

North East Derbyshire District Council

Cabinet

5th August 2015

Report on the North East Derbyshire Local Plan

**Report No MG/03/15-16/HF of Councillor M Gordon Portfolio Holder with
Responsibility for Environment**

Purpose of the Report

- To update Members on the progress that has been made in preparing the Local Plan;
- To advise Members of the issues and risks associated with continuing with the Local Plan (Part 1) as currently planned; and
- To set out the alternative options for Plan preparation.
- To seek approval to commence preparation of a single Local Plan, which will consider options for an alternative strategic distribution of housing and other development, including bringing forward a comprehensive review of the Green Belt.

1 Report Details

Background

- 1.1 At its meeting on 8th May 2013 Cabinet endorsed the LPSGs recommendation for a two stage approach to the growth strategy for the District as follows:
- Stage 1 (short-term): Prepare the Local Plan based on SNPP¹ growth levels noting that such levels represent a challenging level of growth relative to both past and recent trends.
 - Stage 2 (Longer-term): Undertake an early review of the Local Plan to explore alternative higher growth options and their implications for sustainability and deliverability and undertake a fundamental strategic review of the Green Belt alongside partners in the Sheffield City Region as part of wider strategic considerations of suitable locations for growth.
- 1.2 At the same meeting Cabinet considered how the proposed housing target could be distributed between the sub-areas

¹ SNPP – Sub-National Population & Household Projections are widely considered to provide the baseline housing projections for an area

- 1.3 Subsequently, the LPSG oversaw detailed work on the spatial distribution of housing in order to identify how the agreed housing target could be apportioned between settlements, based on the Settlement Hierarchy derived from the Settlement Role & Function Study. This work revealed significant variations in the scale of housing growth apportioned to each sub area relative to existing housing numbers and a mismatch of capacity and suitable locations for growth.
- 1.4 In addition work also continued on developing the housing and employment evidence base, the findings of which pointed to a slightly lower local housing target of 6000 dwellings for the Plan period 2011 – 2031 (300dpa).
- 1.5 On this basis the LPSG recommended that Cabinet approve an updated local housing target and spatial distribution of housing (Table 1); noting that the proposed distribution included ranges for dwelling numbers in order to allow for variations that may be required in response to further testing through Sustainability Appraisal and capacity testing as part of work on site allocations. This reflected concerns that only a limited number of sites had been identified in the East & West at this time.

Table 1: Local Housing Target and Spatial Distribution by Sub-area (Cabinet 16/04/14)

Sub-Area	North	South	East	West	TOTALS 2011-2031
Dwellings per annum (dpa)	50	150 - 170	30 - 45	35 - 50	300
Sub-Total 2011 – 2031	1000	3000 - 3400	600 - 900	700 - 1000	6000

- 1.6 In addition to the ongoing technical work and policy development there had been further changes to the National Planning Policy context following clarification on the interpretation of the National Planning Policy Framework (NPPF) by the Planning Inspectorate and publication in March 2014 of the National Planning Policy Guidance (NPPG), which related to the following:
- The need to demonstrate a 5 year supply of land: at the point of adoption of a Plan; and
 - The format of the Local Plan which regulations now require to be a single Local Plan rather than a suite of separate documents under the Local Development Framework approach
- 1.7 The LPSG considered the options for taking forward the Local Plan (Part 1) to minimise the risk of being found unsound at examination. In doing so, advice was

sought from the Planning Advisory Service (PAS), following which it was considered that the approach that best balanced the Council's need to secure a sound plan with a 5 year supply of housing land at the earliest opportunity was the incorporation of site allocations (sufficient to provide a 5 year supply) within the Part 1 Local Plan. This involved undertaking a 'call for sites' so that potential allocations could be considered and incorporated into an Initial Draft Local Plan

1.8 At its meeting on 16th April 2014 Cabinet:

- Approved the revised Local Housing Target and spatial distribution of housing set out in Table 1 above;
- Approved the inclusion of site allocations for housing in Part 1 of the Local Plan to enable a 5/6 year supply of housing to be demonstrated on adoption of the Plan; and
- Authorised the commencement of a 'call for sites' which would form the basis to develop proposals for site allocations

1.9 Cabinet has continued to delegate to the Local Plan Steering Group the general task of overseeing and considering the detailed issues arising out of the preparation of the Local Plan. Since April 2014 the LPSG has met on the following occasions to oversee and consider the issues arising out of the preparation of the Plan. Summaries of these meetings and formal minutes of each meeting are set out at **Appendix 1**.

1.10 At its meeting on 21st January 2015, Cabinet approved the content of the Local Plan Part 1: Initial Draft and authorised public consultation on it, and associated documents.

2.0 Issues for Consideration

2.1 Consultation on the Initial Draft Local Plan and a portfolio of potential housing sites took place over February and March this year.

2.2 Consultation on the Initial Draft Plan generated a substantial number of representations. Many of these related to specific potential sites but they also included some specific challenges both to the format of the Local Plan and to the proposed Strategy. The basis of these challenges can be summarised as follows:

- A 2-part Plan is not valid in meeting the requirements of national policy
- The Council has not adequately demonstrated that the current proposed strategy can be delivered (in respect of distribution, delivery and viability)
- A Green Belt Review is required now
- The contribution of strategic sites to housing supply is difficult to demonstrate and cannot be relied upon, over the plan period and particularly in relation to a five year supply of housing land
- There is potential pressure to consider the capacity to accommodate unmet housing need from neighbouring areas

2.3 In addition to the challenges received through consultation responses, work undertaken so far on site assessments has revealed significant problems in

identifying sufficient sites in appropriate locations to demonstrate that the proposed strategy can be delivered successfully. Table 2 identifies the estimated supply that is considered suitable, available and deliverable in relation to the Cabinet approved distribution

2.4 Analysis of Table 2 shows:

- Significant differences between the Cabinet approved distribution and the estimated deliverable supply.
- An undersupply in the North, East and West
- An undersupply against the overall target
- An oversupply in the South

2.5 It is also important to consider that in the West the majority of supply is located in Shirland, with only limited supply in Ashover where there are very few appropriate sites. The options are limited in the West due to Green Belt constraints in the north of the sub-area. In these circumstances, the only realistic option to increasing supply in the North and West would be to release land from the Green Belt.

Table 2: Estimated Deliverable Supply against proposed Local Housing Target and Spatial Distribution by Sub-area

Sub-Area	North	South	East	West	TOTALS 2011-2031
Estimated Deliverable Supply*	235 +	4360	355	426	5376
Cabinet Approved distribution	1000	3000 - 3400	600 - 900	700 - 1000	6000

2.6 The issues raised across these significant areas of concern can be summarised as follows:

- **Local Plan format : a 2- part Plan approach**
There is concern that any planning inspector would question whether continuing with a 2 part Local Plan continues to be appropriate and fit for purpose in meeting the requirements of national policy. This is especially significant given the time that has elapsed since the change in regulations
- **Ability to deliver the strategy – numbers and viability**
The Council's emerging work on site assessments suggests that there is a significant mismatch between proposed spatial distribution of housing and

land availability/ demand. Even in the south of the District, where there is an apparent oversupply of potential sites against the housing target, there are issues around the viability of delivering large numbers of sites in a relatively small area within a difficult housing market and across a relatively short time horizon

- **Green Belt review**

Given the apparent and clear mismatch between spatial distribution, land availability and demand, it is becoming increasingly difficult to justify the postponement of a Green Belt review until after the adoption of the Local Plan Part 1.

- **New evidence over potential unmet need in surrounding areas**

Under the Duty to Co-operate, the District Council is obliged to consider requests to accommodate any unmet needs from other local authority areas. Although no formal requests have so far been received which confirm any quantum or timescales, requests could be expected from both Derbyshire Dales District Council and Sheffield City Council. In order to provide a robust basis for assessing available capacity the Council would need to have undertaken a Green Belt review in order to demonstrate that all reasonable alternatives had been assessed.

- **Site allocations work**

Ongoing work on site assessments points towards continued high proportions of growth in the South of the District, contrary to Members ambitions

2.7 Individually these are significant issues for the Plan to address. However, these issues are not mutually exclusive and taken cumulatively they raise significant uncertainty and serious concerns over the Soundness of the Plan, sufficient to require that the Council should give serious reconsideration to the approach to the Plan's preparation.

