

DERBY INTERIM HOUSING POSITION STATEMENT

DECEMBER 2015



Derby City Council



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AUGUST 2015

1. Introduction

- 1.1 The purpose of this paper is to explain and justify the housing strategy and housing policies of Derby's Local Plan Part 1: Core Strategy (the Core Strategy). The paper explains the strategy for meeting Derby's 'objectively assessed housing needs' (OAN), why the strategy has been identified as the best and most appropriate one and what alternatives were considered. It demonstrates compliance with the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) and shows that the Council has adopted a positive, sound and robust approach in preparing the Plan.
- 1.2 The paper has been prepared to accompany the Submission version of the Core Strategy. The first version of this was published to sit alongside the Pre-Submission version of the plan. This version contains a number of updates following consultation for Submission. Many issues relating to housing are changing continually and this particularly affects the key components of the housing supply. For example, over time, planning permissions are granted, housing sites are completed, new sites are promoted etc. The paper will therefore be updated over time to review the contents if necessary. This position statement should be read in conjunction with the Core Strategy and other relevant evidence base documents.
- 1.3 The Core Strategy will form Part 1 of the Council's new Local Plan, the Derby City Local Plan (DCLP). It will partially replace the City of Derby Local Plan Review (CDLPR) which was adopted in 2006. The Core Strategy provides a strategic framework for planning decisions until 2028, sets an overall housing target for the City, allocates land to contribute to meet identified housing needs and establishes a 5 year housing land supply. It will be followed by a Part 2 Plan which will identify additional small and non-strategic sites in order to fully meet the housing target over the plan period. The Part 2 Plan will also address any outstanding Development Management matters.
- 1.4 The National Planning Policy Framework (NPPF) (para 47) requires local authorities to use their evidence base to plan to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing and to boost significantly the supply of housing. A golden thread which runs through the Framework is one of sustainable development. This means that objectively assessed housing needs must be met while having regard to relevant social, environmental and economic factors.
- 1.5 The Council has carefully considered options and opportunities to deliver new homes and supporting infrastructure in sustainable locations and has used an evidence based approach to develop its housing strategy and policies. This has involved working closely with neighbouring authorities, including Amber Valley Borough Council and South Derbyshire District Council, which are both part of the Derby Housing Market Area (HMA), the County Council and Erewash Borough Council, which is also a neighbouring authority but in the Greater Nottingham HMA. Much of the evidence supporting the Plan is part of a joint evidence base which has been developed across the HMA and which has also been used by the other HMA authorities in their plan preparation.

1.6 Local Plan Timeframe

- 1.7 When reading this document, it is important to note that the DCLP was originally based on a 20 year plan period from 2008 to 2028. The other HMA authorities also originally set their Plans over the same timeframe in alignment with Derby's Plan. However, the Inspector examining the Amber Valley Core Strategy in 2014 considered that a more appropriate start date for Amber Valley's Core Strategy would be 2011 to match the latest housing need assessments.
- 1.8 Derby City Council has therefore re-based its Local Plan to a 2011 start date. The Plan still has an end date of 2028 and the evidence supporting it is still up to date and robust. The Amber Valley Inspector suggested that if a plan started at 2011 it could still be 'Sound' with an end date of 2028 as a sufficient time horizon to meet the requirements of the NPPF would still be provided. This is considered to be the case for Derby's plan and therefore the plan period is 2011 to 2028. As such, the housing needs data in this report has been rebased for the new timescale. This may explain the differences between the data presented in earlier documents or reports.
- 1.9 The following sections of this paper will explain the housing strategy for Derby. In particular the paper will seek to explain and justify policies CP6, CP7 and CP8 of the Core Strategy which set out the housing delivery strategy, the policies for meeting affordable and specialist housing needs and the approach for the provision of Gypsy and Traveller accommodation.
- 1.10 Section 2 of the paper provides a summary and overview of the housing strategy and sets out the different components that will make up the housing land supply. The third section explains how the objectively assessed needs were established for the HMA and the three component authorities. Section 4 explains the distribution element of the strategy. Section 5 explains how requirements for the type, tenure, size and mix of housing are considered in the strategy. Section 6 sets out and explains the five year housing supply calculation and finally Section 7 describes how the Council will consider and meet needs for affordable and specialist housing types.

2. THE HOUSING DELIVERY STRATEGY

2.1 What is the Housing Strategy for Derby?

2.2 The strategy for meeting Derby's housing needs has several parts which are explained in more detail in the various sections of this paper. The paper also explains how the components of the strategy have been evidenced and what options and alternatives were considered in the process.

2.3 The broad strategy for housing is set out in Policy CP6 of the Core Strategy. It seeks to ensure the delivery of a minimum of 11,000 new homes over the period 2011 to 2028 in order to contribute to meeting the City's objectively assessed housing needs (OAN). An explanation of how the City's OAN have been calculated will be provided in Section 3 of this document.

2.4 As will be demonstrated throughout this paper, the evidence indicates that there is not enough capacity in the City to meet all of Derby's housing needs within the city's boundaries in a sustainable and deliverable manner. Therefore, some of Derby's OAN will be met in adjacent local authority areas within the Derby HMA. The strategy depends on close co-operative working with neighbouring HMA authorities. Amber Valley Borough Council and South Derbyshire District Council have agreed to meet Derby's unmet housing needs in their districts by identifying land for housing development, including sustainable urban extensions (SUEs) to the City, in their respective plans. Some of these new SUEs will involve cross boundary development which will be closely co-ordinated by the relevant authorities. At the time of writing this document, Amber Valley Borough Council has set out in their Plan a housing target which will meet their own Objectively assessed housing needs whilst also making provision to meet 2,375 dwellings of Derby City's needs. Similarly, South Derbyshire District Council has a strategy to meet all of their own OAN and also meet 3,013 of Derby's needs.

2.5 In terms of delivery within the city, a key focus is on the maximisation of brownfield housing and regeneration. The housing strategy facilitates the delivery of new homes on brownfield sites, including vacant brownfield land, employment land and other appropriate previously developed sites. Strategic brownfield sites are allocated to deliver new homes and supporting infrastructure. The City Centre and the Osmaston Regeneration Area are identified as broad locations which will deliver significant numbers of new homes. Smaller sites and non-strategic sites are allocated for housing in a Part 2 Plan and a windfall allowance will see further brownfield land developed to meet housing needs over the Plan period. In some cases new developments on larger brownfield sites will be mixed use developments with a housing component. Approximately 60% of housing development in the plan period is expected to be on brownfield land.

2.6 However, some greenfield sites will also have to be developed to provide sufficient 'deliverable' new homes. Specific greenfield sites have been allocated for new housing including the release of some land currently in Green Wedges. As noted

above, large scale SUEs have also been allocated. These offer opportunities to create new communities with the critical mass to provide new supporting infrastructure.

- 2.7 The combination of strategic level and smaller sites, including a mix of previously developed and greenfield land, will provide a range of sites and locations in order to meet housing needs in sustainable locations. The strategy will see the spatial distribution of new homes across and around the City with a range of site sizes and locations including the provision of new homes in and around the City Centre, extensions to existing suburbs and the creation of new communities.
- 2.8 The housing strategy seeks to deliver new homes across the whole plan period and in particular increase the supply of housing in the short term. This will mean establishing and maintaining a five year supply of deliverable housing sites, making up past shortfall from the beginning of the plan period in the short term and bringing forward part of the supply from later in the plan period, consistent with the requirements of the NPPF. An explanation of the implications of the strategy for the five year supply can be found in Section 6.
- 2.9 In addition to meeting general housing needs, the Plan sets out policies to address affordable and specialist housing needs including those of the aging population, people with disabilities and for those people who wish to build their own homes. These are addressed in Policy CP7. More information on these policies can be found in Section 7.
- 2.10 The Core Strategy includes a criteria based policy (CP8) for determining planning applications for Gypsy and Traveller accommodation and for future local plan site selection. Work on a Gypsy and Traveller Accommodation Assessment refresh (GTAA) which includes the whole of Derbyshire and East Staffordshire has recently been completed. Whilst this indicates likely need over the plan period, the assessment is a snapshot in time and further work is likely to be required to identify a specific target. It is therefore intended to take this work forward, together with identification of sites, through the Part 2 Plan.
- 2.11 If this evidence indicates that specific sites need to be identified to meet Gypsy and Traveller accommodation needs then site allocations will be made in the Part 2 plan.
- 2.12 The strategy and policies outlined in the Plan are based on a robust evidence base and meet the requirements of the NPPF. A more detailed explanation of the different elements of the housing strategy is set out below. This is quite complex and has been set out as a series of questions and answers for simplicity, as follows.
- 2.13 How many new dwellings will be provided in Derby over the Plan period?**
- 2.14 The Core Strategy sets a housing provision target of a minimum of 11,000 net additional dwellings to be provided in the City between 2011 and 2028. Policy CP6 (Housing Delivery) sets out the housing requirement and identifies the component parts of the land supply which will provide the new homes. The housing requirement will be provided from several supply sources.

2.15 The housing target has been derived from the evidence base including the consideration of the City's OAN and the amount of suitable and sustainable sites which can realistically be brought forward in the lifetime of the plan. An explanation of how the housing target was set is provided later in section 4 of this document.

2.16 What are the components of the housing supply?

2.17 The table below identifies the different elements of housing supply which will contribute to delivering a minimum of 11,000 net new dwellings over the Plan period. This table provides a snapshot of the housing supply position. The housing supply changes continually and the Council carries out a full set of progress surveys annually to reflect the most up-to-date position. The granting and lapsing of new permissions also affects the components of the table and it is therefore subject to review and updating upon the availability of further evidence.

Supply Components	Dwellings
Past Completions (2011-2015)	1,509
Estimated Completions (2015-16)	391
Extant 'Developable' Planning Permissions ¹²	587
Strategic Allocations *	6,655
Windfalls	900
Losses	-336
To be addressed in the Part 2 Plan	1,294
TOTAL	11,000

2.18 How have the various components of the land supply above been calculated?

2.19 Past Completions (2011/2-2014/15) : 1,509 dwellings

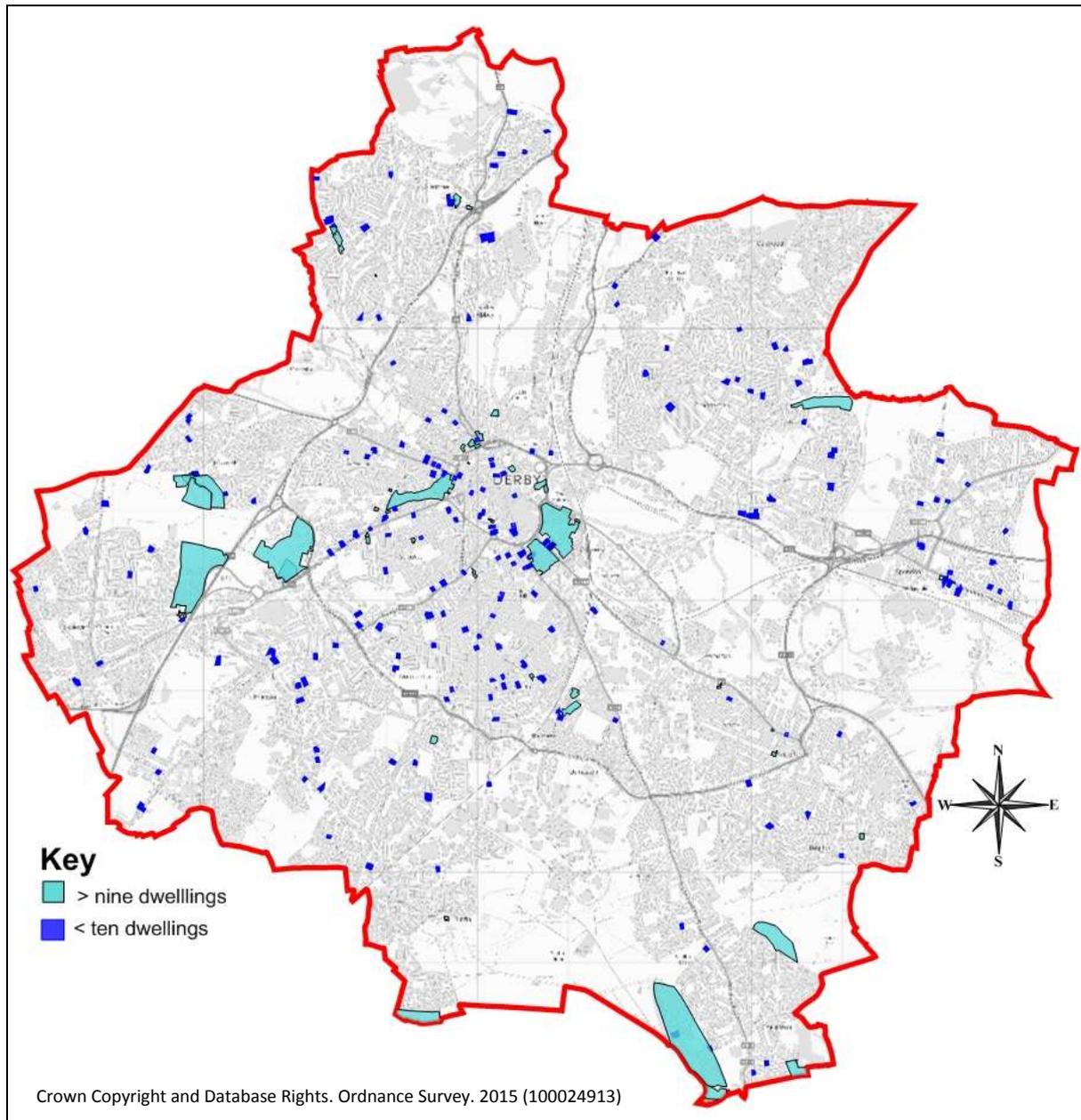
2.20 Between 1 April 2011 and 31 March 2015 there were 1,509 net additional homes provided in the city. Housing delivery is considered in terms of net provision because losses can occur where dwellings are demolished or changed to other uses. The Plan needs to provide for the full housing requirement to be met and so completions are counted in terms of how many new homes have been added to the stock. Although these past completions have now already been built they still contribute to the housing provision target as they were built within the Plan period (2011 to 2028). Net completions are monitored annually and the findings presented in the Council's 'Annual Monitoring Report'.

¹ A minimum of 6,975 dwellings will be delivered on sites which are strategic allocations (see section 2.4 below) However, some dwellings on strategic allocation sites are already complete or are expected to be complete in 2015-16. To avoid double counting these dwellings are included in the 'past completions' and estimated completions' parts of the components above and are deducted from the 6,975 total strategic site number. Where a site has planning permission the residual dwelling component is counted only in the strategic allocation section of the supply and is discounted from the extant planning permission component.

² Extant 'Developable' Planning Permissions includes 300 dwellings which have planning permission on small sites (1-9 dwellings). A list of the specific major sites which are included in the Extant 'Developable' Planning Permissions is included in Appendix 1.

