Derby Housing Market Area

STATEMENT OF COMMON GROUND

Amber Valley Borough Council
Derby City Council
Derbyshire County Council
South Derbyshire District Council

March 2020

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1 Introduction

1.1 The three authorities of Amber Valley Borough, Derby City and South Derbyshire District Councils together form the Derby Housing Market Area (HMA). The HMA was first defined in 2005 through the old East Midlands Regional Plan where it was used as the basis for strategic plan making. Following abolition of the Regional Plan, the three HMA authorities, supported by Derbyshire County Council, have come together under the 'Duty to Cooperate' to undertake strategic planning and local plan preparation across the HMA.

1.2 The HMA formed the basis of preparing the last round of separate, but aligned, local plans. The HMA authorities are now beginning work on the next round of plan making, which will also involve joint working and will need to identify and address issues that transcend individual local authority areas under the 'Duty to Cooperate'. The preparation of a 'Statement of Common Ground' (SCG) is part of this process.

2.0 Statements of Common Ground

2.1 The requirement for Statements of Common Ground was introduced through the National Planning Policy Framework (NPPF) in 2018 and carried forward into the February 2019 revision. An SCG is a written agreement that sets out issues identified under the 'Duty to Cooperate' and how the parties to the agreement intend to address them. The NPPF states that: “In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency.” (NPPF paragraph 27).

2.2 This Statement of Common Ground is the first to be produced for the Derby Housing Market Area authorities. It explains the geographical area to be covered, the intended approach to local plan making, joint working towards identifying strategic planning issues to be addressed and the governance arrangements for undertaking this work.

2.3 Once agreed, it is proposed that this Statement of Common Ground is subject to regular review, at least annually, and will be updated as necessary.

2.4 Whilst this first SCG includes only the three HMA authorities and Derbyshire County Council, additional signatories will be identified for specific issues as plan making progresses. In particular, it is recognised that there is a functional relationship between the HMA and southern parts of Derbyshire Dales and the very western parts of Erewash and that these relationships will need to be taken into account in drawing future versions of this SCG.

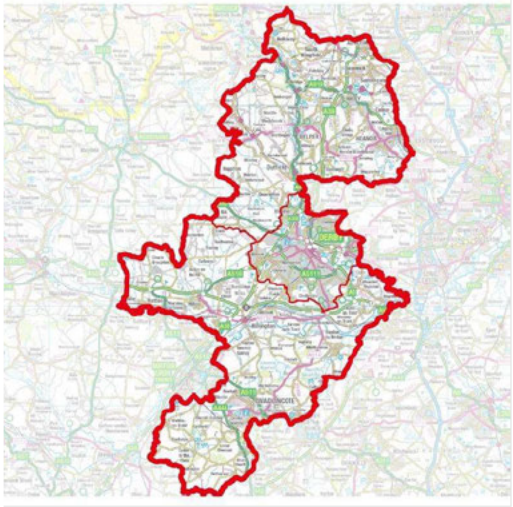
3.0 Geographical Area To Be Covered By The SCG

3.1 The geographic area for this Statement of Common Ground is the Derby Housing Market Area. This area has been confirmed as robust and appropriate for plan making through a study undertaken by Opinion Research Services on behalf of the Derby HMA authorities and published in May 2019. Shown on Map 1, it comprises the administrative area in full of:

- Amber Valley Borough Council
- Derby City Council

- South Derbyshire District Council

MAP 1 – The Derby Housing Market Area



4 Governance

4.1 There is a long history of close collaboration in strategic planning across the Derby HMA. A Joint Advisory Board was established in 2008 to steer joint working across the HMA, initially as part of the development of the East Midlands Regional Plan and then after the abolition of this, to coordinate the preparation of the three aligned Core Strategies/Local Plans.

4.2 The JAB is made up of the following Local Planning Authorities:

- Amber Valley Borough Council
- Derby City Council
- Derbyshire County Council
- South Derbyshire District Council

4.3 In addition, there are the following observer members, who are invited to attend as appropriate:

- Erewash Borough Council
- Core Nottingham HMA partnership
- Homes England
- Highways England
- Environment Agency, and
- any other relevant public agencies.