2.8 Members need to be aware of the options now available to the Council in continuing to prepare the Local Plan, and the issues and risks around each option. The options are set out in more detail at **Appendix 2** and can be summarised as follows:

Option 1:

Continue with the 2-part plan, recognising the significant risks involved

Option 2:

Move to preparation of a single Local Plan, including bringing forward a review of the Green Belt

2.9 Whilst Option 1 would continue on the path towards submitting a Local Plan at the earliest opportunity, it is no longer considered to offer a viable solution due to:

- Unacceptable levels of risk of the Plan being found sound at Examination
- Even if it was successful at Examination and was able to be adopted, the Council would need to move immediately to an early review
- Delays against the timetable have already been experienced

- 2.10 Option 2 would provide the opportunity to address all the issues highlighted insofar as:
- by preparing a single Local Plan the Council would be in the best position to demonstrate clear compliance with regulations and good practice
 - Bringing forward a Green Belt review would allow the Council to address matters of:
 - Process and address objections on matters of principle
 - Re-distribute housing more evenly across the District – addressing issues such a viability and deliverability
 - consider higher growth levels

Timescales

- 2.11 It is important to emphasise that moving towards the preparation of a single Local Plan would not lead to wasted resources or abortive work. Work already completed to this stage would form the platform for a more comprehensive evidence base necessary for a single Local Plan. It would be necessary however to bring forward work streams which had been programmed for the Local Plan Part 2. At this stage, it is estimated that converting to a single Local Plan would add an additional 12 and 18 months to the Plan preparation, depending on available resources and more detailed project programming.

Changes in National Planning Context

- 2.12 Further reforms to the planning system were set out on 10th July in the Government's Productivity Plan 'Fixing the Foundations: Creating a more a more prosperous Nation'. A summary of the planning elements of this is set out in **Appendix 3**. They include proposals for local plans, including a commitment to publish league tables setting out local authorities' progress in providing a local plan for jobs and homes, and for the Local Government Secretary to intervene when local authorities do not produce a local plan. The government will also bring forward proposals to streamline the length and process for local plans and will strengthen guidance to improve the operation of the duty to cooperate on key housing and planning issues. These proposals clearly will have implications for North East Derbyshire.
- 2.13 Subsequently, on 21st July, a Written Statement was made by the Minister of State for Housing and Planning. This states that "in cases where no Local Plan has been produced by early 2017.....we will intervene to arrange for the Plan to be written, in consultation with local people, to accelerate production of a Local Plan." Further clarity is needed on the implications of the statement but a Local Plan timetable will need to be agreed which reflects this timescale. The Local Plan Steering Group will continue to co-ordinate the production of the Local Plan and advise Cabinet on the most appropriate course of action.

Next Steps

2.14 Subject to Cabinet approval of the recommendations in this report:

- A new timetable and project plan will be drawn up for the preparation and adoption of a single Local Plan in consultation with the Local Plan Steering Group, to be brought back to Cabinet on October 2015
- In the meantime, work will continue on the evidence base for the Local Plan and arrangements for converting to a single Local Plan.

3 Conclusions and Reasons for Recommendation

3.1 This report has outlined the:

- Significant challenges in delivering the desired strategy for the Local Plan;
- Concerns over the soundness of the Local Plan in a number of key areas; and
- Clear Risk that the Plan could fail at examination.

3.2 In order to enable the Local Plan to be progressed to the next stages and ensure timely delivery of a sound Plan which is positively prepared, justified, effective, and consistent with national policy and current guidance; the evidence indicates that the Council should consider moving to the preparation of a single Local Plan, including reconsidering the strategy approach to the spatial distribution of development and undertaking a comprehensive review of the Green Belt.

4 Recommendations

4.1 It is recommended that Cabinet:

- i. Notes the issues and risks associated with continuing with the Local Plan Part 1 as currently planned
- ii. Authorises the commencement of the preparation of a single Local Plan, which will consider options for an alternative strategic distribution of housing and other development, including bringing forward a comprehensive review of the Green Belt.
- iii. Notes the need to understand the full implications of accommodating all, or a proportion, of a neighbouring authority's housing supply in order to fulfil the legal requirements of the Duty to Co-operate, and the possible future involvement of Members in this process.
- iv. Notes the Government's further planning reforms and their potential implications for the Council's Local Plan

5 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

6 Document Information

Appendix No	Title
Appendix 1	Minutes of Meetings of Local Plan Steering Group
Appendix 2	Options for progressing the Local Plan
Appendix 3	Briefing Note Government Announcement of Further Planning Reforms – July 2015
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Local Plan Evidence Base	
Report Author	Contact Number
Planning Policy Manager	217168

Report Reference –

Meetings of Local Plan Steering Group

Cabinet has continued to delegate to the Local Plan Steering Group the general task of overseeing and considering the detailed issues arising out of the preparation of the Local Plan. Since April 2014 the LPSG has met on the following occasions to oversee and consider the issues arising out of the preparation of the Plan. Summaries of these meetings are set out below, followed by formal minutes of each meeting.

Summaries of Local Plan Steering Group Meetings:

- a) 17th June, 2014 – consideration of an update to the Local Plan Timetable, the outcome of the call for sites, and the development of the evidence base, including Green Belt Review. The Group also looked at Duty to Co-operate issues, including a request from Derbyshire Dales District Council.
- b) 3rd July, 2014 – consideration of refinements to the Settlement Hierarchy, updates to housing supply and the site assessment process, and progress on the gypsy and traveller accommodation assessment.
- c) 14th July, 2014 – This meeting was workshop based and focused upon the settlement hierarchy and land availability, with no formal minutes.
- d) 29th September, 2014 – consideration of an update to the site assessment work, and an introduction to the Local Plan covering the Spatial Portrait, Vision and Objectives, and Spatial Strategy.
- e) 22nd October, 2014 – Member feedback on draft Local Plan Strategy and consideration of further sections of draft Local Plan; consideration of initial 'long list' of sites for eastern sub area, provisional, indication potential supply compared with outline distribution in Spatial Strategy.
- f) 12th November, 2014 - consideration of an update on site assessment work, and potential sites for southern sub area, amended sub-area map, and recommended areas for Local Settlement Gaps for southern sub-area.
- g) 24th November, 2014 - consideration of remaining potential sites for southern sub area and total potential yield, consideration of further sections of draft Local Plan, including Sustainable Development & Communities, Sustainable Places, and Infrastructure Delivery.
- h) 8th December, 2014 - consideration of an update on site assessment work, and potential sites for northern sub area, noting that many sites were ruled out due to Green Belt constraints, making it difficult to meet the identified target, and consideration of updated overall housing distribution.
- i) 15th December and 16th December, 2014 - These meetings were workshop based with no formal minutes and an invitation to all members. The

sessions were designed to introduce all members to potential sites which were to be the subject of public consultation in Spring 2015.

- j) 28th April, 2015 – consideration of initial findings from public consultation in Initial Draft Plan and key areas of concern
- k) 23rd June, 2015 - Further consideration of update on public consultation and key issues of concern, update on site assessment process, in relation to demonstrating a 5 year supply and spatial distribution of housing, and additional tasks that would need to be undertaken in preparing a single Local Plan, including option of bringing forward a Green Belt review, identifying employment land allocations and de-allocations, and identifying sites for gypsies and travellers. It was anticipated that an extension in the region of a 12 to 18 months would be needed to prepare for a single Local Plan although this was dependent on resources and timescales for decision making.
- l) 21st July, 2015 – consideration of reports Local Plan preparation, including issues and risks associated with alternative options, and on addressing need for gypsy and traveller accommodation

Minutes of Meetings of Local Plan Steering Group

NORTH EAST DERBYSHIRE DISTRICT COUNCIL LOCAL PLAN STEERING GROUP MINUTES OF MEETING HELD ON 17 JUNE 2014

Present

Councillor N Foster
Councillor B Barnes
Councillor N Barker
Councillor M Gordon
Councillor T Moon
Councillor J Windle

J Arnold
H Fairfax
R Long
S Brunt
C Stainton
R Cooper
A Hill

75 Appointment of Chair/Vice Chair

Councillor N Foster was appointed as Chair and Councillor J Windle as Vice Chair.

76 Apologies for Absence

Apologies for absence were received from Councillor T Williams and A Kirkham.

77 Notes of Meeting held on 25 March 2014

The notes of the meeting held on 25 March 2014 were agreed.

Matters Arising

Report on the Local Plan (Part 1: Strategic Policies) - discussion took place regarding the delays referred to in report to Cabinet in April 2014. It was confirmed that the financial cost of any potential delay had not included as this would be dependent upon the length of delay (i.e. the longer the delay the higher the costs). HF agreed to produce indicative costs based on the delay between

the current adopted timetable and the timescales set out in proposed new timetable (tabled at the meeting). It was stressed these figures would be estimates.

