



## **Draft notes of meeting of Derby HMA Joint Advisory Board**

**4 July 2023**

**Amber Valley Borough Council Offices, Town Hall, Market Place, Ripley**

**2.00 pm – 4.00 pm**

Chair – Councillor Tony King, Derbyshire County Council (Cllr TK)

### **Item 1 Welcome and introductions**

#### Amber Valley Borough Council

Councillor Chris Emmas-Williams (Cllr CEW)  
Matt Bowers, Interim Planning Policy Manager (MB)  
Andrew Johnston, Planning Policy Officer (AJ)

#### Derby City Council

Councillor Shiraz Khan (Cllr SK)  
Paul Clarke, Chief Planning Officer (PC)  
Andy Waterhouse, Spatial Planning Group Manager (AW)  
Nicky Bartley, Planning Policy Team Leader (NB)

#### Derbyshire County Council

Councillor Tony King (Cllr TK)  
Steve Buffery, Team Leader – Policy & Monitoring (SB)

#### South Derbyshire District Council

Councillor Stephen Taylor (Cllr ST)  
Steffan Saunders, Head of Planning & Strategic Housing (SS)  
Amanda Vernon, Planning Policy Team Leader (AV)

**Item 2            Apologies for absence.**

Councillor Emma Monkman, Amber Valley District Council (EM)  
Councillor Alex Breene, Erewash Borough Council (Cllr AB)  
Steve Birkinshaw, Head of Planning & Regeneration, Erewash Borough Council (SBi)  
Oliver Dove, Planning Policy and Regeneration Manager, Erewash Borough Council (OD)

**Item 3            Notes from JAB meeting held on 24 January and matters arising.**

It was agreed by those who were present at the meeting that the notes were an accurate record of the meeting.

**Action            The circulation list for the invitations to the meetings needs to be updated to reflect the new attendees.**

**Item 4            Recap on the role of JAB.**

AW provided a brief timeline of historic joint working between the Councils within the HMA dating back to the time of the East Midlands Regional Plan. The JAB is an advisory board and not a decision-making board with the expectation that Members will report back to respective Committees/Cabinets. The JAB gives a political steer to joint plan-making work. Under the Duty to Cooperate Councils are expected to work together to address strategic planning issues and whilst it is possible that the Duty might be abolished at some point in the future, in line with recent government consultations, it is expected that it will be replaced by something similar. The Duty to Cooperate is not a duty to agree. This meeting provides an important record of engagement between authorities which can be used as evidence.

PC noted that it should be considered as planning without administrative boundaries to find joint solutions to planning problems.

The aim is to meet quarterly, but the frequency may increase to reflect workload. Usually hosted at Amber Valley with Chair to rotate every meeting.

**Item 5            Derby HMA Strategy Presentation including an update on Derby Capacity work.**

NB presented Powerpoint of current HMA strategy position (to be circulated after the meeting).

The presentation included an update of work undertaken since the last JAB meeting (including the conclusion of the Capacity Study work), outlined the need for a HMA Strategy to agree a coordinated approach to address strategic issues (such as unmet housing need from Derby City) and is a mechanism to procure joint evidence to ensure a robust basis for Local Plan production. Key issues discussed so far include the plan period, housing need, Green Belt, strategic infrastructure, a Sustainability Appraisal Framework and Statements of Common Ground.

Three key pieces of evidence have been produced so far (the Derby Housing Market Area boundary Study, the Derby Housing Market Area Growth Options Study and the Derby City

Capacity Study Review). The capacity study provides an independently ratified review of the current housing capacity within the Derby City to establish a ball-park figure for the HMA authorities to use for plan-making. There has been a new affordability ratio which has resulted in South Derbyshire and Amber Valleys respective housing need requirement to reduce slightly but has resulted in the requirement for the City to increase. The current shortfall in the City, based on the capacity study and the affordability ratio, is significant with Derby capacity identified as 12,041 Derby City Council circulated a letter prior to the JAB meeting advising that they will be making a formal request to the other HMA authorities to consider accommodating their unmet need.

Cllr TK noted that the unmet housing need figure presented was substantial and that difficult discussions would be needed following Member discussions with each of the respective HMA authorities.

AW recognised the need to keep working at the capacity figure to reduce the shortfall but identified that it will be challenging to reduce much further.

