

Derby City Council

Local Plan Part 2

Issues and Options Consultation

[DRAFT]

January 2018



REVISION SCHEDULE

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Introduction:

The Local Plan for Derby is being prepared in two parts. [The Derby City Local Plan Part 1 – Core Strategy](#) was adopted on 25 January 2017. The DCLP1 sets out the strategic planning framework for the City to 2028. The overarching strategy of the plan is to seek to meet the City’s needs for development within our environmental limits; balancing the need for new housing with that of protecting the Green Belt and Green Wedges and bringing forward development on green field sites whilst securing regeneration of urban areas and the city centre. The DCLP1 allocates strategic sites necessary to meet a significant amount of our housing, employment and retails development needs and sets out the key policy issues affecting the City.

The Part 2 Plan follows on from and is guided by the overarching strategy of the DCLP1. The Part 2 Plan is concerned with allocating additional development sites and addressing more detailed policy issues. It will complement the DCLP1 by –

- Allocating additional sites to meet residual housing and other development needs and where necessary, any specific infrastructure requirements (e.g. new roads, schools etc.),
- Setting out policies which provide additional detail for an over-arching policy in the DCLP1
- Setting out additional non-strategic policy requirements to guide development management decisions
- Review the [remaining saved policies of the City of Derby Local Plan Review](#) (CDLPR 2008),

The policies of the Part 2 Plan will need to accord with the overarching strategy and policies of the DCLP1 as well as the National Planning Policy Framework and other national planning policy. When adopted the Part 2 plan will be combined with the DCLP1 to form the development plan for the City up to 2028. Once adopted DCLP Parts 1 and 2 will supersede the remaining saved policies of the City of Derby Local Plan Review 2006.

The timetable for producing the Part 2 Plan is set out below:

	Issues and Options	January 2018
	Draft Plan	July 2018
	Pre-submission	December 2018
	Submission	March 2019
	Examination	To be agreed with the Planning Inspectorate after submission
	Adoption	Late 2019

Policies Map:

As the Part 2 Plan progresses we will need to update the Policies Map (previously known as the Proposals Map) to reflect proposed new allocations and policy designations. Updates to the policies map will be made available at draft plan and pre-submission stages. The existing Policies Map illustrates graphically the allocations and designations from the DCLP1 and those saved from the CDLPR. An interactive version of the Policies Map can be access at:

<http://maps.derby.gov.uk/Map.aspx?MapName=LocalPlan>

Sustainability Appraisal:

Local Plans are required to have a sustainability appraisal (SA) of their policies and proposals to see how well they meet environmental, economic and social objectives necessary to deliver sustainable development. The appraisal process also helps to identify and address any adverse effects the plan may have. A sustainability appraisal of the DCLP1 was carried out during its preparation and adoption. The SA developed a series of objectives that the DCLP1 was appraised against. As the policies and proposals that will form the Part 2 Plan will be guided by the strategy set out in the DCLP1 it is intended that the Part 2 Plan will be assessed against the same SA objectives. An initial SA Scoping and Objective setting document is available for comment as part of this consultation.

About this document:

This issues and options consultation document is the first stage in preparing the Part 2 Local Plan. The following pages set out the issues that we think require a policy in the Part 2 Plan. For ease of reference the issues follow the same chapter headings and order as the DCLP1. For each issue the background and need for a policy is outlined along with potential options for the policy where they exist. For some policy areas there may not be any options, for example where government guidance is clear on the approach we should take. Where we have identified a preferred approach this is clearly justified. At the end of each issue are a set of questions we would like your views on.

Due to the range of issues covered in this document, it has not been possible to include all the background information on each issue. We have therefore also made available an accompanying Issues and Options Evidence Base Paper. This sets out further background to some of the issues discussed and expands upon the reasons behind the preferred approaches we have identified. Where an issue is discussed in the evidence base paper this is made clear in the relevant sections of this document.

How to respond to this consultation:

This consultation offers you the chance to let us know whether you think we have identified the right issues for the Part 2 Plan to address and sets out a number of questions for you to respond to so that your views shape what goes into the draft plan.

The consultation runs between **xxx – xxx**. Comments on the document can be submitted to us by using the online questionnaire below.

[INSERT LINK]

Paper copies of the document and the questionnaire are available at the Council House and at local libraries during normal opening hours.

Please return your responses by 5pm on XXX, either by email at derby.ldf@derby.gov.uk or posted to:

Derby City Local Plan - Part 2 Issues and Options
Spatial Planning
Derby City Council
FREEPOST MID24259
Derby
DE1 2BR

For further information, please contact the Spatial Planning Team at the address below, by email at derby.ldf@derby.gov.uk or by telephoning 01332 640807.

1. Delivering High Quality Places:

The DCLP1 places great importance on delivering high quality design and it is a theme that runs throughout the document. Policies CP3 and CP4 set the broad context for the assessment of the design merits of development proposals, whilst CP2 highlights the importance of sustainable design and CP1(b) seeks to ensure that ‘placemaking’ is considered from the outset when developing proposals for cross boundary growth. This echoes the NPPF which states that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

There are a number of ‘saved’ CDLPR policies which relate either directly or indirectly to ‘design’ and the Part 2 provides an opportunity to review whether these policies are still necessary in order to appropriately manage development and to consider whether policies can be combined to more closely align with the approach set out in the DCLP1.

1a Amenity and Quality of Life

There are seven ‘saved’ CDLPR policies that require review. These can be grouped under the umbrella of relating to issues of general amenity and overall quality of life. These include:

- GD5: Amenity
- H13: Residential Development, General Criteria
- H16: Housing Extensions
- E17: Landscaping Schemes
- E24: Community Safety
- E25: Building Security Measures
- T10: Access for Disabled People

Policy GD5 confirms that proposals that would lead to an unacceptable loss of amenity will be resisted. The policy also identifies the types of impact which will be considered. GD5 is a well-used policy and has been found to be a sound basis for decision making at appeal on a number of occasions.

H13 and 16 set out general requirements relating to the creation of new residential development and extensions to residential properties. The main considerations highlighted by the policies relate to amenity, density, character, context, energy efficiency, living environment, privacy and security.

E17 relates to landscaping schemes and outlines situations where we may seek to secure the provision of high quality landscaping to mitigate impacts. E24 relates to community safety and commits the Council to ensuring that proposals take account of the need to create a secure environment and incorporate crime prevention measures. E25 covers building security measures and seeks to ensure that proposals for security measure, such as shutters, are sympathetically designed and do not adversely impact on the streetscene.

The majority of these principles are covered by the DCLP1, specifically the provisions of CP3 and CP4 and if necessary can be supplemented through the emerging design guidance document. Additionally, policy T10 aims to create an environment where buildings are designed with the needs of all users in mind, enabling people with mobility limitations, including disabled people, parents with children and elderly people to access buildings and use all services available. Whilst accessibility requirements are predominantly covered by building regulations, the Part 2 provides an opportunity

to further highlight the importance of the issue.

Options:

Explanation:

(a) Carry forward existing 'saved' CDLPR policies un-amended and incorporate into the Part 2

This would be the simplest approach and in essence would be 'business as usual'. However, there are aspects of the existing policies that are adequately covered by the DCLP1 leading to repetition, whilst the style of policies is not in-keeping with the DCLP1 approach.

(b) Delete all of the 'saved' CDLPR policies and rely wholly on the policy context provided by the DCLP1 and the NPPF

This is not considered to be an appropriate approach as the inclusion of policies specifically relating to the assessment of amenity within the development plan are essential in being to appropriately manage development.

(c) Hybrid approach retaining some parts of the policies that are considered still relevant and deletion of other parts and combination into single policy

This option has the potential to provide a balance between maintaining those areas of policy that remain relevant and useful and deleting areas that are no longer required. It also provides an opportunity to update the style and format of the policies to reflect the approach taken in the DCLP1.

Preferred Approach:

To include a single policy in the Part 2 which broadly carries forward the content of GD5, whilst also incorporating elements of H13 (specifically criterion (d)) and the overall ethos of T10. Policies H16, E17, E24 and remainder of H13 would be deleted as it considered that the objectives underpinning them are adequately covered by the DCLP1, or where appropriate can be picked up through the supporting text of the proposed Part 2 policy and / or design guidance document to be produced by the Council.

The policy could also helpfully refer to the principles set out in saved CDLPR policies E12 and E15 – see later section.

Questions:

Q1a.1 Are there any considerations relating to amenity that should be added to the new policy that are not already covered by GD5?

Q1a.2 Do you agree that the objectives underpinning H16, E17 and E24 are already adequately covered by the DCLP1 and / or can be covered by non-statutory design guidance and therefore these policies can be deleted?

1b Adverts, Signage and Shop Fronts

CDLPR policy E26 relating to advertisements remains 'saved'. The policy seeks to ensure that proposals for advertisement consent integrate with the local environment and do not detract from the appearance, character or setting of buildings where they are displayed. The policy also seeks to ensure that adverts do not have an adverse effect on pedestrian or vehicular traffic safety.

The key issues in relation to proposals for adverts are impacts on visual amenity and public safety. Whilst these issues are covered by DCLP1 policies CP3 and CP4 and would also be picked up by a reinvigorated amenity policy (as set out above), the nature and potential impacts of adverts is changing and could therefore benefit from a more detailed standalone policy in order to control their proliferation and impact.

The Part 2 also provides an opportunity to consider the related issue of signage and shop fronts. Inappropriate, poorly installed signage and/or poor quality shop fronts have the potential to have a negative impact on the townscape and character of local centres, including the City Centre and District Centres, particularly where there is a concentration of poor signage leading to cumulative impacts. This is particularly apparent in sensitive locations such as conservation areas. On the flip side, the installation of sensitively designed shop fronts has the potential to make a significant contribution towards the regeneration of local centres, improving the environmental quality of an area, helping to attract new tenants, boost footfall and generally contributing to vitality and viability. There are a number of basic principles, which if followed can help to limit potential negative impacts of signage. The Part 2 provides an opportunity to formalise these principles into policy.

Options:	Explanation:
(a) Carry forward existing 'saved' CDLPR policy un-amended and incorporate into the Part 2	This would be the simplest approach and in essence would be 'business as usual'. However, there are aspects of the existing policy that are no longer considered necessary and can be controlled by other policies. This option would also miss an opportunity to provide further policy guidance in relation to related issues, such as signage and shop fronts.
(b) Delete the 'saved' CDLPR policy and rely wholly on the policy context provided by the DCLP1 and the NPPF	The assessment of advertisement consent proposals could be adequately managed by existing policies in the DCLP1 (CP3, 4 and 20) and the reinvigorated amenity policy, as set out above. However, this approach would miss the opportunity to give the issue of adverts an appropriate degree of profile within the development plan and to make links with associated issues such as signage and shop fronts.
(c) Hybrid approach carrying forward the main principles set out in E26 and combining into a single policy incorporating the Council's approach to signage and shop fronts	This option has the potential to provide a balance between maintaining those areas of policy that remain relevant and useful and deleting areas that are no longer required. It also provides an opportunity to set out a holistic

	policy combining the Council's approach to adverts, signage and shop fronts, which are all inter-related. This style of policy would be more in-keeping with the style and format of the DCLP1.
Preferred Approach:	
<p>To include a policy in the Part 2 which seeks to ensure that proposals for advertisements do not adversely impact on amenity or highway / public safety and will only be supported where proposals:</p> <ul style="list-style-type: none"> • Are of a high design standard, sympathetic materials and are well integrated into the context of the surrounding area • Make a positive contribution to the streetscene • Do not detract from the significance of nearby heritage assets • <p>More specifically, the Part 2 policy will seek to ensure that proposals for shop signage are accommodated within a defined fascia above the façade and be illuminated in a discreet and subdued manner, without overly dominant fittings, clutter or cables.</p> <p>There is a logical relationship between advertisements, signage and shop fronts, therefore there is an opportunity for the Part 2 policy to go beyond the reference in CP20 relating to purely supporting the reinstatement of historic and well-designed shop fronts. A new Part 2 policy could specifically reference the need to retain, refurbish and sympathetically incorporate features of interest that survive on premises, including historic shop signage.</p>	
Questions:	
<p>Q1b.1 Are there any other issues relating to the control of adverts that could be included in the policy?</p> <p>Q1b.2 Should issues relating to adverts, signage and shop fronts be combined into a single policy?</p>	

2. Regeneration:

The DCLP1 identifies a number of strategic regeneration priority sites and broad locations, including the City Centre (incorporating Castleward and the former DRI site), Osmaston, the former Manor Kingsway hospitals, Derby Aerospace Campus, land at Sinfin Lane and the former Celanese site in Spondon. In addition, Policy CP5 identifies the broad locations of the Derwent Estate to the north-west of Chaddesden and the inner city areas of Rosehill / Peartree as existing communities where sustainable regeneration will be encouraged.

The DCLP1 also provides a broad policy framework to guide development in the City Centre, setting out the overall strategy and vision in policy AC1, whilst AC2-6 provide further detail in relation to specific issues.

Policy AC2 provides detail on how the City Centre will be transformed during the Plan period and identifies a number of specific geographic areas, setting out a vision of what the Council wants to achieve within each area. Areas include, the Central Business District (CBD), the Core Area (CA) and a number of City Centre 'Character Areas' including, The Cathedral Quarter, St Peters Quarter, intu Shopping Area, Riverside, the Eastern Fringes and former Friar Gate Goods Yard. Specific development sites within identified character areas are referenced within the policy text, but are not specifically allocated for development.

The Part 2 provides an opportunity to review existing 'saved' CDLPR regeneration policies, both within and outside of the City Centre and to identify additional sites / broad locations which would benefit from policy support to encourage, facilitate and coordinate regeneration, including key sites within the City Centre.

2a City Centre Regeneration Sites

Analysis of the emerging SHELAA identifies a number of potential regeneration opportunity sites within the CBD, with the potential to deliver a mix of both residential and / or office uses. Examples of such sites include:

- The North Riverside Masterplan Area
- St George's, Phase 2, Bold Lane
- Middleton House
- Siddals Road Car Park
- 19-21 Uttoxeter New Road
- Former Campion Glass, Brook Street
- Pearson Building, St Helens Street

A more detailed list of potential regeneration sites in the city centre is set out in the housing and economy sections of the issues and options evidence position paper.

There are four locations identified in the emerging SHELAA, either wholly or partially located in the CBD which benefit from a 'saved' CDLPR allocation promoting regeneration. These sites include:

- Former Friar Gate Station – Saved CDLPR allocation R2
- Becketwell and Duckworth Square – Saved CDLPR allocation CC4
- Remaining land at Riverlights – Saved CDLPR allocation CC6
- 1 Cathedral Green, Full Street – Saved CDLPR allocation CC12

The Part 2 provides an opportunity to review these allocations and potentially reinvigorate them to better reflect current aspirations and objectives. There is also an opportunity to consider whether any of the sites are appropriate locations to focus new retail floorspace. The recently commissioned Retail and Centres study will advise on this issue.

Over and above sites potentially appropriate for new residential and office uses, the Part 2 provides an opportunity to specifically allocate other key sites in the City Centre, that are identified in the City Centre Masterplan for leisure, cultural and heritage led regeneration. Sites include:

- The Assembly Rooms site, identified as the preferred site for a new performance venue
- The Silk Mill, identified for a new 'Museum of Making'
- Derby Market Hall, identified for conservation led regeneration

New Part 2 policies relating to these sites provide an opportunity to set out design principles to help guide future development, but also provide these sites with the appropriate profile to attract funding and other support. It is proposed that the policy approach to Derby Market Hall is set out in a specific 'Markets' policy, as detailed later in this document.