- 2.21 Some past completions (184 dwellings) have already happened on strategic sites since 2011 and these are included in the numbers for past completions and deducted from the component number for strategic sites.
- 2.22 Estimated Completions (2015-2016): 391 dwellings**
- 2.23 Housing land supply analysis, including site progress visits, indicates that some 391 net additional dwellings are expected to be completed during the current monitoring year (1 April 2015 to 31 March 2016). Many of the new homes which will be completed during the 2015/16 year were already under construction at the beginning of the year. However, development progress is only updated annually at 1 April each year when every site with planning permission is surveyed.
- 2.24 The dwelling completions estimate for the 2015/16 year is, therefore, considered to be a robust estimate until the end of year surveys are complete.
- 2.25 136 dwellings are expected to be completed in 2015/16 on strategic sites. These dwellings are counted within the 'estimated completions' part of the overall housing supply and deducted from the strategic sites component to avoid double counting.
- 2.26 Extant 'Developable' Planning Permissions : 587 dwellings – See Appendix 1**
- 2.27 The housing land supply includes almost 4,000 dwellings on sites which have planning permission (See Appendix 1 and figure 1). However, some of these dwellings are on sites which are included in the Plan as strategic allocations. To avoid double counting, the number of 'extant planning permissions' discounts these and includes them instead in the 'strategic allocation' component.
- 2.28 The extant planning permissions included in the supply only include sites that are considered to be 'developable' in terms of the NPPF definition (footnote 12). That is, where the site is in a suitable location for housing and where there is a reasonable prospect that the site will be available and viable and that it will come forward at a certain point in time. Where a site has planning permission but the Council has reason to believe that the permission will not be implemented, the dwellings have *not* been counted towards the housing supply. There is a possibility that some of these sites may come forward in the future but they have been assessed as not meeting the NPPF definition of developable at the current time.
- 2.29 If a site is under construction, only those dwellings which are yet to be completed from 1 April 2016 are included in the Extant 'Developable' Planning Permissions component of the land supply.
- 2.30 The number of extant planning permissions also includes some 300 dwellings on small sites (1-9 dwellings) which have been assessed as 'developable' and are expected to be built within the Plan period. There are actually well in excess of 400 dwellings worth of permissions on such small sites but a reduction has been made because not all of these permissions are expected to be built out. The discount rate for non-implementation of these sites is greater than 25%.
- 2.31 The number of dwellings included as extant developable planning permissions is therefore considered to be a conservative but robust estimate.

Figure 1: Sites with Extant Planning Permission for Housing (Includes sites under construction)



2.32 Strategic Housing Allocations : 6,975 dwellings

2.33 The Core Strategy makes strategic housing allocations and identifies the number of dwellings required to be provided on each of the allocated sites. An explanation of how and why the specific strategic sites have been selected is set out later in this paper.

2.34 The plan identifies that a minimum of 6,975 dwellings will be delivered on strategic sites during the Plan period. However some 320 of these have already been completed between 2011-15 or are expected to be completed in 2015-16. To avoid double counting these completions have been deducted from the 6.975 leaving 6,655 dwellings to be built on strategic allocations. The table below (Figure 2) identifies the total number of dwellings

expected to be delivered on each strategic site and the number of dwellings which have been completed or are expected to be completed up to 2016.

- 2.35 Some of the strategic site allocation policies set a ‘minimum’ number of dwellings and sites may deliver more than the allocated number. Other site allocation policies set dwelling numbers ‘up to’ or ‘around’ a number. The Plan seeks that these numbers are delivered but a degree of flexibility will be taken giving consideration to issues including the comprehensive development of the site, the need to boost the supply of housing, the need for effective and efficient use of land and to the requirement to deliver high quality and sustainable forms of development. However, on many sites the dwelling numbers have been set in discussion with promoters and house builders who have confirmed that the numbers are achievable and realistic. They are based on consideration of any constraints, capacity and density and are thus considered a robust estimate.

Figure 2: Strategic Housing Allocations in the Local Plan Part 1: Core Strategy

Site	Total Dwellings	Dwellings Complete+	Map Reference
City Centre *	1,000	0	1
Castleward *	800	125	2
Former Derbyshire Royal Infirmary*	400	0	3
Osmaston Regeneration Area *	600	95	4
Wragley Way, Sinfin *	180	0	5
Manor/Kingsway Hospitals *	700	100	6
Rykneld Road, Littleover	900	0	7
Hackwood Farm, Mickleover	400	0	8
Onslow Road, Mickleover	200	0	9
Former Mackworth College*	220	0	10
Boulton Moor East	800	0	11
Boulton Moor (Fellow Lands Way) *	200	0	12
South Chellaston Sites *	100	0	13
Brook Farm, Chaddesden *	275	0	14
South of Mansfield Road	200	0	15
Total Strategic Site Allocations	6,975	320	

*All or part of the site has planning permission

+Dwellings that have been completed to date

A map showing the Strategic Sites cross referenced with the table above is set out in Appendix 5.

2.36 The City Centre Strategic Allocation

- 2.37 A significant amount of new housing growth will be directed to the central area of the city including in and on the edge of the city centre. This broad area is different to any of the other strategic allocations and therefore requires more detailed explanation below.
- 2.38 It is envisaged that the wider central area (Central Business District or CBD) will provide a minimum of 2,200 dwellings throughout the plan period. This includes two large separate strategic allocations, Castleward and the former Derbyshire Royal Infirmary (DRI) which will provide a minimum of 800 and 400 dwellings respectively over the Plan period.

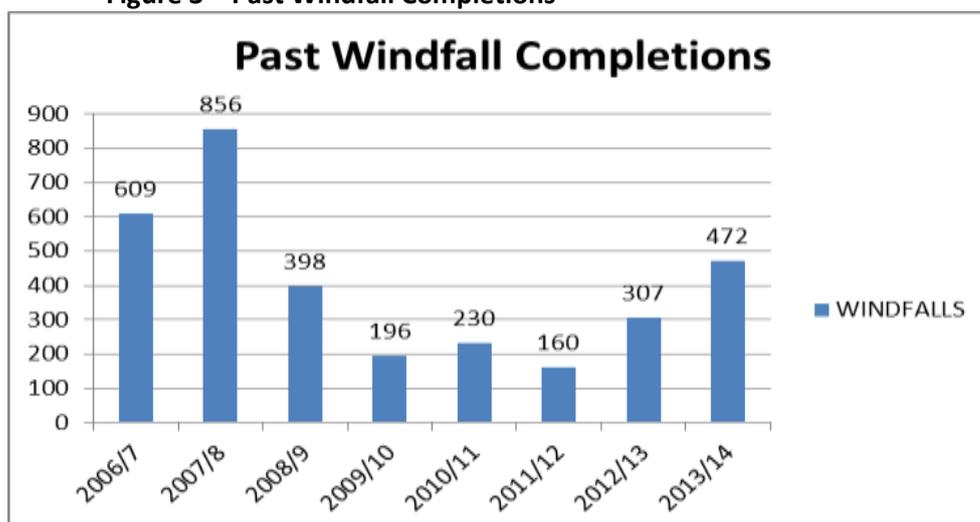
- 2.39 The Draft Plan identified that 530 dwellings would also come forward on a variety of sites in the City Centre based on the supply of opportunity sites and consideration of constraints.
- 2.40 However, circumstances have changed since the Draft Plan and there is now a much more optimistic outlook for the provision of new homes in the City Centre. The City Council has established a 'City Living' initiative where it is acting to promote, facilitate and enable underused and vacant sites and buildings to be brought into residential use. This includes new-build housing schemes and opportunities for the change of use of vacant buildings, including living on upper floors above commercial premises. Permitted development rights are also assisting in encouraging interest in developing new homes through the change of use of commercial premises to residential uses. A £6.5 million 'City Living Fund' has also been set up to support developers and property owners and help to overcome barriers to development finance in order to maximise the delivery of new homes in the area.
- 2.41 This strategy is part of a drive to increase footfall and improve the vitality of the City Centre during the day and in the evenings. The Council's pro-active approach has led to the City Centre being designated by the Government as a 'Housing Zone'. The Housing Zone designation will enable developers to apply for preferential loan funding to facilitate development where access to finance is a problem. Housing Zone status also provides the Council and developers with access to the Homes and Communities Agency's 'ATLAS' (Advisory Team for Large Applications) team. This team can provide expert advice and guidance on how to bring difficult sites forward. Housing Zone status can only be considered a positive thing and helps to justify a more optimistic outlook on City Centre housing growth.
- 2.42 Planning permission currently exists for over 1,000 dwellings in the City Centre outside Castleward and the Former DRI, including some sites which are permitted development (these are over and above the permissions counted in the extant planning permissions component of the land supply). A list of permitted sites and opportunity sites which could contribute towards city living is included in Appendix 4.
- 2.43 Some of these sites have deliverability concerns and they may not all come forward. There are, however, a significant number of development opportunities that exist across the CBD which offer potential for housing and mixed use development. Therefore, the target of a minimum of 1,000 dwellings set out in the Plan represents a realistic assessment of likely delivery.
- 2.44 There is also particular interest in developing new student accommodation in, and on the edge of, the City Centre and the Planning Practice Guidance (PPG) confirms that all student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market. There is also known interest to develop new private rented accommodation in the city centre and the market for such accommodation is strong.
- 2.45 Each City Centre site is also likely to be suitable for an alternative competing use which makes it more difficult to identify a target with certainty. The nature of the City Centre market means that a large amount of *potential* supply will be needed to ensure delivery. It is important, therefore, to maintain a margin of flexibility and comfort to off-set any changes in circumstance. While most sites within the City Centre will be 'suitable' for residential uses, there is likely to be less certainty over their viability or delivery.

- 2.46 With a range of sites including new build and conversions and the high densities expected in this central location, the estimate to be delivered in the City Centre is considered to be a conservative and realistic minimum. The City Centre offers significant opportunities which could see higher numbers of homes provided. However, although city living opportunities are improving, there is not currently enough certainty of many of these sites being delivered to justify increasing the allocation above 1,000 dwellings over the plan period.
- 2.47 Windfalls : 900 dwellings**
- 2.48 The NPPF glossary defines windfall sites as *“Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.”*
- 2.49 At paragraph 48, the NPPF says that *“local authorities may include an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.”*
- 2.50 The Council has included a windfall allowance in the first 5 years of the plan period and this is explained and justified later in this paper in the Five Year Housing Supply section.
- 2.51 The NPPF is silent about including windfalls in the longer term housing supply, it only mentions including a windfall allowance in the five year supply. However it is more likely that over the passage of time sites which have not been identified for allocation in the local plan may become available for development and provide new homes.
- 2.52 This appears to have been reflected in the PPG which includes a section *“Determining the housing potential of windfall sites”, (para 24), ID 3-24-20140306. This states that “Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance based on a geographical area (using the same criteria as set out in paragraph 48 of the National Planning Policy Framework)”*. This then allows the setting of justified windfall allowances for the plan period beyond the first five years.
- 2.53 As a compact City, Derby is an urban area with a high proportion of brownfield land and an industrial and manufacturing history. As such there is a wide range and number of previously developed sites and locations which offer windfall opportunities in future. Land uses have always changed in the City and windfalls have always contributed to housing delivery numbers and will continue to do so.
- 2.54 The NPPF states that windfalls ‘normally’ comprise previously-developed sites but there is also some evidence in the City that smaller greenfield sites, including open spaces have been, and will continue to be developed in order to deliver new homes. NPPF (Para 74) and Policy CP17 set out requirements for considering building on open spaces. While the Council will always require the appropriate justification for the loss of any open space, the policies do allow it in certain circumstances. This helps reinforce the argument that circumstances are likely to occur when opportunities to develop housing on smaller greenfield sites will present themselves in the form of windfalls. Consideration of future development on

residential gardens may not, however, be included in the windfall allowance as the Framework definition expressly excludes them.

- 2.55 The Strategic Housing Land Availability Assessment (SHLAA) set a site threshold of 10 dwellings in order to make the assessment more manageable. The threshold applies across the whole HMA and was endorsed and set by a public/private sector partnership subgroup which set the parameters of the SHLAA methodology. There will inevitably be previously developed sites of between 1 and 9 dwellings which will be developed for housing over the Plan period and these will contribute as windfalls.
- 2.56 Given the amount and type of previously developed land in the City it is inevitable that small and medium sized sites will become available which, even if identified now as having potential, would not have been included in the land supply because there was either no interest, certainty or viability in development at the time of assessment. The NPPF definition of a windfall is a site that hasn't been identified as available but may unexpectedly *become* available. Therefore the number of sites in the SHLAA, or sites with planning permission which the Council has not considered to be available in preparing the plan, could also support and justify part of a windfall allowance should they become available in the future.
- 2.57 The Council has had regard to local circumstances as well as past trends and expected future trends in setting the windfall allowance. Furthermore, there is a clear move in national policy to deliver new homes from as many sources as possible and this has seen the relaxation of some planning rules on changing certain buildings to dwellings. This is likely to lead to an increase in windfall housing development, especially given the nature of the city and the amount of employment land and buildings which may become available. It would be very difficult to identify such buildings and opportunities in advance as many come forward speculatively. However, given that they comprise the types of uses which are widely found around the City, there is a realistic prospect that these changes of use will also deliver new homes.
- 2.58 The graph below (Figure 3) shows the number of windfalls which were provided annually between 2006 and 2014:

Figure 3 – Past Windfall Completions



- 2.59 Past windfall housing completions between 2006 and 2014 has provided an average of 403 dwellings a year.
- 2.60 It is likely that high numbers of windfalls have occurred in the past because windfalls were classed as unknown or unidentified sites and there was not so much reliance on identifying housing sites in SHLAAs. As there is now more emphasis on identifying possible housing sites in SHLAAs and evidencing development opportunities very early in Plan preparation, it is accepted that in future the number of windfalls will probably reduce from the sort of numbers seen in the table above.
- 2.61 However, it is unrealistic to expect that all development opportunity sites can be identified in such a diverse area of land uses over such a long period of time.
- 2.62 There has been an average of 108 dwellings a year provided on small sites alone (1-9 dwellings) between 2006 and 2014 and given that the SHLAA has a threshold of 10 dwellings, any housing provided on sites in this range in the future, beyond those already with planning permission would technically fall into the category of windfalls.
- 2.63 One of the difficulties with a windfall allowance is the fact that over time they will move to other components of the supply. For example a site which is a part of the allowance now will, at some point become a known, specific and available site. The windfall allowance is therefore a snapshot in time. Through Plan monitoring the windfall allowance in the housing trajectory will be reviewed annually and account taken of actual windfall delivery in projecting forward.
- 2.64 The windfall allowance in the Plan only covers the years 2016 to 2028 which means that the 900 dwellings average out to just 75 windfalls a year for monitoring purposes. The windfall allowance is therefore considered to be a conservative but achievable allowance.
- 2.65 Losses : -336 dwellings**
- 2.66 Although the land supply identifies sites on which new dwellings will be delivered there will also be losses to the housing stock during the plan period. These losses are likely to happen through housing demolitions or changes of use from residential uses to other uses.
- 2.67 The housing land supply calculation and housing trajectory include a discount for these losses. Between 2006 and 2014 the City saw an average annual loss of 55 dwellings a year. This average is significantly exaggerated by several housing clearance projects which happened between 2007 and 2009 and in 2014. From 2009 to 2013 losses were as follows:

Figure 4 – Past Losses

YEAR	DWELLINGS LOST
2009/10	25
2010/11	14
2011/12	14
2012/13	23

- 2.68 The number of losses included in the trajectory is based on historical trends but also having regard to these ‘anomaly’ years where clearances happened. Over the residual of the plan period the 336 losses in the supply average out to about 28 dwellings a year which is considered realistic, especially in the context of the need to boost the supply of housing.

