

Agenda Item No. 4 (d)

DERBYSHIRE COUNTY COUNCIL

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

14 April 2015

Report of Strategic Director – Economy, Transport and Environment

**CONSULTATION: NORTH EAST DERBYSHIRE LOCAL PLAN PART 1:
INITIAL DRAFT AND SCHEDULE OF POTENTIAL HOUSING SITES**

(1) **Purpose of Report** To agree the County Council's response to the above public consultation. An informal officer response was sent to North East Derbyshire District Council (NEDDC) on 26 March 2015 in order to meet the statutory deadline for comments.

(2) **Information and Analysis** The Local Plan Part 1: Initial Draft (LP Pt1) sets out the overall vision and strategic objectives for sustainable growth in North East Derbyshire up to 2031. Its preferred approach is to focus development in Clay Cross, Dronfield, Eckington and Killamarsh on three named strategic sites and along the M1 and A61 corridors. The level of development required over the Plan period would be distributed in line with the Settlement Hierarchy. The District is divided into four sub-areas.

The LP Pt1 proposes a minimum of 6,000 dwellings (300 per annum) as follows:

- North (Dronfield, Eckington, Killamarsh) – 1,000 dwellings;
- South (Clay Cross, Grassmoor, Wingerworth, Tupton) – 3,000 to 3,400 dwellings;
- East (Calow, Duckmanton, Markham, Coalite) – 600 to 900 dwellings; and
- West (Ashover and Holmesfield) – 700 to 900 dwellings.

In addition, the LP Pt1 proposes:

- 50 hectares of employment land.
- To safeguard the Coalite Regeneration Area for future strategic development needs.
- To protect 27 sites for their current or proposed employment uses, including the Coalite Regeneration Area and the three strategic development sites allocated at the former Biwaters Site, Clay Cross, The Avenue, Wingerworth and Markham Vale.

- To reconfirm Green Belt boundaries but with an Exceptions Policy for affordable housing provision in the North and West Sub-Areas.
- To protect Clay Cross station from development.
- To prioritise the A61 corridor for economic growth and highway improvements in relation to capacity issues. (The A61 Growth Corridor Strategy is being developed by NEDDC in partnership with the County Council and Chesterfield Borough Council).
- To establish a network of Local Settlement Gaps, predominantly in the South, to prevent settlement coalescence.
- To encourage the use of renewable and low carbon energy.

The LP Pt1 will be followed by Part 2 (LP Pt2), a Sites and Boundaries document, which will allocate non-strategic development sites and include more detailed policies.

The Schedule of Potential Housing Sites (SPHS) includes 170 possible sites, which provide a range that may help meet the levels of development anticipated for each settlement. Only those sites that have been screened against identified constraints and that are considered deliverable within the first five years following adoption of the LP Pt1 are included.

The LP Pt1 can be accessed via:

<http://bolsover.jdi-consult.net/localplan/readdoc.php?docid=5>

and the SPHS at:

<http://bolsover.jdi-consult.net/localplan/readdoc.php?docid=6>

Member Comments

Councillors Ellis, Ridgway, Wright, Gillot and Lewis with electoral divisions within NEDDC, have been consulted. Councillor Lewis' comments are given verbatim below. Any further comments received from Councillors will be reported at the meeting.

"Much of my division lies within the area defined as the Rural West, with some, the area immediately surrounding Shirland and Stonebroom in the Transitional South, which in terms of settlement, geography, topology and geology are quite different. This brings about physical constraints in relation to the ability to expand settlement, which in turn impacts upon infrastructure, which is also constrained by the same topology. Ashover Parish being a classic case in point. The significant expansion proposed for Ashover Parish for the life of the Local plan seeks to deliver nearly 190 houses, a significant growth to that parish. With a 40% increase in housing to the village itself (110), whose very fabric and character is threatened. As an Area of Special Landscape Character in the Peak Fringe area Ashover village should not be facing an impact on a scale such as this, which would significantly impact on an already stressed road network that has little room to expand. It has not

gone unnoticed for example that the village of Cutthorpe, similarly sized to Ashover, has no housing target to meet.

Wingerworth, similarly, finds itself potentially hosting more than 200 more new houses plus over 1000 earmarked for the Avenue site. The character of Wingerworth is also under threat, along with the attractive rural areas to the west and most particularly to the south of the current settlement limit. More significantly, the land allocated as areas of potential development in the plan period look quite uncoordinated and like they have been drawn in to meet a target. Perhaps that is just my take on it.