Options:	Explanation:
(a) Delete the 'saved' CDLPR policies and rely wholly on the policy context provided by the DCLP1 and the NPPF	All of the sites continue to be in significant need of regeneration. Deletion of allocations with no replacement would fail to provide the appropriate profile needed to proactively drive regeneration and would miss the opportunity to coordinate regeneration of the different areas.
(b) Carry forward existing 'saved' CDLPR policies un-amended and incorporate into the Part 2	This is not considered to be an appropriate option, as the saved policies are no longer up to date and in some cases have been partially implemented.
(c) Review existing CDLPR regeneration allocations and seek to identify other locations in the CBD that would benefit from policy direction	This option provides the most appropriate approach which will enable the identification of all appropriate regeneration sites in the City Centre, providing an opportunity to update existing policy advice and provide new advice in relation to delivery mechanisms and design where appropriate.
Preferred Approach:	
To specifically allocate a range of City Centre regeneration opportunity sites, providing guidance in relation to the range of appropriate uses and identifying design objectives where appropriate.	
Questions:	
<p>Q2a.1 Should the Part 2 seek to provide further guidance in relation to the development of regeneration sites within the CBD?</p> <p>Q2a.2 What issues should the Part 2 cover in relation to the development of regeneration sites in the CBD?</p>	

2b Friar Gate Station / Slack Lane Regeneration Area

There is an opportunity to consider the future of both the former Friar Gate Station site (R2) and the associated Slack Lane regeneration area (R3) to the west.

Saved CDLPR policy R2 sets out a requirement that a minimum of 500 dwellings should be delivered on the site. It also identifies specific considerations including the retention, restoration and maintenance of the grade II listed buildings and their setting and the safeguarding of the proposed route of the Mickleover / Mackworth Express busway. Planning permission was granted in 2013 for a major retail scheme and 150 dwellings, which would have seen the re-use of the listed heritage assets. The permission is yet to be implemented and will lapse in 2018.

The DCLP1 brings the eastern extent of the site (including the bonded warehouse) into the Central Business District (CBD), which provides a degree of flexibility to the uses which could be developed on that part of the site. Policy AC2 also identifies this part of the site as a specific City Centre character area, specifically encouraging the conservation and enhancement of the heritage assets through the delivery of a vibrant mix of uses in accordance with a comprehensive long term strategy and masterplan for the site as a whole.

The Part 2 will need to consider whether it is appropriate to continue to specifically the areas of the site outside of those covered by the DCLP1 designations. It will also need to consider how development can be delivered comprehensively, ensuring that the development of land to the west of the CBD contributes to the restoration and enhancement of the heritage assets located within it.

To the west of the former Friar Gate Station site is the Slack Lane regeneration area, identified by 'saved' CDLPR policy R3. The site follows the alignment of the former railway line and comprises a mix of commercial and industrial uses. R3 identifies the area as a major mixed use regeneration opportunity and identifies land between Slack Lane and the former railway line for residential development. The policy also seeks to protect the alignment of the former railway line for the purposes of delivering the Mickleover / Mackworth Express busway and commits the Council to preparing and planning and design brief for the site. The residential development has been delivered, but in the absence of a masterplan / planning brief, the rest of the area has continued to be recycled in a piecemeal, uncoordinated manner for a range of relatively low quality commercial and employment uses.

There is an opportunity to consider whether it would be beneficial to link the regeneration of this area with the former Friar Gate Station site. The safeguarded route of the Mickleover / Mackworth Express busway links the two sites, whilst there may be opportunities to coordinate other interventions and objectives to benefit both areas. If considered in isolation, there may be scope to review the area covered by the Slack Lane designation to remove the residential elements already delivered and incorporate more land to the south, including the site of the former Rowditch Barracks.

Options:	Explanation:
(a) Carry forward the broad regeneration objectives set out in R2 and R3 and update policy text to reflect current context, maintaining as separate policies	This approach would provide the appropriate degree of profile required to help pro-actively drive regeneration, but would miss the opportunity to coordinate regeneration of the different areas.
(b) Carry forward the broad regeneration objectives set out in R2 and R3 and	This approach would provide the appropriate degree of profile required to help pro-actively drive

update policy text to reflect current context, combining into a single comprehensive policy	regeneration with an opportunity to coordinate development across the two areas. It would also enable the consideration of comprehensive options for the delivery of infrastructure such as the protected route of the former railway line, discussed later in this document.
Preferred Approach:	
Maintain both Friar Gate Goods Yard and Slack Lane areas as priorities for comprehensive regeneration. The exact area to be covered, the level of detail needed and whether or not one or two policies are required are still subject to further consideration and discussion.	
Questions:	
<p>Q2b.1 Is there a need for a coordinated approach between the development of the former Friar Gate Station site and the Slack Lane regeneration area?</p> <p>Q2b.2 Does a new policy need to provide additional policy guidance relating to the area of the former Friar Gate Station site already covered by DCLP1 designations?</p> <p>Q2b.3 What objectives should a new policy set out for the development of the portion of the site located between the edge of the CBD and Uttoxeter Old Road?</p> <p>Q2b.4 What mechanisms should be used to facilitate delivery of both the former Friar Gate Goods Yard site and the Slack Lane area?</p>	

3. Housing:

The National Planning Policy Framework requires local authorities to plan to boost significantly the supply of housing and that local authorities meet in full their objectively assessed needs for market and affordable housing. The NPPF also requires that local authorities identify and seek to meet the needs of specific groups including older people and people with disabilities.

Part 1 of the DCLP has been adopted and sets the housing target and overall strategy for meeting needs. DCLP1 also set out the context for planning for Gypsy and Traveller sites. The Part 2 Plan will supplement this strategic framework, allocate further sites for housing development, Gypsy and Travellers sites and provide further policies to assist in determining planning applications.

In preparing the Part 2 Plan the Council will also need to consider a range of other housing related issues and decide whether any new policies are required in the Part 2 Plan. This will include considering saved housing policies of the City of Derby Local Plan Review (CDLPR). These saved policies will be deleted and the Council will need to decide if they should be replaced in the Part 2 Plan.

3a Meeting Residual Housing Needs/Allocating Further Development Sites

The adopted DCLP1 sets a target that 11,000 net new homes will be delivered in the city over the plan period, reflecting the capacity constraints facing the City. Policy CP6 identifies the sources of this supply and lists the strategic site allocations which will make a significant contribution to achieving the target.

Strategic housing and mixed use sites are allocated in the DCLP1 to provide for around 7,000 new homes. Many of these now have planning permission and some are being developed. Well over 2,000 dwellings have already been completed since the start of the plan period (2011) and there are planning permissions in place for more new homes.

The Part 2 Plan will need to consider what additional policy approaches may be required to ensure that the 11,000 dwelling target will be met by 2028. There are a number of reasons why sites might be allocated for housing in the Part 2 Plan including any combination of the following:

- To ensure that the housing target is met by 2028
- To ensure that the Council maintains a 5 year housing supply
- To set out development principles for a specific site
- To assist with the regeneration of a site

In considering sites to achieve the objectives above, the Council will give particularly careful consideration to the following issues:

- Whether there are sufficient developable and deliverable brownfield sites to meet residual housing needs without releasing further Green Wedge sites
- Whether any existing or proposed open spaces could/should be release to meet housing needs

- The needs/benefits of regenerating unused or derelict land
- The regeneration benefits of allocating further housing land
- The availability of other mechanisms that could bring forward housing sites e.g. Permissions in Principle (PiP) / Local Development Orders

The Council monitors the supply of housing sites and the expected delivery in a housing trajectory. This information will be used to assist in identifying sites which might be allocated in the Part 2 Plan. The DCLP1 identifies that the Part 2 Plan will need to identify land for a further 851 dwellings, however given increases in housing completions over the last two monitoring years this figure is now likely to be significantly less.

The Council is also producing a Strategic Housing and Employment Land Availability Assessment (SHELAA) and this assesses whether sites are suitable, will be available and whether they will be viable to be developed for housing and/or employment uses. The SHELAA will be crucial in evidencing the sites that will contribute to Derby's 5 Year Supply and to delivering Derby's housing target by 2028.

The Council will use the SHELAA to consider opportunities for further housing allocations and will assess any constraints and how they may be overcome. This will be done using an approach which is consistent with both the NPPF and with the overarching strategy set in the DCLP1. A balanced approach will be required which meets further growth needs while maintaining the policy principles of the strategy.

The assessment of sites is continual and often the circumstances which affect their status change. The housing section of the Issues and Options Evidence Base Paper sets out a list of sites which currently form options for consideration as housing allocations in the Part 2 Plan.

Further information on the housing supply and potential Part 2 housing allocations is included in the 2017 Housing Position Statement Update.

Useful links :

2015 Interim Housing Position Statement

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/WEB_Interim_Housing_Position_Statement.pdf

2015 SHLAA

<http://www.derby.gov.uk/environment-and-planning/planning/planning-evidence-base/#Housing>

2017 Derby City Authority Monitoring Report

<http://www.derby.gov.uk/environment-and-planning/planning/planning-policy/#amr>

Options:	Explanation:
(a) Only allocate further housing development on previously developed 'brownfield' sites.	Only allocating further housing sites on brownfield land would be a sustainable approach to the use of land. This could see brownfield land regenerated and brought into beneficial use while

	still meeting housing needs. We will need to rely on evidence from the emerging SHLAA to be sure that there are sufficient deliverable brownfield sites to ensure this approach provides sufficient flexibility to maintain a 5 year supply.
(b) Allocate further housing sites on a mix of brownfield and greenfield sites	This option would see further greenfield sites allocated for housing as well as brownfield land. The development of further greenfield sites might have adverse impacts on other objectives of the Part 1 Plan and the NPPF and might be considered unsustainable and would therefore need to be carefully justified.
Preferred Approach:	
<p>The preferred approach is to meet housing requirements in sustainable locations on achievable sites while protecting important and sensitive areas from built development. If the emerging SHLAA demonstrates this can be achieved through the development of brownfield land <u>only</u>, taking account of the range of evidence on potential housing sites and ensuring there is sufficient land available to meet the housing target and maintain a 5 year supply, then that is the preferred approach.</p> <p>Generally much of the green/open land in the city is designated as Green Wedge or serves other important purposes including providing open space for leisure and recreation, providing land for flood mitigation or drainage, providing land for school playing fields, for wildlife sites and for general environmental quality.</p> <p>If evidence indicates that the housing needs/5 year supply cannot be met by identifying further brownfield land alone, then the Council will need to consider very carefully which greenfield sites could be released. This could require a sequential approach for example giving priority to sites which are less constrained.</p>	
Questions :	
<p>Q3a.1 Should further housing sites only be allocated on brownfield land? (<i>Note that this would still allow greenfield housing sites in appropriate locations to be developed through planning applications. The approach in this case is only to 'allocating' sites in Part 2 of the Local Plan.</i>)</p> <p>Q3a.2 Should Part 2 of the Local Plan resist any further housing allocations by releasing Green Wedges for development?</p> <p>Q3a.3 Are there any other types of land or areas of constraint where housing should either not be allocated or where it should be sequentially less preferable for allocation for housing uses?</p>	

3b Gypsy and Traveller Sites

Policy CP8 of the Derby City Local Plan Part 1 sets out that the Council will protect existing and provide new sites to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople. The policy sets out a number of criteria for considering sites for Traveller accommodation and confirms that the Part 2 plan will allocate new sites.

This approach reflects the Government's Planning Policy for Traveller Sites (PPTS) which requires local planning authorities, in producing their Local Plan to a) identify a supply of sites sufficient to provide 5 years' worth of sites against their locally set targets; and b) identify a supply of developable sites or broad locations for growth for the longer term (for years 6 to 10 and, where possible, for years 11-15).

The 2014 Gypsy and Traveller Accommodation Assessment (GTAA), published in August 2015, sets out the most recent assessment of need for permanent Gypsy and Traveller accommodation in the City. This work was jointly undertaken with other Derbyshire authorities, The Peak District National Park Authority, East Staffordshire Borough Council and the Derbyshire Gypsy Liaison group. This helps us plan effectively for the needs of Gypsies, Travellers and Travelling Showpeople across local authority boundaries, as required by the PPTS.

The GTAA identifies a need for 20 additional permanent pitches in the City by 2019. These pitches are mainly required to address the needs of families regularly setting up unauthorised encampments in the City who want to live on a permanent site. Providing pitches should therefore reduce some of the re-occurrence of unauthorised Gypsy camps across the City. A need for an additional 11 pitches between 2019-2034 is also identified based on population growth. **Within the plan period, up to 2028, this gives a need for 27 new permanent Traveller pitches within the City.**

It is recognised that privately owned family sites are often preferred by the Travelling community. However, land values in a City such as Derby are likely be a barrier to Travellers buying and bringing forward their own sites. It is therefore likely that any site in the City will be located on public sector land, be delivered by the City Council or strategic partner and be funded with the help of external funding bodies, such as the Homes & Communities Agency.

There are a number of options as to how we go about addressing the need for permanent pitches and these are set out below.

Pitch Number Options	Options:	Explanation:
	(a) Allocate a preferred site to meet 5yr pitch target (20 pitches) and a reserve site to meet the residual need (11) pitches identified in the GTAA	This option would meet the need identified in the GTAA in full. However, it may be difficult to find sufficient land to provide more than one site, without have to acquire private land which in itself would make delivering site(s) from a financial perspective significantly more challenging.
	(b) Allocate a site(s) to meet our 5yr pitch target (20 pitches) then review the GTAA	This option would meet our overriding current need on a scale the Council has previously delivered. However, this option would not meet our need in full and it may therefore be more open to challenge at Examination. Nevertheless, this option is more deliverable, as identifying more than one sites may prove challenging. It also reflects the fact that providing new accommodation changes the pattern of future

		need. It would be sensible to re-assess need following the delivery of any site.
Site Options	(c) Allocated site(s) to be managed by the Council/Derby Homes	The Council already owns a sizeable permanent site of 17 pitches at Imari Park, which is successfully managed by Derby Homes. A site located within the City will raise its own issues for housing management and, whilst there is every reason to support another similarly managed site in the city, there may well be site specific considerations which would prompt a review of alternative options for site management, once those sites are identified. In the last year at Imari Park, there have been several vacancies; however there is also an open waiting list and the allocation of those vacancies has required careful management.
	(d) Allocated site(s) possibly family run or managed independently of the Council	
Preferred Approach:		
<p>From the call for sites and an initial assessment of Council owned land, it is clear there are limited options for being able to bring forward a site for permanent Traveller accommodation that both meets the criterion of DCLP1 policy CP8 and that are available / deliverable.</p> <p>The Council’s preferred approach is therefore to concentrate on allocating and delivering a site to meet the initial 5 year requirements set out in the GTAA. In other words to identify, allocate and deliver a site or sites to accommodate 20 pitches. It is recognised that providing permanent accommodation fundamentally affects future accommodation requirements, therefore the Council would also commit to reviewing Traveller accommodation needs once the allocated site is delivered.</p>		
Questions:		
<p>Q3b.1 Do you agree with our preferred approach to pitch numbers?</p> <p>Q3b.2 Do you agree with our preferred approach to site management?</p> <p>Q3b.3 Should site provision also look at meeting needs through the provision of transit as well as permanent accommodation?</p> <p>Q3b.4 Are you aware of any other sites that could help address the need for a permanent Gypsy and Traveller site?</p>		

3c Saved CDLPR Allocations

The following saved policies set out requirements for the delivery of housing and a decision will need to be made as to whether to replace the policies for these sites in the DCLP2 or not:

- Saved Policy H2(b) 'Barlow Street' – This policy allocates land at Barlow Street for 60 dwellings. The site has not been brought forward for development and no planning application has been forthcoming. The Council is currently in discussions with the site owner to ascertain whether it should continue to be allocated for housing or any other use in the DCLP2 or whether the policy should just be deleted.
- Saved Policy R2 'Friar Gate Station and Environs' – This is a saved policy identifying a mixed use regeneration site at the former Friar Gate Goods Yard. The policy specifically requires the delivery of a minimum of 500 dwellings. This site is discussed further in the regeneration section.

Options:

Explanation:

- (a) Remove the Saved Policies and do not replace them

These housing site allocations could be deleted and not replaced in the DCLP2 if there is no ambition or certainty that the requirements of the saved policies will be fulfilled.

- (b) Replace the Saved Policies with new policies in the DCLP2

If the Council wished to continue to promote the development of these sites then new policies could be included in the DCLP2 to reflect the objectives/ambitions. This may mean allocating the sites for housing, mixed uses or any other use. However, if any dwelling numbers are to be counted in the housing supply from these sites their delivery would need to be evidenced.

Preferred Approach:

The Council will need to consider evidence on aspirations for the land/sites, the ability of the sites to deliver different types of development and the views of land owners and any representations made through this consultation. If the sites are still appropriate for allocation in the DCLP2 then policies should be included which set out the specific policy requirements for the sites including any housing numbers which are expected to be delivered.