78 Local Plan (Part 1) - Progress

Revised Timetable

A proposed new timetable was tabled at the meeting. This focused on the Part 1 Local Plan only and it was confirmed that a timetable for the Part 2 of the Local Plan would be prepared once that for Part 1 is approved in principle.

Timetable for the Preparation of the North East Derbyshire Local Plan Part 1																																			
2014					2015					2016					2017																				
J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M
North East Derbyshire Local Plan: Part 1																																			
																S				E		!		A											
Key:																																			
		Preparation of Evidence/Consultation															S		Submission (Reg. 22)																
		Consultation on Preferred Options															E		Examination (Hearings) (Reg. 24)																
		Publication Consultation (Reg. 19)															!		Receipt of Inspector's Report																
																	A		Adoption (Reg. 26)																

It was noted that proposed timetable is showing a 13 month delay relative to the current adopted timetable. The delay is principally due to changes to the National Planning Context and the requirement to include allocations within the plan to demonstrate a 5 year supply of housing and to bridge the gap to the Part 2 Plan for other land uses.

H Fairfax confirmed that under the proposed timetable public consultation is scheduled to take place in January/February 2015 and asked whether Members had any issues with consultation taking place at this time. It was noted any delay to the consultation would result in a corresponding delay to the timetable. Members queried whether consultation could be brought forward. Officers explained that this was not possible due to the large of amount of work required. Following lengthy discussion the proposed timetable was agreed (by majority). A timetable for Part 2 will be drawn up and brought back to the LPSG for approval and subsequent reporting to Cabinet.

Call For Sites

H Fairfax stated a call for sites took place between 30 April and 11 June, following which 99 sites were submitted for consideration. 30 of which were new sites. Further detail on the sites submitted and other sites identified through the SHLAA will be brought to the next meeting of the group.

A method and matrix for assessing sites is currently being prepared. This will also be brought back to the next meeting for consideration and approval to go out to stakeholder consultation.

In response to a question from C Stainton of whether any proposals for new gypsy & traveller sites had been received in response to the Call for sites exercise, in view of the requirement to demonstrate a 5 year supply of such sites, it was understood that no such site proposals had been received.

Evidence Base

Sustainability Appraisal:

R Cooper gave a presentation outlining the Sustainability Appraisal work which is being carried out to help inform and support the Local Plan. It was agreed that the presentation would be circulated to Members for information and discussion at a future meeting.

It was agreed the Executive Summary and table be circulated as these would be referred to frequently whilst the Local Plan is being prepared.

Joint Gypsy & Traveller Study:

Joint study across Derbyshire looking at Need for sites, how much & where. Draft report received, but some partners are unhappy with the results. This will need to be signed off before we submit the Local Plan.

Settlement Hierarchy:

H Fairfax outlined current work looking at refining the hierarchy to take account of other issues such as potential capacity, opportunities & constraints. This will inform the scale and type of growth and supporting infrastructure required with the aim of addressing specific issues and creating more balanced and sustainable communities. More detail on this will be brought to the next meeting.

Retail Capacity Study:

H Fairfax outlined that the last study in 2008 needs updating to inform the part 1 plan. The team is currently looking to procure a new study jointly with BDC & CBC to share costs.

Plan Structure

R Long provided a brief update on the progress made to date.

79 Green Belt Stage 1: Review

R Long gave a review of the Green Belt Stage 1 work.

In the longer term, recognising the District's role in the Sheffield City Region, the Council has committed to participating in a strategic Green Belt Review across the Sheffield City Region alongside SCR partners.

But in short term, the driver is affordable housing and how to meet needs in north and west of District, given Green Belt constraints. The 2012 consultation on the emerging Local Plan strategy proposed looking at potential for opportunities in Green Belt. The subsequent Stage 1 Green Belt Functionality Study has now been completed. The Study assessed and ranked 37 identified areas against the 5 Green Belt Purposes. The Study will be used in preparing the Local Plan and will

be a valuable tool to assess future development proposals by examining the Green Belt functionality of each area and highlighting particular issues of sensitivity. However other wider factors will need to be considered in taking decisions about overall suitability of individual Green Belt sites for any affordable housing development to meet local needs.

80 Duty to Co-operate

H Fairfax provided an update following a request from Derbyshire Dales District Council to ask if the Council could accommodate their unmet housing needs. This request was reported to Cabinet and a response sent to Derbyshire Dales District Council confirming that whilst the Council was unlikely to be able to assist, we would continue to work with Derbyshire District Council's officers to meet and discuss their needs. Following this, no response has been received and Derbyshire Dales District Council submitted their Local Plan on 13 May 2014.

Lessons from Other Councils

H Fairfax stressed the importance of responding to other Councils on items including Duty to Cooperate and ensuring good relationships with other authorities by sending responses, holding meetings and ensuring all these actions are noted as these are essential when submitting the Local Plan.

81 Any Other Business

No items were raised.

82 Date of Next Meeting

Following discussion it was agreed that the next two meetings would take place as follows:

3 July 2014 - 4.00 pm

14 July 2014 - 9.30 am

NORTH EAST DERBYSHIRE DISTRICT COUNCIL
LOCAL PLAN STEERING GROUP
MINUTES OF MEETING HELD ON 3 JULY 2014

Present

Councillor N Foster - Chair
Councillor B Barnes
Councillor N Barker
Councillor M Gordon
Councillor T Moon
Councillor J Windle
Councillor D Oxspring

J Arnold
H Fairfax
L Chapman
R Long

83 Apologies for Absence

Apologies for absence were received from Councillor T Williams, A Kirkham, C Stainton, L Shaw and P Hackett

84 Notes of Meeting held on 17 June 2014

The notes of the meeting held on 25 March 2014 were agreed subject to an amendment to acknowledge Councillor D Oxspring's apologies.

It was noted that no matters had arisen which would not be covered under the agenda items.

85 Settlement Hierarchy Background Paper

H Fairfax presented a report outlining current work looking at refining the settlement hierarchy to take account of other issues such as potential capacity, opportunities & constraints. This work looks at the role of settlements in relation to the strategic objectives of the Plan, aims of the Council's Growth Plan and the National Planning Policy Framework and Guidance (NPPF/NPPG). This will inform the scale and type of growth and supporting infrastructure required in each settlement with the aim of addressing specific issues and creating more balanced and sustainable communities.

There was some discussion about the findings of the work so far and how issues such as a declining and/or ageing population would be addressed. H Fairfax confirmed that this work seeks to identify the issues that the Local Plan will need to address through its policies. The NPPF requires Local Plans to aim for balanced communities. There is the opportunity to provide affordable housing and family housing, as well as housing suitable for older people, in places where the need is identified

Councillor M Gordon: expressed a continuing concern about places lower down the settlement hierarchy that are in danger of 'dying out', and require a more diverse social mix. H Fairfax stated that there will be scope for most settlements to accommodate some development, the level of which will be determined by the settlements role, constraints and

opportunities. There is still the potential to review the positions of specific towns and villages in the settlement hierarchy in order to reflect the development of the Local Plan strategy and its deliverability.

The LPSG approved the suggested hierarchy and the continuation of work based on the approach set out in the report, subject to the renaming of the ‘Key Service Centre’ category to something that more closely reflects its role as a ‘community hub’. It was noted that officers would report back to the next meeting of the Steering Group on further development of the hierarchy and its relationship to the portfolio of sites in the SHLAA.

86 Housing Supply and Site Assessment Update

L Chapman reported on progress with the site assessment following the ‘call for sites’ exercise which took place between 30 April and 11 June. 99 sites were submitted for consideration. 30 of which were new sites. A presentation provided further detail on the sites submitted and other sites identified through the SHLAA, and the proposals for their assessment. It is proposed to open the site assessment matrix to stakeholder consultation, including with the Developer Forum.

It was proposed to arrange the assessment into 3 phases:

Phase 1- Screening;

Phase 2 – Availability,

Based on knowledge of any legal or ownership constraints and whether a site is controlled by housing developer who has expressed an intention to develop or a landowner has expressed an intention to sell

Phase 3 - Suitability

Councillor N Foster asked whether the matrix contained any measure relating to the protection of employment land, in view of the need to balance growth in jobs and housing. L Chapman confirmed that this was the case, but Councillor N Foster requested that this is clarified in the matrix.

Councillor M Gordon asked whether the criteria on accessibility would effectively rule out a significant proportion of potential sites. L Chapman clarified that this was not the case, according to DCC’s accessibility modeling.

Councillor N Barker raised concerns about the cumulative impact of a number of sites on any particular settlement, and how this could be taken account of in assessing suitability. L Chapman explained that this stage was in assessing the suitability of individual sites for development, but that the next stage in the development of the Local Plan would be in assessing an appropriate distribution to any one place, linked to infrastructure capacity and sustainability.