2.69 Sites to be addressed through the Part 2 Plan: 1,294 dwellings

- 2.70 The Core Strategy makes strategic housing allocations which will contribute to meeting the City's needs. However smaller sites and non-strategic site allocations will also be required to meet the full housing provision target for the City over the Plan period.
- 2.71 The SHLAA includes a range of other sites which may have potential to deliver further non-strategic housing development in terms of their potential suitability, availability and achievability. There is, therefore, a pool of smaller sites which do not have planning permission but are either already developable or offer opportunities to be made developable through allocation and/or other forms of intervention. These SHLAA sites are known sites which are separate to the windfall allowance.
- 2.72 Further 'non-strategic' site allocations will be made in the Part 2 Plan. The sites included in the Part 2 Plan are expected to be in the region of 10-100 dwellings in size, although they could be larger in certain circumstances. They will be sourced from the SHLAA and further site identification work and will include sites which are not being allocated in the Core Strategy.
- 2.73 The evidence supports a view that enough dwellings could be provided from these sites and deliver realistic, suitable and achievable housing sites over the plan period. At the present time the SHLAA includes over 400 dwellings which are considered to be 'developable' and do not have planning permission or sit within strategic allocations. These have a high degree of certainty in contributing to the 1,294 dwellings which will be addressed through the Part 2 plan.

2.74 Why are some sites being left to the Part 2 Allocations document rather than being allocated in the Core Strategy?

- 2.75 The Core Strategy is an overarching strategy and, as described above, identifies the component parts of the housing supply and makes strategic housing allocations. As well as identifying specific strategic sites and allocations for housing, the Plan identifies the overall strategy for meeting housing needs, including a windfall allowance and a framework for future smaller and non-strategic allocations. Originally, the intention had been to adopt a 'traditional' Core Strategy that set out a vision, targets for growth and allocated large strategic sites. As time moved on, it became apparent that there would be a need to identify smaller 'deliverable' sites that could help identify a 5 year housing land supply. However, to move toward a full Local Plan with all allocations would have led to further delays. While the process has taken longer than originally anticipated, reverting to a 'one part' plan at any point in the process would have increased timescales even further.
- 2.76 It was considered more pragmatic and timely to drive the overarching 'Core' strategy to adoption to get a strategic development framework in place. To identify further smaller sites within the Part 1 plan would delay the process and leave the authority without an up to date development framework and without a five year supply of deliverable housing sites.
- 2.77 The NPPF requires that local authorities should identify a 5 year supply of deliverable housing sites and this can be achieved through the Part 1 Core Strategy by releasing previously 'unsuitable' sites to make them appropriate for residential development (for example, releasing land from the Green Wedge designation). Site allocations made in the

Part 2 plan will further add to the short and long term supply and ensure that the five year supply is topped up and maintained throughout the Plan period.

2.78 The Part 2 Plan will also identify specific sites for Gypsy and Traveller accommodation if evidence demonstrates a need to do so.

2.79 How do the ‘Regeneration Priority Sites’ affect the supply?

2.80 The Former Celanese site (AC13) and a large employment site on Sinfin Lane (AC17) have been identified as ‘Regeneration Priority Sites’. Both sites are currently in employment use, or have been until relatively recently. Both sites have also been put forward as being suitable for housing at some point in the plan making process.

2.81 The Sinfin Lane site was identified as a housing allocation in both the ‘Preferred Growth Strategy’ in 2012 and the Draft Core Strategy in 2013. At those times, part of the site already had permission for just over 100 dwellings and a planning application for a further 600 had been recommended for approval, subject to a S106 agreement. It was appropriate, therefore, to include the site in the plan. At the time, the site was clearly suitable for housing and the landowner intended to bring it forward within the plan period. The situation has now changed. The permission for 100 dwellings has lapsed and the application for the remaining 600 units has been withdrawn. Ownership of the land has changed and the new owners currently appear to be promoting the site for continued employment use.

2.82 As such, we can no longer be certain of delivery in the plan period. While we still believe the site is suitable for residential uses, it would no longer be appropriate to ‘count’ any dwellings coming forward toward the supply. The NPPF is very clear about plans being deliverable.

2.83 The policy for the site has been amended from the Draft Plan to reflect the current context; recognising that the continued use of the site for employment would be acceptable in principle but highlighting the potential for residential uses in the medium to long term. The Council will still seek to encourage the comprehensive regeneration of this site for residential uses, but without a clear intention from the landowner(s) to release the site and no immediate prospect of intervention, the revised approach is appropriate.

2.84 The former Celanese site has been submitted to the Council by its landowners as a potential housing site. As yet, no planning applications have been made. The site has a number of significant constraints, including access, drainage and contamination. The site is also relatively isolated from existing residential areas of the City and local shops and services and thus a large amount of supporting infrastructure in order to make the site ‘sustainable’. All of this could have implications for the viability and delivery of the site. Insufficient evidence has been provided thus far that these constraints can be overcome.

2.85 The future of this site is too uncertain to rely on to help meet housing needs within the Plan period. While the Council will be happy to consider residential proposals – subject to addressing the issues outlined in the policy – it is still possible that a suitable scheme may not be able to be delivered. Equally, the site may still have the potential to come forward for commercial uses. However, the Council will proactively explore residential development proposals with the land owners and other partners. Given the significant amount of work which would be needed it is very unlikely that any delivery could happen until the end of the plan period at best and would be more likely beyond it. At present there is simply not

enough evidence to demonstrate that any of the site is viable and deliverable within the plan period.

2.86 The policy for the Celanese site has been drafted so as to allow the Council and landowner to work together to come to a mutually beneficial regeneration scheme. *If* this should realise housing in the plan period then, as with Sinfin Lane, it will provide an element of flexibility.

2.87 In considering the potential for any development to come forward on either the Celanese or Sinfin Lane sites within the plan period, it must be remembered that the plan target of 11,000 is a minimum with upward flexibility.

2.88 Conclusion

2.89 In conclusion, the land supply components are varied and offer a range of sources to deliver the housing numbers required across the City. The sites and dwelling numbers included in each component are considered to be realistic to be delivered over the plan period. Care has been taken to identify a realistic quantum of housing to be delivered within each category of the land supply. There is also flexibility in the strategy should market conditions change.

3. ESTABLISHING OBJECTIVELY ASSESSED HOUSING NEEDS

3.1 How has the objectively assessed housing need (OAN) for Derby been established?

3.2 The NPPF (Para 47) states that local authorities should “use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.”

3.3 Paragraph 159 goes on to require authorities to prepare a SHMA to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. Crucially, the NPPF states that a SHMA should identify the scale and mix of housing and the range of tenures which the local population is likely to need over the plan period which:

- “Meets household and population projections, taking account of migration and demographic change;
- Addresses the need for all types of housing including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes.”

3.4 The HMA and City’s OAN were carefully calculated using these parameters and considerations and consultants (G. L. Hearn Ltd and Justin Gardner Consulting) were commissioned to produce several documents to evidence the needs. These include :

2012 Housing Requirements Study (HRS)
2013 Derby HMA Strategic Housing Market Assessment Update (SHMA)
2014 Sensitivity Testing Paper
2014 SNPP (2012) Housing Requirement Update

3.5 The original HRS was updated as a part of preparing the 2013 SHMA in order to factor in new 2011 Census data. Further sensitivity testing was carried out across the Derby HMA at the request of the Amber Valley EIP Inspector in order to test for possible variations in household formation rates.

3.6 The final OAN for the Derby HMA and each local authority are set out below:

DISTRICT	NEED (2011-2028)
Amber Valley	7,395
Derby City	16,388
South Derbyshire	9,605
HMA TOTAL	33,388

- 3.7 At the Amber Valley Core Strategy Examination in May 2014, the Inspector was satisfied that the joint evidence base, including the sensitivity testing, provided a robust and sound assessment of housing need across the Derby HMA.
- 3.8 In Autumn 2014, G.L. Hearn and JGC provided further evidence which considered newly released data in the 2012 Sub National population projections. These projections were the first to fully take account of the 2011 Census data.
- 3.9 The revised analysis resulted in slightly different projected housing needs across the HMA to 2028. In particular, Derby City saw a reduction in projected needs after the analysis.
- 3.10 This evidence was presented at the South Derbyshire Core Strategy Examination in November 2014. A joint hearing session was held as part of the South Derbyshire Examination which considered needs across the HMA and involved representatives from all three Derby HMA local authorities. The session was conducted by both the South Derbyshire and Amber Valley Inspectors.
- 3.11 As a result of the session, the two Inspectors wrote to all three Derby HMA authorities on 19 December 2014. In their letter they concluded that the objectively assessed housing need for the Derby HMA should be maintained at 33,388 (2011 to 2028) because it was the best estimate based on the sensitivity testing carried out for the Amber Valley Local Plan.
- 3.12 The South Derbyshire Examination in Public was suspended pending further work including work relating to viability testing and distribution/apportionment of housing to meet overall needs. The SDDC and AVBC Inspectors wrote to all three Derby HMA authorities in March pointing out that new 2012 based household projections had been published on 27 February 2015. The Inspectors asked the local authorities if the projections presented a fundamentally different picture from the data underlying previous stages of work on objectively assessed need or whether any suggested changes from previous projections would be within the range of margins which would make it more appropriate to take them into account in future reviews of plans.
- 3.13 The HMA authorities responded to the Inspectors on 26 March 2015 explaining that G.L. Hearn had considered the implications of the new data and that the projections did not paint a fundamentally different picture to the previous position. They provided further comfort that the Derby HMA OAN target of 33,388 was appropriate and robust in order to meet HMA needs.
- 3.14 A further joint hearing session was held on 23 October 2015 to re-consider the housing needs position across the HMA. This identified that South Derbyshire and Amber Valley had agreed to meet 3,013 and 2,375 dwellings of Derby's unmet need respectively.
- 3.15 Dwelling Vacancy**
- 3.16 During the course of plan preparation a number of consultation responses have queried why so much new housing is needed while some dwellings in the city are vacant. Housing vacancy was considered and applied in the projection work in order to identify the city's full objectively assessed needs.
- 3.17 The housing projection evidence considered that a number of properties in the city would always be vacant. This vacancy rate is attributed to both transactional vacancy (usually short

term vacancy while property is being bought and sold), and to longer term empty homes. The baseline for the number of vacant homes in the City was set at 4.1% which was based on the 2011 census vacancy rate for Derby and this was used to project future need.

3.18 However, over the past 4 years the City Council has been extremely pro-active in bringing empty homes back into residential use. It is estimated that over 700 homes have been brought back into use over this period bringing the vacancy rate down from the 4.1 baseline to 3.1 in 2014.

3.19 The table below identifies the vacancy rate as calculated from Council Tax records from 2010-2014:

Figure 5 – Dwelling Vacancy rates

Year	No. of empty homes	No. of properties in city	% age vacant
2014	3,310	107,766	3.1%
2013	3,553	107,336	3.3%
2012	3,712	106,974	3.5%
2011	3,892	106,662	4.0%
2010	4,603	106,258	4.5%

3.20 These vacant dwellings being brought back into use cannot technically be counted as net additions to the dwelling stock because no new dwellings have been provided. However, they are still providing homes to meet needs beyond that which were identified in the SHMA as they were not predicted as coming back into use. As such they could still be considered to provide some flexibility in the supply/demand analysis.

4. HOUSING DISTRIBUTION

4.1 Meeting Derby's Full Objectively Assessed Housing Needs

4.2 The key thread running through the NPPF is one of 'sustainable development' and the strategy to meet housing needs is therefore based on the principles of sustainable development as outlined in the NPPF. In planning for the distribution of new housing a variety of considerations and assessments were used to identify the most appropriate sites and locations for new homes.

4.3 All potential housing sites and locations have been assessed in terms of their ability to form suitable, sustainable locations for new homes and in terms of whether they could realistically be delivered within the Plan period. The consideration of these crucial factors led to the conclusion that the City could only provide 11,000 dwellings between 2011 and 2028.

4.4 This section sets out how Derby's housing limit or 'cap' was established and how the City's OAN will be met within Derby and on sites in South Derbyshire and Amber Valley.

4.5 Derby's Housing Capacity

4.6 As previously outlined, the NPPF requires local authorities to plan to meet their full objectively assessed needs for market and affordable housing. Not all of the 16,388 dwellings which comprise the City's OAN can be met within the City boundary without:

- causing significant harm to the environment,
- compromising the principles and policies of the NPPF,
- compromising the vision and objectives of the Plan, and
- raising concerns about the realistic prospect of their delivery.

4.7 The Local Plan evidence base has been used to identify suitable, sustainable and deliverable sites within the City. There is a range of constraints which affect housing delivery within the city and which fall into two broad categories. Firstly the need for housing to be located in suitable, sustainable locations and secondly the need to have realistic certainty that new homes can and will be delivered on sites included in the supply.

4.8 In cases where the full need cannot be met within the local authority area, the NPPF makes provision for the unmet need of a local authority to be met in another local authority area. A 'Duty to Co-operate' (DtC) on planning issues is placed on public bodies in circumstances where need cannot be met.

4.9 Paragraph 179 of the Framework states that "*Local planning authorities should work collaboratively with other bodies to ensure that the strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of physical capacity or because to do so would create significant harm to the principles and policies of this Framework.*"

4.10 The Derby HMA authorities have worked together continually through the process to ensure that Derby's housing needs are met in full by identifying an agreed distribution strategy across the three areas.

4.11 Core Strategy Spatial Vision and Objectives

- 4.12 The Spatial Vision set out in the Core Strategy includes several components relevant to housing delivery. It states that a minimum of 11,000 new homes will have been built throughout the City, including in and around the City Centre, the Osmaston Triangle, land on Boulton Moor at Alvaston and a number of smaller greenfield sites around the City.
- 4.13 It also sets out that a significant number of new homes will have been built as urban extensions to the City beyond its boundaries which will help to meet the City's assessed housing needs.
- 4.14 Part of the vision is that, despite its growing population, Derby will remain compact and 'liveable'. It sets out that the outer suburbs will be valued for their attractive living environment and their distinctive character recognised, protected and enhanced. Importantly the Vision sees the principle of Green Wedges maintained but that some will be narrower to accommodate new housing.
- 4.15 The Spatial Objectives follow on from the Vision and also include a desire to make the best use of previously developed land and vacant or under used buildings in urban or other sustainable locations.
- 4.16 It is important to remember that in a tightly constrained city the strategy must not only meet housing needs but also has to provide new employment sites, protect important natural and wildlife concerns, have regard to flooding and meet the current and new infrastructure needs of communities including schools, health and community facilities and sports and recreational facilities.
- 4.17 The over-arching vision and objectives of the Plan, as well as the principles and policies of the NPPF, have, therefore, informed the housing distribution strategy.

