

Derby and Derbyshire Strategic Planning Framework

Background

Strategic planning and the need for local authorities to work more effectively together to prepare their development plans, particularly joint working on cross-boundary strategic planning matters, started to emerge as a high priority for Government in 2017 and 2018. This priority was set out in three public consultations by the Ministry of Housing, Communities and Local Government (MHCLG) as below:

- The Housing White Paper published in February 2017 entitled ‘Fixing Our Broken Housing Market’;
- Follow-up consultation published in September 2017 entitled ‘Planning for the Right Homes in the Right Places’;
- The draft National Planning Policy Framework (NPPF), culminating with the publication of the final version in July 2018.

The importance of the need for upper and lower tier authorities in two-tier areas to work jointly and collaboratively on strategic planning and policy making was highlighted in each of these consultations.

Since abolition of county structure plans in 2004, and more recently regional plans in 2010, strategic planning has been carried out nationally and within Derbyshire through a voluntary mechanism between upper and lower tier authorities known as the ‘Duty to Co-operate’. In the last few years, however, it has been widely recognised, not least by the Government itself, that the Duty to Co-operate has not been as effective as it was intended in delivering well-coordinated strategic planning. In particular, MHCLG emphasised in 2017 / 18, that the single biggest reason why district and borough local plans had failed the ‘soundness’ test was due to the failure of local authorities to adequately collaborate in their plan making process. As a consequence, MHCLG has sought to address this failure through more formal joint working requirements set out in the revised NPPF published in February 2019.

There has also been a recognition by Government that strategic infrastructure priorities must have a greater role in influencing planning strategies. Further delivery of strategic infrastructure also forms a key plan of the Government’s approach to driving economic growth. This recognises that growth needs to be managed on a strategic scale.

There is a long and successful history of effective joint working between the D2 local planning authorities on strategic plan making, including:

- Collaboration through a range of Derbyshire-wide officer working groups, such as the Planning Policy Officer Group, Heads of Development Management Officer Group, Heads of Planning Service Group, Planning Information Monitoring Officer Group and Traveller Issues Working Group (co-ordinated by Derbyshire County Council);
- Drafting of a range of Statements of Common Ground on cross boundary, strategic planning and highways matters to support district and borough local plan preparation and their associated Examinations in Public (EIPs);

- Supporting Duty to Co-operate responsibilities as part of the local plan preparation;
- County Council appearing jointly at local plan EIPs to provide evidence on key cross boundary strategic planning matters; and
- Establishment of regular meetings to discuss cross-boundary strategic infrastructure provision.

The current round of local plan reviews in Derbyshire commenced in around 2010 / 2011 and is coming to an end, as the majority of local planning authorities have adopted their local plan reviews since 2014/15. Derbyshire is an area of high planned housing and employment growth up to around 2033 / 34 and there is now a good understanding of the current distribution of the future growth across the County that will deliver homes, economic development and key infrastructure within Derbyshire over the next 10 - 15 years.

The Proposal for a Strategic Planning Framework for Derby and Derbyshire

The need for a SPF for Derby and Derbyshire emerged in 2018 / early 2019 in the context of the above and the desire amongst the D2 partners for more effective and collaborative joint working on strategic planning and infrastructure matters. More recently the SPF is being progressed by the D2 partners to link in with, and complement, the ongoing collaborative working the D2 partners are undertaking on climate change, non-structural reform and addressing the impacts of the Covid-19 crisis on the D2 economy and delivering the economic recovery.

There is now an opportunity for the D2 partners to start thinking about the next generation of growth within the County, in particular what this will look like and the issues surrounding the distribution of infrastructure - particularly transport investment priorities. There is also an opportunity to ask fundamental questions around what Derbyshire will look like in 30 years' time and how shared issues can best be addressed.

The proposed SPF would be non-statutory but would complement the adopted or emerging local plans of the district and borough councils. It would become a material consideration in the preparation of future local plan reviews and in the determination of planning applications, although as a non-statutory document, it would not usurp or take precedence over the relevant local plan or raise any conformity issues.