4.4 The JAB is made up of senior politicians of each authority, usually the Portfolio holder and/or Leader and is advised by officers of each authority. As an advisory body, it is not a decision-making body, and so any conclusions it reaches must be ratified by the relevant executive bodies of each member Council. It is proposed that the JAB will continue to coordinate the preparation of local plans across the HMA as an advisory body.

4.5 The role of the JAB, as set out in its revised 'Terms of Reference' (January 2019) is to:

"advise on plan-making and other spatial planning and implementation matters

through continuing co-operation to fulfil the Duty to Co-operate requirement for the Derby Housing Market Area (HMA), including but not exclusively to address cross boundary development and growth."

4.6 Key tasks are set out in Appendix 1 to this SCG.

4.7 The JAB will meet as and when required to discuss matters within its remit and to meet specific programme deadlines/requirements. It is anticipated that this will normally involve 3-4 meetings each year. Notes of meetings will be placed on the HMA website which has been refreshed for the new round of plan making.

4.8 Given the Joint Advisory Board's role in overseeing strategic policy preparation, it will be the most appropriate vehicle for preparing and maintaining this Statement of Common Ground, in recognition of the effective joint working that has already taken place, and is anticipated to continue through the next round of plan making.

5 Local Plan Making

5.1 The National Planning Policy Framework (February 2019) requires local authorities to prepare strategic planning policies, including the amount and broad location of new housing and employment, and to review these every five years. A review is intended to ascertain whether a new plan is needed, not necessarily to prepare one. The preparation of local policies is discretionary, but desirable. These can be included in separate plans or in a single plan, provided it is clear which policies are strategic and which are local.

5.2 The National Planning Policy Framework states that strategic policies should look ahead over a minimum 15 year period from adoption. The Planning Practice Guidance states that the current year should be the first year for calculating housing need and therefore the timeframe of the local plans will be 2020 to 2041.

5.3 The HMA authorities have considered whether to prepare an HMA wide Joint Plan, but have decided instead to prepare separate local plans. They do, however, recognise the need to align these Plans in terms of the broad thrust of their policies and having preparation timetables that match as closely as circumstances allow. To this end, they recognise the need to consider strategic opportunities across the HMA without regard to local authority boundaries. This will include the preparation of a broad, non-statutory HMA strategy to inform the preparation of the aligned local plans. To assist this work, the HMA authorities have commissioned an HMA wide study of strategic growth opportunities that will form part of the evidence base underpinning an HMA strategy and the individual local plans. It is intended that the HMA strategy will be set out in a separate, non-statutory document, possibly a future iteration of this SCG.

5.4 The JAB also recognises the benefits of developing a common evidence base both in terms of cost efficiencies and in terms of ensuring a consistent approach across the HMA. The HMA authorities will therefore undertake or commission evidence gathering at an HMA level where appropriate, although in some cases the HMA authorities will work with partners outside the HMA where it is more appropriate to consider issues and develop evidence at a larger geography, such as Derbyshire County or with the Greater Nottingham HMA.

5.5 The HMA authorities will prepare their local plans to an aligned timetable to ensure that issues and draft policies can be consulted on and considered at a similar time. Opportunities will be taken for closer joint working in policy development and plan preparation where these arise. Aligned timescales will be set out in the authorities' Local Development Schemes.

6 Key Strategic Issues To Be Considered

The HMA authorities will identify strategic issues to be considered as the plan making process develops. However, as a minimum, they agree the following:

Strategic Housing

6.1 The HMA authorities will work together to identify housing need across the HMA for the new plan period. They will use the Government's standard methodology as the starting point for this, building an HMA figure from that of the individual authorities. They will also consider whether there are any exceptional circumstances that justify a different minimum housing figure to that identified through the standard methodology, to be included in strategic policies. For instance, this might be through consideration of the opportunities presented by existing or planned investment in infrastructure, the area's economic potential or environmental and other constraints. Each local authority's housing target will be recorded in the first review of this SCG once the assessment work has been undertaken and will be revised in subsequent versions should this be necessary.

6.2 The HMA authorities have commissioned a 'Growth Opportunities Study' for the HMA as a whole to identify and appraise opportunities for strategic sustainable new growth throughout the HMA. This study will not establish policy as such, but will form an important part of the evidence base for the preparation of HMA wide strategy and individual Local Plans.

6.3 The HMA wide strategy will identify strategic opportunities or broad 'areas of search' for future sustainable growth. It will not identify sites which will be a matter for individual Local Plans.

