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Mr Andrew Waterhouse  
Spatial Planning Group Manager  
Derby City Council  
The Council House  
Corporation Street  
Derby, DE1 2FS

Dear Mr Waterhouse

**Examination of Derby Local Plan Part 1: Core Strategy**

The Inspector has asked me to write to you concerning the Court of Appeal's judgement of 11 May 2016 in Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441. In this context, the policies in the Secretary of State's Written Ministerial Statement of 29 November 2014 as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development are once again material to the examination of the Local Plan.

In the first instance the Inspector would be grateful for the Council's comments on the implications of the judgement for the Local Plan, particularly in relation to the provision of affordable housing, viability and the extent to which the provision of essential infrastructure is dependent on any tariff-style contributions from small scale development. He notes that Policy CP7 already has a threshold of 15 dwellings or more before affordable housing would be sought."

Yours sincerely

*Carmel Edwards*

Programme Officer