Matter 1: Overall Development Strategy

Main issue - Whether the overall strategy has been positively prepared and is soundly based and justified, presenting a clear spatial vision for the City in accordance with national policy

a) Does the Local Plan contain an appropriate spatial vision and objectives?

The plan contains both a long term spatial vision for the City and a number of objectives that have been used to guide the preparation of the plan from its inception (see pages 10-12 of CD001). The vision and objectives have evolved over a number of years and take into account the requirements of national policy, the results of joint working with HMA partners and other prescribed bodies, the local distinctiveness and characteristics of the City, the environmental, economic and social aspirations of the local authority and responses to a large number of consultation processes over a number of years.

They are considered to be 'appropriate' insofar as they promote and recognise the need for sustainable economic growth and the meeting as much of the City's needs as possible in the context of its tightly drawn administrative boundaries and the consequential constraints and pressures this creates. There is a focus on regeneration and the promotion of a strong City Centre that is responding to new challenges. There is also a recognition that, while compromises have had to be made to ensure needs are met, it is still important to ensure that the critical elements of Derby's character and environment continue to be protected and enhanced over the lifetime of the plan. This would seem to adhere entirely to the approach advocated in the NPPF.

b) Do the policies in the Local Plan reflect the identified spatial vision and objectives?

The development of the Core Strategy has been an iterative process and the spatial vision and objectives have both informed - and been informed by - the policies in the Local Plan. The Council is confident, therefore, that the policies in the plan properly reflect, and will help achieve, the vision and objectives it has set out.

c) Have reasonable alternatives to the overall development strategy in terms of the scale and distribution of development been considered? Has it been demonstrated that the plan is the most appropriate strategy?

A number of alternative strategies have been considered in the preparation of the plan. The background and chronology of these options can mainly be found in the SA (CD007 sections 7.1 - 7.4 and 8.1 to 8.3) and the Housing and Employment Position Papers (documents CD025 and CD027 respectively). These issues are also addressed in more detail in our response to Matters 2 and 5. These provide a clear summary of the options considered and why the Core Strategy reflects the most appropriate and sustainable solution.

Notwithstanding the clear physical constraints on the City, the various consultation documents leading up to the 'Preferred Growth Strategy' (EB002) also demonstrate that alternative approaches to growth have been considered and consulted on. Figure 1 on pages 4 and 5 of the Core Strategy also provides a useful overview of the process that has taken place and the content of the consultations carried out.

d) Is there a clear audit trail showing how and why the preferred overall development strategy was arrived at?

The starting point for the answer to this issue can be found in Figure 1 of the Core Strategy (pages 4 and 5). This illustrates the consultation process that the Council has gone through in reaching the 'Pre-Submission' plan of August 2015. While this may only show the different stages of the plan's preparation, any reading of these documents will show how the strategy has developed over time; starting with the consideration of the scope of the plan and the issues it will have to address, through a series of 'options' stages, each of considered the nature of the options available to the Council, the pros and cons of each option and had regard to the evidence base. These initial assessments culminated in the production of the 'Preferred Growth Strategy'. This provided a detailed explanation and justification for the 'preferred option' and explained why alternative approaches had been considered inappropriate. The SA (CD007 Sections 7-19) also provides a clear indication of how and why the Council has selected its 'preferred options' for housing and employment growth and a range of other topic based policies. The supporting text of the policies and the various position papers produced to support the Examination all provide an excellent 'audit trail' and explanation of the options considered and why they have been chosen.

This can further be complemented by the extensive responses the Council has made to the Draft Plan and Pre-Submission Plans (as presented in documents CD012-CD014) and the various 'position papers' on such issues as housing (CD025), the economy (CD027), water (CD026) and education (CD028). The Council has provided clear reasoning for its position following these consultations which should further help to show how decisions have been reached on all major strategic issues.

The test of whether a clear audit trail exists is whether a 'reasonable person' would be able to conclude from the documentation available that the strategy selected is a logical expression/outcome of the evidence base, consultation process and the consideration of national policy. The Council holds that its strategy - and the evidence base supporting it - would pass this particular 'test'.

e) Is the overall strategy sufficiently flexible to respond to an unexpected change in circumstances?

This is a very wide ranging issue when considering the plan as a whole. The issue of flexibility is a recurring theme in the MIQs and specific issues will be addressed under specific matters.

However, the policies of the plan have all been written with the idea of flexibility and delivery in mind. Therefore, while all policies adhere to national guidance and local objectives, there is a recognition that these may - in appropriate circumstances - need to be balanced against the need to ensure the delivery of sustainable development. This is particularly relevant in relation to policies requiring planning obligations. As will be discussed later in our response, the Council's approach to these is proactive, pragmatic and effective in taking changing circumstances into account.