The primary role of the SPF would be to set out a consensus amongst the D2 partners around common key strategic objectives and priorities through an overarching spatial planning vision for the County covering the period 2020 to 2050. It would be a key tool to help manage good / green growth and provide important evidence to demonstrate that co-operation on strategic matters has been an integral part of local plan preparation; a key requirement in the local plan examination process.

It would be informed by existing and new evidence developed to support local plans, supplemented by other new, county-wide evidence as necessary. More importantly,

it would enable authorities to respond collectively on other sub-regional and regional matters as they arise, such as proposals for HS2 and bids for Government funding.

In terms of wider benefits, the SPF would deliver for all D2 authorities, including the PDNPA by:

- Providing an effective mechanism for setting out the key strategic cross-boundary planning objectives and priorities;
- Bringing together the separate growth strategies that are currently embedded in individual local plans to deliver this growth in a more coordinated and effective way;
- Integrating strategic spatial, infrastructure and economic priorities and plan for long-term strategic infrastructure needs;
- Offering the opportunity for strategic coordination which would help maximise the economic growth potential of a number of emerging major development schemes;
- Providing a more joined-up approach to raising and using infrastructure funding; and
- Providing a multi-skilled resource to develop and deliver place-based plans.

Housing, employment and infrastructure are obvious strategic matters for potential inclusion in the SPF but others could include environment (including Green Belt), climate change mitigation (good growth/ green growth) public health, minerals and waste and gypsies and travellers.

There has been much shared thinking and joint working over the last 18 months between planning officers in Derby and Derbyshire on strategic planning and infrastructure matters. Discussions about proposals to prepare a SPF have been particularly discussed at a range of Derbyshire-wide officer groups including the Planning Policy Officer Group, Heads of Development Management Officer Group and Heads of Planning Service Group; and other HMA-wide officer groups including the Derby HMA Local Plan Coordination Group and North Derbyshire and Bassetlaw Local Plan Liaison Group. These discussions have established strong support in principle for the preparation of a SPF for Derby and Derbyshire on a non-statutory basis, using the existing Housing Market Areas (HMAs) or geographically based sub-groups as the basis for setting out priorities and objectives. Discussions with Derby City Council have also explored the principle of whether the preparation of the SPF could be prepared jointly with the City Council and branded as a SPF for Derby and Derbyshire and the City Council has agreed to this proposal for joint working (see details below).

Consultation has been undertaken with a number of external organisations including the National Strategic Planners' Network (NSPN) for advice on how to take forward a Framework of this nature, particularly based on experience of other groupings of upper and lower tier councils, which have come together in the last two or three years to prepare strategic plans for their areas.

Discussions have also taken place with the County Council Network (CCN) for similar advice. These discussions have highlighted examples in a number of areas of the country where county and unitary and/or district councils have been collaborating on the preparation of statutory and non-statutory strategic plans or strategic growth strategies – many of which have received substantial financial support from Government. Advice from the Director of the National Strategic Planners' Network has emphasised that such a Framework for Derbyshire should be seen as a long-term strategy with a recommended time horizon of 2050. This would enable existing city, district and borough local plan strategic growth strategies to form the basis of the SPF in the short to medium term and for the Framework to set out strategic priorities and objectives for the medium to long term up to 2050.

In terms of delivery, and having regard to the above context, it is anticipated that the SPF would be prepared collaboratively by the D2 local planning authorities and PDNPA. Although the document would be non-statutory, it is proposed that its development would follow the format of a 'formal process' to ensure meaningful consultation and engagement – e.g. stages for the publication of issues and objectives, preferred approach and publication plan - plus extensive stakeholder engagement through a series of workshops and consultation events.

Derbyshire Chief Executives Group and D2 Joint Committee for Economic Prosperity

Endorsement for the principle of the preparation of a SPF for Derby and Derbyshire has been given by two key council leader and chief executive / senior officer groups, including the Derbyshire Chief Executive Group (CEG) and D2 Joint Committee for Economic Prosperity (D2JC). Reports on a proposal for the D2 authorities to work jointly and collaboratively to prepare a SPF were first presented to, and considered at, the GEG at its meeting on 17 May 2019; and the D2JC at its meeting on 4 June 2019. At both meetings the main recommendation that was agreed was that the groups endorse:

- Commencement of work to develop a non-statutory Strategic Planning Framework for Derbyshire; and
- Discussion between Derby City and Derbyshire County Council to explore the potential for the Framework to be prepared jointly for the whole D2 area (i.e. Derbyshire, Derby City, all the Derbyshire districts and the Peak District National Park Authority);

In addition, a key recommendation that was also agreed by the D2JC was that the group endorsed:

- The D2 Joint Committee providing the strategic oversight and governance for the development and delivery of the Strategic Planning Framework.

