

Agenda Item No. 4(c)

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**11 April 2017**

Report of the Strategic Director – Economy, Transport and Communities

**CHESTERFIELD BOROUGH LOCAL PLAN CONSULTATION DRAFT**

(1) **Purpose of Report** To agree the County Council's formal response to Chesterfield Borough Council (CBC) on its Chesterfield Borough Local Plan Consultation Draft (LPCD).

(2) **Information and Analysis** The Chesterfield Borough Local Plan Core Strategy (LPCS) was adopted by CBC in July 2013. However, CBC considers that parts of the LPCS need to be updated to reflect changes in national planning policy and legislation; changes in circumstances in the Borough, particularly emerging proposals for the route of High Speed Rail 2 (HS2); progress on a number of key strategic regeneration development sites; and new and updated evidence, particularly relating to the Borough's future housing requirements and employment land needs. CBC has published its LPCD, therefore, which revises the existing LPCS rather than replacing it with a new Local Plan. A summary of the key changes and proposals of the LPCD is given below:

*Spatial Strategy:* This has been updated largely to reflect new and updated evidence relating to the Borough's future housing provision requirements, employment land needs and Strategic Gaps and Green Wedges as follows:

- A proposed new housing requirement for the Borough of 4,629 dwellings (272 per annum) over the period 2016 to 2033.
- A new employment land requirement of 83 hectares (ha) of land based on updated evidence and to reflect the growth ambitions of the Sheffield City Region (SCR) and Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) Local Enterprise Partnerships (LEPs).
- The identification of 6 Strategic Gaps and 4 Green Wedges (based on an independent assessment, which recommended deletion of 2 Green Wedges at Hasland/Spital and Hasland Rother Corridor, and the addition of a new one on land between Dunston and Sheepbridge).
- No changes are proposed to the extent or policy approach to Green Belt in the Borough.

*Infrastructure Delivery:* The policy approach has been updated to reflect the introduction of a Community Infrastructure Levy (CIL) and Charging Schedule in 2016. The policy approach indicates that CBC will normally require on-site infrastructure requirements to be met via planning conditions or Section 106 contributions but, where the provision of infrastructure is considered to be a strategic need and is included on CBC's CIL Regulation 123 List, then development will be required to contribute via the CIL. An associated, updated Infrastructure Delivery Plan (IDP) sets out a range of priority infrastructure projects and their potential funding sources.

*Homes and Housing:* This section identifies 69 potential housing allocation sites with an overall capacity to accommodate 3,980 houses; 4 Reserve Sites at Dunston and Upper Newbold, which could accommodate 952 houses with the Reserve Site at Dunston Grange being the preferred Reserve Site; and 5 Regeneration Priority Areas (RPAs), which could accommodate 3,932 houses. In total, these 3 potential sources of housing land supply could accommodate a maximum of 8,863 new homes.

*Affordable Housing:* This policy has been updated to reflect national policy advice in the National Planning Practice Guidance (NPPG), which follows the Order of the Court of Appeal in May 2016 and indicates that developer contributions towards affordable housing should not be sought from developments of 10 units or less and which have a maximum combined floorspace of no more than 1,000 square metres.

*Gypsies and Travellers:* The policy approach has been updated to reflect new evidence in the Derby, Derbyshire, Peak District National Park Authority (PDNPA) and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA), which recommends that 4 new traveller pitches should be provided in Chesterfield Borough over the period 2014 – 2019.

*Jobs, Centres and Facilities:* The policy for the Borough's future employment land requirement has been revised to 83ha of land to reflect updated demographic and economic projections data set out in CBC's Employment Land Requirement Paper (ELR) (2016). The supporting text has been updated to reflect the growing role of the SCR and D2N2 LEPs, and the Government's Devolution Agenda.

*Vitality and Viability of Town Centres:* The hierarchy of centres in the Borough has been amended to reflect updated survey information and that Staveley Town Centre performs a role and function similar to the District Centres of Chatsworth Road and Whittington Moor.

