
REPORT TO:	COUNCIL	AGENDA ITEM: 17
DATE OF MEETING:	7 July 2011	CATEGORY: DELEGATED
REPORT FROM:	Director of Operations	OPEN
MEMBERS' CONTACT POINT:	Ian Bowen 01283 595892 ian.bowen@south-derbys.gov.uk	DOC:
SUBJECT:	LDF Core Strategy: Public Engagement on Growth Options and Timetable Update	REF: IB
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

That:

- (i) authority be delegated to the Chief Executive, in consultation with the Chairman of Environmental and Development Services, to publish the "Housing Growth Options" attached at Appendix 1 and make any detailed amendments necessary to enable a joint consultation across the Derby Housing Market Area;
- (ii) wide consultation be undertaken including conducting a further round of neighbourhood 'drop-in' events throughout South Derbyshire to be held through July and August as set out in Appendix 2, with a closing date for comments of 31 September 2011;
- (iii) the indicative revised timetable outlined in Appendix 3 be endorsed and published on the Council's website, subject to any changes necessary as a result of the emerging Localism Bill and/or further court decisions;
- (iv) an informal workshop for all elected members across the Derby Housing Market Area, including those from Amber Valley, Derby and Derbyshire County Councils, be convened around September 2011;
- (v) a report be prepared for future meetings of Environmental and Development Services and Council to consider whether to formally pursue the Community Infrastructure Levy.

2.0 Purpose of Report

- 2.1 To update members on progress on the Local Development Framework (“LDF”) Core Strategy in response to ‘localism’, and to agree next steps including public consultation on strategic growth options over the summer.

3.0 Executive Summary

- 3.1 Progress on the Local Development Framework Core Strategy has been advancing well with extensive consultation on major site options having been completed in May 2010.
- 3.2 However, the Localism Bill introduced in December 2010 has had major implications for the process. Accordingly, a round of public engagement on ‘localism’, community infrastructure needs and neighbourhood planning was swiftly organised and completed in May 2011.
- 3.3 With the anticipated demise of Regional Strategies, it will now be necessary for the Council to also consider ‘larger than local’ issues on the need for housing. In particular, the Council will need to produce, jointly with the authorities in the wider Derby area, its own estimates of future household growth and consider development locations not previously contemplated by the East Midlands Regional Plan. A working draft consultation document setting out options in this regard, to be published for public comment over the summer, is attached at Appendix 1 for members’ approval.
- 3.4 This report also sets out a recommended revised outline timetable to enable adoption of the Core Strategy in 2012 and raises the need to consider the Community Infrastructure Levy.

4.0 Detail

Background

- 4.1 Members will know that the LDF Core Strategy will need to set out South Derbyshire’s growth strategy to meet the needs of our fast-growing population over the next 15 years or so.
- 4.2 In this regard, this Council has been working closely with other local planning authorities in the wider Derby Housing Market Area (“HMA”) (i.e. Derby City, Amber Valley and Derbyshire County Councils) in drawing up aligned LDF Core Strategies.
- 4.3 Progress on the LDF has been advancing well with extensive consultation on major site options having been completed in May 2010.
- 4.4 However, the Localism Bill introduced in December 2010 and a range of related Ministerial statements are proposing radical reforms to the planning system which will have major implications for the process. The headlines of the Government’s proposals are to:

- abolish regional plans and house-building targets currently handed down to councils
- require councils to prepare local plans without delay, setting out a vision for growth and a context for the preparation of neighbourhood plans
- provide financial incentives to councils and communities to significantly increase local support for house-building
- pursue a 'pro-growth' agenda including increased rates of house-building
- ensure councils work together where cross-boundary issues arise (such as in the Derby HMA) through a new 'Duty to Co-operate'
- encourage local people to get involved in drawing up LDFs and prepare their own 'neighbourhood plans'
- ensure that benefits from new housing development are seen and felt where it is built i.e. using growth to improve local communities by providing local infrastructure.

4.5 Members should note that the Localism Bill is still subject to the Parliamentary process and exact details of the reforms to the planning system will not be known until later in 2011 and beyond.

4.6 However, it is clearly essential that progress on the LDF Core Strategy continues as swiftly as possible, whilst ensuring local people and other stakeholders are able to participate in making the key decisions.

The Council's response to date

4.7 In response to the Localism Bill, a round of 13 local 'drop-in' events was swiftly undertaken early in 2011 to initiate conversations with local people about the reformed planning system, and to explore community-level infrastructure needs and neighbourhood planning. The responses will shortly be available to view on the Council's website. People's comments have also been captured by way of updates to the series of 'Area Profiles' which will similarly be shortly published on-line.