Questions:

- Q3c.1** Should either or both of these two specific Saved policies be carried forward or replaced as new policies in the DCLP2 or simply be deleted?
- Q3c.2** If the sites are carried forward, are there any specific policy requirements required for them?

3d Saved CDLPR General Housing Policies

There are a number of other saved CDLPR housing policies which need to be reviewed. The objectives of these policies are replaced to some degree by new policies of the DCLP1. However, the Council will need to decide whether any further new policies are required in the DCLP2 in order to fully meet their objectives. In particular the relevant policies are:

- Saved Policy H13 'Residential Development – General Criteria' – This saved policy sets out specific criteria which must be met to ensure that new residential development is acceptable. It requires consideration of the proposed layout, scale, density and of impacts on neighbouring uses. Some of these matters are covered in new DCLP1 policies including the Placemaking and Character and Context policies (CP3 and CP4). However the Council needs to ensure that all of the necessary policy requirements are included in the new local plan and whether any further policy is required in the DCLP2.
- Saved Policy H14 'Re-use of Underused Buildings' – This saved policy supports the use of under-used buildings for residential uses. This objective has been carried forward into the DCLP1 through Policy CP6 (e) which encourages the re-use of under used and vacant buildings and Policy AC1 (e) which sets similar objectives for the City Centre in particular. It is not envisaged that any new policies are required in the DCLP2 to make further requirements to those already in DCLP2 subject to any responses to this consultation.
- Saved Policy H16 'Housing Extensions' – This saved policy deals specifically with applications for extension of dwelling houses and similarly to Saved Policy H13 above, many of the objectives are set out in the new DCLP1 'Placemaking' and Character and Context' policies. The proposed new DCLP2 'Amenity and Quality of Life' policy will further consolidate the policy framework for this area across the new local plan.

The Council is preparing a new design guidance document which will complement the general housing policies in the new local plan and provide further advice on best practice and design principles for housing related developments.

Options:	Explanation:
(a) Delete the Saved Policies and do not replace them	These sites would be deleted and would not be replaced in the DCLP2. This would mean that any part of the policies that has not been replaced in the DCLP1 would be lost.
(b) Replace the Saved Policies with new policies in the DCLP2 to complement existing DCLP1 policies which also cover these issues.	Some of the objectives of these Saved CDLPR policies have already been incorporated into the DCLP1. If there are any remaining parts of the Saved policies which need to remain part of the new local plan they could be incorporated into new policy in the DCLP2.
Preferred Approach:	
The thrust of these Saved CDLPR policies are already covered in new DCLP1 policies, including particularly CP3 (Placemaking Principles) and CP4 (Character and Context). However, any residual elements of the saved CDLPR policies that are considered relevant and in line with national policy	

could be covered in the new DCLP2 'Amenity and Quality of Life' policy, discussed in the previous section. This would ensure a comprehensive approach in the new local plan to cover all of these policy issues.

Questions:

Q3d.1 Do you agree with the preferred approach to ensure that these Saved CDLPR policies are comprehensively replaced in the new Derby City Local Plan Parts 2?

Q3d.2 Are there any other preferred options for replacing these policies are there any other matters relating general housing policy that needs to be included in the DCLP2?

3e Self/Custom Housebuilding

The Housing and Planning Act 2016 requires local authorities to keep a register of individuals or groups of people who wish to build their own home (either self-build or custom-build).

The Regulations covering self and custom housebuilding require that the relevant local authority considers the 'demand' for these types of dwelling when making plans. It also requires that the Council ensures that suitable planning permissions for serviced plots of land are made available to meet the demands evidenced by the Register.

At the time of this consultation Derby City Council's Self and Custom Housebuilding Register had 10 individuals who had successfully applied to be placed on the register.

The Council will need to consider whether any further policy is required in the DCLP2 to ensure that these specialist housing needs are met. The DCLP1 (Policy CP7) generally supports proposals for self-build and custom build housing. However, to ensure that the requirements of the Regulations are met further policy may be required in the DCLP2.

A more detailed explanation of this issue is set out in the Housing section of the Issues and Options Evidence Base paper.

Options:

Explanation:

(a) Allocate specific sites in the DCLP2 where Self/Custom homes should be built

This would identify specific sites/locations where these types of homes would be required to be built. However, the demand for this type of housing as identified through the Register is extremely limited and therefore such an action could restrict land which was otherwise suitable for normal housing from being developed.

(b) Set out a policy requiring that a proportion of plots on housing sites are made available for self/custom build

This would mean that on larger sites a developer would need to make part of their site available for self/custom build. The evidence is that there is a limited demand for self/custom build housing and this approach could affect the ability of a developer to proceed to build out their site expediently.

(c) Set out a criteria based policy for

The DCLP2 could include a criteria based policy for

self/custom housing plots	self/custom build housing. However, in planning terms there is little or no difference between a self/custom build house and a house built by a small builder or developer. The issue for planning is more about the principle of the acceptability of housing.
(d) No further action/ No policy required in the DCLP2	The omission of any policy in the CDLP2 would not preclude self/custom homes from being built. The Council will continue to keep the Register and will support planning applications for this type of housebuilding on appropriate sites.
Preferred Approach:	
At present, it appears that the demand for these types of homes as identified through the Register is not significant and it is not envisaged that any further policy mechanism is required to ensure that the demand for this type of housing is met. However, the Council welcomes views on the matter and how the DCLP2 might address these needs through policy.	
Questions:	
Q3e.1 Do you agree with the preferred approach that no specific policy will be required in the DCLP2 for self-build/custom-build homes?	

3f Accessible and Adaptable Homes
<p>There is a potential for the Council to seek that homes are built to higher standards of building regulations by including a policy in the DCLP2.</p> <p>The CDLP2 included a 'Lifetime Homes' policy which sought that some dwellings were built to higher standards to support people with mobility/accessibility needs. However the Lifetime Homes standard was revoked by Government and new Building Regulations were introduced in 2016. The new optional standards for accessible and adaptable housing are set out in Part M(4) of the new Building Regulations.</p> <p>In order to seek the higher 'optional' levels of Building Regulations, local authorities need to have a policy in their local plan which must be evidenced in terms of the need for such dwellings and that it would be viable to require them to be provided. The policy would then seek a proportion of homes to be built to higher standards through a planning condition.</p> <p>Whilst it is unclear exactly what evidence is required to support such a policy or how the Council would demonstrate that it would be viable to deliver, the Inspector considering an approach to this issue as part of the DCLP1 did not consider the evidence contained in the Strategic Market Housing Assessment specific or detailed enough to justify such a policy approach.</p> <p>Furthermore, this issue could be considered in terms of the difference in 'needs' for housing against 'demand' for housing. For example if a developer was required to build market homes to 'wheelchair user' standards, they may not necessarily be bought by a wheelchair user. They will be market housing. However, where affordable homes were built to such a standard, the Council could</p>

nominate specific people in need of such homes from the housing waiting list.

In seeking homes to be built to the higher levels of Building regulations, guidance states that this requirement should be secured through a planning condition. This makes it difficult to set a policy which is demonstrably viable because it does not take into account that major housing developments are subject to Section 106 planning obligations which seek to mitigate the impacts of the development.

Options:	Explanation:
(a) Include a policy in the DCLP2 to require a proportion of homes to be built to higher optional standards of Building Regulations.	This would mean that the Council could require developers to build a certain number of affordable homes to the higher levels of accessibility and adaptability or to build wheelchair user homes. We already have some evidence from the housing waiting list to demonstrate need. However, such a policy could only be included if the needs were clearly evidenced and it was demonstrated that such requirements would not make development unviable.
(b) Include a policy in the Part 2 plan to require that a proportion of the affordable dwellings provided on a site should be built to higher optional standards of Building Regulations.	This option would be similar to option (a) above but would only seek that the dwellings built to higher standards were provided as part of the affordable housing component of schemes. This would give the Council the ability to ensure that people in housing need with disabilities/mobility problems could secure better suited housing. Again, the need for such properties and the viability of delivery would need to be clearly evidenced.
(c) No change to policy meaning that all dwellings must be built to the standard building regulations.	This option would mean that all dwellings would be built to the standard Building Regulations requirement. Private developers or developers working for the Council could still choose to build homes to a higher standard.
Preferred Approach:	
<p>Ideally, the Council would wish to be able to deliver housing that was accessible for all across each new development. However, we accept that we do not currently have the evidence to demonstrate the need for accessible and adaptable homes and that such a requirement is likely to affect site viability when combined with planning obligation requirements.</p> <p>The Council therefore wishes to given further consideration to separating out needs in the market sector and in the affordable housing sector. There is existing evidence from the housing waiting list that could be potentially used to demonstrate need for accessible and adaptable homes. A potential policy approach would therefore seek to secure a proportion of new affordable homes built to higher building regulations and / or wheelchair accessibility standards. Any new policy approach would have to consider the cost impacts of this requirement along with other general viability development costs including land values, sales values and the cost of mitigations through Planning</p>	

Obligations.

Questions:

- Q3f.1** Is there any other evidence available to justify the need for requiring higher optional Building Regulations requirements, in particular for market housing?
- Q3f.2** Should the Council concentrate on evidencing needs for the Higher standards of Building regulations for affordable homes only? This may mean using evidence of disability/mobility needs of people on the Council's waiting list and other information from existing Council tenants.
- Q3f.3** How can the Council demonstrate that the introduction of a policy to require higher standards of the Optional Building regulations would be viable to deliver?

4. Delivering a Sustainable Economy:

The DCLP1 promotes sustainable economic growth through a series of ‘core principle’ policies (CP9 – CP15) and identification of strategic employment locations (AC11, 12, 15). The Part 2 provides an opportunity to supplement the broad framework set out by the DCLP1, giving consideration to the need to:

- identify new non-strategic employment sites
- identify appropriate locations within the City Centre to focus new retail and leisure floorspace (see section 2)
- identify opportunities to enhance district centres
- formalise our approach to managing markets provision
- recognise opportunities to support the growth and success of Derby County Football Club and Derbyshire County Cricket Club, recognising their economic value to the City
- review remaining ‘saved’ CDLPR policies relating to economic growth

4a Meeting Employment Land Needs

The DCLP1 identifies a gross employment land supply of in the region of 199 hectares, comprising a combination of strategic employment allocations, mixed use allocations and ‘saved’ non-strategic CDLPR allocations. Whilst, the gross supply figure is above the identified objectively assessed need (OAN) of around 150 hectares, it is acknowledged that the potential developable area of the three strategic employment allocations will decrease as significant infrastructure works (highways, flooding etc.) are implemented to enable sites to be delivered. With this in mind and to ensure that DUA needs are met, additional land in South Derbyshire has been identified as an extension to allocation AC15 within the city.

In addition, the Council is in the process of reviewing the ‘saved’ CDLPR employment allocations through the SHELAA, to determine whether they continue to be suitable, available and achievable within the new Plan period. Initial indications suggest that it may be appropriate to delete ‘saved’ allocations EP6 and EP9 (a, d and e), due to concerns about their availability and / or achievability. In the case of EP4 it may be appropriate to simply amend the allocation to CP10 (existing employment land) to enable employment uses to be developed in the future, but with no reliance on the site to contribute to the supply of new land.

There may be a case to retain the remaining land (approx. 1 ha) at EP4 (West Raynesway) and EP9i (Alfreton Road), subject to additional information about the achievability of the sites. It is proposed that EP3(c) will be deleted from the employment land supply and converted to a leisure hub policy, reflecting the importance of the area as a leisure destination.

Even if all of the ‘saved’ non-strategic CDLPR allocations are not carried forward into the Part 2, the likelihood is that there will still be employment land, taking account of the land identified in South Derbyshire. It is however acknowledged that the majority of the supply of ‘new’ employment land is located at strategic employment locations, in the control of a small number of developers with significant infrastructure requirements. The key issue for the Part 2 Plan is therefore whether the

employment land allocation strategy provides an appropriate and importantly deliverable mix in terms of both size and location.

Further information about the employment land supply position and potential sites is set out in employment section of the Issues & Options Evidence Base Paper and the SHELAA.

Options:	Explanation:
(a) Delete all of the 'saved' CDLPR employment allocations and simply rely on the strategic allocations set out in the DCLP1 and recycling of existing employment land (identified by CP10) to meet future employment land needs	This option is not considered appropriate until all of the existing sites have been considered through the SHELAA to review their suitability, availability and achievability going forward.
(b) Delete all of the 'saved' CDLPR employment allocations and replace with a range of non-strategic sites where they would broaden the portfolio of suitable, available and achievable development sites	This option is not considered appropriate until all of the existing and proposed sites have been considered through the SHELAA to review their suitability, availability and achievability going forward.
(c) Hybrid approach carrying forward 'saved' CDLPR allocations, into the Part 2 Plan, where they continue to be suitable, available and achievable as well as supplementing the supply with additional non-strategic sites where they would broaden the portfolio of suitable, available and achievable development sites	This option provides the most appropriate approach which will enable the greatest range of suitable, available and achievable sites to be identified in order to broaden the supply of sites and be consistent with the evidence base.

Preferred Approach:

To identify a mix of non-strategic employment sites, that are, suitable, available and achievable in order to widen the portfolio of sites in the supply. This may include both existing and new allocations. The suitability, availability and achievability of promoted sites will be established through further work on the SHELAA and other evidence base documents.

Questions:

Q4a.1 Are you aware of any sites that should be considered for allocation as a non-strategic employment site?

4b Markets

Over the last decade, the UK's high street has experienced challenging trading conditions and this has had a major impact on the markets industry with competition from supermarkets, discount retailers and an increase in online purchases having a significant impact. Markets have had to adapt and adopt new ways of operating in order to survive.

There is a long established history of market trading in Derby, with the city having received a Royal Charter from King Henry II in 1154. Until relatively recently, the Council has operated markets from four locations, including the Cattle and Wholesale Markets, Allenton Market; and the Eagle Market and Derby Market Hall (DMH) in the city centre. As part of the Council's property rationalisation programme, the Cattle and Wholesale markets ceased operation in 2016/2017 and are currently in the process of being sold for redevelopment. In addition, the Eagle Market was sold to Intu Properties in March 2017 and is now operated on behalf of Intu by WMC Ltd.

The Part 2 provides an opportunity to provide a policy that helps to deliver the Council's emerging Markets Strategy which will guide the future shape of markets provision within Derby. Markets remain popular, although their nature and composition needs to be reconfigured in order to meet modern needs. Rejuvenation of DMH is a significant opportunity to refocus provision to meet modern needs, bolstering its role as a key destination in the City Centre and contributing to conservation objectives.

Options:

Explanation:

To not include a policy relating to markets provision in the Part 2

To include a policy relating to markets provision in the Part 2

Markets provision in Derby is undergoing a sustained period of change. Coordination through an agreed strategy is therefore key to ensuring that needs are met and that opportunities to enhance the vitality of centres are optimised, in line with the provisions of the NPPF. A Part 2 policy in conjunction with the Council's markets strategy provides an opportunity to coordinate provision, whilst supporting the Council's property rationalisation programme. It also provides an opportunity to highlight Derby Market Hall as a key conservation led regeneration opportunity in the City Centre with the potential to contribute to the aims and objectives of policy AC1 and providing the profile required to support future funding bids.

Preferred Approach:

To include a policy in the Part 2 specifically relating to markets provision highlighting the importance of a coordinated approach to management and the significant opportunities to enhance the vitality and viability of the City Centre provided by both Derby Market Hall and the Eagle Market. In addition, a Part 2 policy could:

- actively promote the enhancement and conservation of Derby Market Hall, recognising its historic significance and role at the heart of the City Centre

- promote street markets
- identify the Cattle and Wholesale markets for beneficial redevelopment
- consider options for the future of Allenton Market to ensure that the site fully optimises opportunities to contribute to the vitality and viability of Allenton District Centre

Questions:

Q4b.1 Should the Part 2 include a standalone policy relating to markets?

Q4b.2 Are there any other objectives that should be included in a Part 2 policy?