*Social Infrastructure:* Whilst there are no changes to policy, the background text makes specific reference to schools and that, although some local schools in the Borough have spare capacity to accommodate additional pupils

generated by new housing, public resources for education are limited. The importance of making best use of this existing capacity is recognised. In addition, the LPCD acknowledges that a number of schools across the Borough are over-subscribed and, where schools have spare capacity, their facilities may need to be upgraded.

*Historic Environment:* The policy approach has been updated with minor changes to reflect progress on a Local List of Heritage Assets and to add reference to the use of measures to control permitted development rights.

*Travel and Transport:* The policy approach remains largely unchanged towards encouraging walking and cycling, use of public transport and seeking to reduce the demand for travel. However, consideration is now given to the implications of the proposed route of HS2 Phase 2B (Birmingham to Leeds), which passes through the Borough. This includes consideration of the revised route to serve Sheffield, which is also expected to result in HS2 services stopping at Chesterfield Railway Station. An Infrastructure Maintenance Depot to serve HS2 Phase 2B is also planned for the site of the former Staveley Works.

*Making Places:* A number of site specific policies have been updated to reflect progress and changes in circumstances on key strategic sites and to provide more detailed guidance for the determination of planning applications, including for Markham Vale and the Staveley and Rother Corridor.

Full details of the LPCD can be viewed at:  
<https://www.chesterfield.gov.uk/newlocalplan>

In order to meet CBC's statutory deadline for comments, provisional informal comments were submitted on 27 February 2017, subject to agreement at this meeting. A copy of the full response can be made available on request.

### **Local Member Comments**

Local County Councillors with electoral divisions in Chesterfield Borough were consulted on the LPCD. No comments were received at the time of writing this report. However, any comments subsequently received will be reported to this meeting and forwarded to CBC.

### **Officer Comments**

**Overall Spatial Strategy:** The proposed policy approach of concentration and regeneration is fully supported as being the most appropriate and sustainable growth strategy for the Borough. Historically, Derbyshire County Council has supported such a spatial strategy for growth in Chesterfield through the Derbyshire Structure Plan 1990, the revoked Derby and Derbyshire Joint Structure Plan 2001 and the former East Midlands Regional Plan. Although

the identification of 5 RPAs is also supported, careful consideration will need to be given to the location of new housing developments within them, particularly relating to their potential impacts on landscape character, areas of Green Belt and Strategic Gaps.

### **Housing:**

- The proposed housing requirement for the Borough of 4,629 new homes is fully supported in principle, as this would meet the full objectively assessed housing needs (OAHN) for the Borough over the Plan period based on extensive and robust evidence.
- The proposed allocation of a large Reserve Site at Dunston Grange is supported in principle, as this would provide flexibility in the Borough's housing land supply if more housing is required to meet the growth ambitions of the D2N2 and SCR LEPs. However, concern is expressed about the extent of the proposed allocation due to its likely impacts on the landscape character of the area in the vicinity of the B6050 (see comments on Landscape below).
- Concern is expressed about the robustness of the methodology used for calculating the Borough's housing shortfall (between 2011 and 2016) that needs to be included in the OAHN requirement, which may have implications for a higher overall housing target for the Local Plan.
- It is suggested that CBC considers carrying out further work on its OAHN requirement to take into account the potential impacts of HS2 on the Borough's future housing growth needs.
- Concern is expressed that the OAHN for the Borough is 4,629 new homes but land to accommodate 8,863 new homes has been identified in the LPCD. Clarification needs to be provided on why such a large amount of housing land has been identified and whether this will all be carried forward into the next stage of the Local Plan.
- Chesterfield Borough falls within a logical and natural housing market area (HMA) that also includes North East Derbyshire, Bolsover and Bassetlaw Districts based on extensive evidence. The future housing requirements of Chesterfield Borough should continue to be assessed and planned for in the context of this HMA, in cooperation with the neighbouring local authorities of Bolsover, North East Derbyshire and Bassetlaw District Councils and Derbyshire and Nottinghamshire County Councils.

