

Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

13 September 2016

Report of the Strategic Director – Economy, Transport and Communities

CONSULTATION: SOUTH DERBYSHIRE LOCAL PLAN PART 2

(1) **Purpose of Report** To agree the County Council's formal response to South Derbyshire District Council's (SDDC) public consultation on its South Derbyshire Local Plan Part 2 (LPPt2).

(2) **Information and Analysis** The South Derbyshire Local Plan Part 1 (LPPt1) was adopted by SDDC in June 2016. The LPPt1 set out strategic policies for the District Council, including larger-scale site allocations for housing, employment and major infrastructure projects.

The LPPt2 sets out more detailed local development management policies to guide future development in the District on matters such as:

- settlement boundaries;
- housing development in urban and rural areas, including 18 non-strategic housing allocations totalling around 790 dwellings;
- the built and natural environment;
- education, including a policy for the identification and safeguarding of land for a new secondary school to accommodate at least 800 pupils on a minimum of 10 hectares (ha) of land;
- retail and town centres; and
- infrastructure provision.

Appendix A of the LPPt2 includes a review of all the settlement boundaries in the District that were originally defined in the Adopted South Derbyshire Local Plan 1998 (ASDLP). Proposed new settlement boundaries are defined, take into account changes in circumstances within and around the settlements, such as the granting of planning permission for housing and employment development and proposed strategic sites allocated in the LPPt1.

Appendix B of the LPPt2 identifies the 18 housing allocations that have been confirmed and those sites which have been excluded as not being suitable for allocation.

Derbyshire County Council was consulted on an Initial Draft of the LPPt2 (Initial Draft) in December 2015 and comments provided, which were made on the consultation, which were formally agreed by the Cabinet Member at the meeting on 22 March 2016 (Minute No. 33/16 refers).

Full details of the LPPt2 consultation can be viewed at http://www.south-derbys.gov.uk/planning_and_building_control/planning_policy/local_plan/local_plan_part2/default.asp

In order to meet the statutory deadline of 15 August 2016 for submission of comments, informal comments from the County Council have been submitted on the LPPt2, subject to agreement at this Cabinet Member meeting. A copy of the response can be made available on request.

Local Member Comments

Local County Councillors with electoral divisions in South Derbyshire District have been consulted on the LPPt2. County Councillor Kath Lauro, local member for Linton, has commented as follows:

'I cannot stress enough about educational primary places in my division. I am pleased that you are making a case and warning about the pressure on these places especially at Linton / Castle Gresley and Rosliston. Overseal too is bursting at the seams as their area continues to be bombarded with planning applications that are just under the numbers required to increase major infrastructure and without good enough local transport and services to mitigate conditions for residents in these villages'.

Officer Comments

Settlement Framework Boundaries

The definition of settlement boundaries is fully supported for the Urban Areas, Key Service Villages and Local Service Villages as set out in Policy SDT1 and in detail in Appendix 1. Minor wording changes are suggested to the Policy. The physical definition of the boundaries is considered to be well conceived, appropriately justified and based on a robust methodology. The settlement boundaries, once confirmed, will ensure that new development is located in the most sustainable locations within those settlements.

Housing Matters

The LPPt1 sets out an overall housing requirement for the District of 12,618 dwellings between 2011 and 2028. This is South Derbyshire District's contribution to an overall housing requirement for the Derby Housing Market Area (HMA) of 33,388 dwellings over the same period. The LPPt1 indicates that land for around 12,000 dwellings will be identified in the LPPt1 and the residual of around 600 dwellings will be identified in the LPPt2. In this context, Policy H23 of the LPPt2 is supported, which identifies 18 proposed housing

allocation sites with a total capacity of around 790 dwellings. This is more than sufficient to meet the residual housing requirement of 600 dwellings required by the LPPt1. All of the proposed allocation sites are considered to be well related to the built up areas of the settlements where they are proposed to be located or adjoin.

It is welcomed and fully supported that Policy H23 incorporates a range of important physical and environmental impact criteria which will need to be taken into account in the development of each allocation site. These are all important considerations in the context of the County Council's responsibilities as Highway Authority, Lead Flood Risk Authority and consultee on strategic planning policy matters. It is also welcomed that the background text to the Policy indicates that developer contributions may be required to support housing development on the sites, particularly for education purposes. However, for clarity and certainty, it is requested that the requirement for developer contributions is specifically included in Policy H23.

