

MINUTES OF DERBY HMA JOINT ADVISORY BOARD 20 FEB 2024
AMBER VALLEY BOROUGH COUNCIL OFFICES, TOWN HALL, RIPLEY

ITEM 1 WELCOME AND INTRODUCTIONS

Amber Valley Borough Council

Councillor Emma Monkman (EM)
Matt Bowers, Interim Planning Policy Manager (MB)
Andrew Johnston, Planning Policy Officer (AJ)

Derby City Council

Councillor Shiraz Khan (SK) (Chair)
Andy Waterhouse, Spatial Planning Group Manager (AW)
Paul Clarke, Chief Planning Officer (PC)

Derbyshire County Council

Steve Buffery, Team Leader – Policy & Monitoring (SB)

South Derbyshire District Council

Councillor Stephen Taylor (ST)
Steffan Saunders, Head of Planning & Strategic Housing (SS)
Philip Stephenson, Planning Policy Manager (PS)

Erewash Borough Council

Steve Birkinshaw, Head of Planning & Regeneration (SBi)

Clearlead Consulting (SLR) (Item 5)

Vicky Pearson, Principal Consultant (VP)

ITEM 2 - Apologies

Nicky Bartley, Planning Policy Team Leader, Derby City Council
Councillor Tony King, Derbyshire County Council

ITEM 3 – Appointment of Chair

Cllr Shiraz Khan (SK) was appointed as Chair for the meeting

ITEM 4 – Notes of Previous Meeting

Agreed

ITEM 5 - Derby HMA Strategy Sustainability Appraisal Options update

MB gave background to the HMA SA project and explained that Clearlead/SLR have been engaged to prepare Sustainability Appraisal (SA) work for housing options in the Derby HMA and introduced Vicky Pearson (VP) from Clearlead.

VP introduced herself and presented a number of slides on the SA Growth Options work which she explained was to identify sustainability implications of options for housing growth and to support the evidence base for each of the 3 local plans.

The SA work covers social, environmental and economic factors and follows a staged methodology process. The work, a desktop exercise, will utilise GIS data and other evidence to assess locations for housing growth and identify positive and adverse effects. A Draft Report will be presented by mid-April and on 14 May 2024 there will be a presentation to the clients.

The assessment will look at 3 growth scale options and 8 distribution options (24 altogether) against an SA framework to identify and minimise any adverse impacts.

ACTION – VPs slides to be circulated by AJ

ITEM 6 - AVBC Reg 19 Consultation Update

MB gave a progress update on the AVBC local plan. The plan is urgently needed as the last adopted plan is now very old. Consultation began on the Reg 19 version on 16 February 2024, for 6 weeks.

Lots of evidence base work has been done and there are changing circumstances including the political makeup of Council, national policy changes and new legislation.

The Plan period of 2022-2040 fits in with evidence base and also NPPF requirement that a plan should look 15 years from adoption.

MB described the borough and issues relevant to the plan, including the proposed growth distribution and topics it covers.

AVBC have Standard Method need of 1 year at 376 and 17 at 364 dwellings

The plan will contribute 1,320 to DCC need by allocating a site at Mackworth and although the site will deliver 2,000 homes in total, 1,320 are expected to be delivered by the end of the plan period, 2040.

The plan includes 1,152 dwellings of flexibility to allow for more affordable housing and economic growth.

MB explained that the main risks to the plan include the delays to the progressing of the A38 and possibility of housing schemes not being delivered.

The vision for the Mackworth allocation near Derby includes a masterplan and a neighbourhood Centre.

The Plan is also about meeting employment needs. Employment need over the plan period is assessed as being 57ha and supply is 82ha. The strategy is heavily reliant on the Cinderhill employment location being delivered.

The plan includes a commitment to review in 5 years and a review mechanism.

SS queried the component parts that make the 9,036 dwellings and agreed that the delayed A38 upgrade work is a risk as could prevent sites coming forward.

AW suggested that the monitoring mechanism within the plan will be important at Examination. There will need to be an HMA wide monitoring mechanism to maintain an understanding of ongoing development in the HMA.

AJ and SS discussed delivery rates on the Brun Lane site which are expected to be about 120 dwellings a year and may need three developers on site to achieve this. SS suggested that delivering Affordable Housing products could increase the speed of housing delivery. SS suggested that 120 dwellings a year could be a low estimate for delivery and the site could potentially deliver more. He suggested that in the DUA 200 a year can happen on large sites like Brun Lane as sites in South Derbyshire had achieved such delivery rates.

