL PLAN REVIEW ASSESSMENT

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A	PLAN REVIEW FACTORS		
A1.	The plan policies still reflect current national planning policy requirements. PROMPT: As set out above in the introductory text, in providing your answer to this statement consider if the policies in your plan still meet the ‘content’ requirements of the current NPPF.	Disagree	Reason (with reference to plan policies, sections and relevant evidence): The current Local Plan was adopted under the 2012 version of the NPPF. The NPPF has been updated several times since then, most notably in 2018, 2019 and in July this year (2021). Whilst the local plan remains in line with the broad thrust of the NPPF, changes introduced since 2012 around - the definition of affordable housing, - the need to be explicit around which local plan are strategic and non-strategic, - the introduction of the standard methodology for calculating housing need, - the requirement to allocate a larger number of small housing sites, - making efficient use of land, - sustainable development including biodiversity net gain and assessing flood risk; and - the new national design guidance and use of design codes to build beautifully are not addressed by the Local Plan. The Local Plan would benefit from updating to address these issues.

Appendix 1

Derby City – Review of Local Plan Policies

Based on PAS Local Plan Route Mapper (December 2021)

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A2.	There has not been a <u>significant</u> change in local housing need numbers from that specified in your plan (accepting there will be some degree of flux). PROMPT: Look at whether your local housing need figure, using the standard methodology as a starting point, has gone up significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan). Consider whether your local housing need figure has gone down significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan). You will need to consider if there is robust evidence to demonstrate that your current housing requirement is deliverable in terms of market capacity or if it supports, for example, growth strategies such as Housing Deals, new strategic infrastructure investment or formal agreements to meet unmet need from neighbouring authority areas.	Disagree	Reason (with reference to plan policies, sections and relevant evidence sources): Since the adoption of the Local Plan, the Government has changed the way that local planning authorities are expected to calculate the number of new homes they need to plan for. The national ‘standard methodology’ was initially introduced in 2018 to achieve the Government’s commitment to deliver 300,000 new homes per year. After several proposed changes, a revised national standard methodology was introduced in December 2020. The standard methodology sets the housing requirement figure for each Local Authority and now includes an additional 35% for Authorities in the top 20 urban centres in England by population. Derby is one of these, alongside Nottingham and Leicester in the East Midlands. This has resulted in a significant increase in Derby’s housing requirement figure, from a requirement to deliver 881 dwellings annually under the previous methodology to 1,189 dwellings. This compares with a current Local Plan Housing target of 11,000 (2011-2028) or 647 dwellings per annum. However, the current local plan target reflects the agreement under the Duty to Cooperate, that some 5,388 of the City’s housing need of 16,388 - 2011-2028 would be met in the neighbouring authorities of Amber Valley (2,375 homes) and South Derbyshire (3,013 homes). Therefore, in reality, the City’s housing need has increased from a figure of 964 a year (16,388/17year plan period) to 1,189 under the revised methodology. This uplift is still considered significant and it is highly likely that will need to work with neighbouring authorities to address and needs for new homes that can’t be met within the City.