4c Shopping

The Council has recently commissioned consultants to assess future needs for new retail floorspace within the Plan period to 2028, but also longer term to 2043. In light of the results of the Retail Capacity Update (2015), it is not envisaged that the study will identify significant retail needs to be met in remaining Plan period. The study will therefore focus on assessing where any residual needs can be most appropriately met in the City Centre, including the review of current regeneration initiatives such as the City Centre Masterplan.

This comprehensive study will help establish the future vision for the city and district centres, as well as advising on approaches to manage shifting trends in retailing habits, particularly in terms of out-of-centre retailing. In addition, it will consider how existing and new planned centres, in and on the edge of the City, can be managed in the longer term to contribute towards sustainability objectives, including reducing the need to travel by private car.

The study will inform the review of 'saved' CDLPR policies, namely S10 (Trade and Showroom Type Sales) and S11 (Factory Shops). It will also inform the review of local centre boundaries and potentially inform policies relating to improvement and enhancement opportunities within District Centres.

Options:

At this stage it is too early to identify any specific 'options' relating to potential shopping policies to be included in the Part 2.

Preferred Approach:

Without pre-empting the results of the Retail and Centres Study, it is likely that the Part 2 could potentially include policies to:

- Help direct new comparison floorspace into the city centre, specifically regeneration priority sites
- Manage the proliferation of non-traditional forms to retailing such as trade, showrooms, factory shops and floorspace related to online sales (reviewing policies S10 and S11)
- Highlight opportunities to improve and enhance District Centres

Questions:

Q4c.1 Should the Part 2 include any other policies relating to retailing and local centres?

4d Derbyshire County Cricket Ground

The County Ground has been home to Derbyshire County Cricket Club since 1871. In recent years, the Cricket Club has made significant investments to improve facilities for members, supporters and players. This includes the development of the Cricket Derbyshire Elite Performance Centre and the new Media Centre. As a result the club has hosted major music events as well as hosting ICC Women's World Cup Cricket matches in 2017. These changes form part of the clubs long term vision to develop the site into an outdoor amphitheatre capable of hosting international cricket, concerts and community events.

The nature of the County Ground site means that there may be opportunities to further improve both cricketing and complementary facilities, supporting the increasing profile of the Club both on and off the field.

Saved CDLPR policy L7 covers the current extent of the County Ground and provides support to proposals for improved ground and cricket facilities and in 'exceptional circumstances' a broader range of uses where they would 'enable' cricketing and ground improvements. The Part 2 Plan provides an opportunity to review the approach set out in L7 and to take account of the changing role and function of the County Ground.

Options:**Explanation:**

- (a) Delete 'saved' CDLPR policy L7 and rely on standard development management policies regulate development

There are sufficient 'generic' policies in the DCLP1 to guide development in this area. However, the lack of a specific policy misses the opportunity to recognise the importance of the site and would not specifically support the aspirations of the Cricket Club.

- (b) Carry forward the wording of 'saved' CDLPR policy L7 into the Part 2

This option would continue to give the County Ground specific profile within the Local Plan and would provide an appropriate policy context in which to manage future development proposals. However, it misses an opportunity to increase the profile of the site as an important location within the city and reflect the changing role and function of the County Ground.

- (c) Include a reinvigorated / updated version of 'saved' CDLPR policy

This option would carry forward the broad principles of L7, whilst recognising the increasing importance of the site and the complementary role and functions it performs. It will actively support the aspirations of the Cricket Club, providing them with a positive planning framework in which to plan for the future.

Preferred Approach:

To include a policy in the Part 2 recognising the role of Derbyshire County Cricket Club and more specifically the County Ground in contributing to the economic and cultural well-being of the City,

raising the profile of Derby as an important venue for all forms of cricket. A new Part 2 policy replacing 'saved' CDLPR policy L7 could also:

- recognise the increasingly important role the site performs as an outdoor concert venue, community hub, venue for conferencing and hospitality as well as education and high performance training
- support proposals for additional complementary uses that further diversify the role and function of the site, where they would enable the ongoing improvement and enhancement of cricketing and spectator facilities
- acknowledge that development proposals will need to have appropriate regard to the proximity of the Green Wedge designation to the north and the potential for archaeological remains, flooding and transport issues in the wider area

Development of a policy for this area also provides an opportunity to review the extent of the area covered. There may be opportunities to increase the site area to enable a more comprehensive re-organisation of facilities. The merits of extending the site to the west will need to be considered through the Green Wedge Review addendum report.

Questions:

Q4d.1 Should the Part 2 include a standalone policy relating to the County Ground?

Q4d.2 Are there any other matters that should be identified in a new Part 2 policy?

4e Pride Park Leisure Hub

The development of Pride Park has been a significant success for Derby, regenerating a former railway sidings and gas works to provide a flagship business park, with a range of complementary uses, including leisure and food and drink operations. The success of Pride Park is in part related to the construction of Pride Park Stadium, the home of Derby County FC, early in the life of the development, officially opening in 1997. The development of the stadium has created a focal point within the business park, around which a number of the complementary uses have co-located. These include the DW Fitness Centre, restaurants, but most significantly Derby Arena, incorporating the velodrome.

The extent of Pride Park was previously covered by Policy EP3 of the CDLPR. The policy split the site into three areas, (a), (b) and (c). Area (a) allowed for the development of employment uses (B1, B2 and B8), whilst area (b) incorporated the Roundhouse complex. These areas were largely developed in line with the policy during the CDLPR plan period and were therefore 'deleted' through the DCLP1 process, being largely covered by CP10 (existing employment land).

Area (c) incorporates Pride Park Stadium and surrounding areas including Derby Arena (and associated parking areas) and the DW Fitness Centre. EP3 (c) allows for the expansion of the stadium within this area and other development associated with and ancillary to the Derby County FC, subject to the resolution of traffic or transportation issues.

Whilst area (c) was also largely developed during the CDLPR Plan period, EP3 (c) remains 'saved', providing an opportunity to review the policy framework covering this area through the Part 2, potentially updating it to reflect more recent developments.

Options:	Explanation:
(a) Delete EP3 (c) and rely on standard development management policies to manage development in this area	There are sufficient 'generic' development management policies contained in the DCLP1 to appropriately regulate development in this area. The lack of a specific policy misses the opportunity to recognise the importance of the area as a leisure hub.
(b) Carry forward the wording of EP3 (c) into the Part 2 Plan	This option would continue to give the general area a degree of profile within the Local Plan and would provide an appropriate policy context in which to manage future development proposals. However, it misses an opportunity to increase the profile of the site as an important location within the city and reflect the changing role and function of the area.
(c) Delete EP3 (c) and replace with CP10 (existing employment land designation)	This option would reflect the designation covering the wider Pride Park area. Again, the lack of a specific policy misses the opportunity to recognise the importance of the area.
(d) Replace EP3 (c) with a new standalone policy recognising the importance of the location and actively promoting the area as a leisure hub within the city.	This option would carry forward the broad principles of EP3 (c), whilst recognising the increasing importance of the area and the function it performs as a leisure hub.

Preferred Approach:

To include a policy in the Part 2 recognising the role Pride Park Stadium and Derby Arena and the surrounding area in contributing to the economic and cultural well-being of the City, reflecting the profile of Derby as an important sporting and leisure destination. A new Part 2 policy replacing 'saved' CDLPR policy EP3 (c) could also:

- support proposals for additional complementary uses where they would enable the ongoing improvement and enhancement of sporting and spectator facilities
- acknowledge that development proposals will need to have appropriate regard to impacts on defined centres, flooding, nature conservation and traffic and transportation issues

Development of a policy for this area also provides an opportunity to review the extent of the area covered. There may be opportunities to increase the site area to enable a more comprehensive approach.

Questions:

Q4e.1 Should the Part 2 include a standalone policy relating to the 'leisure hub' area of Pride Park?

Q4e.2 Are there any other matters that should be identified in a new Part 2 policy?

5. Green Infrastructure:

The Derby City Local Plan contains four policies (CP16-19) that set out the Council's approach to green infrastructure, open space, green Wedges and biodiversity. Whilst the majority of the Environment policies in the CDLPR have been replaced by these four DCLP1 policies, there are four policies which are still saved and need to be dealt with as part of the Part 2 Local Plan.

- Policy L4 allocates 18 sites which were proposed to be delivered as new or extended public open space over the previous plan period;
- Policy L5 allocated six sites to provide outdoor sport and recreation facilities.
- Policy L9 protects the route of the former Derby Canal. This is a long-standing Council policy and we need to explore if there remains a need to include a new policy in the Part 2 Local Plan and identify the scope of the policy.
- Policy L13 allocates two sites for use as cemeteries. Work is currently underway to determine the location of a new cemetery to meet Derby's long-term burial needs and we need to explore the policy options which could be incorporated into the Part 2 Plan.

We also want to explore whether there is a need to produce a new policy for the Mickleover / Mackworth Green Wedge. Allocations in the DCLP1 mean that there is significant change in and around this wedge over the plan period and there may be a need to include a policy which provides a holistic approach to development in this area.

5a Proposed Open Space	
<p>As outlined in the introduction to this section, Policy L4 lists 18 sites which the Council considered could be delivered over the previous Local Plan period. It was anticipated that these allocations would create new or extended open space across the City. In addition, each allocation is shown on the Policies Map. Of the 18 allocated sites:</p> <ul style="list-style-type: none"> • Six have been delivered • One can no longer be delivered as the new A52 improvements will encroach into the area • Two sites were deleted as housing sites were allocated through the Part 1 Local Plan • Six sites haven't been delivered. <p>We now need to consider what will be done with the six sites which have yet to be delivered.</p>	
Options:	Explanation:
(a) To retain the current policy and keep the allocated sites from the CDLPR which have yet to be delivered	This option continues the long-term aspiration of the Council to improve outdoor sport and recreation across the City. However these sites have not been delivered over the previous plan

	period. To continue with these allocations would call into question the deliverability of these proposals and therefore the 'soundness' of any policy.
(b) To delete the policy and the allocations which haven't been delivered from the Policies Map	This would reflect the current position and ensure the 'soundness' of the plan in this respect at examination as the Council has no certainty that these sites will be delivered in the future. However, this approach would mean that there won't be any standalone allocations for new or extended open space in the current Local Plan.
(c) To produce a new policy which will set out the Council's aspirations for delivering new open space or extending existing sites	This would continue with a strategy which was instigated in the 1998 City of Derby Local Plan. At the present time there is no evidence to support any new allocation, especially in terms of funding.
Preferred Approach:	
<p>The Council has determined that, for those sites which haven't been delivered since 2006, there is no funding mechanism available to deliver the proposed open space over the current Local Plan period. Consequently, Policy L4, and the allocations on the Policies Map will be deleted.</p> <p>It should be remembered that this approach will not stop open space being delivered on-site in any new development under the requirements of DCLP1 Policy CP17.</p>	
Questions:	
<p>Q5a.1 Are we correct in deleting the remaining, undelivered allocations and not allocating further sites?</p> <p>Q5b.2 Are there alternative approaches to delivering these sites?</p>	

5c Outdoor Recreation

Policy L5 of the CDLPR allocates the following six sites which the Council considered could provide opportunities for outdoor recreation over the plan period.

1. 30.8 hectares east of Allestree Park;
2. 25.5 hectares south of Chaddesden Sidings, north of the River Derwent upon completion of mineral extraction works;
3. 19.3 hectares of land to the north of Chaddesden Wood, Oakwood;
4. 6.8 hectares at the former Sturgess School and adjacent playing field;
5. 4.3 hectares of land off Megaloughton Lane, Spondon on completion of tipping operations, subject to Policy E14;
6. 3.8 hectares at Cotton Farm for inclusion into Sinfin Golf Course.

Although specific uses weren't apportioned to each site, the Council considered that they could *'provide a range of opportunities to create leisure and recreational uses of an open nature, such as private sports pitches or golfing facilities'*.

None of these allocations have been delivered and discussions with colleagues in the Council's Leisure and Culture Department indicate that there is no indication that either the Council or external providers to deliver facilities on these sites in the future. Whilst a third party could still deliver such facilities, given that nothing has come to fruition it will be difficult to demonstrate that these sites are deliverable moving forward.

Of the six allocations, one is located in the Green Belt and four are located within Green Wedges. Therefore, an application for outdoor sports facilities, dependent on the impact, is consistent with both Green Belt and Green Wedge Policy.

Options:	Explanation:
(a) To retain the current policy and keep the six allocated sites from the CDLPR	This option continues the long-term aspiration of the Council to improve outdoor sport and recreation across the City. However these sites have not been delivered over the previous plan period. To continue with these allocations would call into question the deliverability of these proposals and therefore the 'soundness' of any policy
(b) To delete the policy and the allocations on the Policies map	This would reflect the current position and ensure the 'soundness' of the plan in this respect at examination as the Council has no certainty that these sites will be delivered in the future. However, this approach would mean that there won't be any standalone allocations for new or extended open space in the current Local Plan
(c) To delete the policy and the allocations and incorporate the intention to provide outdoor sport and recreation facilities into	This would continue with a long-standing intent to improve outdoor sport provision in Derby and provide policy support for local sports clubs

a new policy supporting local sports clubs	
Preferred Approach:	
<p>There is still an intention to support the provision of outdoor sports facilities in Derby but, given that none of the allocations have been delivered since the adoption of the CDLPR in 2006, it would be difficult to argue for their retention. Therefore, the 'saved' policy, and the allocations on the Policies Map, in the CDLPR will be deleted.</p> <p>Instead a new approach reflecting option (c) and incorporating support for new outdoor sport and recreation facilities in a new policy supporting local sports clubs will be included in the Part 2 Plan (see next section).</p>	
Questions:	
<p>Q5c.1 Do you agree or disagree with our intention to delete the saved policy (L5)?</p> <p>Q5c.2. Do you agree with our alternative approach; to create a new policy supporting the creation of new outdoor sports and recreation facilities and our intention to support our local sports clubs?</p>	

5d Supporting Local Sports Clubs

Derby is home to a number of local sports clubs such as Mickleover Sports, AFC Chellaston, Derby Rugby Football Club and Lonsdale and Gayton Swimming Pools who help to promote health and well-being in the community as well as being the focus for a wide range of community-based activities. Since work commenced on the Part 1 Local Plan, a number of these clubs have either expressed a desire, or have implemented proposals, to improve their facilities.

The Part 1 Local Plan already sets out the Council's commitment to improve health and wellbeing in the City as well as making Derby a leisure and tourist destination. This document already considers developing policies to support ongoing development at Derby County Football Club and Derbyshire County Cricket Club. We now need to consider whether this approach be extended to support local sports clubs?

Options:

Explanation:

(a) Include a policy supporting the aspirations of local sports clubs

This approach gives a degree of certainty to local clubs that, unless there is a conflict with existing policies in the Local Plan, any proposal would be generally acceptable.

(b) Don't include a policy in the Part 2 Local Plan and rely on existing policies in the DCLP1.

This approach relies on any future proposal to be considered against a range of policies in the Part 1 Local Plan and does not provide any support for Derby's sports clubs.

Preferred Approach:

The Council considers that, given the benefits local sports clubs bring to the City, option (a) would be appropriate. This could be a generic policy which provides general support for each club or a criterion based policy which sets out our preferred approach for each specific site/sport.

Questions:

Q5d.1 Are we correct in choosing option (a) or is one of the other options outlined above more preferable?

Q5d.2 Is there another approach we should consider?

5e Cemeteries

Recent work at the Nottingham Road Cemetery has ensured that the burial provision for the City will be met in the medium term. However, there is a need to find a new long-term cemetery site to meet the needs of the City when the Nottingham Road Cemetery is no able longer to meet demand. The provision of a new cemetery will mean that Derby will continue to meet its long-term demand.

The City of Derby Local Plan Review, Policy L13 allocated two sites for potential cemeteries; the first is located to the north of Stubble Close Chellaston and the second, to the east of Moorcroft Farm, Mickleover. Recent technical assessments of both sites have raised certain issues relating to access and the ability of the sites to accommodate sufficient burials over the long-term. In particular, the Chellaston allocation has been deemed to be too small and poorly located to be financially viable.