Cllr ST questioned what work had been done since the Capacity Study was completed to unlock difficult sites and reduce the housing expectation on the other HMA authorities.

AW outlined that Aecom took a cautious approach to City Centre sites and explained how Derby City Council has already committed to deliver more than the capacity figure recommended by consultants.

PC stated that the viability credentials of brownfield sites in the City Centre is challenging and many of the sites need significant intervention and funding to bring them forwards. The City Council Regeneration Team is working with private sector delivery partners to assess options.

Cllr ST questioned whether the City could use the Tall Building Study to increase the densities (and subsequent capacity) within the city centre.

NB detailed some sites in the city centre where development interest has been sparked by the Tall Building Study and it is hoped that the Regeneration Team can pick these up.

AW stated that the City Council are also having regular discussions with Homes England to try to generate interest in funding/unlocking delivery on some of the difficult sites.

Cllr CEW stated that the HMA aren't asking Erewash to accommodate unmet housing need on Green Belt grounds, but Amber Valley is in the same position. As a HMA we may need to consider that the target isn't achievable due to constraints.

Cllr TK stated that delivering brownfield sites is difficult because they're expensive, but we should go back and look at valuations.

Cllr SK stated that the housing target is coming from central government and that not meeting it may mean that decisions are taken out of our hands. Derby City Council is trying to meet targets, but city centre is not very large, and they need to be sensitive about over-developing the skyline. Suggested that as a HMA group we need to come up with solutions between us because housing will need to be provided.

Cllr TK noted that devolution is coming and that this might unlock some funding to deliver difficult brownfield sites.

SS noted that the Capacity Study is not the final position, and that the city are working to increase capacity. There may be potential to increase the capacity in the future by looking at what funding is needed and the form that might take. Robust Sustainability Appraisal testing will be crucial and that will need to consider a range of scenarios for meeting the need including the implications for the HMA of not meeting the need, this will be key evidence to inform Local Plan production. The HMA boundary Study concluded that Erewash was not part of the HMA.

PC stated that Erewash's sites adjacent to Derby should contribute to Derby's housing numbers but they don't.

AJ questioned whether Erewash formally requesting that Amber Valley take some of their housing need demonstrates that Erewash's approach to meeting housing need crosses the HMA boundary.

Cllr TK stated that the group should ask Erewash when they attend the next meeting. He also stated that devolution may change things if Nottingham and Derby work together.

NB reiterated that these issues were the reason why HMA working is so important and stated that the respective HMA authorities will continue to work together to address some of these issues.

**Action                      An update to be provided to the next JAB on 10 October 2023 regarding the Sustainability Appraisal Framework.**

**Action                      Request that Erewash attend the meeting so that we can understand their position.**

**Item 6                      Individual Authority updates.**

Amber Valley has delayed their Regulation 19 Consultation due to the consideration of Planning Advisory Service (PAS) recommendations. Aiming to take a revised timetable back to Members over the summer with Regulation 19 consultation expected late summer/early autumn.

South Derbyshire are to report Issues and Options consultation to an upcoming committee. Aiming for a replacement plan in 2024.

Derby City will be refreshing their Local Development Scheme (LDS) in the coming months, aiming for Local Plan submission June 2025. Statement of Community Involvement refresh will also be undertaken.

Derbyshire County Council are working with Derby City Council to prepare a joint Minerals and Waste Local Plan. Minerals Local Plan has been consulted upon and currently considering representations which is expected to be reported to committee in autumn, submission in

December with Examination in the Spring. The waste Local Plan is currently on pause whilst more evidence is gathered.

**Item 7            Any other business.**

SB provided an update on the A38 Junction improvements following a recent meeting with National Highways. Consent was granted by the Secretary of State in 2021 but it was subject to legal challenge which was upheld in the High Court, this was resubmitted, but no update has been provided since. The same legal challenge was submitted for a number of large infrastructure projects across the country, and it is thought that the A47 application in Cambridgeshire is the test case which we should have the outcome for in the next few weeks.

**Item 8            Time and date of next meeting.**

Tuesday 10 October 2023

2.00 to 4.00 pm to be chaired by Cllr Taylor.

Amber Valley Borough Council Offices, Town Hall, Market Place, Ripley

(option available to attend remotely for those unable to attend in person)