4.18 Evidence Base

- 4.19 A significant evidence base supports the housing strategy in the plan. The evidence base can be found on the City Council's website at the link below:

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

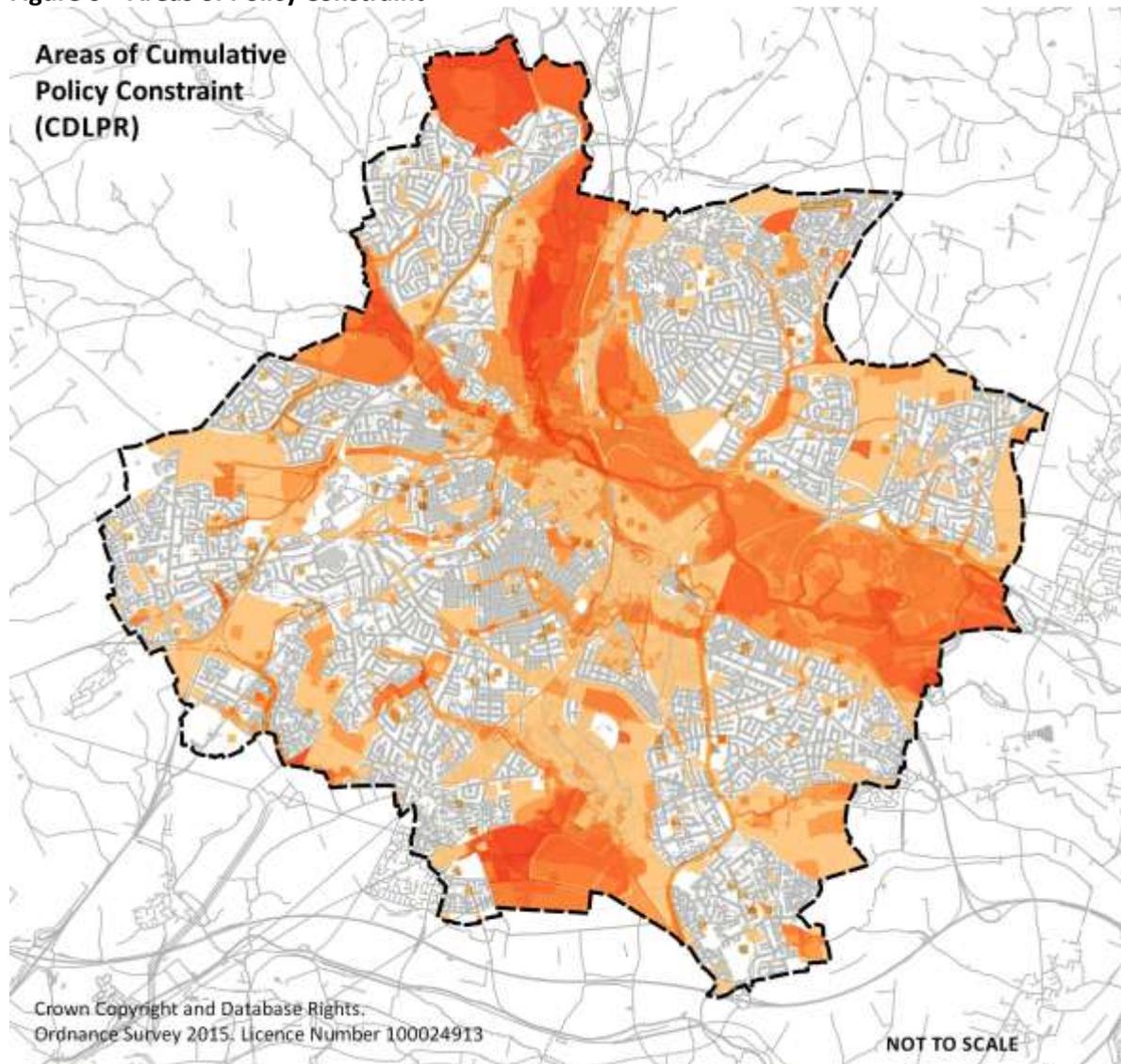
- 4.20 Some of the key documents which were used in considering the spatial element of the housing delivery strategy were the Sustainability Appraisal, the SHLAA, the Site Summary Assessments, the Green Wedge Review, the Green Belt Study and the Brownfield Regeneration Statement.
- 4.21 These, as well as other documents, were used to consider which sites could provide suitable and sustainable locations for residential development. A wide range of constraints and opportunities were considered within this process. The constraints can be narrowed down to those affecting either the viability or the sustainability of a site. Constraints and opportunities considered included:

- Regeneration priorities and opportunities
- Flooding and Drainage constraints
- Highway Access/Transport Planning Implications and Mitigation
- Connectivity with Employment, Leisure, Retail, Health and Community facilities
- Green Belt Implications
- Green Wedge Implications
- Green Infrastructure/Wildlife and Biodiversity
- Historic Environment and Conservation
- Landscape Character
- School Place Provision
- Contamination, Topography and Stability
- Access to Jobs, Services and Facilities

4.22 The map below (Figure 6) illustrates cumulative policy constraints to residential development; the darker the area the more policy issues exist. These are not all of the constraints which exist and some of them may be capable of mitigation. The Council has considered these constraints and has allocated development within some of them where appropriate. However, the map does show that unconstrained opportunities for residential development are limited.

4.23 The strategy for the distribution of housing therefore focuses on sites which can provide sustainable and deliverable locations within the Plan period and where any concerns or constraints can be appropriately mitigated.

Figure 6 – Areas of Policy Constraint



- 4.24 Strategic sites which would compromise the wider strategy and objectives for the City, including the principles of sustainable development, or could not realistically be delivered or had unresolved issues about certainty or suitability have been excluded from allocation in the Core Strategy. A list of these sites is at Appendix 6.
- 4.25 The work therefore, established that the sustainable and deliverable capacity for housing in the City was 11,000 net new homes over the Plan period. This is lower than the city's OAN and thus led to the conclusion that Derby's housing needs could not be fully and sustainably delivered within the City.
- 4.26 The distribution strategy to meet Derby's OAN therefore includes sites and locations within the City to provide 11,000 new homes and also sites within South Derbyshire and Amber Valley which provide the residual 5,388 dwellings to meet Derby's OAN in full. The components are:
- **Brownfield development and regeneration in Derby**
 - **Greenfield and Green Wedge release in Derby**

- **Sustainable Urban Extensions to the City (in both Derby and neighbouring authorities)**
- **Meeting Derby's housing needs in sustainable locations in neighbouring HMA authorities**

4.27 In terms of Derby's needs being met in Amber Valley and South Derbyshire, the City Council has, and will continue to work with those two authorities to ensure that sites are identified to meet needs in sustainable locations. In particular the City Council will continue work very closely with the other HMA authorities to ensure that infrastructure requirements for development on the edge of the urban area are properly planned and delivered.

4.28 Ultimately, however it will be for South Derbyshire District Council and Amber Valley Borough Council to identify specific sites in their Local Plans to meet the residual of Derby's need which cannot be accommodated within the city. Any dwelling numbers meeting Derby City's housing needs in either of the other local authority areas will be a part of their housing target and will be required to meet their five year housing supply requirement as and when it is updated.

4.29 The Distribution of Housing within Derby City

4.30 Brownfield Development

4.31 Brownfield development, regeneration and urban renewal are priorities for the City. As Derby is historically an engineering/manufacturing City, it has a lot of previously developed land which offers opportunities for regeneration and redevelopment. Given the amount of housing needed the City Council attaches great importance to using brownfield land to provide new homes where possible and in using development land efficiently. Every viable and deliverable opportunity to deliver brownfield housing has been investigated in preparing the plan.

4.32 Several large strategic sites and locations are specifically allocated in the Core Strategy as delivering significant numbers of new homes on previously developed land. These include Castleward, the former Derbyshire Royal Infirmary and the Osmaston Regeneration Area. The Manor / Kingsway site is also largely brownfield in nature. The City Centre has also been identified as a broad location which will deliver a significant number of new homes. These locations alone will deliver around 3,500 new homes on previously developed land.

4.33 As noted earlier in the paper, two large brownfield sites, the Former Celanese Works site and employment land at Sinfin Lane, have been identified as having some *potential* to increase housing delivery. However there are known constraints to housing delivery on these sites relating to availability and viability. There is not enough certainty that the sites could be delivered or even commenced during the lifetime of the plan and they are allocated in the plan as regeneration priority sites. If any part of either of these sites does deliver any housing during the plan period it will be over and above the 11,000 dwelling plan requirement and will provide further flexibility in delivery.

4.34 A further large site at 'Derwent Triangle' was originally promoted by the owners as a potential housing site. This land was later promoted for employment uses and has been allocated as such in the plan in order to meet assessed employment land needs for which it is more suited. More recently, the owners have suggested that the site could provide a

mixed use development with a residential component. However, the view is that this site would not have been able to create a satisfactory form of residential development either as part of a mix or as a strategic housing location. While promoting brownfield development is important, it must still result in an appropriate and sustainable form of development. The plan must strike an appropriate balance.

- 4.35 Further brownfield development will take place on smaller non-strategic sites across the City. Some of these sites are identified in the SHLAA, some will be allocated in the Part 2 Plan and some will come forward as windfall development.
- 4.36 Previously developed land is constantly changing use across the City and opportunities will inevitably arise over the Plan period to develop on more brownfield land and these sites will contribute towards the windfall allowance.
- 4.37 The Council is committed to using previously developed land for new development needs and a criterion of Policy CP6 of the Local Plan Part 1 states that the Council will 'continue to encourage the regeneration of brownfield sites and the re-use of under-utilised or vacant properties for residential uses, including empty homes and the upper floors of commercial properties within centres.'

4.38 Greenfield Development

- 4.39 Part of the housing strategy is to release strategic greenfield sites in order to provide new homes. These are mainly in the form of strategic urban extensions to the City and the release of land which is currently in Green Wedges. The decision to release greenfield sites and green wedge land has been made to meet as much of Derby's needs as possible in sustainable, deliverable locations within the City. These types of sites are generally more viable and hence more deliverable than brownfield sites which often require expensive mitigation. Green wedges have only been released where the wedge has been carefully assessed in terms of its role and function and it is considered that the land can be removed from green wedge status without undermining its role, character and function. In some cases sites promoted in Green Wedge locations have been rejected because of the impact on the wider policy and vision objectives and to remain consistent with the policies of the NPPF. This has been largely guided by the Council's Green Wedge Study, published in 2012.
- 4.40 Most greenfield and Green Wedge sites are being promoted by house builders or have a developer on board. Crucially this means they can contribute to the City's five year supply of deliverable housing sites. This supply needs to be established for the Plan to be considered 'Sound'.
- 4.41 Smaller greenfield sites may still be allocated in the Part 2 Plan and it is possible that some greenfield windfall sites may come forward for development. Greenfield windfalls are, however, not expected to contribute significant numbers of new homes to the housing supply and residential gardens are not included in the calculation of the windfall allowance.
- 4.42 In considering the housing distribution options various delivery and sustainability factors were taken into account. The distribution strategy in the plan is considered to be the most appropriate to meet as much of the housing needs as possible while maintaining the principles of sustainable development, meeting other policy requirements and delivering growth. In particular it is consistent with the need to establish and maintain a five year supply of deliverable housing sites.

4.43 Why was Green Belt not considered appropriate to meet housing needs?

4.44 Within the City, Green Belt was not considered an appropriate location for the release of land to meet housing needs. There is a limited amount of Green Belt within the City and the Green Belt is considered to be extremely important for a number of reasons. The Government attaches great importance to Green Belts (NPPF, paragraph 79).

4.45 The HMA authorities have worked with Derbyshire County Council and Erewash Borough Council to produce an assessment of Green Belt on the periphery of the City. This work reviewed a more comprehensive analysis of the Nottingham-Derby Green Belt which was undertaken for the Regional Plan. The review considered how five broad locations around the edge of Derby performed in terms of the five purposes of Green Belt as defined in the NPPF. The work concluded that the Green Belt was performing its function in all locations but that to the south east of the City there may be scope to amend the boundary in South Derbyshire where the Derby A6 spur road has been constructed and now forms a more logical boundary.

4.46 Paragraph 83 of the NPPF states that *“Green Belt boundaries should only be altered in exceptional circumstances, through the preparation and review of the Local Plan.”* Paragraph 034 (Ref 3-034-20141006) of the PPG also states that *“Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to Green Belt and other harm to constitute ‘very special circumstances’ justifying inappropriate development on a site within the Green Belt.”*

4.47 Some sites located in Green Belt within the City were promoted to the Council for housing allocation but these were in the areas where the Green Belt is particularly sensitive and important (the eastern side of the City where the main purpose is prevention of the coalescence of Derby and Nottingham). Development in these locations was not considered as meeting the ‘exceptional circumstances’ which are required to justify loss of Green Belt.

4.48 It is therefore considered a better strategic option to meet the City’s housing needs in sustainable locations in South Derbyshire and Amber Valley than to develop on Green Belt within the City.

4.49 Conclusion

4.50 The distribution of housing in the City includes a wide range of site types and sizes from brownfield to greenfield land, regeneration and redevelopment, green wedge release and windfall development. It is a balanced strategy that reflects the requirements of the NPPF. This range of site types and locations is considered to be a realistic strategy for delivering new homes in the short, medium and long term.

4.51 Distribution outside the City

4.52 In line with the Duty to Cooperate, Amber Valley Borough Council and South Derbyshire District Council have agreed to meet the 5,388 of Derby’s residual needs within their districts.

4.53 Over 6,500 dwellings have been identified on the edge of the city by South Derbyshire District Council and Amber Valley Borough Council as strategic housing sites within their administrative areas. Most of these are located in South Derbyshire. However it should be

noted that some of the growth on the edge of the city in South Derbyshire is also meeting their own identified housing need.