Work is currently being undertaken to assess the suitability of two potential sites in the City. The first is on farmland adjacent to the existing crematorium and Gardens of Remembrance on Markeaton Lane; the second is on farmland at Moorcroft Farm on Radbourne Lane. To ensure conformity with the Groundwater Regulations 1998, both sites have been subject to the EA Tier 1 Groundwater Pollution Assessment. The findings have necessitated the need to undertake a Tier 2 assessment which will commence shortly. However, the timescales involved in selecting a suitable site may not coincide with the production, publication and submission of the Part 2 Local Plan so two alternative solutions are proposed.

Options:	Explanation:
(a) To allocate a specific site within the plan which includes detailed criteria for the development of the site include a criteria based, general policy which provides the support for a new cemetery in the City	This ensures that a specific site is allocated in the plan and giving surety to Bereavement Services that the burial needs can be met for the City and provides a degree of comfort that, dependent on the contents of the detailed application, the Council considers that this is the most suitable site to accommodate a cemetery. However, this approach is dependent on the completion of the assessments to the satisfaction of the Environment Agency.
(b) To include a policy which sets out criteria to help in the site selection and detailed design process and rely on the current Green Wedge policy which supports the development of cemeteries in a green wedge location	This approach still provides the criteria through which any future cemetery application will be judged against and still provides the Council's support for the provision of a new cemetery in the City.
(c) Allocate both potential sites to ensure that they are protected and include detailed criteria to guide future development	This approach recognises that the Local Plan process and the site selection process timescales aren't aligned and a final decision on the most suitable site may not be made before submission of the Part 2 plan. However, allocating two sites, knowing that one will be surplus to requirements is not the best approach and, should both sites be allocated in the final plan, may prohibit future

	development on the site not chosen.
Preferred Approach:	
<p>The Council's approach is completely dependent on the assessment process required to satisfy the regulations. Should the results of the Groundwater Pollution Assessment be available, then Option (a) would be the preferred approach as it would protect the chosen cemetery site over the plan period. Including detailed criteria in the policy will ensure that the new cemetery is developed in a way which is acceptable to the Council.</p>	
Questions:	
<p>Q5e.1 Do you agree with our approach, subject to the timing of supporting evidence, in allocating one cemetery site and including detailed design criteria?</p>	

5f Mickleover / Mackworth Green Wedge

Of all the City's thirteen wedges, the Mickleover Mackworth Green Wedge will, over the plan period, potentially experience the most change in terms of differing, and sometimes conflicting proposals. For example:

- DCLP1, Policy AC22 allocates two former Green Wedge sites for residential development; delivering up to 421 dwellings
- DCLP1, Policy AC21 is situated to the west of the wedge and forms part of a larger cross boundary housing allocation, delivering at least 690 homes.
- Land within the wedge is currently being considered as a potential site for a new cemetery to serve Derby's long-term needs (see above)
- Mickleover Sports Club, which lies in the wedge, are understood to be exploring options for improving their facilities
- As part of expanding school provision to meet the needs of the existing community and new pupils arising from housing growth, Murray Park School, located within the wedge, is proposing to expand to increase pupil capacity
- Proposals at Rough Heanor Farm, located at the south eastern end of the wedge, to re-model the A516/A38 on and off slip roads, build 80 dwellings, a restaurant and a coffee shop with drive-through facilities are currently being considered by the Council. The site has also been promoted for release from the Green Wedge through the DCLP1 process
- A number of existing cycleways run through the wedge and it is envisaged that provision will be increased/upgraded as part of transport mitigations for planned housing growth
- Highway improvements to the A38 will have an impact on the wedge as the sustainable drainage solution for the road lies within the wedge
- A number of wildlife designations exist within the wedge, one of which is the Mickleover Meadows Local Nature Reserve
- Areas of land within the wedge, which follow existing watercourses, lie within Flood Zone 2
- There are a number of open space designations within the wedge

Options:

Explanation:

- (a) Include a specific policy providing a comprehensive approach for development in the Mickleover/Mackworth Green Wedge; setting out a framework though which all future development will be judged against

A specific policy for this wedge will give an additional level of guidance over and above the current DCLP1 policies and guide development in a way which guides development whilst maintaining the principle of the Green Wedge. However, such a policy could be unwieldy as it will have to deal with a number of diverse land uses and will reiterate

	existing policies in the Part 1 Local Plan.
(b) Rely on existing policies in the Part 1 Local Plan such as for Green Wedge (CP18), Climate Change (CP2), Public Open Space (CP17) and Delivering a Sustainable Transport Network (CP23) as well as the emerging policy for the provision of a cemetery in the Part 2 plan.	This option avoids duplication within the Local Plan but won't set our vision for managing change in this sensitive location.
Preferred Approach:	
<p>Taking into account the two options outlined above, it is felt that a specific policy for the Mickleover/Mackworth Green Wedge is not a workable solution. The Council recognises that there will be conflicting pressures in the wedge over the plan period but these can be dealt with by utilising existing policies in the Part 1 Local Plan and the emerging Part 2 plan. For example, DCLP1 Policy AC22 sets out the policy parameters for the two housing allocations in the wedge whilst many of the proposed uses such as open space, flood mitigation measures and a cemetery are consistent with the requirements of Policy CP18. This approach also avoids unnecessary duplication once the Part 1 and Part 2 plan are combined and also treats all 13 Green Wedges on the same policy basis.</p>	
Questions:	
<p>Q5f.1. Are we correct in assuming that this wedge should not be treated differently from the other Green Wedges in the City by having a specific policy?</p> <p>Q5f.2 If we do have a specific policy for this wedge, what issues should it address?</p>	

6. Heritage:

Policy CP20 in the DCLP1 sets the broad framework for the conservation and enhancement of the historic environment. CP20 recognises the historic environment as one of Derby's greatest resources and commits the Council to protecting it through the preservation, enhancement and restoration of heritage assets. The DCLP1 also includes specific policies AC9 and 10 relating to the Derwent Valley Mills World Heritage Site and the Darley Abbey Mills Complex.

The Part 2 provides an opportunity to review the remaining saved CDLPR heritage policies and give further, more detailed policy direction in relation to the conservation and enhancement of the historic environment, within the context of the framework provided by CP20 and the NPPF. The Part 2 also provides an opportunity to consider whether new policies are required to address other existing and emerging issues in relation to the management of the historic environment. Other issues include the Council's approach to the location and design of 'tall' buildings and to addressing heritage considered to be 'at risk'.

6a Heritage Development Management Policies

Whilst CP20 sets the broad framework for addressing issues relating to the historic environment, a number of CDLPR policies covering specific heritage assets were saved, to be reviewed through the Local Plan Part 2 process. Relevant saved CDLPR policies include:

- E18 - Conservation Areas
- E19 - Listed Buildings and Buildings of Local Importance
- E20 - Uses Within Buildings of Architectural or Historic Importance
- E21 - Archaeology
- E22 - Historic Parks and Gardens

It was originally intended that the policies contained in the DCLP1 would directly replace all of the CDLPR policies relating to the historic environment. More detailed advice in relation to the management of specific heritage assets would be set out in a design guidance document to be published by the Council.

Historic England raised concerns about this approach due to the risks of losing important development management advice from the statutory development plan. It was strongly recommended that existing policies were saved in the interim period, with consideration given to new heritage specific development management policies to be included in the Part 2 in order to clarify how the strategic policies contained in the DCLP1 will be implemented at a local level. Policies E18-E22 were subsequently saved in their totality. The Part 2 Plan provides an opportunity to review these policies and to determine which parts of the policies are adequately covered by the DCLP1 and the NPPF and which elements would benefit from being carried forward into a Part 2 policy.

In terms of E18, there is an opportunity to update the wording to reflect that Conservation Area Consent is no longer relevant and to set out considerations that are specific to the assessment of proposals located within or impacting upon Conservation Areas. E19 relates to the protection of both statutory and locally listed buildings. It is a detailed policy including important advice relating to the protection of locally listed buildings, not covered by CP20, the NPPF or legislation. The Part 2 provides an opportunity to review the detail contained in E19 and to reflect elements that are still considered important in managing change sensitively in listed and locally listed buildings.

The provisions of E20 are considered to be adequately covered by CP20, relevant legislation and other more generic policies contained in the DCLP1. There may therefore be a case to delete this policy in its entirety.

Saved policy E21 relates to archaeology and gets into greater detail than the provision relating to archaeology in CP20. For example, E21 makes reference to preservation in-situ, provides more detail in relation to what archaeological evaluation should include and refers to legal agreements and future management of assets. The Part 2 provides an opportunity to reflect these aspects of the policy and update them into a more up to date context.

E22 relates to historic parks and gardens and again goes further than the provisions of CP20. More specifically, the policy makes specific reference to the need to secure the retention, restoration, maintenance and continued use of historic parks and gardens and makes reference to the importance of maintaining the relationship between historic parks and gardens and any historic buildings which they are historically linked to. The Part 2 provides an opportunity to reflect these aspects of the policy.

The National Trust is in the process of completing a study assessing the setting of Kedleston Hall and Gardens, located just outside of the City within Amber Valley. Subject to the findings of the final report, the Part 2 may provide an opportunity to reflect the findings of the study if appropriate. Any additional advice in this regard could potentially be included in the context of a new development management policy relating to the management of the historic environment.

Options:	Explanation:
(a) Delete all of the 'saved' CDLPR policies and rely on the policy framework provided by the DCLP1 and NPPF	This is not considered to be reasonable option on that basis that important, more detailed advice will be lost from the development plan, which could lead to negative impacts on the historic environment.
(b) Carry forward the 'saved' CDLPR policies directly into the Part 2	Some of the more strategic elements of the 'saved' CDLPR policies are adequately covered by Policy CP20 and the NPPF; therefore this option would carry forward a degree of repetition. Some elements of the 'saved' policies are also out of date and need to be updated to appropriately reflect current legislation and the relevant policy context.
(c) Delete parts of the 'saved' CDLPR policies that are no longer relevant or are adequately covered in the DCLP1 / NPPF and update those areas still relevant, to be combined into a single development management policy covering more detailed heritage issues	This option would carry forward the more detailed aspects of the 'saved' policies meaning that important detail relating to the management of the historic environment is maintained in the development plan, giving it appropriate weight in the decision making process. There is also an opportunity to update the policy advice where appropriate and to include it under a single policy, in line with the more holistic approach to managing the historic environment set out in CP20 and the NPPF.

Preferred Approach:

To include a single policy in the Part 2 providing detailed advice relating to the management of the historic environment. The policy will incorporate elements of E18, 19, 21 and 22, updating them to reflect the current context in terms of local and national policy and legislation.

Questions:

Q6a.1 What are the key detailed aspects of 'saved' policies of E18-22 that should be reflected in the Part 2?

Q6a.2 Should the Part 2 provide individual policies relating to the management of specific heritage assets or can it be combined into a single policy?

6b Tall Buildings

In 2008, the Council in conjunction with Derby Cityscape (the Urban Regeneration Company - URC) commissioned consultants to develop a 'Tall Buildings Strategy' to inform the implementation of the Derby Cityscape City Centre Masterplan. The strategy assesses the baseline townscape context in the city centre, identifying that the ambient height was generally 3-4 storeys (7-15 metres) in 2008. The strategy concludes that any building over 20 metres should therefore be considered to be 'tall'. It goes on to identify how proposals for tall buildings should be assessed and provides an indication of locations within the city centre that may be appropriate for tall buildings.

The Tall Buildings Strategy produced in 2008 has provided useful evidence to inform decision making, however it has not been formally adopted as a Supplementary Planning Document (SPD) or fully incorporated into Council policy, limiting the weight it can be given. Nonetheless, some of the principles are reflected in DCLP1 through Policy AC5 (City Centre Environment) which makes reference to the Council supporting the principle of tall buildings in appropriate gateway locations, provided that proposals are a high quality design and would not adversely impact on heritage assets and the character of the City Centre.

There has been a continuing trend towards 'tall' development in and on the edge of the city centre, optimising the density of sustainable locations, but also to provide the viability required to facilitate the development of constrained sites. These sites are often in sensitive locations with multiple heritage designations. Therefore, the Part 2 provides an opportunity to supplement the principles set out in AC5, to incorporate a specific policy relating to tall buildings. A new policy has the potential to provide more detailed design guidance relating to the development of tall buildings, including advice on the use of the Council's 3D model and potentially provide more certainty about appropriate locations for such development.

In addition, the 2008 strategy is being reviewed by the Council's Built Environment Team as part of work on producing a design guidance document to supplement the placemaking principles set out in the DCLP1. This work will also be used to inform the development of a new policy to be included in the Part 2.

Options:	Explanation:
(a) Do not include a new 'tall buildings' policy in the Part 2, instead relying on the policy context provided by the DCLP1 and future design guidance document to guide proposals.	There is increasing pressure on the City Centre for tall development. The Part 2 provides an opportunity for the Council to be pro-active and consistent in guiding the location and design of such proposals, rather than having to respond in a reactive manner on a site by site basis. A Part 2 policy will be given more weight in the decision making process than non-statutory guidance or an SPD, providing the Council with the appropriate tools in order to facilitate development proposals whilst protecting the character, particularly the historic environment in the City Centre.
(b) Include a new 'tall buildings' policy in the Part 2.	

Preferred Approach:

To include a new policy in the Part 2 relating to the development of tall buildings. A new policy has the potential to provide more detailed design guidance relating to the appropriate scale and design approaches to tall buildings, including advice on the use of the Council's 3D model; and provide more certainty about appropriate locations for such development.

Questions:

Q6b.1 Should the Part 2 include a new policy relating to the development of tall buildings?

Q6b.2 What considerations should be included in the policy?

6c Heritage at Risk

Historic England maintains a national list of heritage assets which it considers to be at risk of being lost as a result of neglect, decay or inappropriate development. The 2017 list includes Allestree Hall and a number of buildings at Darley Abbey Mills. The City Centre Conservation Area has previously been included on the list but was removed in the 2017 issue in recognition of the success of the shop front grant scheme operated as part of the Townscape Heritage Initiative (THI).

There is also a local register held by Derbyshire County Council which identifies historic buildings at risk across the county. The local list includes a number of buildings within Derby including Friargate Railway Bridge, the former Bonded Warehouse and Engine House at the former Friargate Station and the former Rowditch Barracks to the west of Uttoxeter Road.

Policy CP20 commits the Council to monitoring and recording heritage assets that are at risk and to taking action where necessary. The Part 2 provides an opportunity for the Council to identify what action will be taken in order to secure the conservation of heritage assets at risk. In the case of Darley Abbey Mills, Policy AC10 already sets out a clear policy framework to deliver conservation led regeneration, whilst AC2 identifies provides important guidance relating to the regeneration of the former Friar Gate Goods Yard site. Further detail in relation to the Friar Gate Goods Yard site could also be provided in the Part 2 in the context of being a City Centre regeneration priority site, as set out elsewhere in this document.

The Part 2 therefore provides an opportunity to set out a strategy for addressing the conservation issues associated with Allestree Hall, but also the former Rowditch Barracks site. In terms of Allestree Hall, the Part 2 provides an opportunity to consider the merits of different strategies to address the 'conservation deficit' which needs to be bridged in order to secure the preservation of the Hall and associated buildings. This could include consideration of 'enabling development' options to provide the viability needed to restore the Hall to its former glory.

Options:

(a) Do not include a specific heritage at risk policy in the Part 2, instead relying on the policy context provided by the DCLP1, NPPF and legislation

(b) Include a new 'heritage at risk' policy in the Part 2, providing specific guidance in relation to Allestree Hall

Explanation:

The NPPF requires Council's to have a positive strategy for the conservation and enjoyment of the historic environment, including heritage at risk. CP20 commits the Council to monitoring and recording heritage assets at risk and to taking action where necessary. The inclusion of a Part 2 policy provides an opportunity to provide greater detail on how the Council intends to pro-actively address the issue, specifically in relation to Allestree Hall, which is on the national at risk register.

Preferred Approach:

To include a policy in the Part 2 relating to heritage at risk, focussing on pro-active strategies for addressing the conservation issues associated with Allestree Hall and the former Rowditch Barracks site.

Questions:

Q6c.1 Are there any other issues relating to the protection and management of historic environment that should be covered by the Part 2?

7. Learning, Health and Community:

There is a long established link between planning and health; a link which goes back to the late 19th century and this link is now embedded in the National Planning Policy Framework. A key element of the NPPF is the requirement for local planning authorities to promote health and wellbeing in their Local Plans.