Shirland and Higham, Stonebroom, similarly, have seen significant housing permissioned over the course of the last few years and again sees large uncoordinated areas of 'hoped for' building land marked up on the map.

Again, infrastructure is a key problem in Wingerworth, Shirland and Higham, where significant traffic will use the A61 and Belper Road, in the case of the latter village. What is proposed to ensure sewerage problems, a significant issue in parts of Shirland, which have seen flooding because of developments impacting on capacity in recent decades, are solved? These issues still remain unresolved and have been acknowledged informally by STW as an issue.

I would welcome more clarity and a statement on rural business development opportunities in those areas defined as 'Rural West' within the plan. The significance of tourism, rural crafts, farming and the food and drink industries will continue to grow and deserve stronger support. Broadband remains an issue despite the DCC/BDUK roll-out of superfast broadband, and there is a concern that rural broadband speeds will not be adequately future-proof to ensure economic development. References within the draft local plan to rural sustainable business development are currently entirely absent so far. It is my contention that firmer support of these important sectors deserve greater clarity and weighting within the plan.

If housing is to be provided on the scale talked about within the draft Local Plan, not just within my division but throughout NED then creating local jobs and ensuring that strong and stable rural broadband is available will be required to ensure fewer car journeys impacting upon our highways. There seems to be little cognisance of that within the draft Local Plan."

Officer Comments

During a previous consultation in the summer of 2012, the County Council provided technical officer comments. It is welcomed that many of these have been taken into account in the draft LP Pt1.

Flood Risk

Policy LP1: Sustainable Development does not stipulate the need for sustainable drainage systems (SuDS) to contribute towards sustainable development. National Planning Policy Guidance (NPPG), expected imminently, will require SuDS to be provided in new developments wherever

appropriate. Whilst Policy LP30: Flood Risk makes reference to the need for SuDS in new developments, the inclusion of SuDS in Policy LP1 would demonstrate the benefits of SuDS in the wider interests of sustainability.

Green Belt

Policy LP2 is supported. However, it could be strengthened with a firmer commitment to protect the Green Belt by stating, for example, that *'the principle, general extent and permanence of the North East Derbyshire Green Belt is supported and maintained and existing Green Belt boundaries will be reconfirmed'*.

Under the Duty to Cooperate, the County Council has worked with authorities in the Sheffield City Region (SCR), including NEDDC, to develop an agreed methodology for Green Belt reviews across the SCR. This will assist NEDDC in carrying out any future review of its Green Belt as part of any wider review of the South Yorkshire Green Belt.

It is welcomed that the LP Pt1 seeks to increase the provision of affordable housing in the north and west of the District with an affordable housing Exceptions Policy LP13. This would allow for the provision of appropriate, small-scale affordable housing within the Green Belt.

Gypsy and Traveller Policy Issues

The criteria-based approach in Policy LP15 for the assessment of, and provision for, traveller sites is broadly supported and is consistent with the National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (2012).

Housing

The approach to housing provision is fully supported. However, in order to consider the implications of the new 2012-based household projections on the proposed housing target of 6,000 dwellings, NEDDC may need to carry out further work prior to the submission of the Local Plan for examination in public. It is noted that the housing target has been increased from that set out in previous consultations (Strategic Growth Policies) which proposed 5,240 dwellings up to 2031. The housing target of 6,000 is more in line with the future housing requirements of the District implied by sub-national population and household projections.

The proposed distribution of housing across the District is considered to be sound and robust. It is based on the definition of a Settlement Hierarchy of Principal Towns, Secondary Towns, Large Settlements and Small Settlements, which is consistent with the NPPF and NPPG.

To meet the overall housing target, two large strategic allocations are identified in policies LP3: The Avenue, where 1,100 dwellings are proposed, and LP4: Former Biwaters Site, 800 dwellings. Historically, the County Council has been fully supportive of mixed-use housing and employment developments on these sites. This support is reaffirmed.

The balancing of housing and employment land needs in the LP Pt1 provides a sound basis for both the housing and employment land requirements set out in Policy LP2. It would provide for a sustainable approach to growth required by the NPPF.