Since the CEG and D2JC considered the SPF at the meetings referred to above, further reports have been presented to the CEG on the SPF at their meetings on 20 January 2020 and 27 November 2020. These reports provided updates on progression of joint working by the D2 partners on the Framework and

recommended the Group's endorsement of a number of actions that were required to progress further joint working on the Framework.

At the meeting on 27 November, the CEG particularly considered the implications for the SPF of the Government's Planning White Paper: Planning for the Future, which set out the Government's proposals for major reform to the planning system but was silent on strategic planning and strategic plan making and proposed to abolish the Duty to Cooperate. The CEG also considered a Draft Terms of Reference (ToR) for the D2JC that was drafted by officers of the D2 partners, setting out details of its key roles and responsibilities for providing strategic oversight and governance for delivery of the SPF. The CEG agreed that there will still be an important role for the development of a SPF for Derby and Derbyshire in the reformed planning system to set out a shared consensus of the D2 partners of key strategic objectives and priorities for how Derbyshire will grow in the future that will provide an important strategic context for the preparation of Local Plans by the D2 partners. The CEG also endorsed the Draft ToR for the D2JC, subject to inclusion of further details of how preparation of the Framework would be resourced (see further details below).

In addition to the above, regular progress reports on the SPF have been provided at a number of Derbyshire-wide and HMA based officer planning policy and development management groups referred to above. Discussions at these groups has highlighted a desire by the majority of the partner authorities to have the opportunity to report the SPF to their respective members on planning committees or planning boards, particularly to set out the background to the need to prepare the Framework; highlight its key purpose and how the Framework aligns with their Local Plans; its potential resource implications; and to seek their authority's formal endorsement to progress further joint working to deliver the Framework. Partners have also agreed that future work streams to deliver key elements of the Framework should be taken forward based on established HMA officer working groups facilitated and coordinated by the County Council; and that emerging HMA growth strategies in the preparation of future Local Plan Reviews should be aligned with, and reflected in, the Framework.

Work Streams Progressed by the D2 Partners since January 2020

Details are set out below of key work streams that have been progressed by the D2 partners since January 2020.

Development of Key Strategic Emerging Themes

Between September 2019 and January 2020, a series of meetings took place between officers of all of the D2 partners and with officers of Derbyshire County Council's key strategic service areas to discuss the Framework in more detail and explored partners' initial thinking on what were likely to be the key strategic issues, objectives and priorities across a range of topic areas in their local authority areas and key service areas over the period 2020 to 2050. From these discussions a series of 'Emerging Themes' papers have been developed relating to Housing; Economic Development and Regeneration; Infrastructure; Climate Change and the

Environment; Minerals and Waste; and Health and Well-being. These papers are currently being finalised.

Statement of Common Ground

Discussions between the D2 partners agreed the need for the drafting of a Statement of Common Ground (SoCG) to be prepared to guide and underpin development of the Framework and set out key principles for joint working. A draft SoCG has been progressed by the D2 partners and is nearing completion. The final version will be presented for discussion and endorsement at a future D2JC meeting.

Agreed Joint Approach with Derby City Council

At its meeting on 4 June 2019, the D2JC endorsed the need for further discussions to take place between the D2 partners to explore the potential for the Framework to be prepared jointly as a Strategic Framework for the whole of the D2 area. At the meeting of the CEG on 20 January 2020, it was agreed that the Framework should be branded as the 'Strategic Planning Framework for Derby and Derbyshire' and that this should be subject to further consideration and agreement by Derby City Council. This issue has since been considered by the City Council and it has agreed to be a partner in the development of the Framework and the branding of the Framework as indicated above.