The scope for the local plan in promoting health and well-being is a wide-ranging and there is a degree of cross-over with other aspects of the Local Plan. For example, Section 8 of the NPPF highlights that policy in the Local Plan should aim to:

- Promote a safe and accessible environment which reduces the fear of crime
- Promote safe and accessible developments which contains high quality public space and legible pedestrian routes
- Ensure access to high quality open space

The Derby City Local Plan Part 1 already contains a number of policies which help create a healthy and active community however, there are a number of additional policies which the Council consider may be included in the Part 2 plan.

7a Health and Well-Being	
<p>The Part 1 Local Plan and the emerging Part 2 Plan contain a number of individual policies which deal with a number of diverse subjects which promote both physical and mental well-being. Given that these policies are contained within a number of different topic areas such as transport, green infrastructure, community facilities and the draft Development Management policies, the Council is considering including an over-arching Health and Well-being policy in the Part 2 Plan. Any Health and Well-being policy should reflect the requirements of the NPPF and provide a 'hook' for all other subsequent, detailed policies. It could include subjects as diverse as amenity, air quality, provision of open space, increasing access to healthy food, the protection and improvement of health and community facilities and the creation of a safe and active environment. Discussions with Public Health have been positive and comments have refined the draft policy.</p>	
Options:	Explanation:
(a) Do nothing and rely on individual policies in the Local Plan	The subjects contained within the policy are dealt with elsewhere in the local plan either as part of a larger policy or as a specific policy but it will require the reader to find each individual reference to health and well-being throughout the local plan
(b) Include a specific policy in the Local Plan which brings together the diverse subjects which fall under Health & Well-being. This would provide a 'hook' for policies elsewhere in the plan.	This demonstrates that the Council's approach to all aspects of health and wellbeing are covered in a holistic way. It may, however, result in a degree of duplication

Preferred Approach:

Any new policy for health and well-being could include criteria which:

- support proposals which contribute to a high quality, attractive, walkable and safe environment
- support proposals which promotes physical activity through the provision of open space, landscaping, facilities to promote cycling and walking
- ensure that development will not have adverse environmental health impacts, such as through air, noise and water pollution, remediation of contaminated land and measures to reduce risk of flooding or overheating
- monitor air quality to ensure that there is no further decline in air quality
- protect, enhance and increase open space provision, allotments, biodiversity and nature conservation assets and provide children's play facilities
- support proposals which increase access to healthy food
- protect and improve social, community facilities and healthcare facilities, community halls, spiritual buildings and arts and cultural facilities
- require the submission of a Health Impact Assessment for all major developments

Questions:

Q7a.1 Should the Local Plan include an overarching policy for health and wellbeing?

Q7a.2 Have we included every subject which would have an impact on health and well-being?

Q7a.3 Is there any evidence we should be aware of which will help to support the policy?

7b Hospitals

The Royal Derby Hospital and the Nottingham Road Community Hospital are important health facilities not only for the residents of the City but also for the wider sub-region. Given the important nature of both facilities, the Council consider that it is important to recognise and support the long-term growth and development of both sites.

Over the plan period, the pressure on the Hospital Trust will increase due to a number of factors such as population growth, an ageing population and long-term health issues. This will put further pressure on existing facilities which, in turn, will require improvements to both hospitals.

Early discussions with the Hospital Trust have helped to determine the scope and content of a potential policy. Any policy would have to address the need to improve health facilities but also the desire to provide complimentary uses and improve access. The location of both sites, in close proximity to existing residential areas means any policy would also need to consider the amenity of residents.

Options:	Explanation:
(a) Include a policy in the Local Plan for both hospital sites	This ensures that any development which occurs at either hospital site is in accordance with a policy which is supported by the Hospital Trust and provides a degree of certainty for the Hospital Trust
(b) Don't have a policy for the hospitals' and rely on existing policies in the Local Plan	Relying on individual policies in the Local Plan does not give the Hospital Trust the certainty that any future proposals will be acceptable

Preferred Approach:

Include a policy in the Part 2 Plan recognising that the Royal Derby Hospital and the London Road Community Hospital are important sub-regional health facilities. It is also considered that a new policy could:

- support the continued improvement to facilities at Royal Derby Hospital and the London Road Community Hospital to enhance the provision and quality of health care facilities, including support services such as rehabilitation, training facilities and car parking
- support the provision of ancillary uses on both sites such as small-scale shops (A1), café (A3) and crèche (D1) which meet the needs of employees and visitors to the hospital and does not undermine the Local Plan's overall strategy
- support measures which improves access and egress to/from both sites, especially for bus users, cyclists, pedestrians, wheelchair users and people with other disabilities

Questions:

Q7b.1 Should we have a specific policy in the Local Plan for both hospital sites?

Q7b.2 Is the scope of the policy correct? Is there something we've missed or is there something in the Policy which should be removed?

7c Former Derby Canal

The protection of the route of the Former Derby Canal has been a long-standing policy which emerged in the 1998 City of Derby Local Plan and has been carried forward to the CDLPR through policy L9 which is a saved policy. DCLP1 Policy CP16 states the Council's support for the restoration of the Canal as it will contribute to, and enhance, the City's green infrastructure network. However, CP16 does not specifically safeguard the route of the canal as saved policy L9 does.

The Canal Trust have publicised a number of additional projects such as the erection of the Derby Arm which will link the canal with the River Derwent and the creation of a marina on the banks of the River Derwent. Given that any policy in the Local Plan has to be based on robust supporting evidence, including an indication as to whether it is deliverable, the Council needs to consider whether a policy in the Part 2 Plan supporting these proposals is justified.

Options:**Explanation:**

- (a) Delete Policy L9 and not include a replacement in the Local Plan

In some instances the route of the former canal runs through other allocations within the plan. The deletion of the policy ensures that allocated sites can be developed. However, this approach may result in the route of the canal being severed by future development which will prohibit the reopening of the canal.

- (b) Maintain and update Policy L9 to ensure consistency with the Local Plan Part 1 and the aspirations of the Canal Trust

This approach would ensure the long-term protection of the former canal route and ensure that it is not severed and reiterates the Council's long term support for the project. The protected route crosses a number of employment allocations in the City and, as a result, will have to be taken account of in any design.

- (c) Maintain and update Policy L9 to ensure consistency with the Local Plan Part 1 and the aspirations of the Canal Trust but also include other projects such as the Derby Arm which are being developed by the Canal Trust

This approach would ensure the long-term protection of the former canal route and ensure that the route is not severed reiterating the Council's long term support for the project. The inclusion of the Derby Arm and the marina would provide a more complete policy for the successful restoration of the canal. However, currently there is no robust evidence available to the Council to justify the inclusion of the additional projects in a policy.

Preferred Approach:

Given the Council's continuing support for the reopening of the Canal, it is felt that a specific policy protecting the route of the former canal is required. The new policy could include provision to:

- protect the route of the former Derby Canal and ensure that development not associated with the restoration of the canal does not sever its route or detrimentally affect its restoration

- support proposals for the restoration of the former Derby Canal as long as it does not conflict with other policies contained in the Local Plan
- support proposals which incorporate existing and proposed pedestrian, cycle, equestrian and vehicular routes; retain and enhance the green infrastructure and biodiversity value of the canal; take account of amenity, safety and security; do not adversely affect the development potential of the land or do not unduly inhibit existing and future business and industry activity in the area; and preserve or enhance features of historic interest.

Questions:

Q7c.1 Should the local plan continue to include a policy to support the restoration of the canal and protect the route?

Q7c.2 Should the policy be expanded to include the aspirations of the Canal Trust and make reference to the 'Derby Arm' which would connect the canal with the River Derwent? What evidence is available to support their inclusion?

7d Hot Food Takeaways

It has been established that planning can play an important role in promoting health and wellbeing in the community. Over the past decade, the increase in obesity in both children and adults has become a concern at both the national and local level. Although it is recognised that the rise in obesity is a complex issue, the Foresight Report stated that diet is one of the key determinants and that food from takeaways is a source of cheap, energy dense and nutrient poor food.

A recent update to the Planning Practice Guidance states that '*Local planning authorities can consider bringing forward, where supported by an evidence base, local plan policies and supplementary planning documents, which limit the proliferation of certain use classes in identified areas, where planning permission is required. In doing so, evidence and guidance produced by local public health colleagues and Health and Wellbeing Boards may be relevant*'.

The Hot Food Takeaway section of the Issues and Options Evidence Base Paper sets out in detail the issues facing the City and explores an approach to restrict hot food takeaways outside of the City's retail centres by defining exclusion zones around schools and open space; this approach has been adopted by an increasing number of local authorities to restrict the location and proliferation of hot food takeaways.

Options:	Explanation:
(a) To include a policy in the Part 2 Local Plan which sets buffer zones around schools and open space	Provides an additional layer of policy to support the existing policies in the DCLP1 and provides a clear indication that the preferred location for hot food takeaways in Derby is the defined retail centres. However, this approach only targets a certain section of the food retail sector and fails to take account of retailers who promote 'meal deals', outlets which fall outside of the A5 use class and the emergence of buying unhealthy food online. This approach, although included in a number of adopted Local Plans, hasn't been challenged at appeal where it has been the only reason for refusal. Finally, controlling the location of hot food takeaways outside of existing retail centres is already controlled by policies of the DCLP1.
(b) To rely on existing policies in the Local Plan	This ensures compliance with national planning policy and carries forward an approach that has been successful since the adoption of the City of Derby Local Plan in 1998 (to locate hot food takeaways in defined retail centres). Where other Councils have included policies setting buffer zones around certain uses, the zone hasn't been the sole reason for refusing a planning application. Other issues such as impact on local amenity have been the determining factor.

Preferred Approach:

Based on the evidence in the topic paper, it would be difficult to argue that there isn't an issue with obesity across all age groups in the City but this is not down to one specific factor. Evidence suggests that the previous Local Plans' have been successful in ensuring that hot food takeaways are located within the City's defined retail centres and this approach has been carried forward to the current Part 1 Local Plan.

Although it is recognised that hot food takeaways do sell cheap, energy dense and nutrient poor food but there are also other outlets which fall outside of the A5 use class which can also sell unhealthy food and would not be covered by such a policy.

The Council considers that, given the strength of the current retail policies in the Part 1 Local Plan and the inclusion of a new 'Amenity' policy in the Part 2 plan, that the addition of a policy to restrict the location of hot food takeaways, by imposing a buffer zone around schools and open spaces, is not necessary.

Questions:

Q7d.1 Based on the evidence provided in the topic paper, are we correct in our assumptions not to include a policy for hot food takeaways in the Local Plan?

Q7d.2 Should we impose a buffer zone around schools and open spaces?

Q7d.3 Should we go further and set buffers around other uses?

7e School Uses

CDLPR policy LE2 allocated a number of sites for school uses, as follows:

New Primary Schools:

- Normanton Lane, Littleover (as a replacement for St Peter's Church of England Junior School);
- Off Bembridge Drive South, Alvaston;
- A one and a half form entry primary school within the proposed housing site off Rykneld Road, Littleover; New School Playing Field:

New School Playing Field

- Land adjoining Sinfin Community School.

Whilst the new primary school to serve the Rykneld Road housing site is carried forward into DCLP1 policy AC20, none of the other proposals have been implemented. New DCLP1 policy CP21 supports new and extended school provision although it does not allocate specific sites to meet this need. We therefore need to consider whether there is any evidence, in terms of ongoing educational need or specific proposals to bring these sites forward, to support the ongoing allocation of these sites. The sites in themselves are relatively modest in terms of accommodating school buildings and associated facilities. Additionally the Bembridge Drive site now has play equipment installed on site. All 3 sites are open space so would benefit from some protection under DCLP1 policy CP17.

Options:	Explanation:
(a) To delete the school uses allocations and rely on DCLP1 policy CP21 to support the delivery of new schools and	This option continues the long-term aspiration of the Council to provide new and improved school facilities across the City. However these sites have not been delivered over the previous plan period. To continue with these allocations would call into question the deliverability of these proposals and therefore the 'soundness' of any policy
(b) To retain the CDLPR allocations and roll them forward into a new school sites policy	This would reflect the current position and ensure the 'soundness' of the plan in this respect at examination as the Council has no certainty that these sites will be delivered in the future. However, this approach would mean that there won't be any standalone allocations for new or extended school facilities

Preferred Approach:

The sites at Normanton Lane, Bembridge Drive and Sinfin haven't been delivered and there are no current plans to bring these sites forward. Accordingly, it is proposed that policy LE2 and the allocations on the Policies Map will be deleted. As these 3 sites are currently informal open space any future proposals for these sites would be considered against DCLP1 open space policy (CP17).

Questions:

Q7e.1 Are we correct in deleting the remaining, undelivered allocations and not allocating further sites?

Q7e.2 Are there alternative approaches to delivering these sites?

8. Transport:

DCLP1 Policies CP23 and CP24 set the overarching strategy for the delivery of sustainable transport option over the plan period. Policy CP23 seeks to ensure that people living, working and travelling in the City have viable and effective transport options while CP24 lists the initiatives the Council, with its partners, aims to deliver up to 2028. However, there are still a number of transport policies in the CDLPR which are currently 'saved' which deal with a diverse range of transport related subjects. The Part 2 plan provides an opportunity to reassess these policies to determine if they are still required, need amending or could be deleted.

8a Protected Routes

Policy T2 set out a number of Council's transport schemes that are saved and now required review. These include 'Connecting Derby', the Mickleover/Mackworth Express Bus Way and the Alvaston Bypass. Since the adoption of the plan, the Connecting Derby project has been completed and there has been a Council resolution to delete the Alvaston Bypass allocation from the Local Plan.

The remaining project, the Mickleover/Mackworth Express Bus Way, sought to create a sustainable route which utilised a former railway line, linking the City Centre with the west of the City. Although the Council's aspiration to deliver an express bus way will not now be delivered, the strategic location of this former railway line linking the city centre to areas of significant housing growth to the south and west of the city means that protecting this route as a cycling/walking route could provide attractive non-car option linking the City Centre, the west of Derby and the open countryside. In addition it would link Mickleover to the Egginton Greenway.

Policy T15 sought to protect and improve existing footpaths, cycleways and routes for horseriders as well as listing 16 routes which it envisaged would be realised over the plan period. These 16 routes are also shown on the Policies Map. There are two key documents which will help to inform any future policy. The first is the Rights of Way Improvement Plan (RoWIP); this document ensures that the City's path network meets the needs of its users and provides guidance, and schemes, to improve the network. The current RoWIP covers the period 2014 to 2017. The second document is the Local Cycling and Walking Infrastructure Plan (LCWIP); this is a new approach to identifying cycling and walking improvements which enables a long-term approach to developing networks. It is the Council's intention to produce a LCWIP but the timeframe for publication does not align with the Part 2 Plan process.

DCLP1 Policies CP23 and CP24 support the creation of a sustainable transport network and, specifically, CP24 criterion (g) states that the Council will implement the 'Statement of Actions' in the Rights of Way Improvement Plan. We now need to consider how the Part 2 Plan should deal with these remaining saved proposals.