Town Centre and Retail Policy Issues

The town centre and retail policies in LP17 are broadly supported. The evidence base used to support the policy, however, is now somewhat dated, namely the Retail Capacity Study for Chesterfield and North East Derbyshire carried out by Nathaniel Lichfield in 2008. The population and expenditure data sources applied in the study may have changed significantly since 2008. The relevance of the data used by North East Derbyshire should be confirmed.

Economic Growth and Employment Land Issues

The policy approach to economic development and employment land provision is fully supported. It takes into account the strategic growth plans of both the SCR and Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) Local Enterprise Partnerships. Policy LP6 identifies the Coalite Regeneration Area to be safeguarded for future strategic development needs. Under the Duty to Cooperate, NEDDC and Bolsover District Council, assisted by the County Council in its role as a major infrastructure provider, need to work collaboratively to ensure the coordinated and comprehensive delivery of the Coalite site.

Infrastructure

Paragraph 10.41 of the Plan refers to the need for a new primary school and extension to Tupton Hall Secondary School to support delivery of the Avenue Site. It also states that elsewhere in the District growth could be accommodated subject to the expansion of existing schools. This is consistent with advice previously provided by the County Council and is supported. Regarding the potential implications for school place planning for each of the potential sites, a detailed technical officer analysis will be forwarded to NEDDC.

Reference should be made to the need to accommodate growth by providing sufficient waste management capacity, or a new household waste recycling centre.

The following proposed policies are supported and welcomed:

- Policy LP1 (part J) states that new development should support the provision of essential public services and infrastructure.
- The commitment to updating the Developer Contributions Supplementary Planning Document and to determining whether to have a Community Infrastructure Levy (CIL) before the Plan is submitted.
- Policy LP37, which states that developer contributions will be required where mitigation is necessary to make a development acceptable.
- Paragraphs 10.1 – 10.3 for the Derbyshire Infrastructure Plan.
- Paragraph 10.40 for Digital Derbyshire and the delivery of improved broadband.

Landscape

Paragraph 5.2 of the LP Pt1 promotes the former Coalite site as an area for major housing/mixed use development. Its development needs to be approached with sensitivity because of the potential adverse impact on the setting of Bolsover Castle, and on the visitor experience in approaching historic Bolsover along the A632. With respect to the SPHS, the County Council has provided comprehensive landscape comments on a large number of the sites. This work has been undertaken with the purpose of informing the final allocation of sites so the impact on landscape and visual amenity can be minimised.

Minerals

In order to avoid the sterilisation of mineral resources, it is important that NEDDC and the County Council work together to ensure that such resources are taken into account when proposals for non-mineral development are being considered. In particular, this relates to applications for proposed development within Mineral Consultation Areas for coal and limestone.

To the west of the Biwaters area, the Hill Top site (CX/1608) is identified in the SPHS as a 'Site with Long Term Development Potential in the Plan Period'. If any housing is proposed on this site or nearby, NEDDC needs to take into consideration that the site is also subject to an undetermined application for opencast coal extraction. NEDDC is reminded that housing sites should not be allocated or granted permission where they will sterilise a mineral but rather, that removal of the mineral should occur first.

Waste

It is brought to NEDDC's attention that the County Council is currently considering an application for a proposed Energy Recovery Facility on land off Bridge Street, Clay Cross. The application site is adjacent to the former Biwaters site which is identified as a strategic development site in Policy LP4. It is also close to CX/601 - A site Without Development Potential in the SPHS.

Transport

The County Council's Highways Development Control Team is assessing the SPHS to ascertain whether a safe and satisfactory access can be achieved for each of the proposed sites. The results will be forwarded to NEDDC as and when they become available. In addition, Transport Assessments will be required, where appropriate, to support planning applications. The County Council will assist NEDDC in the development of its transport evidence base. Further work will be required to assess the cumulative effects of the proposed levels of development, to identify mitigation measures and to develop policies that ensure delivery of these measures.

(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 Planning and Compulsory Purchase Act 2004.

Other Considerations

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.

(5) **Key Decision** No.

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

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Ian Goldstraw, extension 39809.

(8) **OFFICER'S RECOMMENDATION** That the Cabinet Member authorises officers to respond formally to North East Derbyshire District Council's consultation on its Local Plan Part 1: Initial Draft and Schedule of Potential Housing Sites as described in the report, with detailed Technical Officer comments as appropriate.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

