

Since June 2017, I have been the Member of Parliament for the North East Derbyshire constituency, which covers the majority of the District of North East Derbyshire. I represent over 50,000 constituents who live within the NEDDC area and since I was elected, many of these constituents who have been in touch with me have done so to voice their views on NEDDC's failure to discharge their planning responsibilities, whether as a product of their delay to put in place a Local Plan (out-of-date since 2011) or the content of the draft Local Plan that you have been discussing throughout this inquiry.

I want to acknowledge that my speech today does not represent all of my constituents' opinions but it is based on both their key concerns that have been raised with me since June 2017 and my own interest in planning matters, as much as an amateur is able to be so. The best summary of my position remains the written submission made to the consultation from early this year, but I would just like to spend a few minutes highlighting a number of these issues. I appreciate that many of these may have been discussed and I am sorry, that due to Parliamentary business, I have been unable to join those discussions. I would like to thank those many residents who have attended this hearing, and become experts themselves in the issues under discussion, because they feel so strongly that the District Council is trying to impose a plan which doesn't work for their communities. I share their concerns. And, whilst I hope some of their questions have been answered as part of the hearings, unless fundamentally new evidence has come to light (which I do not believe to be the case), my personal view is that the plan remains unsound and in need of urgent attention and change before it is adopted by the District Council. I hope the Inspector will mandate those changes.

Housebuilding calculations

Firstly, I remain concerned the calculations used to determine the number of houses that need to be built in the District in the coming years. The assessment about how that requirement will be met, appear incorrect, inconsistent and, in places, omit crucial information:

- *The requirement to build 6,600 houses appears excessive;*
- *The assumptions which are used to justify that number appear contestable, and;*
- *The accommodation made for current completed dwellings and plots with existing planning permissions appear to omit information.*

Firstly, NEDDC have not adequately explained or justified their choice of scenario to require the construction of 6,600 homes in the District by 2034.

- Ten different calculations of housing need have been made for North East Derbyshire in recent years: From 199 houses per annum (ONS 2014 sub-national population projections) – 332 houses per annum (Growth job-led scenario). North East Derbyshire District Council has chosen to base their objectively assessed housing needs on the highest number available, actively contradicting the Government's objectively assessed housing need target of 276 dwellings per year – and doing so with a variance of nearly 20%);
- By the SHMA's own admission, the amount of growth predicted by the scenario requires the construction of 33% more houses than would be required by demographic need;
- And, the SHMA confirms that "a level of policy intervention and support" would be required to support growth rates of this magnitude; yet, there is little detail on these proposed policies interventions that NEDDC will undertake to ensure this kind of growth would be realistic;
- Moreover, NEDDC itself state that "increased growth in jobs would not directly lead to the need to increase planned housing provision", and;

Secondly, the 6,600 number seems to have a number of flaws in its calculation. These include:

- the economic projections used as a basis for calculating housing need were influenced by information not made public by NEDDC ("discussions with NEDDC officers" were stated as per the *Considering North East's Derbyshire's OAN 2018 report, Lichfields' Economic Growth Analysis 2018*,

and the *Employment Land Review 2017*. No minutes or supplementary information about these meetings had been made public when reviewed);

- inconsistent and out-of-date information is used to calculate growth projections (the commuting patterns data is from the 2011 census – almost eight years old; the second job data for NED from 2004-2015 is missing patches of dates [2012-2014, 2014-2015] and is, therefore, unreliable (SHMA-OAN Update 2017);
- there is a lack of evidence to suggest that the District can provide the necessary infrastructure to support projected economic growth;
- there is no evidence to suggest that market demand for housing in North East Derbyshire would justify the need to build as many as 6,600 houses up to 2034, and;
- as outlined in my written submission, a number of the calculations regarding dwellings completed or with planning permission seem to be underplayed.

Taken altogether, these apparent issues with the calculation of the 6,600 number cast significant doubt on its validity. It may be appropriate to direct a reduction in the value to accommodate the issues that have been raised by those who are concerned about its impact.

Green Belt

Secondly, the issue with the numbers just described casts serious doubt on NEDDC's claim that "exceptional circumstances" have been proved which would mandate the release of green belt land.

