

Background to the preparation of the three HMA Local Plans/Core Strategies

- 1 The Planning and Compulsory Purchase Act of 2004 replaced the old style city wide Local Plans with a suite of separate planning documents known as the Local Development Framework (LDF). Key documents within the LDF are the Core Strategy which was intended to set out the broad strategy for new housing and other Development Plan Documents which would allocate specific sites.
- 2 Work began on the Core Strategies in 2009 with an intention to follow them up with separate Site Allocations Documents that would identify most, if not all, of the sites. At that time, they had to be prepared in general conformity with the recently adopted East Midlands Regional Plan. That Plan established strategies of urban concentration around the main Cities of the East Midlands; Derby, Nottingham and Leicester. It identified specific housing targets for individual local authorities within Housing Market Areas (HMAs) which reflected this strategy.
- 3 The Derby Housing Market Area (HMA) was established through the Regional Planning process and includes Derby City, Amber Valley and South Derbyshire. Erewash Borough is included in the Core Nottingham HMA.
- 4 Joint working arrangements were established with Amber Valley Borough Council and South Derbyshire District Councils to align the preparation of our Core Strategies and especially for the planning of the urban extensions to Derby that were envisaged in the Regional Plan. This included the establishment of a Joint Advisory Board of Members and several officer working groups. The main reason we have been working so closely is that Derby cannot meet its housing need in full and is looking for the other two authorities to provide part of it.
- 5 A great deal of joint working has taken place, in terms of producing an HMA wide evidence base, transport modelling, policy development, joint and joined up consultation and more detailed planning work on strategic sites identified for development.
- 6 In early 2010, all three local authorities consulted on options for strategic growth based on the old Regional Plan. However, later that year following a change in Government and the advent of 'Localism', all three authorities decided to take a step back from the Regional Plan and work more closely with communities to determine overall levels of growth locally and how to distribute it. Government announced its intention to abolish the Regional Plan in 2010, although this was not completed until 2013.

- 7 In the summer of 2011, a joint consultation on 'Options for Housing Growth' was undertaken. This set out four options for the scale of new housing across the HMA between 2008 and 2028. These ranged from 30,000 new homes (1,500 a year) based on a low migration assumption to 47,900 or (2,395 a year) based on then Government projections which were significantly higher than the 36,000 (1,800 a year) the Regional Plan was based on. The consultation also set out four strategic options for distribution across the HMA; ranging from urban concentration around Derby, a greater role for the larger villages, a greater role for the smaller villages and a new settlement.
- 8 In 2012, the Localism Act introduced a new legal requirement for local authorities to work together called the 'Duty to Cooperate'. At the same time, Government was making clear that it wanted to see a step change increase in house-building and has introduced several mechanisms to facilitate this. As a result, it became apparent that the Plan would need to allocate significantly more housing sites than originally intended rather than leave these for allocation in a separate Site Allocations Plan.
- 9 Following this, consultants were commissioned to carry out a detailed assessment of housing need taking into account emerging national best practice on methodology and applying a number of locally specific demographic and economic factors to national projections. This was then subsumed into a new requirement to prepare a 'Strategic Housing Needs Assessment', or SHMA, in 2013. This work identified a housing need of 35,354 (1,768 a year) new homes across the HMA for the period 2008 – 2028, of which 16,125 was to meet Derby's need.
- 10 Work on the Derby City Core Strategy identified that a maximum of 12,500 new homes could be provided within the administrative boundary of the City itself without significant harm to green wedges. Although brownfield sites play a significant role in meeting housing needs, it was not possible to rely entirely on these.
- 11 Even so, it was clear that the City could not meet all of its housing need within its administrative boundary and had to look to neighbouring authorities to provide the shortfall. Discussions between the three HMA authorities reached agreement to achieve this.
- 12 Amber Valley submitted their Plan for Examination in early 2014. Early on, the Inspector asked for some further work to be undertaken to take into account recent good practice guidance regarding assumptions over migration rates and household formation. He also asked for the plan period to be re-calibrated to 2011 – 2028 as the additional assessment was based on 2011 projections. As a result of this, he indicated that he favoured a somewhat higher HMA target of 33,388 dwellings (1,964 a year) for the new plan period of 2011 – 2028. However, as the Examination progressed, it became clear that he was not satisfied that Amber Valley had identified sufficient deliverable sites and the Examination was suspended pending further work on site identification. One of the issues put to him was that land adjoining Derby was a more sustainable location to meet Derby's needs than land at Denby as the Plan was proposing. The Plan was subsequently withdrawn and started afresh.

- 13 South Derbyshire also submitted their Plan for Examination in 2014. In the summer of that year, a challenge was made to both the Amber Valley and South Derbyshire Examinations arguing that all three plans should be Examined jointly. The two Inspectors considered this request and decided to hold a joint Hearing into overall housing need and strategic distribution across the HMA. This took place in early 2015. The result was to confirm the figure of 33,388, but also to request all three authorities to undertake further work on the Sustainability Appraisal to clarify and justify how Derby's unmet need was apportioned between Amber Valley and South Derbyshire.
- 14 Whilst this work was being undertaken, an appeal was allowed for 300 homes on part of the Newhouse Farm site to the west of Mickleover. In allowing this appeal, the Inspector made it clear that he saw no reason in principle why the remainder of the site should not come forward. Mindful of the difficulty in demonstrating a 5 year supply of land, South Derbyshire included this site in their consultation on the revised Sustainability Appraisal asked for by the Inspectors. The Inspector accepted this addition as a modification of the Plan and it was formally adopted in June 2016.
- 15 Derby City submitted its Core Strategy for Examination in late 2015 having waited until we were confident we could demonstrate that our unmet need would be met by the other two authorities. By the time hearings began in April 2016, South Derbyshire's Plan was almost adopted and, despite withdrawing it, Amber Valley reiterated that they would continue to meet their share of Derby's unmet need.