Development of Strategic Evidence Base

One of the key requirements to underpin development of the Framework is the need for a range of supporting evidence. Discussions have taken place between the D2 partners regarding the strategic county-wide evidence which is likely to be most needed to support the Framework and a list of the most important evidence has been agreed. All the local authority partners have already assembled a considerable range of evidence to support the preparation of their recent and ongoing Local Plan Reviews, much of which has a time horizon of around 2034/35. All this evidence, therefore, has been assembled into a D2-wide Strategic Evidence Base that will inform the development of key issues, objectives and priorities in the Framework at least up to the medium-term of 2034/35. This could be supplemented by the commissioning of other County-wide strategic evidence with a longer-term time horizon up to 2050 (see below). Some County-wide evidence has already been commissioned from consultants through other related strategic projects or is being developed by officers of the D2 partners that will inform the SPF.

Terms of Reference (ToR) for D2 Joint Committee

At its meeting on the 4 June 2019, the D2JC agreed to assume responsibility for strategic oversight and governance for the development and delivery of the SPF and that a ToR should be developed to set out the key roles and responsibilities for the Committee in carrying out that function. A draft ToR has been developed jointly by the D2 partners in consultation with Derbyshire County Council's legal services. As noted above, the CEG considered the draft ToR at its meeting on 27 November 2020 and endorsed it subject to further details being included on how the Framework is proposed to be resourced. The ToR has been updated

accordingly and the final draft version will be presented to the next D2JC meeting for consideration and endorsement.

Branding and Development of Website to Host the Framework

At the CEG meeting on 27 November 2020, the report presented to the Group set out a range of potential options for consideration on how the Framework could be branded (i.e. a joint corporate style and design of how the Framework will look and be presented, particularly any documentation that is published for the Framework) and potential options for how a bespoke website could be developed to host the Framework, which could be produced either by the County Council's web team or by external providers. CEG agreed that no bespoke branding was necessary for the Framework as long as any documentation that was produced was under the banner of the partner authorities logos; and that the Framework should be hosted on DCC's website as this was the most cost effective (no cost) approach. DCC has recently commenced work to develop webpages to host the Framework.

Development of a Derbyshire Strategic Growth and Infrastructure Framework

In tandem with the progression of the SPF, DCC is developing a Strategic Growth and Infrastructure Framework (SGIF) that will set out comprehensive details of all the national, regional, sub-regional and local strategic infrastructure projects that are being planned or are in the pipeline across all the local areas of the County, where DCC has an involvement as either a consultee, enabler or delivery agent. The SGIF provides a considered approach across Derbyshire towards the identification and prioritisation of investment across a range of infrastructure, in order to accommodate planned growth. By planning strategically, it enables the County Council to respond to the pressure which growth exerts on the County's infrastructure and creates a platform not only for efficient delivery but also to identify inter-relationships between projects. The information and data within the SGIF has been drawn from a range of sources, including the Derbyshire District/ Borough local plans, Infrastructure Delivery Plans (IDPs) that have been prepared by the local authority partners to support preparation of their respective Local Plans, and other infrastructure and service providers. A presentation on the SGIF was given to the D2JC meeting on 3 December 2020. In conjunction with the Derby City Local Plan IDP, the SGIF will provide an important context for the SPF in identifying key strategic infrastructure that is planned across the D2 area that will inform deliberations about potential broad locations for new future growth.

Resourcing the Strategic Planning Framework

In order to deliver a sound and robust SPF, the preparation of the Framework will need to be appropriately resourced, as set out below. The primary resource requirement of the D2 partners to progress the SPF will be officer time and commitment. However, it is possible that some limited financial resource may be required from the D2 partners (on an equal share basis), particularly to fund the commissioning of key county-wide evidence.

Officer Resource

As noted above, the partner authorities have agreed to work jointly and collaboratively to deliver the Framework. Meetings with Planning Policy Managers and other officers of all the partner authorities took place between September 2019 and January 2020 and key officers were identified at each of the partner authorities who would contribute to delivering the Framework. It was further agreed that officers at Derbyshire County Council would provide a coordinating and facilitating role for various work streams that will be required to deliver the Framework.