Appendix 1

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A3.	You have a 5-year supply of housing land PROMPT: Review your 5-year housing land supply in accordance with national guidance including planning practice guidance and the Housing Delivery Test measurement rule book	Partly agree	Reason (with reference to plan policies, sections and relevant evidence sources): We can currently demonstrate a 5year supply of deliverable housing sites against the Local Plan annual target of 647 dwellings a year. However, once our Local Plan reaches its 5-year review date in January 2022, we must use the standard methodology housing requirement figure of 1,189 dwellings p/a, rather than our current Local Plan target, to calculate our 5-year supply of deliverable housing land. Given the significant increase in our housing requirement described above it is likely that we will not be able to demonstrate a 5-year supply.
A4.	You are meeting housing delivery targets PROMPT: Use the results of your most recent Housing Delivery Test, and if possible, try and forecast the outcome of future Housing Delivery Test findings. Consider whether these have/are likely to trigger the requirement for the development of an action plan or trigger the presumption in favour of sustainable development. Consider the reasons for this and whether you need to review the site allocations that your plan is reliant upon. In doing so you need to make a judgement as to whether updating your local plan will support delivery or whether there are other actions needed which are not dependent on changes to the local plan.	Partly agree	The adopted DCLP1 plans for 11,000 new homes in the City between 2011-2028. Almost half of these houses have now been delivered and there is a pipeline of sites being built out or with planning permission. Nevertheless, the impact of the 2008 global recession and the ongoing pandemic have impacted on housing delivery meaning we are behind in terms of overall housing delivery. The Government published the results of the second Housing Delivery Test (HDT) in February 2020. This is a backward-looking measure which covered the period from April 2016 to March 2019. The Council achieved 131% in the HDT which indicates that the past housing delivery record in the city is good. However, the fact that we are 10 years into a 17 year plan period and two significant local plan housing allocation at Rykneld Road (AC20) and Boulton Moor (AC23) have yet to be delivered means we may not now deliver these sites out within the plan period.

Appendix 1

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A5.	Your plan policies are on track to deliver other plan objectives including any (i) affordable housing targets. PROMPT: Use (or update) your Authority Monitoring Report to assess delivery.	Disagree	The evidence on affordable housing need which supported the preparation of the Local Plan indicated the affordable need in the City was 10,117 dwellings (2012-2028). However, affordable need can be met in many ways and not just through the planning system. The local plan therefore does not offer an affordable housing requirement, it seeks to deliver a quantum on major housing sites, that is up to 30% on sites of 15 or more homes. New Affordable Homes Provided 2011-2021 <table><thead><tr><th>Financial Year</th><th>New Affordable Homes Provided</th></tr></thead><tbody><tr><td>2011/12</td><td>92</td></tr><tr><td>2012/13</td><td>172</td></tr><tr><td>2013/14</td><td>303</td></tr><tr><td>2014/15</td><td>305</td></tr><tr><td>2015/16</td><td>154</td></tr><tr><td>2016/17</td><td>136</td></tr><tr><td>2017/18</td><td>75</td></tr><tr><td>2018/19</td><td>89</td></tr><tr><td>2019/20</td><td>207</td></tr><tr><td>2020/21</td><td>223</td></tr></tbody></table> The graph shows that 1,756 affordable homes have been delivered in the City 2011-2021. This includes not only net dwelling gains but homes that have been taken from private stock and brought into AH use. There therefore remain significant unmet affordable housing needs in the city.	Financial Year	New Affordable Homes Provided	2011/12	92	2012/13	172	2013/14	303	2014/15	305	2015/16	154	2016/17	136	2017/18	75	2018/19	89	2019/20	207	2020/21	223
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Appendix 1

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A5	Your plan policies are on track to deliver other plan objectives including any (ii) commercial floorspace/jobs targets over the remaining plan period. PROMPT: Use (or update) your Authority Monitoring Report to assess delivery.	Agree	Around 30ha of ‘additional’ employment land has been developed since 2011 and in the region of a further 30ha of existing employment land has been redeveloped for new employment uses over the same period. Significant planning permissions also exist for further employment led development at Infinity Park (AC15), AC11 (Derwent Triangle) and the former Celanese site (AC13). Whilst these sites have yet to be delivered, the amount of proposed employment land either allocated and / or with permission therefore continues to be in excess of likely needs within the remaining plan period.
A6.	There have been no significant changes in economic conditions which could challenge the delivery of the Plan, including the policy requirements within it. PROMPT: A key employer has shut down or relocated out of the area. Up-to-date evidence suggests that jobs growth is likely to be significantly more or less than is currently being planned for. Consider if there is any evidence suggesting that large employment allocations will no longer be required or are no longer likely to be delivered. You will need to consider whether such events impact on assumptions in your adopted local plan which have led to a higher housing requirement than your local housing need assessment indicates. Consider what the consequences could be for your local plan objectives such as the balance of in and out commuting and the resultant impact on proposed transport infrastructure provision (both capacity and viability), air quality or climate change considerations.	Disagree	Reason (with reference to plan policies, sections and relevant evidence sources): The Covid19 pandemic has had a significant impact on the economy of the City and it will take months, perhaps even years to feel the full impact of its effect. The City Council has responded by preparing a Covid Recovery Plan, which sets out short, medium and long term responses to the impact on the economy. Of most relevance to plan making is the work that is taking place to prepare a new Derby City Centre Plan, which will set out a vision for the city centre moving forward and intervention approaches to deliver this. The Local Plan, and in particular the city centre policies, would benefit from review to reflect these emerging priorities.