6.4 To complement this work, Derby City Council will commission the preparation of an urban capacity study which will assess and identify a realistic delivery capacity for new housing within the administrative boundaries of the City Council. This will include an assessment of opportunities for higher densities/tall buildings, along with an assessment of capacity of other types of land within the City, by reviewing and updating evidence prepared for the previous local plan.

6.5 As well as housing delivery, the three authorities will also consider the type of housing required to address housing need, especially the need for affordable housing. The Councils will work together to ensure appropriate levels of affordable housing are sought through development to address affordable housing needs. Consideration will be given to agreements over nomination rights between local authorities for cross boundary developments where new growth is being proposed in one authority to meet the needs of another.

Strategic Employment

6.6 The HMA authorities will undertake an assessment or assessments of employment land and office floorspace needs over the new plan period. Consideration will be given to cross-boundary issues, including whether new strategic locations need to be identified, in a future version of the SCG when more evidence is available.

Infrastructure

6.7 The HMA authorities will work collaboratively to identify and address strategic infrastructure needs to ensure that the impact of proposed development is properly mitigated in a timely manner.

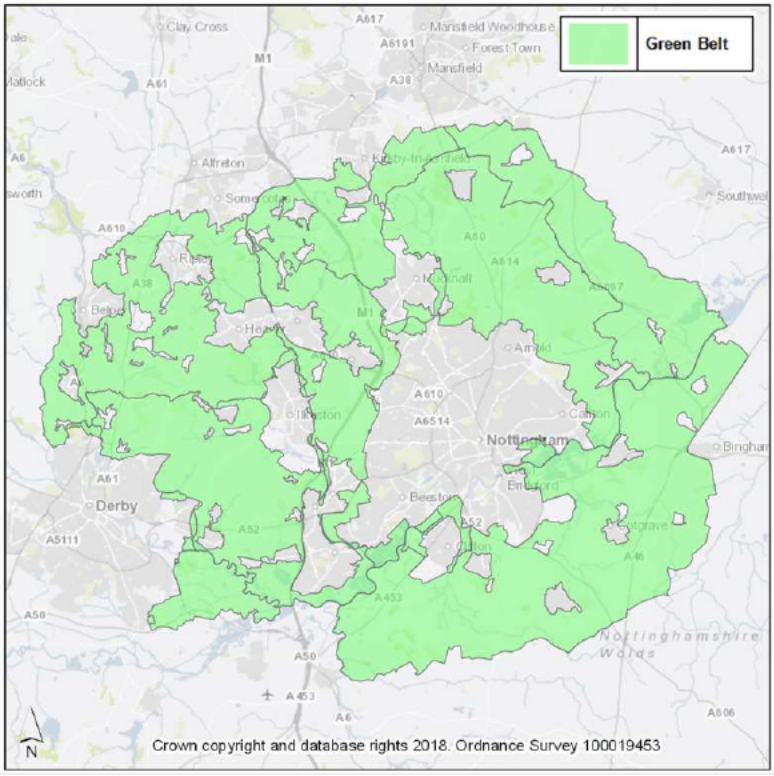
Climate Change

6.8 **T**he HMA authorities will develop a strategy and local policies that support sustainable development, responds to the challenges of climate change and promotes a healthy environment. All three HMA authorities have declared a Climate Change emergency and this will underpin the development of strategy and local

plan policies.

Green Belt

6.9 The Nottingham-Derby Green Belt surrounds much of the eastern part of the HMA and is a major strategic issue in planning for growth in the area. A strategic green belt assessment was produced in 2006 as part of the preparation of the Regional Plan, led by Derbyshire and Nottinghamshire County Councils. A partial review was also undertaken in 2012 as part of Core Strategy/Local Plan Part 1 preparation and again in 2018 as part of the Amber Valley Local Plan preparation. The HMA authorities consider that any further review should be undertaken as a strategic exercise and will therefore seek to engage with the local authorities in the Greater Nottingham HMA to achieve this.



HS2

6.10 The proposed HS2 East Midlands hub at Toton, to the east of Nottingham, presents an opportunity to consider strategic issues between Nottingham and Derby.

