

North East Derbyshire Local Plan Examination

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Ms Helen Fairfax
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Dear Ms Fairfax,

North East Derbyshire Local Plan Examination

As you know, I have been appointed to examine the soundness of the North East Derbyshire Local Plan and I look forward to working with the Council, Programme Officer and representors during the Examination. I am writing to outline a broad draft structure and timing for the Examination hearing sessions and to indicate two areas where further work will be necessary in advance of the hearing sessions.

Firstly, it is likely that the hearing sessions can be accommodated within a period of 3 weeks. The weeks commencing 12.11.18, 19.11.18 and 3.12.18 are convenient for me and I would aim to hold hearing sessions from Tuesday to Thursday with Friday of each week as a reserve day in case of any over runs. I would be pleased to receive the Council's confirmation that this proposed timetable will be convenient in relation to staff and venue availability. I will be keeping matters under review in case any additional hearing sessions are likely to be necessary. A broad outline of the topics for each week is included as an Appendix to this letter but I emphasise that at this stage this is an initial indication and may be subject to further change.

As acknowledged in the Council's Topic Paper, the Gypsy and Traveller Accommodation Assessment (GTAA) pre-dates the changes set out in 'Planning Policy for Traveller Sites' (August 2015) and the Housing and Planning Act 2016. The Topic Paper also indicates that work to identify potential sites is still ongoing. I also note from the Housing Market Area (HMA) Statement of Common Ground (SD6) that the authorities in the North Derbyshire HMA are signed up to a number of actions including further work on gypsy and traveller sites. Could the council please advise me of the likely timescale for the completion of the sites work having regard to any additional consultation that the Council may need to undertake. I would also like the Council's view on

whether an update to the GTAA is required in the context of the ongoing sites work.

You will see from the outline of the hearing sessions that assessment of need and site provision for gypsies and travellers will be considered at a separate hearing session.

In relation to the representations made at the Regulation 19 stage, it would assist the Examination and representors if the Council could provide an initial response to the matters that have been raised in those representations. It would be helpful if this could be done in response to the summaries that have been set out in Table 1 in the Regulation 22 Statement of Consultation (SubD4a). However, where representors have made specific suggestions for changes for example, proposed re-wording of policies it would be helpful if the council could respond to the specific points made. This work should be completed by 24 August 2018.

I also note that an Employment Topic Paper is being prepared and this should also be available by 24 August 2018.

I note that consultation on the Green Belt Topic Paper and Duty to Co-operate statement concluded on 3 May 2018 and for the Habitats Regulations Assessment on 18 May 2018. Could the Council confirm that representations on those documents have been included within documents SubD4(e) and (f) and are within the online consultation portal.

I note the responses of both Derbyshire County Council and Highways England (HE) to the publication version of the plan. HE has referred to the cumulative impact of development proposals in the plan and within adjoining authorities on the operation of M1 Junction 30. It indicates that it may be necessary to secure mitigation measures/contributions through individual planning applications or through a scheme within its own programme for which contributions would be sought. It has also proposed modifications to Policies ID2 and ID3.

This is of relevance in relation to the Duty to Cooperate and ensuring that the impacts of development on the strategic highway network are adequately addressed. In examining this issue, it will be important to understand the position of Highways England on the deliverability/funding of any necessary improvements.

I will therefore be asking the Programme Officer to invite representatives from the Highway Authorities to the relevant hearing sessions. In the interim it would be helpful if this issue could be progressed, possibly through the production of a Position Statement or Statement of Common Ground with Highways England, liaising with adjoining authorities as appropriate. This should seek to clarify the scope of mitigation measures necessary and the mechanisms and timing for delivery.

Subject to receiving the Council's responses to the representations made at the Regulation 19 consultation, I would aim to issue the Matters, Issues and Questions by 10 September 2018.

Paragraph 214 of the new National Planning Policy Framework sets out transitional arrangements for Local Plan Examinations. It indicates that the policies in the previous Framework (2012) will apply for the purpose of examining plans submitted before 24 January 2019, which applies to this plan.

Please let me know via the Programme Officer if you have any questions on any of the matters raised in this letter.

Sarah Housden

INSPECTOR

Appendix

North East Derbyshire Local Plan Examination

Week 1

- Duty to Cooperate and Legal Requirements
- Local Plan Vision and Objectives
- Objectively assessed need for employment and housing
- Employment and housing land requirements
- Spatial strategy, settlement hierarchy and the distribution of employment and housing development
- Green Belt

Week 2

- Infrastructure requirements and provision including travel and transport
- Strategic site allocations at The Avenue, Wingerworth, Former Biwaters Site Clay Cross and Markham Vale
- Coalite Priority Regeneration Area and Dronfield Regeneration Area
- Other employment and housing allocations (by settlement)
- Settlement development limits
- Five Year Land Supply/Housing Trajectory

Week 3

- Affordable housing, mix and choice of housing and other housing policies
- Economic policies (including tourism, retail and town centres)
- Sustainable Places policies
- Protecting and enhancing the environment
- Infrastructure policies
- Viability, monitoring and delivery.

TBC

- Gypsy and Traveller Accommodation Assessment and Sites