Appendix 1

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A7.	There have been no significant changes affecting viability of planned development. PROMPT: You may wish to look at the Building Cost Information Service (BCIS) All-in Tender Price Index, used for the indexation of Community Infrastructure Levy (CIL), or other relevant indices to get a sense of market changes. Consider evidence from recent planning decisions and appeal decisions to determine whether planning policy requirements, including affordable housing, are generally deliverable. Ongoing consultation and engagement with the development industry may highlight any significant challenges to delivery arising from changes in the economic climate.	Partly agree	Reason (with reference to plan policies, sections and relevant evidence sources): Delivery of the larger greenfield housing allocations at AC20 (Rykneild Road) and AC23 (Boulton Moor) have seen delays, when compared with that anticipated at the Local Plan's adoption and with other sites. Delays are partly due to viability constraints caused by the requirement to delivery on-site primary schools in the early phases of the development. Issues around land ownership and the delivery of cross boundary infrastructure has also played a part. Again, going forward, the Covid-19 pandemic may have a knock-on effect on viability. Issues around the cost and supply of building materials have already begun to impact on the viability of some proposals.
A8.	Key site allocations are delivering, or on course to deliver, in accordance the local plan policies meaning that the delivery of the spatial strategy is not at risk. PROMPT: Identify which sites are central to the delivery of your spatial strategy. Consider if there is evidence to suggest that lack of progress on these sites (individually or collectively) may prejudice the delivery of housing numbers, key infrastructure or other spatial priorities. Sites may be deemed to be key by virtue of their scale, location or type.	Partly agree	Reason (with reference to plan policies, sections and relevant evidence sources): Most strategic allocations have delivered as projected, are being delivered or benefit from planning permission. In respect of the two housing allocations identified in A7 above, the Council is working proactively with partners to ensure the required homes are delivered quickly and built out as far as is now possible with the Plan period. Infinity Park (AC15) has not delivered beyond the initial phases. This is largely due to the complexities of the site and need for comprehensive approach across the Southern Derby Growth Zone area, which now include proposals for a new junction on the A50 to serve this wider growth area. Whilst planning permission has been granted, Derby Triangle (AC11) is also yet to commence construction. The lack of delivery of any meaningful office development within the CBD is also a concern and will be one of the matters addressed by the emerging Derby City Centre Plan.

Appendix 1

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A9.	There have been no significant changes to the local environmental or heritage context which have implications for the local plan approach or policies. PROMPT: You may wish to review the indicators or monitoring associated with your Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA). Identify if there has been any changes in Flood Risk Zones, including as a result of assessing the effects of climate change. Consider whether there have been any changes in air quality which has resulted in the designation of an Air Quality Management Area(s) or which could result in a likely significant effect on a European designated site which could impact on the ability to deliver housing or employment allocations. Consider whether there have been any changes to Zones of Influence / Impact Risk Zones for European sites and Sites of Special Scientific Interest or new issues in relation to, for example, water quality. Consider whether there have been any new environmental or heritage designations which could impact on the delivery of housing or employment / jobs requirements / targets. Consider any relevant concerns being raised by statutory consultees in your area in relation to the determination of individual planning applications or planning appeals which may impact upon your plan - either now or in the future.	Disagree	Reason (with reference to plan policies, sections and relevant evidence sources): The recently enacted Environment Bill (November 2021) introduces a mandatory requirement for development to deliver biodiversity net gain. Policies to support this new approach and other requirements from the Bill will need to be included in the next Local Plan. The National context of climate change has 'changed gear' since the adoption of the Local Plan Part 1, with the introduction of the national 2050 net carbon zero target. In addition, the Council has declared a Climate Emergency and is preparing a Derby Climate Strategy and Council Action Plan. A review of the Local Plan is required to adequately address this matter. In the last year UNESCO have requested a 'Statement of Conservation' report to be submitted for the Derwent Valley Mills World Heritage Site, part of which lies in the city. The report is being prepared due to concerns that a number of planning applications have been granted even though the proposals negatively impact on the Outstanding Universal Value of the World Heritage Site, buffer zone or wider setting. In respect of Derby, concerns relate specifically to the granting of planning permission for the Landmark development on Phoenix Street rather than the effectiveness of local plan policy. Nevertheless, the Local Plan will need to respond to any recommendations coming out of this process.