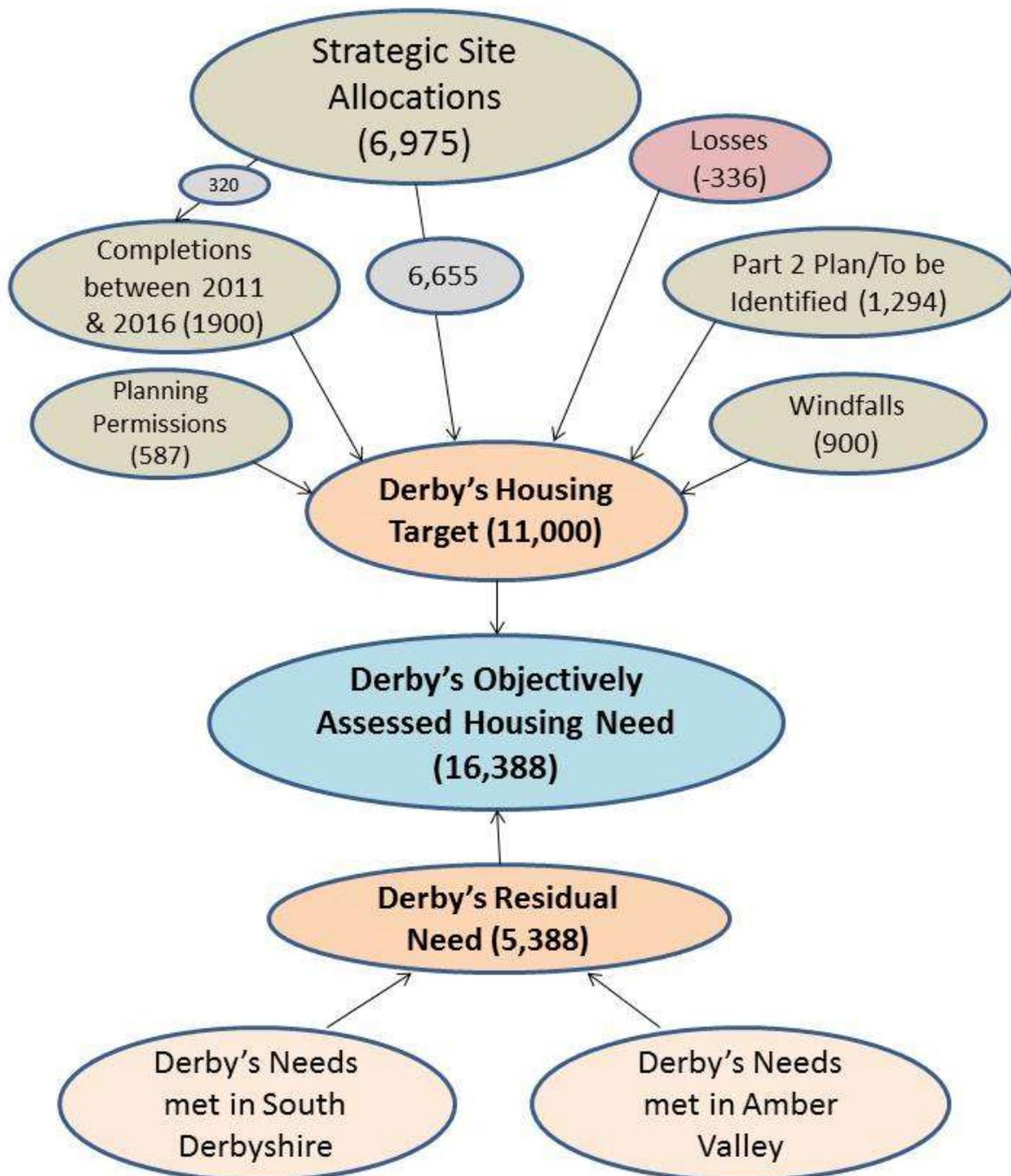
- 4.54 In the main, the South Derbyshire periphery of the City is the least constrained and offers the opportunity for the sustainable expansion of the City. Furthermore, the strategic highway infrastructure to the south of the City offers greater opportunities for connectivity and new transport infrastructure related to new development. The scale of development proposed on a number of the allocated sites creates a sufficient critical mass to deliver necessary supporting facilities, such as new schools and shopping facilities. This is particularly the case where cross boundary sites have been proposed, such as at Wragley Way and Boulton Moor.
- 4.55 Following suspension of their hearings, South Derbyshire District Council has proposed a further additional strategic urban extension to Mickleover of 1,650 dwellings at Newhouse Farm. This decision was made because the district needed to identify a further site or sites to demonstrate a five year supply of deliverable housing sites and because the principle of housing on part of the site had been established through an appeal. This was considered at South Derbyshire's reconvened hearings but the outcome was not known at the time of submitting this statement.
- 4.56 To the north west of Derby is the open countryside of Amber Valley which contains a number of important heritage assets. Opportunities for urban extension in this direction are, therefore, limited. At time of writing, Amber Valley Borough Council is promoting around 620 dwellings off Radbourne Lane; the majority of which have permission already and are under construction.
- 4.57 To the north east and east of Derby the neighbouring authority is Erewash Borough Council. Erewash is not in the Derby HMA and forms part of the Nottingham Core HMA. Erewash has an adopted Core Strategy and the vast majority of the land beyond the City boundary is sensitive Green Belt and is therefore very constrained in terms of built development.
- 4.58 To the north of the City is the River Derwent corridor which brings flooding risks. The Derwent Valley Mills World Heritage Site also runs along the river into the City and provides constraints to development. The north is also constrained by Green Belt.
- 4.59 While there are clearly sustainability benefits associated with development that is well related to the City, unconstrained growth would not be appropriate or acceptable. There are limits in terms of what the transport network and local facilities can accommodate. It will not always be possible to mitigate this.
- 4.60 Evidence also suggests that there may be benefits in terms of Amber Valley's overall strategy if some of the City's needs are met elsewhere in the borough – particularly in terms of meeting its regeneration objectives and providing housing choice.
- 4.61 All three authorities are confident that the City's housing needs can be met in a deliverable and sustainable manner.
- 4.62 Irrespective of which authority's needs are being met, housing delivered outside the City in either Amber Valley or South Derbyshire will contribute to that authority's housing target and five year land housing supply numbers. The other authorities will also be the determining authority in considering any planning applications relating to the site.

4.63 Conclusion

- 4.64 In considering sites to meet Derby's housing needs in other authority areas the City Council has worked closely with its neighbouring authorities. Policies have been framed in the three Plans so that a consistent approach is taken to development planned on the periphery of the City in other HMA authority areas. Figure 7 shows the components of how the City's full OAN will be met within the City and in neighbouring HMA authorities.

The diagram below (Figure 7) indicates how Derby's Objectively Assessed Housing Needs Will be met both within the City and in adjoining HMA authority areas.

Meeting Derby's Objectively Assessed Housing Needs



5. TYPE, SIZE, TENURE AND MIX OF HOUSING

5.1 What types of housing are required?

5.2 The NPPF (Para 50) states that local planning authorities should “*plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes.*”. This requirement is re-iterated in paragraph 159 of the Framework.

5.3 It goes on to say that local planning authorities should “*identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.*”

5.4 What does the Local Plan require in terms of housing mix?

5.5 Policies CP6 and CP7 seek to ensure that a mix of housing is delivered. Policy CP6 includes a criterion which states that the Council will “*require proposals for residential development to have regard to the Council’s most up-to-date Strategic Housing Market Assessment (SHMA) in delivering an appropriate mix of housing. Opportunities should be taken to rebalance the mix of housing tenures whilst having regard to local character and to ensure that an appropriate mix of size, tenure and density of dwellings is provided which meet identified needs and are appropriate to the surrounding area.*”

5.6 Policy CP7, which deals with affordable and specialist housing also has a policy requirement relating to housing tenure split. Part of the policy states that “*A mix of tenures to include social rent, affordable rent and intermediate housing will be agreed by the Council on a site by site basis having regard to the most up to date Strategic Housing Market Assessment and any other relevant evidence.*”

5.7 The approach to housing mix is therefore a flexible one which will constantly review evidence in the form of SHMA updates and seek to deliver appropriate mixes to meet identified needs. The PPG (Housing and Economic Needs Assessments section)(Paragraph 036 Ref ID 2a-036-20140306), states that “*Local planning authorities should not need to undertake comprehensive assessment exercises more frequently than every five years although they should be updated regularly, looking at the short-term changes in housing and economic market conditions.*”

5.8 The PPG therefore acknowledges that monitoring and updating evidence on needs is important and that new SHMAs should probably be carried out every 5 years. The flexible policy approach is therefore considered to be more appropriate than setting prescriptive targets because needs might change as time passes. The most up-to-date evidence, including the findings of the latest SHMA, will be given appropriate consideration in the process of determining planning applications. This appears to be a wholly sensible approach to addressing the issue.

5.9 How are the policies for type, tenure and mix of housing evidenced?

5.10 The housing strategy is not only about the number and spatial distribution of dwellings which are required but also the types, tenures, sizes and mix of housing.

- 5.11 The SHMA considers the need for different house sizes and tenures of housing which are expected to be required in the local authority areas, both in terms of market and affordable housing. It sets out requirements for the need for bedroom sizes in properties and the balance of tenures as identified in the table below (Figure 8).

Figure 8 – Housing Mix Requirement by Unit Size across Tenures (2012-2028)

One Bedroom Dwellings	1,453	10.7%
Two Bedroom Dwellings	3,281	24.1%
Three Bedroom Dwellings	6,985	51.3%
Four+ Bedroom Dwellings	1,902	14.0%
TOTAL	13,621	100%

Note that the table above is part of the 2013 SHLAA and was originally based on a Plan Period of 2008-2028. As Plan preparation has progressed the housing needs have been amended but it is felt that the requirement for percentage split of dwellings by size is still applicable.

- 5.12 As explained above, over the Plan period housing needs are likely to change and guidance suggests that SHMAs should be periodically updated. The Council’s policy over the longer term is therefore to have regard to the most up to date SHMA in identifying and delivering housing needs in terms of type, bedroom size, tenure, mix etc.
- 5.13 The tenure split of affordable housing in particular can also dramatically affect the viability of a development and the Council does not wish to constrain the delivery of general housing, or affordable housing by unduly restricting tenure split. Regard will still therefore be had to the most up to date SHMA at the time of a planning application but the Council will adopt a flexible approach to tenure split. If there are issues which could mean a specific split is required in order to make the development viable then consideration will be given to alternative split options.
- 5.14 Further explanation of the Council’s policy on Affordable and Specialist Housing is provided later in this paper.
- 5.15 Housing Density**
- 5.16 The NPPF (para 50) requires local planning authorities to “*set out their approach to housing density to reflect local circumstances.*”
- 5.17 The strategic sites which will be allocated in the Core Strategy have specific dwelling numbers associated with them which are set out in the policy for each site. Consideration has already been given to the densities which these sites should yield and the numbers that the sites are expected and required to deliver are expressed as minimums in many cases.
- 5.18 More generally, Policy CP4 of the Core Strategy deals with ‘Character and Context’. The policy requires that all proposals are assessed in terms of their suitability in relation to neighbouring buildings and the local area. In considering the various aspects of the character and context in and around the development area, the policy requires consideration of development density, layout and urban grain.
- 5.19 This allows a flexible approach to densities which ensures that development integrates properly with surrounding areas and uses. It offers an opportunity to maximise development potential and efficient use of land while having regard to the character and context of the surrounding area.

5.20 Setting a minimum density standard is considered too blunt an instrument, particularly in a City with such varied character. The criteria policies in the plan should provide sufficient comfort that appropriate forms of development will be delivered.

5.21 Alternative Options

5.22 The Council could apply very specific policy requirements based on the findings of the SHMA but it is felt that this more flexible approach is the best way of meeting needs while facilitating housing delivery, particularly in the short term.

5.23 Conversely the Council could adopt an approach which is completely market led and has no specific policy requirements on type, mix or tenure etc. This would be inconsistent with the NPPF and could mean that opportunities to rebalance the mix were not being achieved.

5.24 The SHMA will be reviewed periodically as required by the NPPF and the various split needs may change over time so to have a static policy would be unhelpful. It is felt that a policy which relies on consideration of the most up to date needs data, as well as considering other viability and delivery matters is the best approach.

6. FIVE YEAR SUPPLY OF DELIVERABLE HOUSING SITES

6.1 How does the Plan establish a Five Year Housing Supply?

- 6.2 The NPPF (Para 47) says that local authorities should “*identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.*”
- 6.3 The City Council has identified a supply of deliverable housing sites which will provide for 5.5 years upon adoption of the Plan. Several sites included in the supply require a policy allocation in order to make them suitable sites for development. The Plan makes these allocations and in doing so increases the supply of deliverable housing in Derby.
- 6.4 The ‘deliverability’ of each site included in the five year supply has been assessed in terms of the site’s suitability, availability and achievability for delivering housing in line with footnote 11 of the NPPF. Regard has been had to if, when and how many homes will be built and a 20% buffer has been added as required in the NPPF. The reason why a 20% buffer has been used is explained in more detail below. A conservative ‘windfall allowance’ has also been included in the first five years.
- 6.5 The basic calculation for the five year supply is set out below.

The Five Year Supply (2016/17-2020/21)

REQUIREMENT

Dwelling Requirement (2011-2028)	11,000
Annual Requirement (11,000/17)	647
Five Year Requirement (647x5)	3,235
20% Buffer (20% of 3,235)*	647
Shortfall (2011/12-2015/16) *	1,335
Total Requirement (3,235+647+1,335)	5,217
Annual Requirement over 5 Years	1,043

SUPPLY

Deliverable Major Sites with Planning Permission	3,018
Deliverable Brownfield Sites without Planning Permission	521
Deliverable Greenfield Sites without Planning Permission	1,720
Deliverable Small Sites with Planning Permission	300
Windfalls Sites in first five years	375
Losses in first five years	-140
Land Supply 2016/17 to 2020/21	5,794

FIVE YEAR SUPPLY (5,794/1,043)

5.55 years

*see below for further explanation

- 6.6 A table of the ‘deliverable’ housing sites which contribute to the five year supply and the number of contributing dwellings is included in Appendix 3.

6.7 Why does the Five Year Supply start in April 2016?

- 6.8 The five year supply of deliverable housing sites must cover a full 5 year period and standard housing monitoring is carried out based on an annual monitoring period of 1 April-31 March. Surveys are carried out at the end of March each year to assess the number of starts and completions in the previous year. At the same time a review is carried out of newly granted permissions and of permissions which have lapsed.
- 6.9 It is therefore logical to have a start date of the 5 year period at April 1st of any given year and because a full five years of supply is required the logical start date for any five year supply is April 1st following the current monitoring year, which in this case is the 2015/16 year. Therefore the five year supply is calculated to start at 1 April 2016.
- 6.10 This approach is consistent with previous advice which was provided in respect of the Audit Commission's National Indicator performance monitoring regime. This regime included National Indicator NI159 which related to measuring the five years supply of 'ready to develop housing sites'. The guidance on the monitoring of this indicator was that the start date of the five year period should be 1 April of the year after the current monitoring year.

6.11 How is past shortfall since 2011 been considered in the Five Year Supply?

- 6.12 Past shortfall has been calculated by measuring past annual completions against the average annual plan requirement from the start of the plan period.
- 6.13 In Derby the Plan provision requirement is 11,000 dwellings between 2011 and 2028 which equates to 647 dwellings a year. This means that between 2011 and 2015 the city should have delivered 3,235 new dwellings (647x5). The number of actual completions between 2011 and 2015 in Derby was 1,900 (including the estimate for 2015/16). This leaves a shortfall of 1,335 dwellings which have not been delivered in since the beginning of the Plan period. This shortfall will therefore be included in the 5 year supply requirement in order that it is made up within the first five years of the plan.
- 6.14 Shortfall in delivery since the start of the Plan period is not to be confused with 'backlog' in delivery which relates to housing delivery before the Plan period. Backlog was considered in the Housing Requirements Study and SHMA evidence. Derby City had not accumulated any backlog in housing delivery against the previous housing target set in the Regional Plan and this is explained in the housing needs evidence base.

6.15 How has the Deliverability of sites been assessed?

- 6.16 The NPPF at footnote 11 defines the term 'deliverable' as follows :

"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will

not be viable, there is no longer a demand for the type of units or sites have long term phasing plans”

- 6.17 The Council has assessed all of the sites in its SHLAA in terms of their deliverability and factored dwelling numbers into the housing trajectory accordingly. Where there is clear evidence that the scheme will not be implemented within 5 years, sites with planning permission have been excluded from the 5 year supply.
- 6.18 It is important to note that the NPPF does not say that sites which do not have planning permission cannot be included in the 5 year supply. The Planning Practice Guidance (para 031) states that *“planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply.”*
- 6.19 The Council has therefore assessed all sites in terms of their availability, suitability and achievability. It has considered the reality of the sites being delivered and the numbers of dwellings likely to be delivered. In carrying out the assessment, the views and intentions of site developers have been used where possible.
- 6.20 The number and status of sites in the five year supply is constantly changing. As soon as a dwelling is completed or a site falls into the definition of being ‘deliverable’ the supply will change. The five year supply is therefore a ‘snapshot’ in time at any point.
- 6.21 The five year supply position illustrated here is a realistic and robust assessment which will mean that the Council will have in excess of five years’ worth of deliverable housing sites upon adoption of the Core Strategy.