L Chapman presented a worked up example of a site assessment to show how the matrix would be applied.

The LPSG approved the draft Site Assessment Matrix and phasing approach to the assessment for consultation with stakeholders; and noted the list of potential sites that could make up the housing supply.

LPSG confirmed that any amendments to the sites assessment matrix which arise through the consultation exercise would be circulated to Members of the LPSG for comment and agreed in consultation with the Chair of the group provided no

contentious issues arise. This is to enable work to start on the assessment of sites at the earliest opportunity.

Gypsy & Travellers

R Long updated the position on Gypsy & Traveller accommodation, and the joint study across Derbyshire which is looking at the need for sites and where the need could arise.

A question was raised at the previous meeting as to whether any proposals for new gypsy & traveler sites had been received in response to the 'Call for Sites' exercise, in view of the requirement to demonstrate a 5 year supply of such sites. It was confirmed that no such site proposals had been received. We therefore need to develop an alternative approach to addressing the land supply, including the potential use of Council owned assets

Councillor N Foster considered that the Council should formally approach Chesterfield Borough Council under the duty to Co-operate to ask them to consider the potential for Chesterfield to accommodate a greater share of identified need.

It was agreed that a report would be prepared on the matter for a subsequent meeting of the LPSG.

Planning for land supply for Economic Development

Other than a very small number of proposals for mixed use development, R Long reported that no site proposals had been received through the 'Call for Sites' exercise relating to economic development uses. We will need to develop an approach through the Local Plan to ensure that sufficient deliverable land in the right places is identified for economic development needs over the plan period, including for retail and leisure development.

87 Duty to Co-operate

H Fairfax provided an update on the Derbyshire Dales District Local Plan, following a request from Derbyshire Dales District Council to ask if the Council could accommodate their unmet housing needs. This request was reported to Cabinet and a response sent to Derbyshire Dales District Council confirming that whilst the Council was unlikely to be able to assist, we would continue to work with Derbyshire District Council's officers to meet and discuss their needs. No response was received in response, and Derbyshire Dales District Council submitted their Local Plan on 13 May 2014.

The Public Examination is due to commence on 22nd July. In view of the significant issues arising from the Duty to Co-operate, the Inspector has invited neighbouring planning authorities to attend the Examination.

It was agreed that officers would consider the request in consultation with the chair of the LPSG prior to responding.

88 Any Other Business

No items were raised.

89 Date of Next Meeting

The next meeting will take place on:

14 July 2014 - 9.30 am

NORTH EAST DERBYSHIRE DISTRICT COUNCIL
LOCAL PLAN STEERING GROUP
MINUTES OF MEETING HELD ON 29 SEPTEMBER 2014

Present

Councillor N Foster
Councillor N Barker
Councillor M Gordon
Councillor P Williams

J Arnold
H Fairfax
R Long
A Hill

Councillor Foster confirmed that the purpose of today's meeting would be to discuss the feedback from work carried out over the summer period, identify any areas of concern and agree further meeting dates.

90 Apologies for Absence

Apologies for absence were received from Councillor Moon, Councillor Windle, Councillor Oxspring and Councillor Barnes.

91 Notes of Meeting held on 3 July 2014

The notes of the meeting held on 3 July had been approved at the last meeting (17 July 2014). The meeting on 17th July 2014 was workshop based and focused upon the settlement hierarchy and land availability, with no formal minutes.

92 Local Plan Updates

Update - Site Assessment Work

Authority has been given to appoint one agency worker, with a further agency worker being sought, which will enable the Council to meet the timetable to undertake consultation on a draft plan early next year.

It is anticipated full assessments for the eastern sub area will be available in 2-3 weeks. Some sites will be available for discussion at the next meeting.

Councillor Gordon asked for an update regarding identifying traveller sites, H Fairfax confirmed that no sites had been put forward when the "call for sites" work was carried out, but stated that the Council needs to be proactive and the Planning Policy Team is working with the Estates Section, Derbyshire County Council and is looking to involve the gypsy and traveller community to seek to identify sites. Councillor Williams suggested H Fairfax speaks with D Whitehead to discuss the work carried out in the past with the gypsy and traveller community.

Discussion took place regarding the publication date for the joint Derbyshire Gypsy and Traveller Accommodation Assessment (GTAA), which has been outstanding for many months. It was agreed that a strongly worded letter be sent to DCC from Councillor N Foster should the report not be forthcoming in the near future.

Councillor Foster asked if the site assessment work excluded Green Belt land in the 5 year supply and H Fairfax confirmed this is excluded in 5 year plan.

Evidence Base Update

H Fairfax confirmed that consultants had been appointed to undertake a market assessment of employment sites in the District and check whether they are still relevant for retention in the Local Plan. It was noted there are some potential locations for new sites at J29A and Markham Vale.

A retail study is also planned to be commissioned jointly with Chesterfield and Bolsover. Councillor Barker asked that the Council ensure this links into SCR Growth Plan. J Arnold is looking to ensure all LA Policy Members work together to ensure evidence takes into account other Local Authorities.

H Fairfax confirmed the need to ensure that the Council is involved with SCR to ensure cohesion between work/plans being done at SCR level.

The outcomes and implications of these studies will be brought to future meetings of this Group.

Introduction Draft Local Plan

A paper version of this document was circulated and a presentation given by R Long giving an overview of the work carried out so far.

It was noted that the document circulated is only the first section of the Plan, covering the Spatial Portrait, Vision and Objectives, and Spatial Strategy. Further chapters to follow at a later date.

The discussion focused on the main points of the document, with the following issue raised:

- Vision and Objectives (pages 11-14) will be revisited to assess the scope for refinement and ensure that any potential duplication is avoided.

Members of the Group agreed to pass any comments on the draft Local Plan to R Long over the next few weeks, in advance of a further discussion at the next meeting.

Discussion took place regarding the sites which have been brought forward as part of the property rationalisation group. H Fairfax is in discussions with G Galloway and obtaining updates from both G Galloway and Estates Section.

Consultation on the Draft Plan is scheduled to take place early in the New Year. This will require Cabinet approval and a report on the draft Local Plan is scheduled for Cabinet on 17 December 2014. By way of contingency the next Cabinet on 21st January 2015 will also enable consultation to commence in line with the LDS timetable.

93 Neighbourhood Plan Update

H Fairfax has been approached by Wessington Parish Council who are wanting to prepare a neighbourhood plan. H Fairfax raised the concern that this may cause problems due to the Council's statutory duty to assist and the current staffing resource levels.

Councillor Barker suggested that only the minimum statutory work duty be carried out for any neighbourhood plan. H Fairfax confirmed that only the bare minimum could be done and additional resources would be required if the Council wanted further work carried out.

H Fairfax looking to prepare a joint protocol for North East Derbyshire District Council and Bolsover District Council as to how local authorities can deal with any incoming neighbourhood plans received. The Group agreed to go ahead with the protocol. Work on protocol is being done at Bolsover District Council and this document could be adjusted to be relevant for use at North East Derbyshire District Council.

94 Duty to Cooperate

H Fairfax confirmed that the Planning Advisory Service has offered support and this offer has been taken up. The Planning Advisory Service will be looking at the Strategic Alliance and the Housing Market Area to ensure the Council is fully covered.

Request received from Derbyshire Dales District Council – H Fairfax confirmed that Derbyshire Dales District Council had their Local Plan examination in July and this was halted by the Inspector as it was felt that not enough work had been carried out by the Council to meet their own housing requirement. Derbyshire Dales District Council is looking to withdraw their Plan and relook at some issues.

95 Any Other Business

No items were raised.

96 Dates for Future Meetings

22 October 2014 - 3.00 pm
12 November 2014 - 2.30 pm
24 November 2014 - 10.00 am

NORTH EAST DERBYSHIRE DISTRICT COUNCIL
LOCAL PLAN STEERING GROUP
MINUTES OF MEETING HELD ON 22 OCTOBER 2014

Present

Councillor N Foster
Councillor N Barker
Councillor M Gordon
Councillor P Williams
Councillor J Windle,
Councillor D Oxspring

H Fairfax
R Long

90 Apologies for Absence

Apologies for absence were received from Councillor Moon, and Councillor Barnes, and from James Arnold, Steve Brunt, Paul Hackett, Adrian Kirkham, Lorraine Shaw and Charlotte Stainton

91 Notes of Meeting held on 3 July 2014

No comments.

92 Local Plan Updates

Discussion took place and member feedback was provided on the draft Local Plan Text (Spatial Strategy) which was circulated at the previous meeting on 29th September).