Next Steps - Proposed work programme

4.8 In the context of the Government's pro-growth agenda and the expected abolition of top-down targets, the Council will now also need to determine, as a matter of priority, issues of 'larger than local' significance. In particular, the appropriate level of future housing growth and the locations where it should be accommodated need to be considered. This is particularly important given the clear public concerns raised about the strategy of the East Midlands Regional Plan ("EMRP") through our recent consultations.

4.9 As a result of the proposed 'Duty to Co-operate', this will need to be agreed jointly with the other local authorities in the Derby HMA to enable aligned local development frameworks. Accordingly, officers from across the HMA have been working closely

with Derbyshire County Council in particular to prepare a range of household projections.

4.10 Environmental and Development Services Committee considered these matters on 9th June 2011 and, together with the Derby HMA Joint Advisory Board, recommend the timetable attached as **Appendix 3** be adopted.

4.11 Most immediately, it is being recommended that wide-ranging and aligned consultation be undertaken specifically on the following two matters:

- **Firstly**, the overall **amount** of housing needed across the Derby HMA up to 2028;

- **Secondly**, the general locations **where** the housing should be located. In this regard, whilst we have already received public comments on previous 'options' consultations, the abolition of the EMRP means important questions about the proportion of development to be accommodated as urban extensions to Derby, the Amber Valley towns and Swadlincote need to be explored. We also need to explore development locations not previously contemplated by the Regional Plan, such as new settlements.

4.12 A draft consultation document setting out the above is attached at **Appendix 1**. At this stage, members are being asked to approve the options for consultation, rather than forming any view on their merits.

4.13 Although these matters raise complex "high level" strategic issues, it will be important to consult local people and a further round of community 'drop-in' events is therefore proposed to be held. Details of dates and venues are set out in **Appendix 2**. Due to the pressing timescales, publicity has already commenced.

4.14 Members should note that the EMRP remains extant and will only be removed after the enactment of the Localism Bill and the completion of a Strategic Environmental Assessment of the likely effects of its removal (expected end of 2011 at the earliest). Moreover, the Court of Appeal recently held that it would be unlawful, in the meantime, for any council to propose a local plan which does not accord with the relevant Regional Strategy.

4.15 Nevertheless, we are currently at an informal stage, and it is expected that the EMRP will have been removed by the time we are likely to publish a formal draft Core Strategy early in 2012. It is therefore both appropriate and necessary to consider a range of alternative development strategies now.

4.16 Clearly, there are many complex issues affecting all wards which require elected members' consideration. It is therefore also being recommended that an informal workshop for all councillors across the Derby HMA be convened towards the end of the consultation period in September. The timing would mean that initial public comments arising could be reported to members at the workshop.

Community Infrastructure Levy

4.17 As well as reforming the planning system the Coalition Government have confirmed that the Community Infrastructure Levy ("CIL"), introduced by the previous Government, would be taken forward with some changes.

- 4.18 The CIL is a tariff-based mechanism through which councils can obtain developer contributions from most forms of development to fund local infrastructure that is needed as a result of development. Contributions are based on a charging schedule which needs to be justified in terms of the scale of likely future growth in the area, the infrastructure needs arising from it and the ability of developers to make contributions in terms of development viability.
- 4.19 Whilst CIL is not compulsory, the scope for using S106 planning obligations will be radically reduced after April 2014. Furthermore, the Derby HMA Joint Advisory Board has recently endorsed the principle of a co-ordinated and aligned approach across the Derby HMA in view of the need for aligned growth strategies in our respective Core Strategies.
- 4.20 It is therefore being recommended by Environmental and Development Services Committee that a full report on CIL be brought for decision at a future meeting of EDS and Council.

5.0 Conclusions

- 5.1 The Council needs to progress its Core Strategy in alignment with those of Derby City and Amber Valley, as a matter of urgency.
- 5.2 In the spirit of localism, we also need to explore with our communities and other stakeholders the level of future housing growth needed, together with general principles of how it should be located. A further round of neighbourhood level consultation is therefore needed, together with a realistic timetable to ensure swift adoption of the Core Strategy.

6.0 Financial Implications

- 6.1 None arising directly from this report.

7.0 Corporate Implications

- 7.1 LDF documents, and in particular the Core Strategy, will be important in achieving the key corporate objectives under the theme Sustainable Growth & Opportunity.

8.0 Community Implications

- 8.1 The LDF documents, and in particular the Core Strategy, will be the key mechanism for shaping development and future investment in communities in South Derbyshire well into the future, enabling residents to make Lifestyle Choices and feel Safe & Secure.

9.0 Background Papers

- 9.1 Draft Housing Growth options Consultation Paper.