Options:

Explanation:

(a) Include a general policy which sets out the Council's commitment to providing new routes and protect existing routes; all of the routes, bar the Mick/Mack Way will be removed from the Policies Map and rely on the Rights of Way Improvement Plan and

This will allow the Council to state its intent to improve and enhance the cycling and walking network while allowing the flexibility to take account of any future changes in either the Rights of Way Improvement Plan or the Local Cycling and Walking Infrastructure Plan.

the Local Cycling and Walking Infrastructure Plan for the location of any proposed routes	
(b) To include a policy which reflects the RoWIP and the LCWIP and includes a list of priority projects in the policy and depicted on the Policies Map.	All three documents involved in this policy are prepared over differing timescales. Following this approach would mean that the Local Plan could be out-of-date shortly after adoption.
(c) Not include a specific policy in the Local Plan and rely on Policy CP24, criterion (g)	This is the least preferable option. Although the Part 1 Local Plan sets out the Council's support for the Rights of Way Improvement Plan and the strategic cycle network, the lack of a specific policy would make it difficult to protect the route of and delivery a Mick/Mack cycle way.
Preferred Approach:	
<p>Given the options available and the varying timeframes involved, the Council consider that Option (a) is the best solution. The protection of the Mick/Mack Route as a cycling/walking route and its retention on the Policies Map would highlight its continuing importance in mitigating the impacts of growth to the south and west of the City. Removing all of the other protected routes from the Policies Map and relying on the Rights of Way Improvement Plan and the Local Cycling and Walking Infrastructure Plan ensures a degree of flexibility in the Local Plan, allowing the policy to reflect the changing aspirations of the Council.</p>	
Questions:	
<p>Q8a.1 Do you agree that option (a) is the best option or is one of the other options outlined above more preferable?</p> <p>Q8a.2 Is there another approach we should consider?</p>	

8b Air Quality

The links between poor air quality and its impact on our health is becoming increasingly clear. Poor air quality has been linked to cardiovascular and respiratory diseases, strokes and heart disease and high concentrations of nitrogen oxide (NO₂) is known to trigger asthma. In 2016, the Royal College of Physicians released a study which estimated UK's annual mortality burden from exposure to outdoor air pollution to be equivalent to around 40,000 deaths.

Paragraph 124 of the NPPF states that '*Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas*'.

The City Council has declared two Air Quality Management Areas (AQMA) covering the inner and outer ring roads, and the A52 at Spondon, principally due to emissions from road transport. In December 2015, Defra released the National Air Quality Plan which outlines the requirement for the implementation of Clean Air Zones (CAZ's) in five cities across the UK, including Derby. The City Council is currently developing a Low Emission Strategy which will set out measures to support the implementation of the Clean Air Zone. In addition, the Council is working in partnership with DEFRA to understand the air quality issues affecting the City.

In 2018, the Government will publish an updated Clean Air Strategy setting out its long term ambitions for tackling air pollution. Nevertheless, given that this is a significant issue for the City, the Part 2 Plan needs to consider an appropriate policy response.

Options:	Explanation:
(a) Include a policy which seeks to reduce exposure to poor air quality and mitigates against development which may reduce air quality	This approach is consistent with current national policy and sets a framework through which all development in the City will be assessed rather than concentrating on the AQMA zones
(b) Include a policy which goes over and above option (a) and reflects the Government's Clean Air Strategy and the Council's Low Emission Strategy.	This is likely to have the greatest impact in addressing air quality. However, at the present time the evidence required to support this policy approach is not yet available.
(c) Not include a policy in the Local Plan	This position would be contrary to both national policy and the aims and objectives of the Local Plan Part 1 and would not help reduce air pollution in the City

Preferred Approach:

In advance of the Clean Air Zone and the Low Emissions Strategy, the Council does not have the evidence to support anything more than a general air quality policy which could:

- consider the impact of air quality when assessing development proposals and ensure that the impact of development on air quality is mitigated and ensure that exposure to poor air quality is reduced

- consider the actions set out in the Air Quality Action Plan and the Low Emission Strategy
- require the submission of an Air Quality Assessments, in AQMAs, or where development is likely to expose residents to high levels of air pollution or where development involves significant demolition, construction or earthworks.
- ensure that developments that introduce sensitive receptors such as housing, schools and extra care in locations of poor air quality will not be acceptable unless designed to mitigate the impact.

Questions:

Q8b.1 Does this approach comply with national guidance?

Q8b.2 Have we missed anything which should be included in the draft policy?

8c Parking Standards

The National Planning Policy Framework (paragraph 39) allows local authorities to set local parking standards for residential and non-residential development. However, a Ministerial Statement of 25 March 2015 stated that Local Authorities should only impose parking standard where there is clear and compelling justification that it is necessary to manage our local road network.

The Part 1 Local Plan does address parking standards in Policy CP23 and Appendix C. Policy CP23, criterion (b15) states that the Council will ensure that new development:

provides appropriate levels of parking for cars, motor cycles and bicycles, having regard to the standards set out in Appendix C. In highly accessible locations, a lower level of parking will be encouraged. In all cases, the individual circumstances of each proposal will be taken into account, including the realistic requirements of the user(s), the accessibility of the area by different transport modes and the possible impact of the parking on the transport network

Given the requirements of the NPPF and the publication of the Ministerial Statement, the issue over imposing parking standards in the Local Plan was raised by the Inspector who examined the Part 1 Local Plan. We argued that the inclusion of standards was consistent with both the NPPF and the Ministerial Statement. However, we did amend the policy to confirm that the standards were a guide and a starting point in any discussions about parking provision in any new development but that the issues would be considered further in the Part 2 Plan. We now need to review if this remains the right approach.

Options:	Explanation:
(a) Don't include a specific policy for parking standards and rely on Policy CP23 and Appendix C	This approach is consistent with Government requirements and the reliance on Policy CP23 and Appendix C allows the Council to adopt a more flexible approach when negotiating parking provision in all applications
(b) Provide an additional policy in the Part 2 Local Plan which sets specific standards for the City	This approach may allow the Council to set different standards for different areas of the City but this is in conflict with the Government's requirements and the Council does not have sufficient evidence to support the inclusion of a policy. Also, it does not allow the Council to adopt a flexible approach in negotiating parking provision in new developments

Preferred Approach:

We consider that an additional policy will add an unnecessary level of complexity to the Local Plan. The current reliance on Policy CP23 and the guiding standards set out in Appendix C ensures that developers are aware of the Council's aspirations. The standards are a starting point in the planning application process and subsequent negotiations between the Council and the applicant will ensure that the best solution is arrived at based on the local situation.

In addition, the Council considers that, presently, there are no clear and compelling evidence which will allow the Council to go over and above the requirements of the NPPF.

Questions:

- Q8c.1** Are we correct in relying on Policy CP23 and Appendix C in the Local Plan Part 1?
- Q8c.2** Should we include a specific policy in the Local Plan for parking standards and what approach should we take?
- Q8c.3** Is there a clear justification which will allow us to include a specific parking standards policy in the Local Plan?

8d Park and Ride

The provision of Park and Ride facilities are an important part of promoting sustainable transport options in the City.

Policy T9 of the CDLPR is currently 'saved'. This is a two part policy; the first part provides three criteria which any application for a new Park & Ride facility will be considered against while the second part sets out the location of potential sites. Of the four sites allocated in the policy, two have been delivered.

DCLP1, Policy AC24 effectively replaces the second part of Policy T9 by setting out the preferred locations for two new Park and Ride sites; one in the City at Royal Derby Hospital and one at the cross-boundary development at Boulton Moor. However the first part of Policy T9, the part of the policy which deals with the design principles, needs to be reviewed through the Part 2 Plan.

Options:**Explanation:**

(a) No policy and rely on other policies in the Local Plan

Although the current policies provide general criteria for determining any application, this issue may require a specific policy approach.

(b) Include a new policy which sets out the design principles for any new Park & Ride facility

This sets out the Council's preferred requirements for any future facility

Preferred Approach:

Include a policy detailing that the Council will work with partners to help deliver Park and Ride facilities to serve the City, as the provision of Park and Ride facilities is an important component in the promotion of sustainable transport options in Derby. In supporting the creation of new Park and Ride facilities in appropriate locations any policy could consider setting criteria that could include:

- The scale and design of the facility
- Security needs, pedestrian safety, and landscaping
- Managing highway safety or traffic management implications
- The inclusion of charging points for electric vehicles

Questions:

Q8d.1 Should we include a policy which sets criteria for the location and design of any future Park and Ride facility in the City?

Q8d.2 Is there any additional criteria we should include in the policy?

Q8d.3 Are there any sites, in addition to the two allocated in Policy AC24, which we should consider?

8e Bus Station Extension

The aspiration for a bus station to serve the City was set out in Policy CC6 of the CDLPR and this was realised with the opening of a new station on the Morledge in 2010. Since its opening it has become apparent that there is a need to extend the station to cater for both an increase in bus operators operating in the City and the volume of passengers using public transport. An improved and extended bus station will ensure that Derby continues to be an attractive destination for visitors and businesses and assists in the promotion of sustainable transport measures.

Funding has been secured by the Council to extend the current bus station and the vacant site adjacent to the existing bus station at Riverlights has been earmarked. It is anticipated that, in addition to the extended bus station, any new development on this site will include a number of complimentary uses. In addition, given the site's location any new development will have to take account of a number of policy constraints, including flooding.

Options:**Explanation:**

- (a) No policy and rely on other policies in the Local Plan

This allows a degree of flexibility in the design and uses incorporated into the new station but may result in proposals which are not compatible with the Council's vision for the site, or the City Centre

- (b) Include a policy in the part 2 to allocate the site for a bus station and compatible uses

This sets out the Council's preferred approach for the extension, what complimentary uses would be suitable and how the development will incorporate other policy requirements.

Preferred Approach:

The Council's considers that the inclusion of a policy which sets out the Council's preferred approach in respect of design principles; access and egress solutions and acceptable, complimentary uses would be the best approach. This will ensure that the development would enhance and compliment the Council's City Centre Masterplan and the strategy set out in the Part 1 Local Plan and guarantee that any application would take account of other, adjacent allocations and key issues such as flooding.

Questions:

Q8e.1 Are we correct in our assumptions, should we have a specific policy for the bus station?

Q8e.2 The policy will set out criteria for design, access and egress and potential complimentary uses; should anything else be included?

8f Electric Vehicle Charging Points

In addition, to issues of air quality discussed above, the Government is striving to increase the take-up of low emission vehicles before 2040, a date when the Government intends to ban the sale of new diesel and petrol cars. The Automated and Electric Vehicles Bill will increase the access and availability of charging points for electric cars, while also giving the government powers to make it compulsory for charging points to be installed across the country. Therefore, it is likely that pure electric and plug-in hybrid vehicles will take an increasing share of the new car and van market over the plan period and we need to consider how the Part 2 Plan can address providing sufficient infrastructure to serve this need.

As well as developing a Low Emission Strategy, the Council, as part of its Go Ultra Low City status, was awarded £6.1m in 2016 from the Office for Low Emission Vehicles (OLEV) to help support the uptake of electric vehicles, reducing pollution and improving air quality. This funding will allow the Council to bring forward projects by 2020.

A range of approaches to the standard provision for charging points have been adopted by other local planning authorities but there is no established best practice as to what the threshold or rate of provision should be. At the present time there are three charging technologies available for charging vehicles: slow rapid fast and smart chargers.

Options:	Explanation:
(a) Include a specific policy in the Part 2 Plan requiring the provision of EV charging points in all new major development and supporting their installation in smaller developments across Derby. The number of charging points provided could be determined by setting a percentage of spaces for each type of development (residential, retail and employment).	Providing charging points across the City will make the take-up of Low Emission vehicles more attractive and the City a more attractive destination. In addition, it will help to address the air quality issues experienced in Derby. However, this will place an additional burden on developers and viability issues will need to be considered. Technological advances mean that the policy will need to be sufficiently flexible to keep pace with advances in charging infrastructure.
(b) Include a requirement to install EV charging points in certain policies such as the Park and Ride policy and the Air Quality policy	This will still set out the Council's requirements for the provision of charging points but won't be as effective as a specific policy
(c) Not include a policy in the current Local Plan but consider its inclusion in subsequent plans and leave it to the market to deliver charging points when deemed necessary	This takes a long-term view on the provision of charging points and they will only be provided when developers consider it appropriate.

Preferred Approach:

The Council considers that Option (a) would be the best approach for the City. However, as there is no standard approach, the Council needs to develop a robust evidence base to support any new policy. The inclusion of a new policy would help build upon the work being done by the Council to install charging points at key locations across the City.

Questions:

- Q8f.1** Should we include a specific policy for EV charging points in the Local Plan Part 2 and reflect the recommendations of the Low Emission Strategy?
- Q8f.2** Is there evidence available which will enable us to specify a minimum amount of charging points in any development?
- Q8f.3** Should we require a percentage of charging point to be provided on all major developments (development of over 100 dwellings and commercial, leisure and industrial developments over 2,500sqm gross floor space or in excess of 1.0 hectares)?

8g City Centre Servicing	
<p>Saved CDLPR policy CC17 seeks to secure improvements in rear servicing provision in the City Centre. Over the plan period, the City Centre will experience a high level of growth, especially given the Part 1 Local Plan envisages that 1,000 dwellings (2,200 across the whole CBD) will be delivered by 2028.</p> <p>It is therefore important to ensure that adequate provision is made for deliveries and refuse collection. Early discussions with colleagues in Transport indicate that the saved policy is beneficial in managing the impacts of development in the city centre.</p> <p>The Council considers that this policy approach to city centre servicing accords with the NPPF, paragraph 35 – developments should be located and designed where practical to ‘accommodate the efficient delivery of goods and supplies’.</p>	
Options:	Explanation:
(a) Include an amended policy in the Part 2 Plan reflecting and updating CC17	This gives the Council a greater influence in ensuring that any new development in the City Centre has adequate servicing arrangements
(b) Rely on existing policies in the current Part 1 Local Plan and delete the ‘saved’ Policy CC17	Current policies in the Local Plan Part 1 do not give suitable consideration to this issue. Therefore, failure to replace the current ‘saved’ policy may result in development taking place which would not have satisfactory arrangements for servicing
Preferred Approach:	
Include a policy in the Part 2 Plan setting out that development that would lead to improvements to servicing provision in the City Centre will be supported, provided that it enhances or preserves the character and appearance of the Conservation Area and the setting of listed buildings.	
Questions:	
<p>Q8g.1 Do we need to roll forward an amended policy for a City Centre Servicing?</p> <p>Q8g.2 Are there any other issues a policy should address?</p>	

9. Other Development Management:

The Local Plan Part 2 provides an opportunity to refresh existing development management policies and where appropriate to develop new ones, in response to national policy and guidance and in response to issues emerging from the determination of planning applications.

9a Enforcement	
<p>Planning enforcement is a process to investigate cases where development without planning permission is taking place and to ensure that development with planning permission takes place in accordance with the approved plans and planning conditions.</p> <p>Planning enforcement is a discretionary function, but it is recognised that public confidence in the planning system would be quickly undermined if development is not monitored or unauthorised development is allowed to proceed without intervention by the Local Planning Authority. The NPPF specifically acknowledges that effective enforcement is an important means of maintaining public confidence in the planning system.</p> <p>The Council has the primary responsibility for taking enforcement action in the public interest and has a small, but effective enforcement team operating within the Development Management function.</p> <p>Whilst the Council has an enforcement protocol setting out priorities for action, this does not form part of the statutory development plan and including a specific enforcement policy in the Local Plan Part 2 would emphasise the importance of the enforcement function. It would also highlight to prospective applicants the importance of complying with approved plans and conditions.</p>	
Options:	Explanation:
(a) Include an enforcement policy in the Part 2	Inclusion of an enforcement policy within the Part 2 provides an opportunity to emphasise the importance of the Council’s enforcement function. The enforcement function is critical to maintaining public confidence in the planning system.
(b) Don't include an enforcement policy in the Part 2	
Preferred Approach:	
<p>To include an enforcement policy in the Part 2 committing the Council to:</p> <ul style="list-style-type: none">• investigating breaches of planning control in accordance with its planning enforcement protocols• prioritising cases according to the harm to amenity caused and resources available• carrying out investigations proportionately in relation to the breach of planning control identified• taking formal action where informal negotiations fail to resolve the identified breach of planning control and where it is considered appropriate and expedient to do so having regard to the provisions of the development plan and any other material considerations	
Questions:	
<p>Q9a.1 Should the Part 2 Plan include a policy relating to the Council's approach to enforcement issues?</p> <p>Q9a.2 Do we need to consider any additional criteria?</p>	

9b Telecommunications	
<p>The NPPF, Section 5, sets out the Government's aspiration to provide a high quality communications network which will support sustainable economic growth. Paragraph 43 states that in preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. The NPPF goes on to set out a number of matters that local plan should include and matters to be taken into account in determining applications for telecommunications infrastructure. We now need to consider how to take this guidance forward in the Part 2 Plan.</p>	
Options:	Explanation:
(a) Include a policy in the Part 2 Local Plan dealing with Telecommunications	This complies with the NPPF. However, any policy will only reiterate what is contained within the NPPF. Any changes to the NPPF over the plan period will render the policy out of date
(b) Rely on the NPPF	This avoids duplication between the Local Plan and national policy and ensures that any changes in national policy relating to telecommunications will not render the local plan out of date. This approach reflects a position taken by the Council in respect of other policies in the Local Plan which merely reiterates the NPPF e.g. Green Belt.
Preferred Approach:	
<p>Include a telecommunications policy in the Part 2 Plan that ensures that proposals for telecommunication development are located and designed to minimise visual intrusion through sympathetic siting, design, materials, colour and, where appropriate, camouflaged. A policy could also -</p> <ul style="list-style-type: none"> • require opportunities for mast sharing are explored • ensure that the equipment is not located in, nor will have an unacceptable impact on, any designated asset • require evidence to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment • require a statement setting out that the applicant has considered the possibility of the construction of new buildings or other structures interfering with the equipment • require evidence on the outcome of consultations • require a statement which self-certifies that new equipment will not exceed International commission on non-ionising radiation protection guidelines • ensure that, where feasible, all cables and pipelines are placed underground 	
Questions:	
<p>Q9b.1 Should we include a telecommunications policy in the Local Plan or should we rely on the NPPF?</p> <p>Q9b.2 Is the scope and content of the policy in-line with national policy?</p> <p>Q9b.3 Is there anything we should include/omit?</p>	

9c Contaminated Land & Pollution

There are a number of saved CDLPR policies relating to contaminated land and pollution that need to be reviewed through the Part 2 Plan. The NPPF seeks to prevent unacceptable risks from pollution and land instability and requires that both planning policies and development management decisions should ensure that new development is appropriate for its location.