A range of detailed comments were put forward by members, to be taken into consideration in amending the Local Plan text.

Cllr Barker requested that the final report on the Local Settlement Gaps work is reported back to the Steering Group, including maps of the recommended areas.

RL introduced the next two Chapters of the Local Plan (Living Communities and Working Communities) and copies were circulated for consideration by Members, for discussion and feedback at the next Steering Group meeting. It was noted that further chapters would be circulated at subsequent meetings.

Update - Site Assessment Work

HF confirmed that agency workers has been appointed to support the site assessment work which should help enable the Council to meet the timetable to undertake consultation on a draft plan early next year.

HF presented the initial 'long list' of sites for the eastern sub area, that had got through the first 8 questions of the site assessment matrix. This gave a provisional, indication of housing numbers to be assessed, which allows an initial comparison with the outline distribution in the Local Plan Spatial Strategy.

The next Steering Group meeting will consider the initial 'long list' for the western sub-area.

Cllr Barker requested that consideration be given to sharing the potential site allocations data with local ward members across each of the 4 sub-areas, prior to reporting to Cabinet. It was agreed to consider how best to set up and manage sessions for each of the 4 sub-areas with local members, within the set timescales for reporting the final Plan to Cabinet and consulting on Preferred Options.

In relation to identifying traveller sites, H Fairfax reiterated that no sites had been put forward when the "call for sites" work was carried out, but stated that the Council needs to be proactive and the Planning Policy Team is working with the Estates Section, to seek to identify sites.

Evidence Base Update

H Fairfax provided an update on the market assessment of employment sites in the District and their continuing relevance for retention in the Local Plan. Initial findings have very recently become available and will be used to inform the preparation of the Local Plan, particularly in identifying sites which require continuing protection.

A retail study is also planned to be commissioned jointly with Chesterfield and Bolsover.

In response to a question about links with the SCR Growth Plan, H Fairfax confirmed the need to ensure that the Council is involved with SCR to ensure cohesion between the SCR Growth ambitions and those of the Council.

The outcomes and implications of these studies will be brought to future meetings of this Group.

93 Neighbourhood Plan Update

H Fairfax reported that work is continuing on preparing a joint protocol for North East Derbyshire District Council and Bolsover District Council as to how local authorities can deal with any incoming neighbourhood plans received. Work is taking place alongside the Governance Team on allocating resources and responsibilities for supporting Neighbourhood Planning across the two districts. The draft protocol will be brought to a future meeting of the LPSG before the end of the year.

94 Duty to Cooperate

H Fairfax confirmed that a date has still to be agreed to take up the offer of support from the Planning Advisory Service, looking at the Strategic Alliance and the Housing Market Area.

95 Any Other Business

No items were raised.

96 Dates for Future Meetings

4 November 2014 - 11.30 pm
12 November 2014 - 2.30 pm
24 November 2014 - 10.00 am

NORTH EAST DERBYSHIRE DISTRICT COUNCIL
LOCAL PLAN STEERING GROUP
MINUTES OF MEETING HELD ON 12 NOVEMBER 2014

Present

Councillor N Foster
Councillor N Barker
Councillor M Gordon
Councillor T Moon
Councillor J Windle
Councillor D Oxspring

H Fairfax
R Long
S Brunt
B Harrison

108 Apologies for Absence

Apologies for absence were received from Councillor Williams, Councillor Barnes, J Arnold, C Stainton, P Hackett and L Hickin.

109 Notes of Meeting held on 4 November 2014

The notes of the meeting held on 4 November 2014 were agreed.

Matters Arising

HF had circulated the two documents referred to in the notes:

1. Gypsies and Travellers - definition of what constitutes a site.
2. Affordable/Social Housing - Glossary of Terms for Affordable and Social Housing.

110 Local Plan Progress

(a) Progress on Site Assessment Work - Southern Sub-Area (part)

Maps for a selection of settlements in the southern area of the district showing SHLAA sites was circulated and discussed (the remaining settlements in the sub-area would be brought to a subsequent meeting). HF explained that the area was being examined to identify a 5-year supply of sites. A presentation was then given on the outcome of the first stage site assessment work.

It was agreed to keep housing site numbers from strategic sites at The Avenue and Biwaters separate from any settlement figures to reflect their strategic nature.

It was agreed that once all the SHLAA sites have been subject to the first phase site assessment these would be mapped alongside sites with planning permission so a clear pattern of committed and possible development sites can be assessed at a settlement level. (HF/RL).

(b) New Sub-Area Map (incorporating amendments around Shirland)

A new sub-area map was circulated to the meeting attendees outlining an amended alignment around Shirland between the Southern and Western Sub-Area. The change of boundary was supported by the Members of the Local Plan Steering Group and it was AGREED this would be included in the report to be presented to Cabinet on 20 January 2015.

(c) Local Settlement Gaps

Maps showing the recommended areas for settlement gaps for the southern sub-area were circulated to the meeting attendees. It was noted that until the Local Plan is adopted the Local Settlement Gaps have no planning status.

(d) Proposals for wider Member engagement on draft site allocations

After discussion on the proposals for wider Member engagement on the draft site allocations. The following Member sessions were agreed:

1. Monday 15 December - 9.30 am (southern area)
2. Monday 15 December - 11.30 am (northern area)
3. Monday 15 December - 2.30 pm (eastern area)
4. Tuesday 16 December - 9.00 am (western area)

The relevant Members for each area be invited to attend the session(s), and also all Members of the Local Plan Steering Group be encouraged to attend all sessions.

For the purposes of the Member Sessions only, it was agreed that Woolley Moor would be considered as part of the southern sub-area session and Stonebroom/Higham be included with the western sub-area session to avoid Ward Members having to attend more than one session.

111 Date of Next Meeting

Monday 24 November, 2014 - 10.00 am - Committee Room G. Councillor Moon asked his apologies be noted for this meeting.

It was noted that further chapters of the Local Plan will be circulated in preparation for the next meeting.

**NORTH EAST DERBYSHIRE DISTRICT COUNCIL
LOCAL PLAN STEERING GROUP
MINUTES OF MEETING HELD ON 24 NOVEMBER 2014**

Present

Councillor N Foster
Councillor N Barker
Councillor B Barnes
Councillor M Gordon
Councillor J Windle
Councillor D Oxspring
Councillor T Williams

H Fairfax
R Long
B Harrison
J Arnold

112 Apologies for Absence

Apologies for absence were received from Councillor T Moon, S Brunt, P Hackett and L Hickin.

113 Notes of Meeting held on 12 November 2014

The notes of the meeting held on 12 November 2014 were agreed.

Matters Arising

For the benefit of Members absent from the previous meeting an explanation was given regarding readjusting the boundary so Shirland would be sited within one sub area, and would avoid Shirland being split across two sub areas and the reasons for this were given.

114 Local Plan Progress

(a) Progress on Site Assessment Work - Southern Sub-Area (2nd part)

Maps for the remaining settlements in the southern area of the district showing SHLAA sites was circulated and discussed. HF explained that the area was being examined to identify a 5-year supply of sites. A presentation was then given on the outcome of the first stage site assessment work.

The areas discussed included Clay Cross, Grassmoor, North Wingfield and Pilsley.

The total potential yield (following the first phase assessment of sites) for the whole southern sub-area is in excess of 7,000. It was noted that this figure will reduce as sites are taken through the second phase of the site assessment.

Following discussion by the Group it was felt that the Council would need to include a rough estimated figure for growth percentage in areas to avoid overdevelopment in certain area(s).

(b) Consideration of Local Plan Sections on:

(i) Sustainable Development and Communities

Protecting and Enhancing the Environment - Sustainable Design – this section explains the national planning policies and it was noted that no new changes were identified.

Landscape Character - this section reflects a more rounded approach to landscape across the district. Some Members asked for clarification on the statement “landscapes of high sensitivity – visually and structurally” and it was **AGREED** RL would clarify this definition within the document.

Biodiversity and Geodiversity - No changes to this section were noted.

Historic Environment - it was **AGREED** that RL would include a paragraph on the potential for industrial historic environment within the district.

Renewable and Low Carbon Energy - this section relates to regenerating renewable energy, including both solar power and energy from waste. Discussion took place regarding wind farms as NEDDC do not currently have a policy on these. . RL clarified that the draft Policy is intended to address new proposals for wind energy, supported by evidence in the Low & Zero Carbon Energy Study

Water Management - RL has received comments from the Environment Agency who have comments on the document, one comment being that the document should only focus on flood risk. It was noted that other water issues would be referenced within other sections of the document.

