

**Agenda Item No. 4(b)**

**DERBYSHIRE COUNTY COUNCIL**

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

**22 March 2016**

Report of the Strategic Director – Economy, Transport and Environment

**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** SDDC submitted the South Derbyshire Local Plan Part 1 (LPPt1) to the Secretary of State in August 2014 and an inspector held an Examination in Public (EIP) in November and December 2014. The LPPt1 sets out strategic level policies for the District, including larger-scale site allocations for housing and employment development, and identifies major infrastructure projects. In response to the inspector's provisional findings from the EIP, SDDC carried out further work to address a number of outstanding issues. Following completion of that work, the EIP resumed on 8 and 9 December 2015 with a number of further Local Plan hearing sessions. On 28 January 2016, SDDC published Main Modifications to the LPPt1, which are currently the subject of a separate public consultation exercise.

Now that the LPPt1 is nearing the final stages of the EIP process, SDDC has commenced work preparing the LPPt2. The LPPt2 sets out more detailed local development management policies to guide future development on matters such as:

- settlement boundaries;
- housing development in urban and rural areas, including the need for non-strategic sites to be allocated for a total of around 600 houses across the District as a whole in addition to the 12,000 dwellings allocated on major sites in LPPt1;
- 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 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, which 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. Once confirmed, there will be a presumption in favour of sustainable development within the settlement boundaries whilst land outside the boundaries will be regarded as countryside, where a restrictive approach to development will be adopted.

Appendix B of the LPpt2 sets out proposals for the potential allocation of a wide range of non-strategic housing sites of fewer than 100 dwellings. The LPpt2 is required to allocate land for a total of around 600 new dwellings in addition to the strategic sites identified in the LPpt1 to provide sufficient land to meet the District's overall proposed future housing requirement of around 12,600 dwellings between 2011 and 2028 (see comments below). Potentially suitable housing sites are identified in and around the Urban Areas (a total of between 150 and 300 dwellings); the Key Service Villages (a total of between 150 and 400 dwellings); and Local Service Villages and Rural Villages (a total of around 150 dwellings). Potential housing sites are identified which have been included in the District Council's Strategic Housing Land Availability Assessment (SHLAA).

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](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 12 February 2016 for submission of comments, provisional informal Member and Officer technical comments were submitted on the LPpt2, subject to agreement at this Cabinet Member Meeting. A copy of the response is available on request.

### **Local Member Comments**

Local County Councillors with electoral divisions in the South Derbyshire District have been consulted on the LPpt2. No comments have been received.

### **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 policies SD1 and H22 and in detail in Appendix A of the LPpt2. 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, at those settlements.

### **Housing Matters**

The LPPt1 Main Modifications set 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 Main Modifications indicate 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 22 of the LPPt2 is supported, which seeks to identify land for between 500 and 800 dwellings to meet this residual need. The indicative scales of development within the Urban Areas (300 dwellings), Key Service Villages (150 – 400 dwellings) and Local Service Villages (150 dwellings) are considered to be appropriate taking into account the scale and role of settlements in the District, and the range of services and facilities within them. It is welcomed that many sites have been ruled out as being unsuitable for housing development due to their impact on the Green Belt, strategic gaps, poor relationship to the settlements and location within areas liable to flooding.

### **Education Issues**

Policy EDU1: Provision of Education Facilities is fully supported, as the Policy seeks to ensure that land for the provision of a secondary school for a minimum of 800 pupils, with a site area of least the County Council.

The County Council undertook public consultation in respect of its South Derbyshire Secondary Education Strategy in early 2015. The consultation sought views on a number of scenarios in order to identify a preferred and a reserve site for a new secondary school to meet the education provision needs associated with future housing growth on the edge of Derby City being proposed in the Derby City and South Derbyshire Core Strategies/Local Plans. The County Council expects to undertake a further round of public consultation in 2016, with the aim of informing consideration of this issue in the LPPt2. The explanatory text on page 23 supporting Policy EDU1 appropriately reflects the position explained above and therefore is welcomed and supported.

Appendix B identifies a wide range of non-strategic sites considered to be potentially suitable for housing. Discussions have taken place between officers from the County Council's Children's Services and SDDC to assess existing and projected school place capacity at all primary and secondary schools within the catchment areas of the individual settlements identified in Appendix B. This collaborative work between officers from the County Council and SDDC will continue in assessing the school place planning provision issues relating to those potential housing sites subsequently identified with more certainty by SDDC as likely proposed allocations in the LPPt2.

### **Highways Issues**

As noted above, Appendix B of the LPPt2 identifies a wide range of potentially suitable non-strategic housing sites. Detailed work to assess their highways impacts, both individually and cumulatively, is ongoing by the County Council's Highway Authority officers in consultation with officers from SDDC.

### **Landscape Issues**

Detailed comments provided in the County Council's provisional 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;
- support the identification of sites considered to be unsuitable for housing development in Appendix B for the range of environmental constraint reasons provided. However, a wider range of other landscape issues needs to be considered in the assessment process;
- attention is drawn to detailed comments that the County Council previously submitted to SDDC on the landscape and landscape character impacts of planning applications relating to potential housing sites at Kings Newton and Winshill; and
- detailed wording additions and amendments are suggested to Policies relating to development in the countryside; protection of trees, woodlands and hedgerows; and local open space.

### **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 and importance 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 in 1998.

### **Retail Issues**

Although the policy approach to retail development and town centres is generally supported, as it appropriately incorporates the 'sequential' and 'retail impact' tests set out in the NPPF, amendments are suggested to 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. This is required by the NPPF.

- (3) **Financial Considerations**      There are no financial considerations associated with 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.

### **Other Considerations**

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.

(5) **Key Decision** No

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

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

(8) **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 comments set out in this report.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**