**Affordable Housing:** The policy approach to affordable housing is fully supported. This indicates that new housing developments of 11 dwellings or more will be required to provide 30% of the units as affordable. This is consistent with updated national planning policy and the Order of the Court of Appeal decision.

**Gypsy and Traveller Issues:** The identification of the need for 4 traveller pitches in the Borough over the period 2014 to 2019 is welcomed and supported as this requirement is based on the recommendations of the GTAA

published August 2015, which was commissioned by Derbyshire County Council on behalf of the 9 city, borough and district councils in Derbyshire, the PDNPA, East Staffordshire District Council and the Derbyshire Gypsy Liaison Group.

**Employment:** The proposed allocation of 83ha of employment land in the LPCD is supported as it is based on extensive evidence in the ELR, includes an additional allowance for the growth ambitions of the D2N2 and SCR LEPs, and is likely to be realistic and deliverable over the Plan period. However, further work may need to be carried out by CBC on the Borough's future employment land requirements to take account of the potential economic impacts of HS2.

**Green Belt:** The policy approach to Green Belt is fully supported, which seeks to ensure that the Green Belt in the Borough is maintained and enhanced. Careful consideration will need to be given to the policy approach for the proposed Peak Resort at Unstone, which is now under construction, and whether the site should continue to be identified as being within the Green Belt.

**Strategic Gaps and Green Wedges:** Their definition is fully supported as they play an important and complementary role to the Borough's Green Belt in providing a more localised function of preventing the coalescence of neighbouring settlements and providing access to the countryside from urban areas and contributing to health and wellbeing.

**Infrastructure:**

- Concern is expressed about the policy approach to infrastructure funding as it is considered that strategic infrastructure does not have to be funded by CIL and can be funded through Section 106 contributions. This should be made clear in Policy CS4.
- There are particular concerns about the inclusion of contributions towards primary school provision in CBC's CIL Regulation 123 List. Until there is evidence that CBC's CIL is adequate to fund necessary education infrastructure generated by new housing development, Derbyshire County Council would wish to see funding towards primary education being secured through Section 106 contributions and considers that CBC's Regulation 123 List should be revised to facilitate this requirement.
- If the preferred Reserved Site at Dunstone Grange is confirmed in the Local Plan, there would be a need to consider the provision of a site for a new primary school subject to further assessment of the capacity of existing schools in the area. CBC's officers are requested to continue to liaise with the County Council's officers to consider the school place requirements generated by the proposed housing allocations in the LPCD.

**Highways:**

- Significant concern is expressed that the LPCD is largely lacking in any consideration of the cumulative traffic impacts of its development proposals and their likely impacts for the town's transportation networks.
- Policy CS20: Influencing the Demand for Travel needs to be strengthened by the inclusion of a more hierarchical approach to the management of travel demand with the inclusion of additional wording to the policy to strengthen delivery of sustainable transport networks.
- Derbyshire County Council, as Highway Authority, has used its North Derbyshire Traffic Model (NDTM) in the past to undertake some traffic forecasting of the potential impacts of likely development in the Borough. This modelling work has identified a number of junctions where over capacity issues could potentially arise, particularly at the A61 Whittington Moor Roundabout; Hornsbridge Roundabout; M1 J29; M1 J29A Eastern Roundabout; A619 Rother Way Roundabout; Hall Lane Signals; Barrow Hill; and the A632/Staveley Road signalled junction. Similarly, a number of other links where over capacity could arise was similarly identified in the modelling works.
- These capacity issues described above need to be identified in the Local Plan. Consideration should therefore be given to the development of strategies underpinned by the Local Plan policies that could collectively provide for the mitigation of these potential impacts.