Environmental Quality – Air Quality- Paragraph 2 – it was noted that local authorities are required to carry out periodic reviews of air quality. RL confirmed that Planning work closely with Environmental Health to cover any cross departmental issues and ensure that the air quality issues are picked up.

Contaminated and Unstable Land - it was **AGREED** to include reference to Coalite within this section. Once a final list of sites has been identified, Environmental Health will be able to provide any information they hold regarding contamination.

Unstable land – Councillor Foster confirmed that the issue of unstable land is always covered when any planning application is made as the Coal Authority is a consultee.

(ii) Sustainable Places

Main Towns - BH stated that both Eckington and Clay Cross have Development/Regeneration Frameworks in place and mentioned the benefit to the areas. BH suggested that Development/Regeneration Frameworks could be prepared for both Killamarsh and Dronfield (bearing in mind the issues of required resources). RL **AGREED** to consider this further and agree jointly the most appropriate approach to securing town centre improvements.

BH also mentioned the creation of town teams and the positive impact they can have on areas within the district.

Clay Cross – discussion took place regarding reference to conservation and it was **AGREED** RL could include further detail if required. The number of takeaway establishments within the area was mentioned and it was asked whether a restriction can be placed on the quota for the area. HF stated that the retail policy covers mix of uses to support vibrant town centres, etc. Therefore quotas have been included but in generic way, however, to go

further would need resources to carry out the work to support a specific policy regarding this.

Dronfield – after discussion it was **AGREED** to include reference to Coal Aston within the Dronfield area.

Eckington – it was **AGREED** to change the wording within this paragraph to confirm the town centre serves the needs rather than meets the needs. It was also agreed to include reference to the local market.

Large Settlements

Small Settlements and Rural Areas - the Group asked for clarification of the statement “No specific housing requirements are proposed for the small settlements”. **AGREED** RL would clarify this statement to refer to no ‘specific housing target’ as it does relate to some areas where no sites have been put forward.

It was suggested that the Members of this Group could encourage sites to be put forward in their areas.

Infrastructure and Delivery

Green Infrastructure –it was noted that the text in this section is currently general and links to other areas.

Sustainable Travel

RL confirmed he has received initial comments from DCC Highways Authority, based in part on the Local Transport Plan.. Any comments received will be included within the document and an updated version circulated to Members of the Group.

Electrification of the Mainline - it was noted this is not currently included in the document, however will be installed within NEDDC by 2017. RL **AGREED** to include reference to this within the text.

(iii) Infrastructure Delivery

It was noted this is the uncertain section of document, eg no decision on whether to pursue CIL. HF confirmed work on this cannot be completed until the Spatial Strategy and distribution of development has been clarified . There is a requirement to identify the infrastructure needed and then whether CIL is required if shortfall in funding identified.

General

RL confirmed the whole of the document had now been circulated and that a schedule of main changes to the document would be brought to the next meeting of LPSG.

115 Date of Next Meeting

Agreed a further meeting would be required on Monday 8 December (10.00 am) to look at northern sites and any changes made to the document.

HF confirmed invitations would be sent out this week to invite Ward Members to the LPSG Members Workshops scheduled for 15th & 16th December.

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

LOCAL PLAN STEERING GROUP

NOTES OF MEETING HELD ON 8 DECEMBER 2014

Present:

Councillor N Foster (in the Chair)

Councillor N Barker

“ B Barnes

“ M Gordon

Councillor T Moon

“ D S Oxspring

“ J Windle

Also Present

Helen Fairfax – Planning Policy Manager

Rick Long – Principal Planning Officer

Bryan Harrison – Senior Economic Development Project Officer

James Arnold – Assistant Director – Planning and Environmental Health

Sarah Cottam – Governance Officer

116/14 Apologies for Absence

An apology for absence had been received from Councillor P Williams.

117/14 Notes of Last Meeting

The Notes of the last meeting held on Monday 24 November 2014 were agreed as a correct record.

It was noted that all the issues discussed in the Local Plan Text had been taken on board.

118/14 Local Plan Progress

Progress on Site Assessment Work – Northern Sub-Area

The Group received a presentation from Helen Fairfax – Planning Policy Manager regarding settlements in the Northern Area of the District and the outcome of the first stage site assessment work. The Group were advised that the area had been examined to identify a five year supply of strategic housing land availability assessment (SHLAA) sites. The Northern areas discussed were Dronfield, Eckington, Killamarsh, High Moor, Renishaw, Ridgeway, Spinkhill, Marsh Lane, Unstone, Middle Handley, Unstone (Whittington) and Apperknowle.

Many sites were ruled out in the first instance due to being within the Green Belt making it difficult to meet the target of 1,000.

The Group were advised that many SHLAA sites were coming forward, but the majority were within the Green Belt land.

The Group discussed options to gain capacity in the area including approaching private land owners to gain extra capacity.

AGREED – That the Group noted the progress on the site assessment work.

Housing Distribution Update

The Group received an update from Helen Fairfax – Planning Policy Manager on the housing distribution in all the settlements in the District.

A table for each of the four sub-areas was circulated at the Group, which listed settlements showing:-

- The total dwellings in 2011;
- Recommended growth levels (percentage growth on 2011 stock);
- Completions 2011 – 2014;
- Planning Permissions at 31/3/14;
- Residual requirement;
- Potential SHLAA Site yield (Assuming 50% discount to allow for sites to fall out at the 2nd stage assessment).

Southern Sub-Area

Members raised concerns regarding the percentages set for some settlements and the need for consistency particularly between the larger settlements and those in close proximity to Strategic Sites.

Northern Sub-Area

There were limited sites due to the Green Belt but were still on track for the amounts agreed.

Eastern Sub-Area

Holmewood showed a 40% increase due to the housing imbalance and it was felt that there were enough sites to deliver this.

All the other eastern sites were looking at a 25% increase.

Western Sub-Area

The northern half of the western sub-area was covered by the Green Belt, which means most development in this sub-area was focussed on those settlement affected by the Green Belt. In this sub-area Ashover and Shirland had a recommended 40% growth due to the need to maintain services in rural areas.

It was noted that growth levels assigned to each settlement were based on an objective and consistent application of the settlement hierarchy evidence base, taking into consideration any particular needs and opportunities presented by particular settlements. The position in the West however, was that currently it was not possible to demonstrate that the lower end of the Cabinet approved housing target range for the sub-area could be met.

It was noted that Old Brampton should be shown in green and not in red on the table.

AGREED – That the update on the housing distribution be noted and that officers would prepare an approach for proactively identifying potential sites in the West as part of the consultation planned for early 2015.

Summary of Changes to Local Plan Text

The Group considered the Summary of changes to the Local Plan Text. Rick Long – Principal Planning Officer advised the Group of all the key changes made to the document.

Changes could be seen in the sections listed below:-

- Spatial Strategy;
- Housing Delivery;
- Housing Need, Range and Choice;
- Type and Mix of Housing;
- Provision and Protection of Employment Land;
- Town Centres.

All comments from the last meeting were taken on board and worked into the document.

AGREED – That the summary of changes to the Local Plan Text be noted.

Arrangements for LPSG Sub-Area Workshops

The Group were advised of the arrangements for the Sub-Area Workshops taking place next week. The workshops were scheduled to take place in Committee Room 2 where a presentation would be given to Members. Maps of the settlements would be shown on the screen and also large maps would be available around the room for Members to view. Each map would have a key so that Members could easily identify the sites. Maps of the full district would also be shown identifying the settlement gaps.

119/14 Dates of Next Meeting

The Local Plan Steering Group Member Workshops were scheduled for Monday 15 December 2014 in Committee Room 2:-

- Southern Sub-Area – 9.30 am
- Northern Sub-Area – 11.30 am
- Eastern Sub-Area – 2.30 pm

Tuesday 16 December 2014 in Committee Room 2:-

- Western Sub-Area – 9.00 am
-

**NORTH EAST DERBYSHIRE DISTRICT COUNCIL
LOCAL PLAN STEERING GROUP
NOTES OF MEETING HELD ON 28 APRIL 2015**

Present:

Councillor N Foster (in the Chair)
Councillor N Barker
Councillor D S Oxspring
Councillor B Barnes
Councillor J Windle
Councillor M Gordon

Also Present

Helen Fairfax – Planning Policy Manager
Rick Long – Principal Planning Officer
Bryan Harrison – Senior Economic Development Project Officer
James Arnold – Assistant Director – Planning and Environmental Health
Sarah Cottam – Governance Officer

120/15 Apologies for Absence

An apology for absence had been received from Councillor P Williams.

121/15 Notes of Last Meeting

The Notes of the last meeting held on 8 December 2014 were agreed as a correct record.