Education Issues

Each of the proposed housing allocations in Policy H23 would have implications for primary education. Detailed comments on the likely primary education requirements that would be generated by each housing site were identified in the County Council's informal response to SDDC dated 12 August 2016.

Policy INF12: Provision of Education Facilities is fully supported, as the Policy seeks to ensure that land for the provision of at least an 800 pupil place secondary school with a site area of least 10 hectares will be safeguarded in a location decided by Derbyshire County Council. The County Council's Cabinet will consider a report on 20 September 2016, which will recommend the site(s) to be safeguarded and, subject to Cabinet approval, this should be referenced in the final wording of the Policy.

Highways Issues

Detailed work to assess the highways impacts of the sites allocated for housing development in Policy H23, both individually and cumulatively, is ongoing by the County Council's Highway Authority officers in consultation with SDDC's officers.

Landscape Issues

Detailed comments provided in the County Council's informal response on the landscape and landscape character implications of the proposed policies, definition of settlement boundaries and proposed housing sites are summarised below:

- support the approach to the definition of settlement boundaries;

- as many of the proposed housing allocations are in rural locations, their potential impacts on landscape and landscape character will need to be carefully mitigated and masterplans should be developed for each site;
- concerns are expressed about two housing allocations proposed at Linton Road, Rosliston and Scropton Road, Scropton, and their potential significant impacts on the local character of the area, which may be difficult to mitigate;
- support is expressed for the identification and protection of areas of Local Green Space; and
- detailed wording amendments are suggested to the Policy relating to the protection of trees, woodlands and hedgerows.

Green Belt Issues

It is recommended that a detailed development management policy for Green Belts should be included in the LPPt2 which reflects national policy in the National Planning Policy Framework (NPPF) and would add more weight to the application of Green Belt policy at the local level. It is also recommended that SDDC should consider the need to define the detailed boundaries of the District's Green Belts in the LPPt2, which were last defined in the ASDLP.

Retail Issues

The policy approach to retail development and town centres is fully supported as it appropriately incorporates the 'sequential' and 'retail impact' tests set out in the NPPF. It is welcomed that comments made by Derbyshire County Council's officers on the Initial Draft, regarding the need to amend Policy RTL1 to make it clear that the retail impact test should apply to both edge-of-centre and out-of-centre sites in and around the District's town and district centres, has been fully incorporated in the LPPt2. It is also supported that a new Policy RTL2 and map have been included in the Plan, which sets out details of a number of potential redevelopment sites in Swadlincote town centre, which provides more clarity and certainty.

Former Drakelow Power Station

It is supported that a new Policy BNE13 has been included in the LPPt2 for the former Drakelow Power Station, which indicates that development for B1, B2 and B8 uses and energy generating purposes will be encouraged to assist in the regeneration of the site. The inclusion of the Policy, particularly which supports energy generating uses, is considered to be justified as planning permission has recently been granted for a Combined Cycle Gas Turbine Power Station, Renewable Energy Centre and Solar Park on part of the former power station site.

(3) **Financial Considerations** There are no financial considerations or consequences for the County Council as a direct result of this report.

(4) **Legal Considerations** The recommendation in this report is made in the context of the County Council's responsibilities and services under the provisions of the Localism Act 2011 and the Planning and Compulsory Purchase Act 2004.

(5) **Social Value Considerations** The relevance of social value in terms of social, economic and environmental wellbeing has been considered in the preparation of this report. Meeting the current and future needs of communities in the best possible way, particularly in relation to maximising local opportunities for labour and business supply chains, is central to the role and ambitions of the County Council.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

These considerations are embedded in the detailed response of the Council to the draft policies of the LPPt1.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Steve Buffery, extension 39808.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member delegates authority to officers to send a formal response to South Derbyshire District Council in response to its public consultation on the South Derbyshire Local Plan Part 2, in line with the issues and comments set out in this report.

Mike Ashworth
Strategic Director – Economy, Transport and Communities