In terms of sites and the scale of growth, the Council's position is obviously that there are significant constraints to the amount of development that we can accommodate within the City boundary. This inevitably limits the flexibility we might have in terms of alternative approaches or significant amounts of 'headroom' in the supply. However, the plan does identify sites which have some

potential to come forward if constraints are removed. Any 'change in circumstance' on these sites is able to be addressed.

Equally, the open and positive policies we have to such things as City Centre living are capable of taking advantage of any changes in the market in coming years. Evidence is growing that this could be an even more valuable part of the City's housing supply moving forward, and the plan is ready to accommodate this should it happen. Policies on such things as the 'loss of employment land' - something else that is often considered unexpectedly - also show that we have measures in place to deal with rapid change. Policies on climate change, defined centres and even things like open space provision are all based on an ability to look at issues in 'the round' - taking account of multiple factors, both quantitatively and qualitatively - to see how they relate to the overarching objectives and aims of the plan and whether the prevailing economic conditions or local characteristics justify a more bespoke and reflective approach.

Very few policies retain rigid requirements, and these are generally only where national policy and local aspirations dictate that it is necessary. This does not mean that the plan does not contain any 'teeth'; development is not acceptable at all costs and unsustainable development will remain unsustainable even in a flexible framework. It simply means that the Council wants to genuinely judge each case on its merits and has developed a policy framework to facilitate such an approach.

f) Does the strategy provide for a sustainable pattern of development in terms of the relative locations of employment and housing sites?

Derby is an extremely compact and accessible City. Given the existing constraints and availability of sites, the strategy does everything it can realistically do to ensure an appropriate relationship between housing and employment areas. The City Centre strategy actively seeks to create a sustainable mix of housing and employment, as do the policies for Rykneld Road (AC20) and Manor Kingsway (AC19). A number of strategic sites are clearly well related to existing areas of employment. Even where there is some distance between the housing and employment, the actual distances involved are not significant if looked at a larger sub-regional or HMA scale. While it is possible to discern clear 'residential' and 'employment' areas within the City, it is also clear that these are not poorly related to one another, particularly if considered at a sub-regional scale. Strategic employment sites are generally already in areas of significant commercial activity or are of a scale likely to be able to sustain good public transport services. Equally, the housing sites identified are all well served by public transport or can be made to be so. The pattern of development proposed is sustainable.

g) Has the timescale of the Local Plan to 2028 been justified and, if not, how should the plan be changed in this regard?

Much of the Council's evidence base is predicated on a 2028 end date and thus adopting this continues to be a logical and robust timescale. It is, of course, also the end date of South Derbyshire's emerging strategy and continues to be the period that Amber Valley are intending to adopt even after withdrawal. It would be unhelpful to diverge from this approach at this late stage.

The Council does not believe that it is necessary or appropriate to amend the end date of the Plan. There are still around 12 years remaining within the plan period and this provides a satisfactory

timescale to provide comfort and certainty about where growth will take place. Paragraph 157 of the NPPF only refers to the 15 year time horizon as being 'preferable' and is not an absolute requirement. Indeed, there is recent precedent of plans being adopted with less than 15 years left, including Nottingham (adopted in 2014 with an end date of 2028) and Milton Keynes (adopted in 2013 with an end date of 2026).

Increasing the plan period would, in effect, mean abandoning the plan and starting again. This would result in significant cross boundary issues that could leave Derby without a Local Plan for many years. Therefore, it is far better to leave the end date at 2028, adopt the plan and consider whether an early review at the HMA level if necessary. There is absolutely nothing to be gained in practical terms by changing the approach at this late stage.

h) Does the Local Plan (particularly Policy CP1(a)) adequately reflect the presumption in favour of sustainable development in national policy?

Policy CP1a is a reflection of the model policy published by the Planning Inspectorate. As such, we are confident that the policy properly reflects national policy.

i) Is it appropriate for the Local Plan to include Policy CP1(b) relating to development outside the plan area?

Policy CP1(b) is a pro-active statement of intent of how the Council will seek to work with all partners on development that have the potential to impact on the City. It was intended to be a 'new' style 'spatial' policy rather than a traditional 'land use' policy. It in no ways seeks to impose requirements on development wholly outside of the City's administrative boundary but sets out the kind of issues the City Council are likely to raise with adjoining authorities, developers and other stakeholders in developing their proposals or assessing schemes. This is a sensible way to try to achieve development that is sustainable, well integrated and which mitigates appropriately any adverse impacts on the City. It will also provide some comfort to the local communities and elected Members that the Council will actively engage with our HMA partners to try to ensure that development adjoining the City addresses any concerns they may have as we reasonably can. As such, it is considered to be an appropriate policy to be included within the Council's Development Plan.