122/15 Local Plan Progress

Public Consultation February/March 2015 – Initial Findings

The Group were advised of the feedback on the Local Plan Consultations that had recently taken place throughout the District from which over 1,000 comments have been received. The Group were updated on where the Local Plan was at and how officers intended to go forward, advising that the momentum needed to continue to get the Local Plan in place.

The Consultation events received variable attendance, but all shared similar concerns.

In response to the Consultation almost 400 respondents had commented which was more than anticipated and officers were still in the process of going through and inputting these representations. As of the 24 April 2015, 283 representations had already been inputted, raising over 600 separate comments.

Common Concerns

North Sub Area – Over areas such as Eckington, Killamarsh, Dronfield and Ridgeway the need to maintain land was a common theme throughout the consultations although there was a growing pressure to undertake a Green Belt review.

Concerns were raised over the effects of an increasing population on the road links, shops and other services. A large percentage of the representations received were in relation to sites in the north of the District.

South Sub Area – The south parts of the District tended to be more focussed on infrastructure.

Concerns raised from Wingerworth were around the A61 corridor and if it could accommodate the ever increasing traffic. The North Wingfield event received a large turnout and was more focussed on the scale of growth in the area and the impact upon road networks and also the impact of the increasing population would have on local schools.

Clay Cross received a poor turnout at the Consultation event and questions were being asked why. Officers endeavour to look into this issue.

West Sub Area – The Shirland event received good turnout despite complaints received from residents that the event was not adequately advertised. The Group noted that there was a large number of potential sites around the Stonebroom and Higham areas.

Ashover received the best turnout from residents and concerns were shared regarding the scale of growth being well run in excess of what could be accommodated. All the concerns were supported by representations.

East Sub Area – There were issues on the scale of growth in the area. Calow was focussed on as the link to Chesterfield. At present there were no sites in this part of the District.

The Group noted that all the Sheffield City Region were currently carrying out Green Belt reviews, but it was agreed by the Group that the Local Plan Steering Group would consider this after the elections.

Key Issues of Concern from Comments Raised by Local Residents and Developers

- The principle of having a two part plan. The need for a Green Belt review around deliverability and the need for growth. This would be considered by the Local Plan Steering Group after the elections;
- The need for a greenbelt review around deliverability and the need for growth. This would be decided by the Local Plan Steering Group after the elections;
- The gap between the need for affordable housing and the amount of housing currently planned for, the recent Inspector's decision may undermine the Plan's approach. The need for 500 affordable homes per year needed to be addressed;
- Strategic Sites – the Authority needed to be clear and realistic over the supply of housing over the Plan period;
- Coalite – concerns had been raised over the Plan's approach to deal with issues of pollution;
- To establish and maintain a 5 year housing land supply;
- Keeping to the Local Plan timetable, the Plan needed to in place as soon as possible in order to take control of development in the District.

It was advised that formal legal advice may be required in relation to some of the above issues, to identify whether the Local Plan is sufficiently robust.

AGREED – That the Local Plan Steering Group defer discussion of the possibility of a Green Belt review until after the elections had taken place and that officers continue to assess the key issues of concern raised by local residents and developers during the public consultation, including seeking formal legal advice on key matters.

New Sites

An update from officers was given to the Group regarding new sites submitted. It was advised that 30 new site proposals had been received in response to the consultation, although eight of these comprised amendments to previously submitted schemes. To date, only the originally submitted sites had gone through the first phase assessment. The newly submitted sites would be assessed against the same methodology to ensure a consistent approach. It was advised that a large amount of staff resource was required when carrying out the site assessment.

South and West Area Updates

The Group were updated on the South and West sub-areas. Maps of each settlement were shown highlighting SHLAA sites and then a further map highlighting the sites not selected after stage 2 assessment, sites with boundary change and new sites submitted as of March 2015.

Settlements covered in the South sub area were Clay Cross, Grassmoor, Grassmoor-Hasland, Higham, Mickley, Morton, North Wingfield, Pilsley (including lower Pilsley), Stonebroom, Stretton, Temple Normanton, Tupton and Wingerworth.

Each site had reported the potential yield in five years and sites with potential in the plan period. Revised figures were also reported including the untested sites.

The South sub area also included the figures for the strategic sites ie – the Avenue and Biwaters.

The Group went on to receive an update on the West sub area of the District. Maps of each settlement were shown highlighting the SHLAA sites and then a further map highlighting the sites not selected after stage two assessments, sites with boundary change and new sites submitted as of March 2015.

Settlements covered in the West sub area were Ashover, Barlow, Commonsides, Barlow Village, Brackenfield, Cutthorpe and Upper Newbold, Fallgate, Holmesfield, Holymoorside (including Walton and wider parish), Kelstedge, Littlemoor, Old Brampton, Shirland, Stonedge, Wadshelf and Wessington. Each site had reported the potential yield in five years and sites with the potential in the plan period. Revised figures were also reported showing the untested sites.

Discussions took place around the potential sites in each sub area and also any issues arising. The Group were advised that the new potential sites would be reported to a future meeting of the Local Plan Steering Group.

AGREED – That the Local Plan Steering Group note the update on the South and West sub areas of the District.

Next Steps

The Planning Policy Manager advised the Group of what the next steps would be towards the Local Plan.

- Legal advice would be sought on the key issues surrounding the Plan;
- The Phase 2 site assessments would continue including the identification of the preferred sites;
 - All the new sites submitted would be taken through the site assessment process and would be brought to a future meeting of the Local Plan Steering Group meeting;
 - A detailed analysis would take place on all the responses received through the consultations;
 - Ensuring that all the Local Plan Part 1 text is up to date;
 - All the detailed feedback to be provided to a future meeting of the Local Plan Steering Group meeting.

AGREED – That the Local Plan Steering Group note the update on the next steps towards the Local Plan.

123/15 Date of Next Meeting

It was decided that the next Local Plan Steering Group should take place on Tuesday 23 June 2015 at 9.30 am in Chamber 1, District Council Offices, 2013 Mill Lane, Wingerworth.

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

LOCAL PLAN STEERING GROUP

NOTES OF MEETING HELD ON 23 JUNE 2015

Present:

Councillor M Gordon (in the Chair)
Councillor W Armitage; Councillor N Barker
“ B Barnes “ J Windle

Also Present

Helen Fairfax – Planning Policy Manager
Rick Long – Principal Planning Officer
Bryan Harrison – Senior Economic Development Project Officer and Urban Designer
James Arnold – Assistant Director – Planning and Environmental Health
Sarah Cottam – Governance Officer

1/15-16 Appointment of Chair of the Group

AGREED – That Councillor M Gordon be appointed Chair of the Group.

2/15-16 Apologies for Absence

An apology for absence had been received from Councillor A Cooper.

3/15-16 Notes of Last Meeting

The Notes of the last meeting held on 28 April 2015 were agreed as a true and correct record.

4/15-16 Local Plan Progress

The Group were given an update on the public consultation that had taken place in February and March 2015 on the Initial Draft Local Plan. The consultation included exhibitions at nine venues in the District, attended by 360+ people. 368 responses had been submitted in response to the consultation, generating almost 1,100 separate comments, including proposals for 30 new sites..

The breakdown of responses to the Local Plan Consultation was as follows:-

- Residents - 74%;
- Agents, developers or landowners - 17%;
- Specific consultation bodies - 5%;
- General consultation bodies and interests groups - 4%.

The proportion of responses from individual wards varied with the highest coming from Ashover with 52%. No responses were received from Clay Cross residents and it was felt that the methods of engagement needed to be reviewed..

Key Issues of Concern

- The principle of continuing with two-part plan;
- The need for a Green Belt review at this stage of the Plan;
- The gulf between the need for affordable housing and the amount of housing currently planning for;

- Strategic Sites – questions on delivery and contribution to the supply of housing over the plan period;
- The ability to deliver the current strategy.

The Group were updated on the site assessment process, in relation to demonstrating a 5 year supply in the Local Plan Part 1.. The Inspector would look for a sufficient allocation for the Plan period. The site assessment process so far suggests that part 1 of the Plan could accommodate the requirement for 3,279 dwellings, with a total supply of 3,325, but with very little flexibility. However, the distribution is skewed towards the south of the District which raises significant issues about deliverability.

The Group was advised of the spatial distribution of housing. Cabinet approved a distribution of 6,000 dwellings over the District. There were at present 10,066 potential dwellings, but needed to be mindful that when the sites were taken through the second stage, a possible 80% discount would be applied, based on the performance of sites which could be delivered in the first 5 years. This causes the figure to drop dramatically, falling well below the overall target and failing to achieve the approved distribution.