Transport

6.11 The Derby HMA is covered by two local highway authorities; Derby City and Derbyshire County Councils. The two highway authorities will work in a co-ordinated manner to ensure a joined up approach to highways and transportation issues. Highways England are responsible for strategic roads across the HMA as a whole and will work closely with the HMA authorities in considering highways and transportation issues. Both local highways authorities and Highways England will be consulted at an early stage of plan preparation and in an on-going manner to

ensure that transportation opportunities and constraints are properly taken into account.

Education

6.12 The Derby HMA is also covered by two local education authorities; Derby City and Derbyshire County Councils. The two Education authorities will seek to ensure that there are sufficient school places available for children arising from new development and engage with the development plan process accordingly. They will be consulted at an early stage and in an on-going manner to ensure that spatial patterns of development can assist in making appropriate provision and improving educational outcomes.

Gypsy and Travellers

6.13 A review of the Gypsy and Traveller Accommodation Assessment was commissioned in November 2019, to update the previous 2014 study. All three authorities of the HMA are committed to seeking to meet identified needs for Gypsy and Traveller Accommodation within their administrative areas. The refreshed evidence will be used to identify need for additional permanent pitches in line with the national Planning Policy for Traveller Sites (PPTS).

6.14 **D2 (Derby & Derbyshire) Strategic Planning Framework**

Derbyshire County Council is preparing a non-statutory HMA strategic planning framework for the D2 area covering Derby City and the County as a whole. This will seek to co-ordinate the development of an evidence–led consensus around strategic objectives and priorities through an over-arching spatial planning vision for the County to 2050. This framework will be built-up from the HMAs and so the non-statutory framework being developed by the Derby HMA authorities will provide a key input into it.

7. Other statements of Common Ground

7.1 This document will form the overarching SCG between the Derby HMA authorities and will be refreshed from time to time. It is however, recognised that as discussions with neighbouring authorities progress, there may be a need to add further signatories to this SCG or prepare separate SCGs, either as an HMA or individually.

8. Joint Evidence Base

8.1 Local Plans must be supported and justified by up-to-date, relevant and proportionate evidence. An evidence base will be developed, either through in-house studies or external commissions, by the HMA Authorities either on a joint or individual basis, and is expected to include evidence in relation to the following:

JOINT

- Strategic Housing Market Assessment, including housing needs
- Employment land requirement
- Transport Assessment
- Energy and Climate Change
- Strategic Flood Risk Assessment(s)
- Landscape character/historic landscape assessment
- Biodiversity
- Gypsy & Traveller Accommodation Assessment

INDIVIDUAL

- Derby City National Infrastructure Plan Case Study
- Derby City Capacity Assessments
- Housing and employment land availability
- Viability assessments
- Retail and Town Centres Study
- Green Infrastructure (inc. playing fields, parks and open space)
- Historic environment

9 Timetable

9.1 The preparation of this SCG will be iterative and follow the timetable for preparing the joint strategy and aligned Local Plans. The timetable will therefore be refreshed and rolled forward from time to time as local plan work commences, but an indicative timeframe to 2021 is set out below:

May 2020	Officer level agreement of draft first Derby SCG SCG, establishing the geographic area this work will cover, signatories to the SCG, governance arrangements, principles of collaborative and joint working and the strategic issues to be considered.

June 2020	Political agreement of draft first Derby HMA SCG.
October 2020	First review of Derby HMA SCG to identify in more detail the key strategic issues that will need addressing. This will also include any further detail regarding strategic issues with authorities beyond the HMA.
November 2020	Separate SCGs completed with adjoining HMA authorities and other identified partners, as appropriate.
March 2021	Second review of the Derby SCG following agreement of the broad non statutory HMA strategy that will inform local plan preparation. The agreed strategy may be included within the refreshed SCG. It will also set out how the partner authorities will work collaboratively to prepare their local plans and meet the requirements of the Duty to Cooperate.

Signatories to this Statement of Common Ground

Signed on behalf of:

Amber Valley Borough Council

Deputy Leader and Cabinet Member for Regeneration and Community Safety, Amber Valley Borough Council

Derby City Council

Deputy Leader and Cabinet Member for Regeneration, Planning & Transportation, Derby City Council

Derbyshire County Council

Cabinet Member for Clean Growth and Regeneration, Derbyshire County Council

South Derbyshire District Council

Chairman of the Environmental and Development Services Committee, South Derbyshire District Council