PC queried how Derby's SM need will be met and what SDDC's dwelling contribution will be. SS said by summer/August SDDC may know what their housing allocation sites and the dwelling quantum for their plan would be. SS thought that the Brun Lane could deliver the whole quantum of circa 2,000 new homes within the plan period and that this would give AVBC more capacity to meet Derby's unmet need.

SS said many things need to be resolved before the HMA authorities know if the total HMA need can be met. Cllr ST said those decisions require further thought/deliberation and a lot of information needs to be considered in the process.

AW said that at the first authority's Examination it was likely that the whole housing need and Derby's capacity will be scrutinised by the Inspector.

PC said the Combined Authority may be able to fund infrastructure and delivery of homes.

AJ pointed out that the site selection in Amber Valley was a technical assessment in SHELAA. Nothing has been held back and this is why there is an oversupply of land for housing.

SK asked if there any other sites in Amber Valley which might come available later in the plan period and MB said that AVBC had considered all suitable options through their evidence.

Item 7 – Levelling Up and Regeneration (LURA) Act 2023

SB explained some of the recent changes to legislation and national policy.

Even though the LURA is enacted much of the required detail will come through secondary legislation and that there are transitional arrangements for plan preparation.

PC said that the timescales for preparing plans set out in the Act are extremely pressing, especially with the evidence base requirements. Resources are very stretched to do the amount of work required.

SB said that the requirement for plans to be 'justified' will no longer be a test of soundness under the new system and there may be less evidence required. There was a query as to whether there is still an intention that this test of Soundness was still going to be removed but it was unclear.

The LURA means that there will no longer be Supplementary Planning Documents and these will be replaced by other documents.

SB explained that the intention is a national set of Development Management policies will be produced by Government and that a new Infrastructure Levy will largely replace S106 agreements.

Item 8 - New National Planning Policy Framework

SB explained that a new NPPF published on 19 December 2023.

This new NPPF includes changes to housing delivery issues. There is no longer need for a continual 5 year supply of housing sites if the local authority has one when their adopted plan was examined. This encourages local authorities to keep plans up to date.

SB noted that a further change set out in the new NPPF was to confirm that the standard method is now an 'advisory starting point' for determining housing need and that buffers which were previously applied in 5 Year Supply calculations have been removed. The new Framework also sets out that local authorities may choose, but are not required to amend Green Belt boundaries to meet housing needs.

SB then finished by saying that there is support for more categories of housing including retirement accommodation and small sites.

Item 9 - Key Infrastructure Projects

SB provided an update on the A38 improvements scheme. The scheme was granted a Development Consent Order by Secretary of State in 2023 but there has been a further legal challenge. The next hearing into the legal challenge is now scheduled for May 2024.

It was noted that the A38 upgrade scheme is very important to the actual delivery of sites in the HMA.

SB updated the meeting on the new proposed secondary school at Infinity Garden Village. The proposals for a new school are now moving at pace and a school should open in September 2027.

Item 10 - Individual Authority Updates

ERE - SBi congratulated MB and EM on getting Amber Valley's local plan to Regulation 19 stage, saying that it is a difficult task.

SBi explained that the Erewash new Labour administration wished to withdraw their local plan but were stopped from doing so by Government. However the Planning Inspectorate has now

delayed the Examination process by pushing things back which Erewash have reported to Government.

AVBC – MB provided updates in earlier presentation.

SDDC – SS said that he expects to report to committee over summer on the issues of overall housing quantum and distribution and infrastructure and then in around August (autumn) to have a draft plan with sites etc. This would then continue the timetable to submit in June 2025. This will be Part 1 of the local plan and a Part 2 will come later.

DCC – AJW said DCC was in a similar position to SDDC but much resource has been diverted from the main plan making functions into things like Biodiversity Net Gain and City Centre work. Although these tasks are related to the local plan and will be relevant for policies, they take time and resource and DCC has a small planning policy team. AJW said that there is a small, web based consultation, currently ongoing on key principles that the plan should address and that key stakeholder conversations are taking place. These will become a formal consultation for Reg 18 in autumn with a Reg 19 early 2025 and submission in June 2025. AJW stressed that this timetable is very challenging.

SB – County Minerals plan went out to consultation Reg 18 last year and work is continuing with submission expected later in 2024.

Item 11 - AOB

None

Item 12 - Next JAB meetings

AJ said that he thought that the proposed 23 April meeting was going to be changed to coincide with the Clearlead presentation on HMA SA on 14 May. This was agreed.

AJW suggested that an Officer/Member workshop may then be needed sooner than next JAB. It was suggested that perhaps a separate meeting was required to assess the SA options work.

ST said SDDC committee will need to make decisions on their plan and SK agreed that those decisions (on options) cannot be made at JAB.