Appendix 1

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A10.	There are no new sites that have become available since the finalisation of the adopted local plan which require the spatial strategy to be re-evaluated. PROMPT: Consider if there have been any new sites that have become available, particularly those within public ownership which, if they were to come forward for development, could have an impact on the spatial strategy or could result in loss of employment and would have a significant effect on the quality of place if no new use were found for them. Consider whether any sites which have now become available within your area or neighbouring areas could contribute towards meeting any previously identified unmet needs.	Agree	Reason (with reference to plan policies, sections and relevant evidence sources): The City is compact with tightly drawn administrative boundaries. No new strategic scale sites, either in public or private ownership, have become available that would suggest the current Local Plan strategy requires a review on this basis.

Appendix 1

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A11.	Key planned infrastructure projects critical to plan delivery are on track and have not stalled / failed and there are no new major infrastructure programmes with implications for the growth / spatial strategy set out in the plan. PROMPT: You may wish to review your Infrastructure Delivery Plan / Infrastructure Funding Statement, along with any periodic updates, the Capital and Investment programmes of your authority or infrastructure delivery partners and any other tool used to monitor and prioritise the need and delivery of infrastructure to support development. Check if there have been any delays in the delivery of critical infrastructure as a result of other processes such as for the Compulsory Purchase of necessary land. Identify whether any funding announcements or decisions have been made which materially impact upon the delivery of key planned infrastructure, and if so, will this impact upon the delivery of the Local Plan.	Partly agree	Reason (with reference to plan policies, sections and relevant evidence sources): Most strategic housing allocations have been delivered or are being delivered, except for those outlined at A7 where new primary school infrastructure is required in the early phases of the development. The proposals for the Southern Derby Integrated Transport link, a key piece of transport mitigation for the scale of growth outlined in the Local Plan, have been complicated by changes in the overall approach to the scheme. It is now proposed to include a new junction onto the A50 as well as an east west link between the new Infinity Park Way (T12), Wragley Way and Stenson Road. The proposals for the new junction have recently been awarded significant funding, through the Government's Levelling Up Fund, which should help to the project proceed. Whilst this has not affected the delivery of the Wragley Way housing development within the City (AC18), it has affected the remainder of the cross-boundary housing allocation in South Derbyshire along with delivery of the Local Plan strategic employment site at Infinity Park (AC15). Delays with the delivery of the A38 grade separation works have also had some knock on impact on housing delivery on the west side of the City.