6.22 Why has a buffer of 20% been used?

- 6.23 Paragraph 47 of the NPPF states that when calculating the 5 year supply requirement, local planning authorities should add *“an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.”*
- 6.24 The Framework makes it quite clear that a buffer should be applied to the 5 year supply. However there is no definition of the term ‘persistent under delivery’ in the Framework and this has caused some confusion.
- 6.25 The PPG (Housing and Economic Land Availability Assessment – Methodology – Stage 5: Final Evidence Base (Para 35 ID 3-035-20140306) includes a section on *“How should local planning authorities deal with past under-supply?”* The guidance does give a view on what constitutes ‘persistent under delivery’. In the section relating to persistent under delivery it states that *“The factors behind persistent under delivery may vary from place to place and, therefore, there can be no universally applicable test or definition of the term. It is legitimate to consider a range of issues, such as the effect of imposed housing moratoriums and the delivery rate before and after any such moratoriums. The assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle.”*

- 6.26 Persistent under delivery has therefore been considered in the context of policy, economic and market issues and having regard to peaks and troughs in the housing market cycle. It is clear that the global recession of 2008 had a significant impact on the housing market and housing delivery which was outside the control of planning. In the years immediately prior to the recession housing delivery was significantly higher than requirements. At the time, the Regional Spatial Strategy for the East Midlands (Regional Plan) set the housing requirement for Derby City as an annualised 720 dwellings a year. In 2006/7 the City saw 1,052 new homes provided and in 2007/8 a further 1,104. Both of these years saw housing delivery way in excess of requirements and essentially amounting to an over-supply of new homes.
- 6.27 The decline in the delivery of housing increased significantly immediately after the 2008 recession hit. However, Derby City Council has never imposed any sort of housing moratoriums over any of this period and it is considered that the decline is related directly to economic and market circumstances beyond the control of the authority. Indeed, the Council has continued to have growth aspirations over this time period.
- 6.28 Although evidence points to the fact that market and economic circumstances have led to the downturn, housing delivery in the city has been lower than requirement for 6 years and it is therefore considered that under delivery has happened persistently over a reasonably long period. The Council therefore considers that a buffer of 20% should be applied in calculating the 5 year supply as required by the NPPF in the case of persistent under delivery.
- 6.29 If in the future delivery should increase to a point where there has no longer been persistent under delivery, a 5% buffer will be applied at that point.

6.30 Why does the 20% buffer not apply to past shortfall since 2011?

- 6.31 Making up past shortfall which has occurred since the start of the Plan period is a separate issue to the matter of applying a 5% or 20% buffer. The past shortfall in housing delivery from 2011 will be made up in the first five years, however to add 20% to five years' worth of total plan requirement and then to the shortfall as well would give rise to requiring an extremely large supply of 'deliverable' sites that may not be possible to achieve while maintaining the objectives of the NPPF and Local Plan.
- 6.32 The purpose of the 20% buffer is set out in the NPPF as "to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land". The methodology used by the Council will mean that at any point that the five year supply is calculated, including at adoption, the Council will require enough deliverable sites to make up any shortfall accrued in previous year and to meet the annualised plan period requirement for the next five year and to require a buffer of 20% on top of the annual requirement. This 20% buffer applied to the annualised plan requirement will effectively require enough deliverable sites for 6 years rather than 5. This will mean that the Council's five year supply will always require more deliverable sites to be provided than are needed to stay on track to deliver the plan target. There will always be more deliverable sites required in order to meet the NPPF objectives of increasing choice and competition in the housing market.
- 6.33 The question of whether to apply any buffer to housing shortfall since the start of the Plan period was raised at the Amber Valley Examination hearings. The Inspector agreed with the

local authority that the buffer should be applied to the five year component of the housing target but that it should not be applied to past shortfall as well as that would in effect be double counting.

- 6.34 At an appeal relating to land at Gold Well Farm, Yeovil Road, Crewkerne, Somerset (APP/R3325/A/13/2210545) (decision date 04/11/2014) the Inspector considered the specific issue of whether the five year supply buffer should be added to past shortfall.
- 6.35 The Inspector's report (para 52) stated that "I am persuaded by the Council's argument that applying the buffer to the sum of the five year requirement and the backlog would increase the total housing requirement over the lifetime of the plan, and that this approach would represent a penalty on the Council which is not intended by the Framework. I conclude that, having also had regard to various appeal decisions referred to me by both parties, the appellants' claim that the buffer should be applied to the backlog as well as 5 year requirement has not been justified."
- 6.36 More recently a separate appeal in Cheshire East (APP/R0660/A/13/2209335) was recovered by the Secretary of State. In his decision in dismissing this appeal the Secretary of State specifically outlined how the buffer should be applied in a five year supply calculation. Paragraph 14 of the decision says that "the Secretary of State disagrees with the Inspector's approach of including the allowances for each year's backlog in the overall sum to which the buffer should be applied as he sees this as double-counting. He considers that it would be more appropriate to add the figures for the backlog once the figure for each year's need has been adjusted to include the buffer. This would result in a slightly lower total requirement for each year but, nevertheless, one to which he considers that a 20% backlog should be applied."
- 6.37 The Council's five year supply methodology therefore does not apply the 20% buffer to the past shortfall and is consistent with the Secretary of State's advice. However, the calculation will require any shortfall to be made up in full in order to achieve a 5 year housing supply.

6.38 Why have windfall sites been included in the Five Year Supply?

- 6.39 As discussed earlier in this document the NPPF (Para 48) says that "*local authorities may include an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.*"
- 6.40 The justification for the windfall allowance is made in section 2.4 above. It is likely that many windfalls will be made up of small sites and even single dwellings which come about unexpectedly. This has been the case in the past in Derby and these types of sites can emerge and be developed very quickly, sometimes in the same year.
- 6.41 The average annual windfall allowance across the Plan period is 75 dwellings and the number included first five years is 375 dwellings.

6.42 Conclusion

- 6.43 The Council has set out an approach which will meet the NPPF requirements of establishing and maintaining a five year housing supply. The methodology used will ensure that at any point the supply of deliverable sites will be enough to meet the annual average requirement for the next 5 years of the Plan plus an additional 20% to ensure choice and competition in the market as well as making up any shortfall which may have accumulated since the start of the Plan period.

7. AFFORDABLE AND SPECIALIST HOUSING

- 7.1 At Paragraph 50 the NPPF says that local planning authorities should “*plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes).*”
- 7.2 It goes on to say that authorities should “where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.”
- 7.3 In the section on ‘Planning Obligations’, the PPG includes a sub-section titled ‘Are planning obligations negotiable?’. This sets out that “Where local authorities are requiring affordable housing obligations or tariff style contributions, they should be flexible in their requirements.” The Council’s approach reflects this guidance.

7.4 How are the needs of different groups being considered?

- 7.5 Policy CP7 (Affordable and Specialist Housing) sets out the Council’s policy for the provision of affordable housing and other types of specialist housing. It sets out requirements for affordable housing and lifetime homes provision and supports housing which meets the needs of the aging population including Extra Care housing. It also supports proposals for self-build and custom-build housing and sets out that tenure mix will have to be agreed by the council based on evidence of need.
- 7.6 The policy explains that a flexible approach will be taken to the delivery of affordable housing and that a range of mechanisms will be used to maximise the delivery of new affordable homes. The flexibility of the policy is highly consistent with both the Framework and the PPG as described above.
- 7.7 The policy requires the provision of affordable housing and lifetime homes standard housing within residential developments on sites of 15 or more dwellings. An explanation of why a 15 dwelling threshold was used is included below. Where the threshold is met developers are required to provide 30% affordable homes and 20% Lifetime Homes on site. In implementing the policy, regard will be had to several factors including :
1. Evidence of local need for affordable and other types of specialist housing which contribute to the delivery of the Council’s strategic housing objectives
 2. Site size, suitability and economics of provision
 3. The presence of competing planning objectives
 4. Any relevant review of the Council’s Planning Obligations Supplementary Planning Document

- 5. In the case of lifetime homes, access to local facilities, shops and public transport
 - 6. Where a local need has been identified, the Council may require a proportion of the Lifetime Homes provision to meet full wheelchair access standards be provided as wheelchair adapted homes
- 7.8 The Government has recently made changes to how standards for housing can be applied and have removed the Lifetime Homes standard. A new set of Building Regulations now cover the accessibility and adaptability of dwellings and the Council will be proposing modifications of Policy CP7 to the Inspector to ensure that the policy is consistent with national policy and guidance.

7.9 How was the Affordable Housing Need calculated?

- 7.10 As explained in the introduction to this document, the NPPF states that local authorities should ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing.
- 7.11 One of the main purposes of the 2013 SHMA was to establish affordable housing needs across the HMA and for each of the component local authorities. The SHMA (fig. 160) identified that the affordable housing need for Derby City from 2012 to 2028 is 10,117 dwellings. Generally affordable needs assessments are carried out over a 5 year forward looking period. Initially the consultants calculated the affordable need over five years and then extrapolated it to cover the plan period to 2028.
- 7.12 There are several mechanisms by which affordable housing need can be met. The main mechanism for securing affordable housing through the planning system is by planning contributions (Section 106 agreements). However, there are ways of meeting affordable need which sit outside the planning system and these will be explored, encouraged and promoted so that as much affordable housing is delivered as possible both through the planning system and through other mechanisms. In particular, the Private Rented Sector (PRS) can contribute to meeting affordable housing needs without actually being classed as affordable housing. The Council is also working pro-actively with its own Housing Stock Arms-Length Management Organisation (ALMO), Derby Homes to deliver new social housing.
- 7.13 The Council considers that the delivery of affordable housing is one of the biggest priorities in the city and the policy has been framed to seek to meet needs through all possible mechanisms.
- 7.14 In considering the delivery of affordable housing through policy, the Council must also have regard to paragraph 173 of the NPPF, "Ensuring viability and delivery". This paragraph states that *"To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."*
- 7.15 The Local Plan policy on Affordable and Specialist Housing (CP7) therefore attempts to take a pragmatic approach to delivering as much affordable housing through the planning system

as is possible without overly burdening developers, constraining wider housing delivery and compromising the delivery of the wider strategy.

7.16 Why was the threshold of 15 or more dwellings applied?

7.17 When seeking to secure affordable housing a threshold of 15 dwellings was previously set through national planning guidance in Planning Policy Statement 3 (PPS 3), however the NPPF is silent on the matter of thresholds for affordable housing and leaves the matter to the local authority to consider.

7.18 Fifteen dwellings is still considered to be an appropriate threshold for requiring affordable housing provision. A lower threshold makes it difficult and unlikely that an affordable component can be achieved and a higher threshold could mean missed opportunities in securing affordable dwellings.

7.19 To lower the threshold from 15 dwellings causes viability problems with providing affordable dwellings on-site. Emerging Section 106 contributions pooling limitations would mean that any payments made in lieu of on-site affordable housing would be unlikely to be able to provide a large enough sum to develop any new affordable units off-site.

7.20 Furthermore, analysis and historic evidence shows that where affordable housing thresholds are set they will lead to an increase in the number of applications submitted for dwellings below that threshold which may be counter-productive to the ambition of boosting the general supply of housing.

7.21 Why is a maximum affordable housing requirement of 30% used (where the threshold is met)?

7.22 The table below (Figure 9) shows the percentage of affordable housing secured through Section 106 agreements between 2012 and 2014 where the affordable housing policy threshold was met.

Figure 9 – Affordable Housing secured 2012-2014

Site name	Year S106 signed	Total number of dwellings approved	Number of affordable dwellings secured	Percentage affordable
Merrill College	2012	88	10	11
Derbyshire Royal Infirmary	2012	400	0	0
Friar Gate Station	2013	150	0	0
Manor Kingsway Phase 1	2013	100	28	28
Woodlands Lane	2013	56	6	10
Castleward	2013	840	210	25
Prince Charles Avenue Phase 2	2014	221	38	17
Full Street	2014	46	0	0
Manor Kingsway Phase 2	2014	580	162	28
Tanglewood Mill	2014	22	0	0
Wragley Way	2014	130	13	10

7.23 The table above demonstrates that even in the past years where economic activity and market conditions made viability very difficult a range of affordable homes up to 28% was still secured. This demonstrates that the existing policy of negotiation and flexibility has worked in terms of maximising affordable housing delivery.

7.24 More recently the Council has secured 30% affordable housing on two of the strategic sites in the Core Strategy which now have planning permission. Achieving 30% affordable housing is therefore possible, particularly on greenfield sites. However it is acknowledged that not all

sites will be capable of achieving 30% affordable homes and the policy is therefore flexible subject to viability considerations. The flexibility is required to ensure that as much affordable housing as possible is delivered to meet identified needs while not constraining general market housing delivery with rigid targets.

- 7.25 The City has such varied housing markets and types of residential development that a “one size fits all” approach to target setting would not meet the objectives of the NPPF or the Council in terms of meeting as much of the affordable housing need as possible.
- 7.26 As noted elsewhere, it is accepted that 30% affordable housing will not be achievable on all sites at this time. Any target set at where all, or the majority, of development would be ‘viable’ *now* would have to be set much lower than 30%. Assuming that zero would never be considered acceptable, the data might suggest a figure closer to 10-15%.
- 7.27 This would have three undesirable impacts. Firstly, setting a lower target would automatically mean losing out on viable affordable housing provision. Looking at Figure 9, if a target of 10% had been set owing to prevailing viability issues, over **200** additional affordable units would not have been secured. It is hard to see how this would be considered a positive outcome, particularly considering the scale of need identified. As these were subject to negotiation, there was no suggestion that the developers or landowners were unable to receive a ‘reasonable return’ and there is no evidence to suggest that delivery has been unduly inhibited by going through a negotiation process.
- 7.28 The second impact of an alternative approach would be to prejudice development that has viability problems. If a criticism of the Council’s current policy is that negotiation leads to uncertainty and delay, then a policy with a lower target would logically remove the option of negotiation (otherwise, presumably, there would be no objection to negotiating with a 30% target). Figure 8 identifies four schemes where a case was made for *no* affordable dwellings owing to viability. It is assumed that if the Council has insisted on 10-15%, for example, these schemes would not have come forward. Again, this does not seem to a sensible or appropriate approach to housing delivery in the context of the NPPF.
- 7.29 Finally, setting a lower target with less scope for negotiation would mean little or no scope for improved circumstances to be taken into account. While a review of policy to take account of this is a possible option, this can be a time consuming process. Such delays in being able to take account of changing circumstances is also likely to lead to a reduction in affordable housing delivery and/or prejudicing ‘unviable’ schemes. Evidence is already pointing to an improving situation. This policy allows that improvement to be factored into decision making without delay.
- 7.30 The 30% target represents a reasonable starting point for discussion and negotiation. Viability evidence would suggest that a figure above this is unlikely to be achievable in the plan period but 30% is already possible on some sites and is likely to become more so as time moves on. Clearly, this in itself will not meet all affordable housing needs but we recognise that the S106 system cannot achieve this on its own in any event.
- 7.31 Over 5,000 dwellings of Derby’s housing need will be met in South Derbyshire and Amber Valley and therefore it follows that a percentage of the City’s affordable needs will be met on these sites. The Council will therefore continue to work with neighbouring authorities to seek to secure nomination rights for a percentage of new affordable homes provided in these districts.

7.32 In conclusion the policy seeks to be aspirational in terms of delivering affordable homes to meet significant needs but at the same time to be flexible and realistic, ensuring viability and delivery and providing developers and willing land owners with competitive returns in line with Paragraph 73 of the NPPF. It seeks to achieve a balance. The policy does not seek to prejudice delivery; rather it seeks to find an appropriate balance between meeting significant affordable housing needs and delivery within a market context that will inevitably require some flexibility in approach.

7.33 People with Disabilities, Older People and Student Accommodation

7.34 The PPG (Housing and Economic Land Availability Assessments section) provides some guidance on how residential institutions (Use Class C2) and Student accommodation should be considered in meeting housing needs.

7.35 At paragraph 037 it states that *“Local authorities should count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement.”*

7.36 Any new C2 developments will provide residential accommodation and therefore meet housing needs. However it is very difficult to establish, for example, if a 40 bedroomed care home was constructed, how many ‘dwellings’ it would contribute towards meeting needs. It would probably be unreasonable to count every single room as a dwelling.