The bulk of potential dwellings would continue to be in the south of the District and the viable broader distribution was needed over all areas.

In summary, the significant areas of concern were over:-

- A two stage plan approach;
- The ability to deliver the Strategy – numbers and viability;
- The focus on sites in the south;
- The lack of a Green Belt review;
- New evidence of potential unmet needs in surrounding areas.

The Group were advised of the additional tasks that would need to be undertaken in preparing a single Local Plan. The Plan would need to allocate the entire housing requirement to 2031. The Authority would need to work with neighbours to establish the existence and scale of any un-met needs and to assess what any potential additional demands could mean for the housing target. With a single Local Plan the option of carrying out a Green Belt review would be an option but the timescales involved would need to be assessed. The identification of specific new employment sites or de-allocations would need to take place, but this had not worked in the past as successfully as planned. The Council would need to identify a 5 year supply of deliverable sites for gypsies and travellers including a five to ten year supply of developable sites.

Town centres and local centre boundaries would need to be looked at and it was advised that local people would be involved with the boundary reviews. If the Council decided to go down the route of a single Local Plan, the evidence base would need to be updated as some current evidence dates back to 2008/2009. This would result in the adoption of longer timescales to allow collection of related evidence.

It was anticipated that an extension in the region of a 12 to 18 months would be needed to prepare for a single Local Plan although this was dependent on resources and the timescales for decision making.

Next Steps

- Member discussion regarding changing to a single Local Plan;

- Take legal advice on key issues where necessary;
- Report to the Local Plan Steering Group in July to outline the likely impact on changing to a single Plan;
- Continue to work on the site assessments in the meantime on a two phased approach.

It was AGREED – that an officer presentation from Planning Policy be given to members separately at Group meetings to explain the issues and risks associated with continuing with the current planned approach and the alternative option of moving to a single Plan and, if appropriate, to consider a Green Belt Review.

5/15-16 Duty to Co-operate

(i) NEDDC Local Plan Statement of Co-operation

The Local Plan Statement of Co-operation had been circulated to the group for information.

Included in the Statement was information regarding Green Belt land, work happening in neighbouring authorities, D2N2 and Sheffield City Region, Economic Growth and the A61 growth corridor.

The Group were advised that this was an ongoing document that would be continually updated.

AGREED – That the Group noted the NEDDC's Local Plan Statement of Co-operation.

(ii) D2 Joint Committee Update

The Group considered the D2's Joint Committee update. The document was seen as a platform between the Chief Executive's Group (CEG) and the D2 Joint Committee and was seen as a useful tool for the Inspectors as evidence to show the authorities were working together with the LEP on the Duty to Co-operate.

It was advised that the Committee was now functioning correctly and that all evidence was being recorded.

AGREED – That the Group noted the D2 Joint Committee Update.

6/15-16 Neighbourhood Planning

The Council had recently been approached by Ashover Parish Council regarding Neighbourhood Planning.

A meeting was due to take place on Tuesday 7 July 2015 to discuss the Neighbourhood Planning with the Planning Policy Manager.

AGREED – That the update on the Neighbourhood Planning was noted.

7/15-16 Date of Next Meeting

It was decided that the next Local Plan Steering Group would take place on Tuesday 21 July 2015 at 9.30 am in Chamber 1, District Council Offices, 2013 Mill Lane, Wingerworth.

Options for Progressing the Local Plan

Appendix 2

Options	Tasks (through to pre-submission)	Risks	Impact (minimum delay)	Comments
<p>Option 1:</p> <p>Continue with the 2-part plan recognising the significant risks involved</p>	<ul style="list-style-type: none"> • Prepare pre-submission draft and supporting evidence; • Issue pre-submission consultation; • Submit to Secretary of State. 	<ul style="list-style-type: none"> • Soundness regarding 5-year supply and delivery • Justification/soundness regarding Green Belt and spatial strategy • Uncertainty regarding plan delivery and land supply 	Submission broadly as per current LDS (already experiencing 2 – 3 month delay)	Broadly keeps to LDS timetable (with addition of preferred options stage) but major risks in terms of soundness
<p>Option 2:</p> <p>Move to preparation of a single Local Plan including a Green Belt review</p> <p>Halt Part 1 plan preparation and convert to comprehensive Local Plan (strategic and non-strategic sites) bring forward work scheduled for part 2 Plan Additional evidence required: - Updated SHLAA, informed by call-for-sites - Supporting technical work to underpin site selection - Green Belt review work</p>	<ul style="list-style-type: none"> • Undertake comprehensive Green Belt Review • Draft call-for-sites consultation • Consult on call-for-sites • Update SHLAA and undertake SA of site options to identify preferred sites for allocation in Part 1 Plan • Spatial strategy and strategic sites background paper to justify selection and alternatives considered • Review of settlement boundaries • Recreation & Open space Review • Identify Town & Local Centre boundaries • Allocations for employment and retail sites • Draft Local Plan Preferred Option • Consult on Preferred Option • Prepare pre-submission prepare draft alongside supporting evidence • Pre-submission consultation • Submission 	Timing/delays in terms of getting a plan in place	As Option 1 plus 12-18 months	<p>Extra time allowed to update SHLAA given inclusion of strategic and non-strategic sites and Green Belt Sites(extra 6 months)</p> <p>Green Belt review would represent a significant new commitment with resource implications</p> <p>Significant shift to comprehensive Local Plan likely to require Preferred Option consultation prior to pre-submission</p>

Briefing Note**Government Announcement of Further Planning Reforms – July 2015**

In his budget speech on 8th July 2015, The Chancellor hinted at further Planning Reforms. These have subsequently been set out in the Productivity Plan ‘Fixing the Foundations: Creating a more prosperous Nation’, published on 10th July 2015. The details of these reforms are set out below, including the implications for North East Derbyshire as Local Planning Authority, particularly in respect of current option to move to a single Local Plan and a possible Green Belt Review.

1. **Local Plans:** The government will publish league tables setting out local authorities’ progress in providing a local plan for jobs and homes. The Local Government secretary will intervene when local authorities do not produce a local plan, arranging for a local plan to be written in consultation with local people. By the summer recess, the Government will confirm a set deadline when local plans need to be in place. Where they are not, the Secretary of State will intervene.

The government will bring forward proposals to streamline the length and process for local plans and will strengthen guidance to improve the operation of the duty to cooperate on key housing and planning issues.

Implications for North East Derbyshire: North East Derbyshire’s current option to move to a single Local Plan and a possible Green Belt Review will extend the timescales for having an adopted Plan in place. The Productivity Plan does not set the deadline for a Local Plan to be in place. Neither does it define what ‘in place’ means, (e.g. submitted or adopted). A Government announcement on this is expected by the 21st July (summer recess). This should determine whether it will be possible for the Council to prepare a single Local Plan and Green Belt Review within these timescales.

The strengthened guidance on the operation of the Duty to Cooperate will also be critical in determining the relationship with the local plans of neighbouring authorities, particularly in relation to unmet housing need.

2. **‘Automatic planning permission’ on Brownfield:** The Government will introduce a new zonal system which will legislate to grant automatic permission in principle on brownfield sites, subject to the approval of a limited number of technical details. These suitable sites should be included in a statutory register of brownfield land suitable for housing.

Implications for North East Derbyshire: Previously, a Local Authority was required to keep a National Land Use Database, with details of all brownfield land. This could be a starting point for the statutory register referred to. All sites within this database have been included within the SHLAA and have been assessed on their suitability. Very few of such sites have been found suitable.

The new proposals will be highly relevant in relation to longstanding strategic sites in North East Derbyshire, such as The Avenue, Biwaters, Markham Vale and Coalite.

3. **Planning Application Process:** The government will tighten the planning performance regime, so that local authorities making 50% or fewer of decisions on

time are at risk of designation. There are also plans to legislate to extend the performance regime to minor applications. Local authorities processing applications too slowly will be at risk of deregulation.

4. **Devolution of planning powers:** The Government will bring forward proposals for stronger, fairer compulsory purchase powers, and devolution of major new planning powers to the Mayors of London and Manchester. The Government is also working towards further devolution deals with other areas, including Sheffield City Region.
5. **Starter Homes:** A pledge to refocus DCLG budgets through the spending review, focusing on supporting low-cost home ownership for first time buyers. Local Authorities are required to plan proactively for the delivery of Starter Homes.
6. **Right to Buy:** The Government reaffirms the commitment to extend the Right to Buy to housing association tenants through the Housing Bill.
7. **Buy to Let:** The Government reaffirms the commitment in the budget to restrict tax relief on finance costs for landlords of residential property to the basic rate of income tax.