Appendix 1

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A12.	All policies in the plan are achievable and effective including for the purpose of decision-making. PROMPT: Consider if these are strategic policies or those, such as Development Management policies, which do not necessarily go to the heart of delivering the Plan's strategy. Identify if there has been a significant increase in appeals that have been allowed and /or appeals related to a specific policy area that suggest a policy or policies should be reviewed. Consider whether there has been feedback from Development Management colleagues, members of the planning committee, or applicants that policies cannot be effectively applied and / or understood.	Agree	Reason (with reference to plan policies, sections and relevant evidence sources): The policies in the Local Plan are considered to be effective for decision making purposes in delivering the strategy of the Local Plan. In producing the annual Authority Monitoring Report, the delivery of strategic allocations is assessed and where sites have not come forward as originally planned, officer led intervention measures have been undertaken to facilitate delivery.
A13.	There are no recent or forthcoming changes to another authority's development plan or planning context which would have a material impact on your plan / planning context for the area covered by your local plan. PROMPT: In making this assessment you may wish to: ● Review emerging and adopted neighbouring authority development plans and their planning context. ● Review any emerging and adopted higher level strategic plans including, where relevant, mayoral/ combined authority Spatial Development Strategies e.g. The London Plan. ● Review any relevant neighbourhood plans ● Consider whether any of the matters highlighted in statements A1- A12 for their plan may impact on your plan - discuss this with the relevant authorities. ● Consider any key topic areas or requests that have arisen through Duty to Cooperate or strategic planning discussions with your neighbours or stakeholders - particularly relating to meeting future development and /or infrastructure needs.	Disagree	Reason (with reference to plan policies, sections and relevant evidence sources): As set out at A2, the City has had to rely on HMA partners in Amber Valley and South Derbyshire to deliver around a third of the City's housing need 2011-2028 due to lack of capacity within the City. The significant uplift in the City's housing requirements make it highly likely that we will again not be able to accommodate all of our housing requirement within the administrative area of the City. In addition, both HMA partner authorities (AVBC and SDDC) and Erewash Borough Council, whose administrative area lies directly to the east of the City, have already begun work on new Local Plans. This means it is necessary to keep pace with our neighbours and begin to look at how housing requirements can be met in the next plan period by working across the HMA and with neighbouring authorities to inform the next round Local Plans.

Appendix 1

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A14.	There are no local political changes or a revised / new corporate strategy which would require a change to the approach set out in the current plan. PROMPT: In making this assessment you may wish to: • Review any manifesto commitments and review the corporate and business plan. • Engage with your senior management team and undertake appropriate engagement with senior politicians in your authority. • Consider other plans or strategies being produced across the Council or by partners which may impact on the appropriateness of your current plan and the strategy that underpins it, for instance, Growth Deals, economic growth plans, local industrial strategies produced by the Local Economic Partnership, housing/ regeneration strategies and so on.	Disagree	Reason (with reference to plan policies, sections, and relevant evidence sources): As set out at A6 and A9 the spatial implications of the Council Covid Recovery Strategy, including the emerging Derby City Centre Plan, and the emerging Climate Change Strategy all need to inform a new Local Plan.

Appendix 1

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	ASSESSING WHETHER OR NOT TO UPDATE YOUR PLAN POLICIES	YES/NO (please indicate below)	
A15.	You AGREE with <u>all</u> of the statements above	NO	If <u>no</u> go to question A16. If <u>yes</u>, you have come to the end of the assessment. However, you must be confident that you are able to demonstrate and fully justify that your existing plan policies / planning position clearly meets the requirements in the statements above and that you have evidence to support your position. Based on the answers you have given above please provide clear explanation and justification in section A17 below of why you have concluded that an update is not necessary including references to evidence or data sources that you have referenced above. Remember you are required to publish the decision not to update your local plan policies. In reaching the conclusion that an update is not necessary the explanation and justification for your decision must be clear, intelligible and able to withstand scrutiny.
A16.	You DISAGREE with one or more of the statements above and the issue can be addressed by an update of local plan policies	YES	If yes, based on the above provide a summary of the key reasons <u>why</u> an update to plan policies is necessary in section A17 below and complete Section B below.
A17.	<u>Decision:</u> Update plan policies (delete as necessary) Reasons for decision on whether or not to update plan policies (clear evidence and justification will be required where a decision not to update has been reached): The changes to the NPPF since the adoption of the Local Plan (A1) along with the revised standard methodology for calculating housing requirements outlined at A2 and the need to align with our Derby Housing Market Area partners (see A13), particularly given the significant uplift in our housing requirement, means it is appropriate to fully update our Local Plan.		