7.37 Further, C2 uses may well also be lost from stock over the lifetime of the Plan as C2 uses close. This leads to questions about the net gains which could be provided to the dwelling stock. Because of these complexities, new C2 accommodation will not be counted as contributing to housing requirements in Derby.

7.38 Student accommodation is a slightly different matter although there are still some complexities. The PPG is clearer in terms of student accommodation, stating that *“All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market. Notwithstanding, local authorities should take steps to avoid double-counting.”*

7.39 In preparing the SHMA, the consultants explored student numbers and accommodation and contacted Derby University. The SHMA concluded in paragraph 1.5 that matters relating to student accommodation are unlikely to result in a need for additional housing over and above the projections. Therefore any new student accommodation arising can be classed as being additional to the projected needs and therefore contributing to the housing target.

7.40 Given the above, any new student accommodation provided will be counted towards the housing target. Care will be taken to avoid double counting and to consider a realistic ‘dwelling equivalent’ which the student accommodation will be providing. As suggested by the guidance, if any new student accommodation is provided, the Council will endeavour to count a realistic number of units towards the housing target having regard to the amount of accommodation released in the housing market.

7.41 Providing communal student accommodation or cluster flats will release dwellings to the market from the wider housing supply. Particularly in the private rental market, many

dwellings in the City Centre and around the University District are taken up by students renting the accommodation temporarily. The provision of bespoke student accommodation has the potential to release some of these dwellings for private market rent or for market sale.

7.42 In discussions about student lets, local estate agents have indicated a view that the average number of students sharing housing in the private rented sector in Derby is approximately 3 students per household. It would therefore be logical that a ratio of 3:1 was used when counting any communal or cluster apartments for students towards meeting housing needs. For example if a block of 90 student flats was built, 30 of the units would count towards the housing supply because the development would release 30 dwellings on average from the private rented stock.

7.43 Self-Build and Custom-Build Homes

7.44 The Local Plan Part 1 includes policy (CP7 – Affordable and Specialist Housing) which has a criterion to demonstrate support self-build, custom-build and community-build housing.

7.45 It has been difficult to obtain any form of robust and reliable evidence on demand for self-build or custom-build homes. There have been virtually no enquiries to the Council's Planning, Building Consultancy or Housing Strategy teams in terms of seeking land or advice on this type of development.

7.46 Internet searches made for self/custom build land and sites in Derby through the Buildstore 'plot search' website showed that 487 people had searched for a self-build plot in Derby on the database and 111 people had expressed an interest in custom build in Derby via a Custom Build Register. However in discussions with the website operators it was not possible to identify if Derby was the only location being searched or whether multiple searches were being made by the same people or organisations on multiple occasions. The site operators agreed that it was quite possible that searches could be made over large geographical areas 'including' Derby and that the site could not identify people who actually had the intention or ability to carry out a self/custom build project.

7.47 In further discussions a view emerged that the number of people who actually wanted to physically build their own home was extremely low and that the interest in the site was more about having an input into the room layout of a home. This raised a question as to whether this desire actually constituted 'self-build' and the degree to which it might be classed as 'custom-build'. For example, a home buyer buying a plot from a house builder may be able to ask the builder to make internal changes which meet their requirements without actually being directly involved in the design or construction of the house. This creates a further lack of clarity in the identification of the number of people wanting to self-build or custom-build homes.

7.48 It was acknowledged that individuals would probably be unlikely to want to build a house within the site of a major development being developed by a volume house builder. Discussions with some volume house builders have indicated that they would not particularly welcome self/custom builders within their own sites as they would lose some control of masterplanning, layout and implementation of the scheme.

7.49 Although it is acknowledged that the Government considers self and custom build an important part of the solution to the housing crisis, there is a lack of information on these types of build demand which can be considered robust enough to set specific targets for these types of housing. To set specific targets and/or allocate land for such uses could have an adverse effect on the wider delivery of housing by restricting the availability of land in the wider market.

7.50 The policy can therefore only go so far as to support and encourage these types of development and the Council will look favourably on such proposals which would provide sustainable new homes.

7.51 GYPSY AND TRAVELLER ACCOMMODATION

7.52 The Department for Communities and Local Government sets out its policy for Gypsy and Traveller accommodation in the document “Planning Policy for Traveller Sites” (PPTS) which was published in March 2012 and should be read in conjunction with the NPPF.

7.53 The guidance sets out similar requirements to those set out in the NPPF on planning for general housing. It requires local authorities to use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions. It also requires engagement and co-operation with both the settled and travelling community and with neighbouring local authorities. The PPTS also requires local authorities to identify and update annually a five year supply of deliverable sites for travellers and to identify specific developable sites of broad locations for years six to ten and where possible 11 to 15.

7.54 The City Council has met the need identified in the Derby and Derbyshire Gypsy and Traveller Accommodation Assessment (GTAA) 2008 for 16 additional permanent pitches within the City by delivering a site in the Osmaston Area which provides 17 pitches.

7.55 Derby City Council joined a consortium of local authorities including all of the authorities in Derbyshire and East Staffordshire Borough Council to consider future needs. A new GTAA setting out evidence of accommodation needs over the next 20 years, to 2034, has now been published and will form part of the evidence base to inform the Part 2 process.

8. CONCLUSION/SUMMARY

- 8.1 This paper demonstrates that the Core Strategy housing policies are pro-growth, positively prepared and based on comprehensive, up-to-date and robust evidence.
- 8.2 Options have been considered and the most appropriate strategy has been identified which will meet the City's Objectively Assessed Housing Needs in a sustainable and deliverable manner. The housing policies complement the wider strategy to deliver economic growth including jobs, to deliver new infrastructure and to protect and improve important environmental features and assets.
- 8.3 The evidence has identified that Derby has a limited capacity to deliver homes on sustainable, achievable sites that can realistically be delivered within the Plan period. The Core Strategy sets a target that a minimum of 11,000 net new homes will be delivered in the City between 2011 and 2028 and contains policies which will ensure that the needs of all sections of the community are met.
- 8.4 The supply of housing will be boosted by identifying a range of brownfield and greenfield sites across the City, including sustainable urban extensions to Derby. Regeneration of brownfield land will be a priority and City Living will deliver new homes in highly sustainable location in and around the City Centre.
- 8.5 The principle of Green Wedges will be maintained in order to preserve the distinctive character and identity of local communities. Where their function can be maintained and/or enhanced by the development of new homes allocations will be made to deliver new homes.
- 8.6 Through continuous joint working with other local authorities and particularly with the neighbouring Derby HMA authorities, housing needs which cannot be met within the City will be delivered in sustainable locations in Amber Valley and South Derbyshire.
- 8.7 The Core Strategy is based on presumption in favour of sustainable development. It is aspirational, realistic, flexible and above all, consistent with the objectives of national policy.

**APPENDIX 1 – Extant ‘Developable’ Planning Permissions
Excluding those on Strategic Sites**

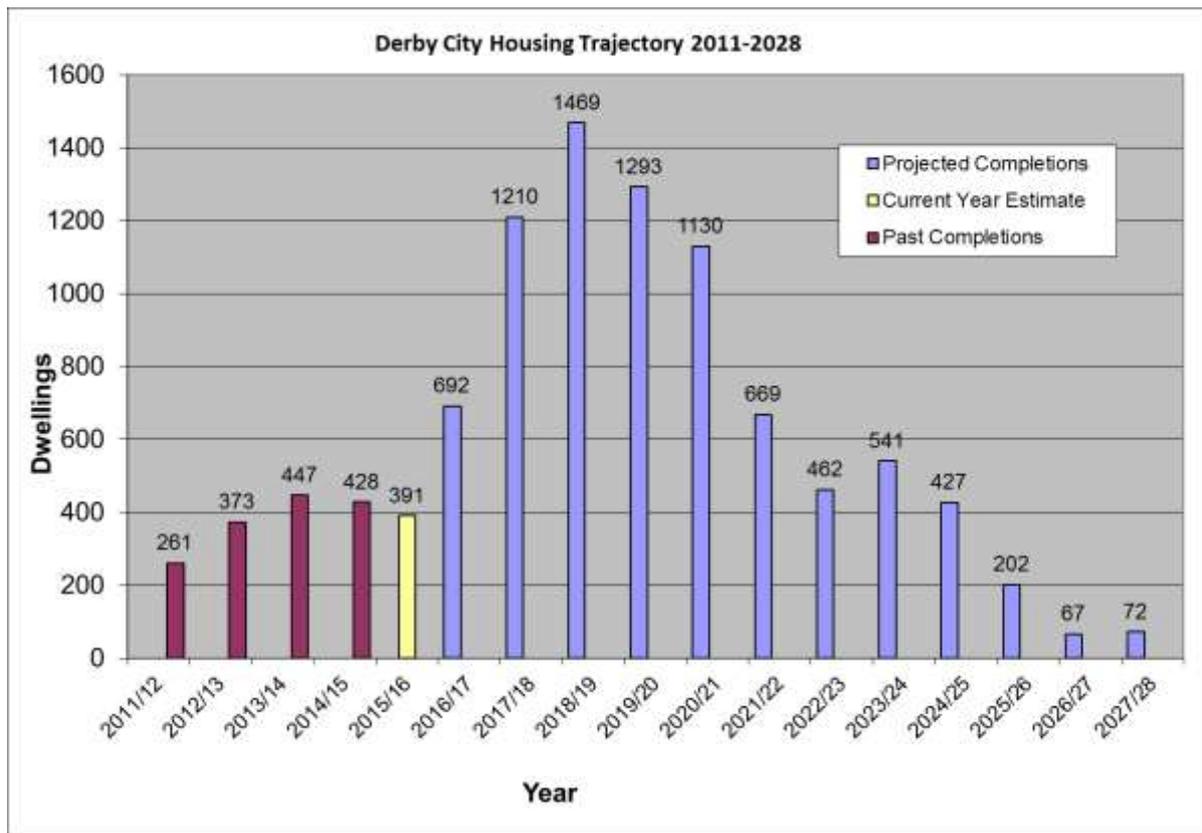
FORMER KEN IVES	MIDDLETON AVE/BURTON RD	50
ST JOSEPHS CHURCH	MILL HILL LANE	14
159-167	BAKER STREET	12
PRINCE CHARLES AVENUE	MACKWORTH COLLEGE	30
CARSINGTON HOUSE	PARK FARM	11
440-470	KEDLESTON RD	2
LAND AT	SWARKESTONE ROAD	7
FORMER	UNIVERSITY CAMPUS	22
CALIFORNIA WORKS	PARLIAMENT STREET	14
	DEVONSHIRE AVENUE	13
THE FORMER PUMP HOUSE	SINFIN LANE	14
53 CORONATION AVENUE	ALVASTON	15
ASTON ENGINEERING	LONSDALE PLACE	11
QUARNDON ELECTRONICS	SLACK LANE	10
	TANGLEWOOD MILL, COKE STREET	22
FORMER GRANGE HOTEL	INGLEBY AVENUE	14
THE ROUNDHOUSE	LONDON ROAD	12
FORMER BEACONSFIELD CLUB	WILSON STREET	14
SMALL SITE PERMISSIONS		300

TOTAL

587

Note that the table of planning permissions above excludes permissions where the Council considers that the permission is unlikely to be implemented and excludes planning permissions on sites which are Strategic Allocations in the Core Strategy.

APPENDIX 2



The Housing Trajectory Graph above shows the actual and anticipated net housing completions over the plan period. The anticipated future completions are derived from the SHLAA assessments and from assessments of when the Local Plan : Part 1 site allocations will be delivered. The graph also includes expected completions on sites with planning permission and windfall completions.

Note that further Local Plan : Part 2 allocations will be made which will contribute further to housing numbers, however these are not included in the trajectory graph as it stands. These allocations will mean that more sites are delivered, particularly including delivery later in the plan period.

The trajectory demonstrates that the Council is seeking to boost the supply of housing and that it is seeking to bring forward the supply from later in the plan period to the earlier years in order to demonstrate a five year supply of developable sites in line with the requirements of the NPPF.

Tables which have informed the graph can be seen in appendix 4. These include all of the known sites which are expected to contribute to the housing supply over the plan period, the number of dwellings they are expected to deliver and when they will be provided.

Appendix 3 – Deliverable Housing Sites (Five Year Supply from 1 April 2016)

2015 Sites Contributing to the Five Year Supply			2016/17	2017/18	2018/19	2019/20	2020/21	DELIVERABLE DWELLINGS (5 Year Supply)
SHLAA	ADDRESS	G/F B/F	1	2	3	4	5	
MAJOR SITES WITH PLANNING PERMISSION								
	FORMER KEN IVES	MIDDLETON AVE/BURTON RD	B		25	25		50
44	ST JOSEPHS CHURCH	MILL HILL LANE	B	14				14
80	FULL STREET	MAGISTRATES COURT AND FORMER POLICE HQ	B	46				46
124	159-167	BAKER STREET	B	12				12
147	PRINCE CHARLES AVENUE	MACKWORTH COLLEGE	B	30				30
162		ST HELENS HOUSE	B				20	29
165	CARSINGTON HOUSE	PARK FARM	B					11
	440-470	KEDLESTON RD	B	2				2
	LAND AT	SWARKESTONE ROAD	G			7		7
	ORCHARD STREET AND ST HELENS STREET	LAND AT	B	55				55
	FORMER	UNIVERSITY CAMPUS	G/B		22			22
	NIGHTINGALE HOUSE	LONDON ROAD	B	13				13
3	MANOR/KINGSWAY	KINGSWAY	G	80	80	100	100	100
89	HOSPITAL SITE		B	40	80	80	80	80
22	CASTLEWARD		G		30	24		54
	WOODLANDS LANE	CHELLASTON	G					
160	MACKWORTH COLLEGE	PHASE 2	G	20	60	60	51	30
63	CALIFORNIA WORKS	PARLIAMENT STREET	B		14			14
138		DEVONSHIRE AVENUE	G		13			13
120	FORMER DRI	LONDON ROAD	B	40	80	100	100	80
181	LODGE LANE	WILLOW ROW	B				35	35
176		FELLOW LANDS WAY	G	50	50	50	50	200
155		LAND OFF HOMLEIGH WAY	G		20	18		38
179	THE FORMER PUMP HOUSE	SINFIN LANE	G		14			14
	WILLOW HOUSE	WILLOW ROW	B		12			12
104		WRAGLEY WAY PHASE 1	G		30	100		130
	FORMER SIXT KENNINGS	CATHEDRAL ROAD	B	113				113
16		BROOK FARM, CHADDES DEN	G		50	75	75	75
	53 CORONATION AVENUE	ALVASTON	B		15			15
	ASTON ENGINEERING	LONSDALE PLACE	B			11		11
	BRAMBLE BUSINESS CENTRE	BECKET STREET	B	13				13
36		TANGLEWOOD MILL, COKE STREET	B		22			22
	FORMER GRANGE HOTEL	INGLEBY AVENUE	B		14			14
	THE ROUNDHOUSE	LONDON ROAD	B	12				12
	FORMER BEACONSFIELD CLUB	WILSON STREET	B		14			14
	ST PERER'S HOUSE	GOWER STREET	B			147		147
	ROMAN HOUSE	FRIAR GATE	B				120	120
	TOTAL (with PP)			540	645	832	596	405
MAJOR BROWNFIELD SITES WITHOUT PLANNING PERMISSION								
4		RIVERSIDE CDLPR ALLOCATION INC. GREENWOOD COURT	B					42
5		BARLOW STREET CAR PARK	B				30	30
8		ROLLS ROYCE MAIN WORKS	B		75	75	75	75
49		ABBOTS HILL CHAMBER, GOWER STREET	B	25				25
134		ELTON ROAD/CROWSHAW STREET	B			7		7
169		THE KNOLL, STENSON ROAD	B				20	20
174	59	WILKINS DRIVE	B		13			13
183		DUKE STREET	B					26
193		MANSFIELD ROAD	B			28		28
	TOTAL (Brownfield)			25	88	110	125	173
MAJOR GREENFIELD AND MIXED SITES WITHOUT PLANNING PERMISSION								
1		RYKNELD ROAD	G		90	120	120	120
18		HACKWOOD FARM	G		100	100	100	100
27		NORTH OF ONSLOW ROAD	G		50	50	50	50
30	SOUTH OF	MANSFIELD ROAD, OAKWOOD	G		50	50	50	50
104		WRAGLEY WAY PHASE 2	G				25	25
105		BOULTON MOOR EAST	G		60	80	100	100
42		TECHNOGRAV PHASE 1	G		20	20	20	20
	TOTAL (GF and Mixed)			0	370	420	465	465
	SMALL SITE PERMISSIONS			80	60	60	60	40
	WINDFALLS			75	75	75	75	75
	LOSSES			-28	-28	-28	-28	-28
	TOTAL FIVE YEAR SUPPLY			565	1103	1362	1186	1043
								5794

Note that the sites included in the Five Year supply list above are considered to be in a suitable location, available and achievable upon adoption of the Plan.