Firstly, the evidence base for greenbelt alteration was absent for the majority of the consultation period when it should, in fact, inform the plan preparation process;

- Green Belt Topic Paper (January 2018) was only released for the public almost five weeks after the Local Plan publication draft was released by NEDDC.
- The evidence base should inform the preparation of the Local Plan, so the delayed release of the Green Belt Topic Paper raises questions about whether the Plan was evidence-led or retro-fitted

Secondly, NEDDC appear to assess their exceptional circumstances using alternative tests, instead of Government policies and guidance such as ministerial statements, the NPPF and PPG;

- In order to justify proposals to remove land from the green belt, the local authority decided to test their proposals against caselaw: *Calverton Parish Council v Greater Nottingham Councils* [2015] EWHC 10784. The test, however, is not approved by PPG or the NPPF, and therefore, NEDDC has decided to pick and choose their own examiner to justify proposals for green belt development.

Finally, alternatives to altering the greenbelt have not been fully explored.

- NEDDC has not fully explored the use of brownfield and strategic sites elsewhere in the District, which contravenes the 2017 statement from the then Department for Communities and Local Government which states "effective use of suitable brownfield and estate regeneration" must be demonstrated prior to removing land from the green belt.
- There are some strategic brownfield sites in the publication draft Local Plan with planning permission that have not been included in the housing supply by NEDDC:
 - the Coalite strategic site has outline planning permission for 660 dwellings. However, because a small part of the site falls in the proposed safeguarded HS2 route, NEDDC has removed all 660 dwellings from the housing supply. This would seem excessive given that HS2 have only safeguarded a small element of the site and it would be reasonable to assume at least some housebuilding could be undertaken on this site
 - Only 700 of the potential 1,100 plots on The Avenue strategic site are being brought forward before 2034, and;
 - Only 825 of the potential 1,000 plots on the Biwater strategic site are being brought forward before 2034. Both of these sites need to be fully developed, with

the appropriate improvements to infrastructure, and should be so before greenbelt is released.

Taking NEDDC's strategy as a whole there is little evidence that there has been genuine thought given to how to maximise the use of brownfield land up to 2034, particularly with the ringfencing of more than 1,200 plots for beyond that period. The plan does not appear to adhere to the core principles within the National Planning Policy Framework that the use of brownfield land is being truly encouraged. Without clearer justification, the exceptional requirement to release the greenbelt cannot be demonstrated and, as the Inspector knows, the preparation of a local plan cannot be, in itself, an exceptional circumstance for altering boundaries.

Consultation process

NEDDC's Local Plan proposals are undermined by the preparation process and how the public consultation has been conducted. This has made the process confusing and difficult for members of the public to engage with the consultation. To be consistent with the NPPF guidelines for preparing a sound Local Plan, NEDDC must demonstrate that their plan is positively prepared. NEDDC have not demonstrated this properly.

The release of key evidence documents weeks ago the draft of the Local Plan itself creates an unlevel playing field which cannot be adequately accommodated by extension of consultation periods for just those documents. NEDDC never adequately explained how this possibly would work in practice. The two documents are relevant to every part of the Local Plan and form a number of the underlying principles from which the plan is built. It is impossible, in my view, to separate consultations in this way and to allow residents the ability to adequately respond to the proposals as a whole when such key information was missing for a large proportion of the consultation period.

In addition, and as already outlined, a number of documents appeared missing (minutes and supplementary information) which made assessment of calculations or their underlying assumptions impossible to properly assess. Parts of the 2017 SHMA-OAN Update suggests the influence of the officers' opinion rather than factual evidence.

Taken together, I have strong and enduring concerns regarding the coherence and basis for this plan which, in its current state, appears unsound. I know that much discussion has been had, and local residents have put many of these points and more in a more coherent and detailed way than I am able to in just a few minutes over the course of the last few weeks. I also hope that some of the concerns that I raised in my initial consultation have been answered or resolved as part of the discussions which I was unable to join.

I recognise, of course, that much work has gone into this draft and that there are no easy answers and some difficult circles that will need to be squared. There is probably no plan which can satisfy every resident. Yet, the District Council have failed on two points; first, to adequately discuss the challenges of local planning with local communities. This has resulted in the hugest of frustrations in those communities that they are being done 'to', rather than 'with'. And secondly, and the issue which is most pertinent to this debate, that the plan appears excessive and, in places, lacking in strong foundation. I know the Inspectorate has, in previous cases and when the plan has not demonstrate adequate preparation, reduced the overall number of houses required to be built in a District. I think that would be a good place to start, along with rejecting the flimsy basis upon which the greenbelt has been released. In an ideal world I would ask the Council to go back and start this plan again. Unfortunately we do not live in an ideal world and we are already seeing the impact of years of failing to put that plan in place with speculative applications being approved on appeal in the south of the constituency. Nonetheless, in my view, it needs deep and urgent surgical change to become sound. I hope the Inspector will move to make those changes, and address those points of soundness, as result of the discussions that you have had.

Lee Rowley MP
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