Saved policy E12 confirms that proposals that lead to unacceptable polluting effects, from a range of sources, for existing or new users will be resisted. The NPPF recognises the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

Saved CDLPR policy E14 recognises that some commercial uses can generate pollution and may come under pressure to curtail their operations when new development is brought forward in close proximity of their operations. In particular it seeks to prevent development giving rise to pressure to curtail the activities of the Rolls Royce test beds at Sinfin and the Derby sewage works at Raynesway. The NPPF (paragraph 123) confirms that planning policies should aim to make sure that such businesses 'should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established'.

In addition, saved CDLPR policy E13 recognises that the re-use of contaminated or unstable land can contribute towards the effective use of previously developed land and allows for development on contaminated or unstable land when necessary remedial measures are carried out. Details of remedial measures to deal with the hazards will normally be required before the application is determined. Early discussions with colleagues in Environmental Health suggest that this policy allows issues of contaminated land to be appropriately consider.

Options:	Explanation:
(a) Retain and roll forward separate policies into the Part 2 Plan	Retaining these policies would mean these detailed areas would continue to benefit from a bespoke policy approaches. However, this could lead to policy requirements being duplicated in other policies
(b) Delete these saved policies and cover the issues in the potential Amenity and Quality of Life and Health and Wellbeing policies referred to above.	<p>This would streamline the policies of the Plan and be consistent with the cross cutting style of DCLP1 policies.</p> <p>Detailed element of current policies could be lost by relying on general policies e.g. requirement in E14 that off-site development should not adversely affect existing uses. Also, the principles contained in Policy E13 are seen by Environmental Health as imperative to retain, they are relied on to manage development in such locations.</p>

Preferred Approach:

Include the requirements of saved policies E12 and E14 in the Part 2 Plan, by adding additional criterion to the new Amenity and Quality of Life policy to account for off-site developments not leading to pressure on existing strategic developments to curtail their activities.

Retain a separate Contaminated Land policy in the Part 2 Plan which carries forward the principles of the policy E13. Such a policy could include requirements relating to securing remedial measure to ensure proposals do not cause adverse or hazardous effects; and requiring an independent investigation where it is known or suspected that land is contaminated or unstable to identify remedial measures required.

Questions:

Q9c.1 Do you agree that there is a need for subject specific policies or could their requirements be adequately covered by the generic policies?

9d Aerodromes

East Midlands Airport lies approximately 13 kilometres to the south –east of the City. As a consequence a large part of the City is covered by two safeguarding zones; the first ensures that the Safeguarding Authority (which in this case is the airport, is consulted on any application which is likely to attract birds or is connected with an aviation use. The second ensures that the Safeguarding Authority is consulted on applications for buildings, structures, erections and works which exceed 90 metres in height.

The 1998 and the 2006 Local Plans' both contained a policy covering the safeguarded zone and it is the intention to retain this policy, in an amended form, in the Part 2 Local Plan to ensure that future development in the City does not affect the operation of the airport.

Early discussions with the safeguarding authority indicate that continuing this policy approach is appropriate and accords with the Joint Circular 01/2003. In addition, the Policies Map will need to be updated to account for two safeguarding zones. The first covers the south and east of the City and ensures that the airport is consulted all development likely to attract birds or is for an aviation use; the second which covers most of the City is for all applications for buildings and structures exceeding 90 metres in height.

Options:	Explanation:
(a) Include a policy in the Local Plan	This would ensure that developers who may be considering an application which may have an impact on the operation of the airport are aware of the constraint, that the airport can properly consider issues of safeguarding. This approach also accords with the requirements of Joint Circular 01/2003.
(b) Not include a policy in the Local Plan	This may result in the implications of certain applications and their impact on the operation of the airport not being considered in the planning process. In addition, potential applicants may not be aware of the proximity of the airport and the restrictions imposed to ensure its safe operation.

Preferred Approach:

Include a policy on the Part 2 Plan setting out that within safeguarded areas, new development which would adversely affect the operational integrity or safety of East Midlands Airport, aircraft operations and radar and navigation systems will not be permitted. The policy could also have regard to the height and design of the development; the likelihood of it creating a bird hazard; and likely impact on navigational aids, radio waves and telecommunications systems for the purposes of air traffic control and aircraft movements.

Questions:

Q9d.1 Do you agree that there should be a policy to safeguard the area around the airport from inappropriate development?

Q9d.2 Should a new policy cover any other issues?

9e Other Saved CDLPR Environment Policies

Saved CDLPR policy E11 sets out requirement to provide additional recycling facilities. This policy has been made redundant due to the introduction of City wide kerbside recycling collections largely removing the need for separate recycling collection facilities.

Saved CDLPR policy E15 - Protection of Mineral Resources. The saved policies of the Derby and Derbyshire Joint Minerals Local Plan, specifically policy MP17 covers the same subject area. There is therefore no need to retain this policy in the Local Plan. The protection of mineral resources will be further considered in developing the new Joint Minerals Plan for Derby and Derbyshire.

Options:

It is not considered that there are any options for these policy approaches as the position is clear that these policies are no longer required.

Preferred Approach:

Delete both saved policies E11 and E15 as they are no longer required.

Questions:

Q9e.1 Do you agree that these policies should be deleted?

10. Making it Happen

The DCLP1 has a clear focus on seeking to reinvigorate the relationship between the City and the River Derwent. The river is identified as an under-utilised asset with significant potential to deliver multiple benefits. The DCLP1 includes various policies to promote development of sites within the River Derwent Corridor, including the Derwent Triangle, Derby Commercial Park and the former Celanese site in Spondon. The Part 1 also includes policies relating to the conservation and enhancement of heritage assets within the corridor, including the Derwent Valley Mills World Heritage Site and the Darley Abbey Mills Complex.

In order to facilitate the regeneration of the Derwent Corridor, the Council has developed the 'Our City Our River' (OCOR) programme in conjunction with the Environment Agency, to reduce flood risk by providing improved and realigned flood defences, creating more space for water. Policy AC8 in the DCLP1 outlines the Council's approach to delivering the OCOR programme. Package 1 works relating to areas of the corridor to the north of the City Centre are currently being implemented.

10a OCOR 'Tariff'

Whilst Package 1 works are in the process of being delivered, there continues to be a significant shortfall (circa £40m) in the funding required to deliver packages 2 and 3, which would run through the City Centre and out to Raynesway in the east. In this context, Policy AC8 specifically acknowledges that the Part 2 Plan provides an opportunity to investigate whether contributions towards the ongoing costs of the programme could be sought from development sites receiving benefit from increased flood protection, but not already contributing through the provision of new defences.

Policy MH1 of the DCLP1 enables the Council to seek planning obligations (developer contributions) to fund necessary and appropriate infrastructure, including the provision of flood defences. However, in order to meet the tests set out in the Community Infrastructure Levy (CIL) Regulations (2010), the Council must be able to demonstrate that obligations are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

The Council's current approach has been to seek contributions from developments on a site by site basis through Section 106, where a case can be made that such a contribution would be compliant with the CIL Regulations. This approach has had some success, although it is inevitably time consuming to negotiate contributions on a site by site basis.

An alternative approach could be to define an area within which the Council will seek to capture uplifts in land value for sites benefitting from increased flood protection by applying a per unit / sqm financial contribution on proposals over a set scale threshold, for example £1000 per unit on all developments within the defined area over 25 units, to be secured through the Section 106 mechanism. This approach would establish the parameters for negotiation, reducing the complexity of discussions. However, the establishment of such an approach would require a significant amount of evidence to justify its imposition, level and compliance with CIL Regulations. It would also need to be reflected in the Council's Planning Obligations SPD. An updated Planning Obligations SPD is in the process of being finalised and it is now too late for a specific OCOR contribution to be included. Nonetheless, there may be an opportunity to review this approach in the future if considered appropriate.

The Community Infrastructure Levy (CIL) provides an alternative mechanism for securing contributions towards required infrastructure. CIL enables Councils to charge a levy or rate per

square metre of new chargeable floorspace within a defined area, as set out in a charging schedule. The charging schedule is subject to independent examination, usually by a Planning Inspector in a similar way to a Local Plan to ensure that the charge would not render development unviable.

The CIL based approach would also require a significant amount of evidence to justify the imposition of a standalone tariff. Evidence would need to unequivocally demonstrate that sites will receive uplift in value directly related to the implementation of the OCOR programme and that imposition of a tariff will not render development schemes unviable. This approach would be even more resource intensive than a Section 106 based approach, with the requirement for independent examination. It should also be noted that the Council has concluded that it does not wish to pursue CIL at the current time to fund infrastructure, on the basis that viability testing indicates limited benefits.

The nature of the majority of the areas receiving benefit from the OCOR programme are likely to fall within lower value market areas, have a number of other competing viability considerations or simply have limited development potential due to policy constraints. It has therefore been concluded that the scale of any financial contributions that could be achieved through a more comprehensive approach, either through Section 106 or CIL would be unlikely to outweigh the costs of undertaking the work required to justify it at the current time.

Options:	Explanation:
(a) Seek contributions through Section 106 based on a defined area and development scale threshold, set out in the Planning Obligations SPD	This option would enable financial contributions to be sought from a wider geographic area than that covered by Policy AC8, providing an opportunity to maximise contributions towards the cost of implementing OCOR. However, the scale of 'additional' contributions is unlikely to outweigh the costs and resource implications of justifying such an approach at the current time. This option would also require the approach to be set out in the Planning Obligations SPD, which has just been reviewed and does not incorporate such an approach
(b) Pursue a standalone, single issue CIL charging mechanism covering all areas receiving benefit from the implementation of the OCOR programme	This option would enable financial contributions to be sought from a wider geographic area than that covered by Policy AC8, providing an opportunity to maximise contributions towards the cost of implementing OCOR. However, the scale of 'additional' contributions is unlikely to outweigh the costs and resource implications of justifying such an approach. Therefore, alternative funding streams will still need to be pursued.
(c) Do not pursue an area based CIL charging mechanism or threshold based Section 106 approach and instead rely on other forms of funding and where appropriate seek contributions through Section 106 mechanism on a site by site basis	This option would maintain the current approach of seeking contributions through Section 106 where appropriate and justifiable to do so. It would be less resource and cost intensive, but could miss the opportunity to secure a limited amount of additional funding towards implementation of later stages of the OCOR programme

Preferred Approach:

In light of the ongoing resources and financial pressures on the Council's, the preferred approach is to not pursue an area / threshold based Section 106 or CIL mechanism due to the potential limited benefits versus the and to instead continue to seek alternative forms of funding and where appropriate contributions through the Section 106 mechanism on a site by site basis where they would meet the requirements of the CIL regulations.

Questions:

Q10a.1 Are there any alternative funding mechanisms that could be explored?

APPENDIX A – Policies Map designations, (not associated with the review of specific saved CDLPR policies) to be reviewed through the Local Plan Part 2 process

Description	Relevant Policies	Review Process
Delivering a Sustainable Economy		
Review extent of land currently shown as existing employment land	CP10	Internal review to report 2018
Review boundaries of District and Neighbourhood Centres	CP12	Retail and Centres Study to report 2018
Review boundaries of identified out-of-centre retail locations	CP13	Retail and Centres Study to report 2018
Green Infrastructure		
Review boundaries of Green Wedges	CP18	Addendum to Green Wedge Review (2012) to report 2018
Review Local Wildlife Site (LWS) designations, including Wildlife Corridors	CP19	Internal review in association with DWT to report 2018
Review extent of land currently shown as existing public open space	CP17	Internal review to report 2018
Review extent of land currently shown as allotments	CP17	Internal review to report 2018
Historic Environment		
Review boundaries of Archaeological Alert Areas	CP20	Review by Derbyshire County Council Archaeologist, to be published 2018

APPENDIX B – Status of 'Saved' City of Derby Local Plan Review (2006) Policies

Saved CDLPR Policy		Policy Text Status	Replacement Policy	PM Map Status
GD5	Amenity	REPLACE		-
R2	Friar Gate Station and Environs	REPLACE		REPLACE
R3	Land to the South of Slack Lane	REPLACE		REPLACE
CC4	Becketwell Policy Area	REPLACE		REPLACE
CC6	Riverlights	?		
CC12	Full Street Police Station	REPLACE		REPLACE
CC17	City Centre Servicing	REPLACE		-
H2 (b)	Sites Within the Urban Area	DELETE	-	DELETE
H13	Residential Development – General Criteria	REPLACE		-
H14	Re-use of Underused Buildings	DELETE	-	-
H16	Housing Extensions	REPLACE	-	-
EP3 (c)	Pride Park	REPLACE		REPLACE
EP4	West Raynesway	REPLACE		REPLACE
EP6	Chaddesden Sidings, West	REPLACE		REPLACE
EP9 (a)	General Business and Industrial Sites	DELETE	-	DELETE
EP9 (d)	General Business and Industrial Sites	DELETE	-	DELETE
EP9 (e)	General Business and Industrial Sites	DELETE	-	DELETE
EP9 (i)	General Business and Industrial Sites	REPLACE		REPLACE
S10	Trade and Showroom Type Sales	REPLACE		-
S11	Factory Shops	REPLACE		-
E11	Recycling Facilities	DELETE	-	-
E12	Pollution	REPLACE		-
E13	Contaminated Land	REPLACE		-
E14	Development in Proximity of Existing Operations	?		
E15	Protection of Mineral Resources	DELETE	-	-
E17	Landscaping Schemes	REPLACE		-
E18	Conservation Areas	REPLACE		PART 1
E19	Listed Buildings and Buildings of Local Importance	REPLACE		-
E20	Uses Within Buildings of Architectural or Historic Importance	DELETE	-	-
E21	Archaeology	REPLACE		REPLACE
E22	Historic Parks and Gardens	REPLACE		-
E24	Community Safety	REPLACE		-
E25	Building Security Measures	REPLACE		-
E26	Advertisements	REPLACE		-
E17	Landscaping Schemes	REPLACE		-
E24	Community Safety	REPLACE		-
E25	Building Security Measures	REPLACE		-
E30	Safeguarded Areas Around Aerodromes	REPLACE		REPLACE

L4	New or Extended Public Open Space	REPLACE		REPLACE
L5	Outdoor Recreation	?		REPLACE
L7	Derbyshire County Cricket Ground	REPLACE		REPLACE
L9	Former Derby Canal	REPLACE		REPLACE
L13	Cemeteries	?		?
LE2	School Uses	DELETE	-	DELETE
T2	City Council Schemes	REPLACE		REPLACE
T9	Park and Ride	DELETE	-	DELETE
T10	Access for Disabled People	REPLACE		-
T15	Protection of Footpaths, Cycleways and Routes for Horseriders	REPLACE		REPLACE