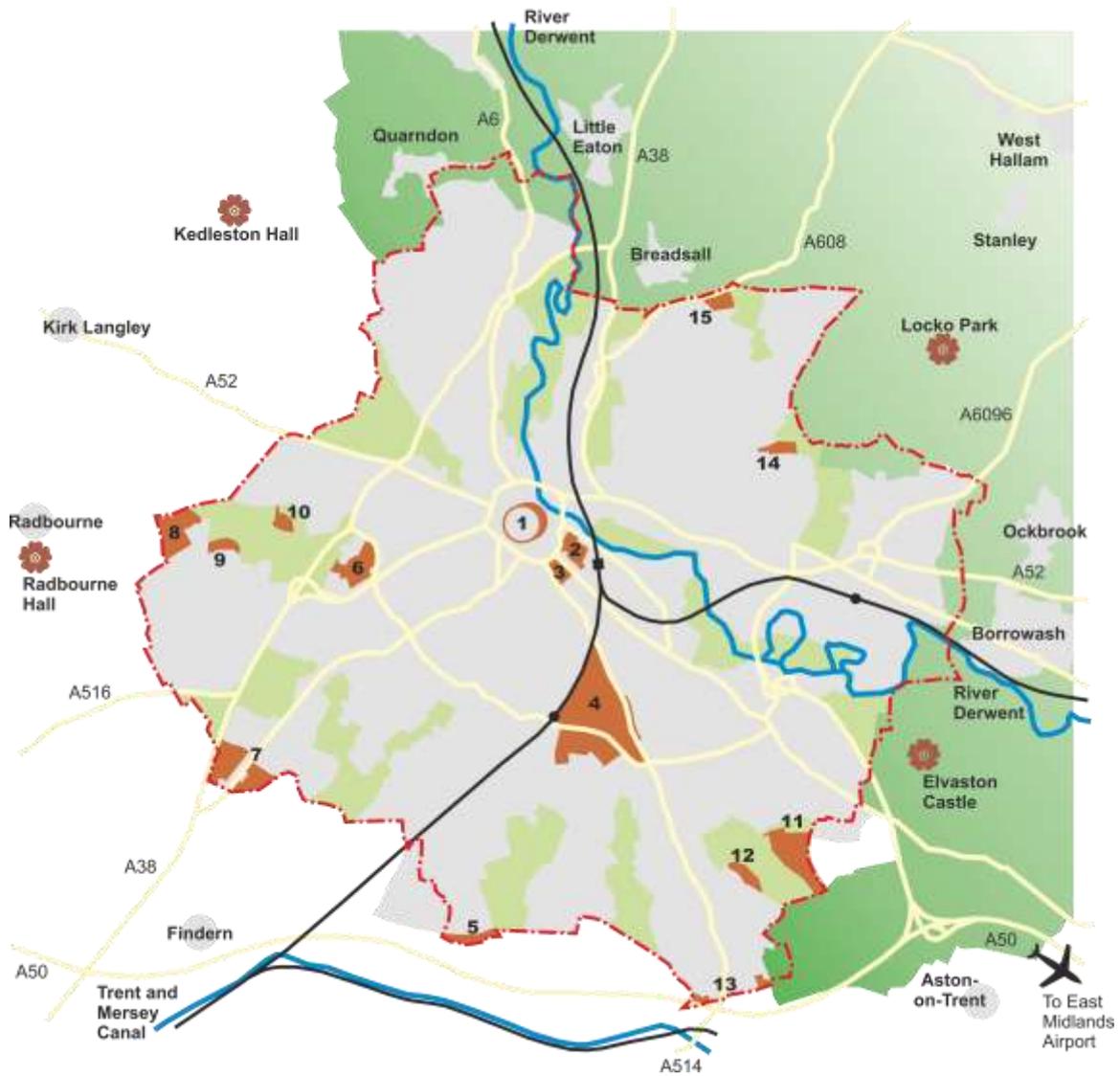
APPENDIX 4 - Permitted and Opportunity Sites in the City centre Broad Location

Specific identified sites which can contribute to the delivery of 1,000 new homes in the City Centre

SITE	DWELLINGS	STATUS			
Full Street	46	Under Construction			
Cathedral Road	113	Under Construction			
Roman House	120	Prior Approval + Market Interest			
St Peter's House	147	Prior Approval + Market Interest			
Bramble Business Centre	13	Permission			
Willow House	12	Permission			
Lodge Lane/Willow Row	35	Permission			
Nightingale House	13	Permission			
Orchard Street	55	Permission			
St Helen's House	49	Permission			
Abbot's Hill Chamber	25	Prior Approval - Council Intervention			
Orchard Street	18	Opportunity			
Riverlights	300	Opportunity with Permission			
Greenwood Court	42	Opportunity/Interest			
Queen Street	18	Lapsed Permission			
Wyvern House	18	Lapsed Permission			
Middleton House	80	Council Owned Opportunity			
North Riverside (including DET)	300	OCOR Opportunity			
Beckett Well	100	Opportunity			
Amen Alley	15	Opportunity			
Stafford Street	15	Lapsed Permission			
Babington Lane/Sitwell Street	50	Opportunity - scheme submitted			
Friar Gate Station	150	Opportunity with Permission			
Heritage Gate/Wilkinsons Yard	200	Opportunity - Marketed site			
TOTAL PERMITTED AND OPPORTUNITY	1934				

Further opportunities exist in the City centre for small site residential development, particularly through the change of use of non-residential buildings to residential use and also for small site infill development.

APPENDIX 5 – Map of Strategic Housing Sites in Derby Cross Referenced with Figure 2



APPENDIX 6 – Strategic Sites Considered but Not Allocated in the Core Strategy

The following sites and locations have been considered but have not been allocated as strategic housing sites in the Core Strategy. The headline reasons why the sites have not been included as housing sites in the Core Strategy are listed but more detailed explanation can be found in other parts of the evidence base including in particular the SHLAA, the Sustainability Appraisal and the Site Summary document.

Celanese, Holme Lane – Circa 1000 dwellings

Site is a former chemical works. It is no longer operational but has significant constraints and uncertainty. The main issues are the lack of information on level of contamination, which is expected to be significant, potential flooding issues and access. This is a very large site which is not well located to other residential neighbourhoods and would need to provide new facilities on site to be considered 'sustainable'. Development viability is unknown and there is therefore no certainty of delivery within the plan period. The plan does, however, identify the site as a 'Regeneration Priority'. It provides the opportunity for housing development to be considered, subject to the satisfaction of a number of criteria. The Council will continue to work with the landowners toward a comprehensive regeneration scheme for this site.

Derby Triangle (Chaddesden Sidings/Derwent Triangle) – Circa 1000 dwellings

This site was initially promoted by the owners as a potential housing site. The promoters have very recently suggested that it could be developed as a mixed use site with a housing component. It is poorly related to other residential neighbourhoods and certain local facilities and would require a comprehensive development with facilities on-site. Developing only part of the site for residential purposes would also raise questions of whether a satisfactory living environment could be created. The land is needed to meet long term employment/economic requirements and has therefore been allocated as a strategic employment site in the Core Strategy.

Land off Hilltop, Breadsall Hilltop (Green Wedge) – 263 dwellings

This site is in a Green Wedge. Although the Green Wedge Review has identified that there may be some potential for development in the wedge, the extent of this potential is yet to be determined. The site is a former tip and there are issues over land stability. It is also visible from the World Heritage Site. Both of these issues will affect the potential for the site to be developed. The site will be considered further as a possible allocation in the Part 2 Plan pending further assessment of these matters.

Allan Avenue/Pritchett Drive, Littleover (Green Wedge) – 80 dwellings

This site is in a Green Wedge. Although the Green Wedge Review has identified that there may be some potential for development in the wedge, the extent of this potential is yet to be determined. The site is also identified as proposed public open space in the adopted Local Plan and has a watercourse running through it. It also has access and topographical constraints and is located very close to the A38/A516 which might give rise to further environmental constraints. A planning application for 80 dwellings is currently being considered and the site will be considered further through the Part 2 Plan.

Land at A6/A38 Roundabout (Green Wedge) – 45 dwellings

This site is in a Green Wedge and there are significant concerns about the loss of this part of the wedge. The site is also in the World Heritage Site Buffer Zone and the relationship with existing residential properties is poor. Two recent residential planning applications have been refused and the most recent application is now the subject of an appeal. The Council's position is that the site is not considered a suitable location for housing development and has not been allocated in the Core Strategy.

Acorn Way (Green Wedge) – 200 dwellings

This site is in a Green Wedge and there are significant concerns about development in this part of the wedge. The site is not related to any neighbourhood and would form an island of development and have unacceptable impacts on the character of Spondon and Chaddesden. Two planning applications have been refused based on the reasons above. An appeal has been lodged to a proposal for 125 dwellings which was refused and this is scheduled to be heard in early 2015. The site is not considered to be a suitable location for residential development and has not been allocated in the Core Strategy.

Mickleover Sports (Green Wedge) – 200 dwellings

This site is located in a Green Wedge. It is out in the middle of the wedge and is not related to either of the neighbourhoods which the wedge separates (Mickleover and Mackworth). There are concerns over whether an appropriate access could be formed. The original promoters are no longer pursuing the allocation of the site. The site is considered to be an unacceptable location for residential development and has not been allocated in the Core Strategy.

West of The Hollow, Mickleover (Green Wedge) – 164 dwellings

This site is located in a Green Wedge and there is significant concern over the impact on the wedge. The development of the site would close off the mouth of the wedge. The site is also poorly related to residential neighbourhoods and would not be integrated with the city. The site is therefore not considered to be a suitable location for residential development and has not been allocated in the Core Strategy.

Moorway Lane (Green Wedge) – 400 dwellings

This site is located in a Green Wedge. The development of the site would have a significant impact on the wedge, adversely affecting the character of Heatherton in particular. The site would not be related to either Heatherton or Littleover and would form an island of development. It is poorly related to local facilities. Access on Moorway Lane for 400 dwellings is likely to cause significant problems. The site sits within a wider area of land which is identified as a Proposed new City Park to serve the south west of the city. These constraints mean that the site is not suitable for residential development and has not been allocated in the Core Strategy.

Rough Heanor Farm (Green Wedge) – 75 dwellings

This site is located in a Green Wedge and there are significant concerns about how this wedge might be impacted by development. The site suffers from considerable access issues and contains important locally listed buildings. In order to deliver development on the site, it is likely to require

significant alterations to the local road network and it is not clear whether these would be acceptable to either the Council or Highways England or whether they would be viable. Given all of the above issues it has not been satisfactorily demonstrated that an acceptable form of development could be achieved or that it would be deliverable. Therefore, it has not been allocated in the Core Strategy. The site is now the subject of a planning application for 75 dwellings.

Boylestone Avenue (Part of Moorway Lane Green Wedge) – 120 dwellings

This site is within the Green Wedge between Heatherton and Littleover (it also forms part of the 'Moorway Lane' site considered above). It is on the southern edge of the wedge and is promoted as forming an urban extension to Littleover. Although the Green Wedge Review identifies that there *may* be potential to develop in part of the wedge in this location while maintaining its overall function. However, the location is also part of a proposed City Park allocation in the adopted Local Plan which is a 'saved' policy. Development in this location could prejudice this part of the park coming forward. The site is also poorly related to existing shops and facilities and there are access issues that would have to be addressed before the Council could be confident of allocation. The site has not therefore been allocated for residential development in the Core Strategy. The allocation of the City Park will be considered through a review of open space in Part 2.

Moorways Sports Pitches – 200 dwellings

This site was identified by the Council as a potential land disposal site which might have the potential to deliver housing. It is in the ownership of the City Council. However, recent changes to the Council's Leisure Strategy mean that the site may no longer be available and may be required for leisure purposes. In any case the site comprises a number of grass football pitches which may be required. Otherwise the site is well related to local services and facilities being very close to Allenton District Centre. Due to the uncertainty of availability and delivery the site has not been allocated for residential uses in the Core Strategy.

Land East of Spondon (Green Belt) – 900 dwellings

This site lies to the east of Spondon, north of the A52. It is in the Nottingham-Derby Green Belt which is a national and local policy constraint to residential development. Development in this location would narrow the open gap between the City and Ockbrook and would be likely to seriously damage the character of the village. Unmet housing need is unlikely to outweigh the harm to Green Belt in order to constitute the exceptional circumstances required to change Green Belt boundaries. The site is also poorly related to local services and facilities and access the formation of a satisfactory access for a significant development is likely to be difficult. For these reasons the site has not been allocated for residential uses in the Core Strategy.

Royal Hill Farm (Green Belt) – 260 dwellings

This site is in the Nottingham-Derby Green belt which is a national and local policy constraint to residential development. Unmet housing need is unlikely to outweigh the harm to Green Belt in order to constitute the exceptional circumstances required to change Green belt boundaries. This site is poorly related to any neighbourhood and to local services and facilities. Part of the site is also a wildlife site designation in current local plan policy. For these reasons the site has not been allocated for residential development in the Core Strategy.

Sinfin Lane/Evans of Leeds

A strategic site on Sinfin Lane (AKA Evans of Leeds) was identified in the Draft Plan as delivering a minimum of 700 new dwellings. The allocation was based on a promotion of the site by the owners, a planning permission for 106 dwellings on part of the site and a resolution to grant planning permission for a further 600 dwellings. However, since the Draft Plan, the smaller permission has lapsed and the applicant has withdrawn the larger application. Ownership of the site has changed and there appears to be no longer an intention by the owners to deliver the development which was originally proposed.

The Council still has an aspiration to see housing delivered on the site but because of the lack of certainty of delivery it cannot now contribute to the housing supply. The site has therefore now been allocated as a 'Regeneration Priority' in the Core Strategy. Any housing which might come forward on the site within the Plan period will form flexibility in delivery.

The Map below identifies the sites which have been considered but not allocated for housing in the Core Strategy.