**Public Transport:**

- The LPCD needs to contain more detail on what improvements CBC wants to see, for example, proposals for key bus corridor improvements such as bus priority measures (bus lanes, priority at traffic signal junctions, enforcement etc.), as well as stop improvements.
- The LPCD should specify the level of bus service which would be expected in particular transport corridors.
- The issue of a central bus station to serve the town requires serious consideration as it needs to be in a location where people, and equally or more importantly, bus operators will actually want to use it. A town centre location near to the shops would be preferable to one located near to the railway station.
- Improving surface access to Chesterfield Railway Station is a key issue. It is welcomed, therefore, that there are proposals to widen the green bridge across the A61 from Corporation Street (to replace the current footbridge), so that it could also accommodate buses and act as a bus gate to and from the town centre. It is acknowledged that the potential impact of HS2 services to Chesterfield Station and the economic growth which will likely result, will be considered through separate masterplanning work.
- The LPCD needs to take on board the potential benefits that HS2 will bring to Chesterfield and plan to capitalise on them. This could involve encouraging more high quality development adjacent to the railway

station, for example, as an extension of the Waterside development scheme and the wider town centre area.

- Consideration needs to be given to the railway station itself and how to accommodate future expansion, for example, another platform to accommodate the HS2 services and additional classic services which are likely to use the station in the future.

### **Landscape:**

- As noted above, significant concern is expressed about the extent of the proposed Reserve Site at Dunston Grange and its potential landscape and visual impacts, as well as potential impacts on the setting of Dunston Hall, Grange and Farm which are all designated heritage assets. It is recommended that the extent of the proposed allocation is reduced to exclude land to the north-west in the vicinity of the B6050.
- A number of amendments are recommended to the policy and supporting text relating to landscape and landscape character.

### **Minerals:**

- In the context of the Duty to Cooperate, the LPCD needs to make reference to the emerging Minerals and Waste Local Plans being prepared by Derbyshire County Council and Derby City Council.
- The LPCD needs to make reference to national guidance in the National Planning Policy Framework (NPPF) and the emerging Derbyshire and Derby Minerals Local Plan, which seeks to safeguard important mineral resources, including coal resources, from non-minerals related development and to ensure that prior extraction of the resource is facilitated as part of development, where financially feasible.

### **Greenways:**

- The importance of improved walking and cycling routes in the LPCD is supported. However, the emerging Derbyshire Key Cycle Network needs to be identified on the Policies Map.
- The provision of strategic cycle infrastructure should be included in the LPCD's IDP.
- The recognition of Greenways, as an integral part of the Green Infrastructure resource, is welcomed and supported.
- The Constraints Map shows a network of strategic walking and cycling routes but is incomplete as it does not include recently completed routes and additional proposed routes. A range of built and proposed routes is recommended for inclusion on the Constraints Map.

**Habitats Regulations Assessment:** There are concerns about the Habitats Regulations Assessment carried out on the LPCD, particularly relating to the extent of the zone of influence that has been defined for Special Areas of Conservation (SAC) and Special Protection Areas (SPA); and whether the

Assessment has adequately taken into account the 'in combination' effects of other local plans and policies.

**Health and Well Being:** It is welcomed that improving the health and wellbeing of individuals and communities is recognised and promoted throughout the LPCD in its objectives and policies.

(3) **Financial Considerations** There are no financial considerations associated with this report.

(4) **Legal Considerations** The recommendation in this report is made in the context of the County Council's responsibilities and services under the provisions of the Localism Act 2011 and the Planning and Compulsory Purchase Act 2004.

(5) **Social Value Considerations** The relevance of social value in terms of social, economic and environmental wellbeing has been considered in the preparation of this report. Meeting the current and future needs of communities and the management of scarce resources (i.e. sustainable development) is central to the role of local planning authorities in preparing and implementing their local plans.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Steve Buffery, extension 39808.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member delegates authority to officers to send a formal response to Chesterfield Borough Council on its Chesterfield Borough Local Plan Consultation Draft, in line with the issues and comments set out in this report.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Communities**