Key work streams that have been identified by the partner authorities include:

- Development of a Statement of Common Ground (draft completed by D2 officers at end of 2020 – to be reported to Chief Executive and D2JC meetings in early 2021)
- Drafting of Emerging Themes Papers (being developed by officers for completion early 2021)
- Assembling a Strategic Evidence Base (completed by officers Autumn 2020)
- Drafting of Topic Papers (to be commenced by officers early 2021)
- Drafting of Issues, Objectives and Priorities Consultation Document (likely to be commenced by officers Autumn 2021)

To facilitate the drafting of the Topic Papers and Issues, Objectives and Priorities Consultation Document, task and finish groups comprising of key officers from each of the partner authorities will be established in early 2021 based on established HMA and sub-area groupings.

Financial Resource

The main financial requirement to prepare the Framework is the possible need to fund the commissioning of appropriate evidence and studies to inform the development of key objectives and priorities.

A comprehensive strategic evidence base for the whole County has already been compiled by partner authorities through the preparation of their recent Local Plans, with a time horizon up to around 2034/2035. However, a number of additional key studies and evidence has also been identified by the partner authorities that could be required to cover the longer-term period up to 2050. These studies could have the dual benefit of informing both the preparation of the SPF and future District and Borough Local Plan Reviews to include:

- Longer-term economic forecasts to 2050 (already commissioned by Derbyshire Local Economic Partnership from Hatch Regeneris to inform preparation of the Derbyshire Economic Recovery Strategy and Plan and Strategic Planning Framework);
- Strategic Transport Study (potential to be funded wholly / partly through preparation of the Review of the Derbyshire Local Transport Plan);
- Cleaner Greener Energy Study (consideration being given to jointly funded County-wide study by partner authorities to inform the Strategic Planning

Framework, Derbyshire Environment and Climate Change Framework and future District and Borough Local Plan Reviews);

- Gypsy and Traveller Accommodation Assessment Update (already jointly funded and commissioned by partner authorities in November 2019 from RRR Consultancy with final assessment expected early 2021);
- Derbyshire Landscape Sensitivity Study (work in progress by Derbyshire County Council to develop county-wide GIS based sensitivity study – pilot already developed for Amber Valley Borough);
- Derbyshire Strategic Flood Risk Assessment (funding sources would need to be investigated by partner authorities to commission study but potential to be carried out in-house by DCC officers);
- Sustainability Appraisal and Habitats Regulations Assessment (funding sources would need to be investigated by partner authorities to commission studies but potential to be carried out in-house by D2 partner officers).

Any evidence or studies commissioned on behalf of the partner authorities would be coordinated by Derbyshire County Council. All tender documents would be drafted jointly by the partner authorities.

In 2018, the Government invited bids for its Planning Delivery Fund Programme to support joint working by local planning authorities. Although a bid on behalf of the D2 partners to support the development of the SPF was not successful at that time, the partner authorities may be able to submit bids to any future Government funding streams that are announced to facilitate joint working on strategic planning matters. Pressure is being put on the Government to consider the importance of non-statutory strategic plans and funding bids for such plans.

Technical and Administrative Resource

Derbyshire County Council will provide the technical and administrative resource to deliver the Framework. Key tasks would include:

- Organising and hosting meetings - Derbyshire County Council will organise, host, chair, draft agendas and meeting notes for any meetings organised for the framework;
- Hosting the Framework on Derbyshire County Councils website – work to commence by DCC in early 2021 to develop a new webpage to host all documentation for the Framework. Any consultation to be carried out on Framework would be facilitated through the webpage potentially via SNAP and /or Microsoft Excel forms;
- All documentation on the Framework will be coordinated and drafted by the County Council based on a standard template;
- Organising consultation events – Derbyshire County Council will organise any consultation workshops or public consultation events to promote the Framework;
- Consultation responses – Derbyshire County Council will provide the administrative and technical resource to acknowledge and record responses to consultations; circulate to partner authorities for any necessary actions; and draft a Statement of Community Consultation in collaboration with partner authorities.
- Set up MS Team to allow collaborative work on documentation by D2 partners.

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20 January 2021