

Agenda Item No. 4(f)

DERBYSHIRE COUNTY COUNCIL

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

17 May 2018

Report of the Strategic Director – Economy, Transport and Environment

**CONSULTATION ON NORTH EAST DERBYSHIRE PUBLICATION DRAFT
LOCAL PLAN**

(1) **Purpose of Report** To agree the County Council's formal response to North East Derbyshire District Council (NEDDC) on its Publication Draft Local Plan (PDLP).

(2) **Information and Analysis** NEDDC is producing a new Local Plan for the District which will replace the existing North East Derbyshire Local Plan (NEDLP) adopted in 2005. In April 2017, Derbyshire County Council was consulted by NEDDC on its Consultation Draft Local Plan (CDLP), on which extensive technical comments were submitted on 7 April 2017. These comments particularly related to the policies and proposals for housing, strategic housing and employment allocations, highways, the economy, Green Belt, infrastructure, landscape and visual impact, the environment and green infrastructure. Many of the comments made by the County Council on the CDLP have been taken into account in the most recent set of revisions in the PDLP. There are now no 'soundness' concerns raised by the PDLP from the County Council's point of view, although a number of issues are highlighted in the report below which require further consideration by NEDDC and joint working with the County Council where necessary.

The PDLP sets out the assessment of housing and employment land requirements for the NEDDC area between 2014 and 2034, including the provision for a minimum of 6,600 houses and 41 hectares (ha) of employment land. The vast majority of the District's housing requirements is proposed to be met in the four main towns of Clay Cross, Dronfield, Eckington and Killamarsh and on two Strategic Growth Sites at The Avenue, Wingerworth and former Bywater site at Clay Cross. The vast majority of new employment land will be focussed on principal protected employment sites, the two Growth Sites listed above and on the Markham Employment Growth Zone. Specific policies are included in the Plan for each of the Strategic Growth Sites, including the identification of new infrastructure to support their development. The PDLP includes proposals for the release of Green Belt land on the edge of the settlements of Dronfield, Eckington and Killamarsh to facilitate new housing development (see further details below).

The remainder of the PDLP includes policies for affordable housing; gypsies and travellers, including a requirement for 15 new pitches over the Plan period; the countryside; historic environment; town centres and retailing; highways and sustainable transport; renewable energy; the environment; and infrastructure and green infrastructure.

This is the last stage of public consultation on the NEDDC Local Plan before it is submitted to the Secretary of State and for which an Examination in Public (EIP) will take place later in 2018 before a Government appointed Inspector. Full details of the PDLP can be viewed at:

<http://www.ne-derbyshire.gov.uk/index.php/resident/local-plan?artid=148>

In order to meet NEDDC's statutory deadline for submission of comments, provisional officers comments were submitted on 4 April 2018 pending authorisation at this Cabinet Member Meeting to enable a formal County Council response to be provided. A copy of the officers' response can be made available on request.

Local Member Comments

Local County Councillors with electoral divisions in North East Derbyshire were consulted on the PDLP. No comments had been received at the time of writing, however, any comments subsequently received will be reported to the meeting and forwarded to NEDDC.

Officer Comments

Spatial Portrait, Vision and Objectives

The Spatial Portrait indicates the District is split into four sub-areas (North, South, East and West) as the basis on which to plan for the future growth. Derbyshire County Council supports this approval as it is clear that the four areas have their own distinct, functional and physical relationships, characteristics and development needs. However, the Spatial Portrait should make reference to the importance of emerging proposals for HS2 and how this is likely to impact on the District's economy over the Plan period.

Spatial Strategy

The broad Spatial Strategy for the Plan is fully supported and seeks to focus the majority of the District's future housing and employment growth needs in the four main towns and Strategic Growth Sites. This is considered to provide for the most sustainable pattern of development. Historically, Derbyshire County Council has been supportive of such a spatial pattern of growth through former Derby and Derbyshire Structure Plans and more recently, through the East Midlands Regional Plan. The County Council has worked in partnership with, and has been fully supportive of, the District Council's aims to bring the Strategic Growth Sites forward for development, not least because of the major housing, job creation and economic regeneration benefits they are likely to deliver for the local residents.

The Coalite site at Bolsover has not been identified as a Strategic Growth Site in the Plan and is allocated as a Priority Regeneration Area (PRA). The site is impacted upon by the proposed route of HS2 which would cut through the eastern part of the site and has raised issues about the viability of housing on the site and the wider masterplan proposals. Designation of the site as a PRA is considered to be justified given that the District Council cannot be confident the site would help meet its housing provision requirements for the Plan period. The northern part of the site falls within Bolsover District and so it is important that NEDDC works collaboratively with Bolsover District Council to ensure a consistent policy approach to the site as whole.

Planning Housing

The Plan sets out a housing requirement for the District of 330 houses per year (6,600 in total) over the period 2014 – 2034. The housing requirement is considered to be robust, justified by extensive and up-to-date evidence in the North Derbyshire and Bassetlaw Strategic Housing Market Assessment (SHMA) and is therefore supported as being the most appropriate requirement for the District. It would meet the full objectively assessed need (OAN) for housing as required by Government in the National Planning Policy Framework, including an uplift to help deliver more affordable housing and to meet the economic growth ambitions of the District Council. It would also ensure that NEDDC meets its full proportionate OAN requirement for the North Derbyshire and Bassetlaw Housing Market Area (HMA) as set out in the SHMA so that none of the other authorities in the HMA (Bolsover District, Chesterfield Borough and Bassetlaw District Councils) would have to meet any potential shortfall in housing provision arising from North East Derbyshire District.

Employment

The PDLP sets out an employment land requirement for 41ha of land over the Plan period. This is based on up-to-date and robust evidence in the District Council's Employment Land Review 2017 and would meet the District Council's economic growth ambitions. Importantly, this level of provision is based on a consistent methodology with the assessment of the District Council's housing needs and will ensure the level of housing provision can accommodate population increase and support growth in the local economy over the Plan period.

Housing Allocations/Land Supply

The Plan identifies almost 40 proposed housing allocation sites which would help meet the overall housing requirement of 6,600 dwellings. Each of these proposed allocations will raise a range of infrastructure requirements to support their development, particularly primary and secondary school place provision, highway and access improvements and green infrastructure. Derbyshire County Council has previously provided strategic planning policy and developer contributions comments on a number of these allocations which remain largely relevant to their development. NEDDC is requested to

liaise with Derbyshire County Council on an ongoing basis to identify and secure the strategic infrastructure requirements that would be required to support the development of these sites (see further comments below).

Affordable Housing

The policy approach to affordable housing is supported. It is based on evidence in the SHMA and District Council's Whole Plan Viability Assessment (WPVA). On this basis, the Plan proposes to require new housing developments above 10 units to include 30% affordable units in high value areas and 20% affordable in low value areas. It is considered this provides for an appropriate balance given that viability issues exist for housing development in some parts of the District.

Gypsies and Travellers

The policy approach to gypsies and travellers is supported. It is based on the recommendations of the Derby, Derbyshire, Peak District National Park and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA), that was commissioned by Derbyshire County Council on behalf of local authority parties. The PDLP identifies a requirement for 15 new pitches to be provided within the Plan period in North East Derbyshire based on the recommendations of the GTAA. It is noted that NEDDC has not been able to identify any specific sites for allocation of traveller accommodation in the Plan as no suitable land has been identified by the District Council or other stakeholders. Derbyshire County Council is currently liaising with NEDDC to assess the potential suitability of a number of sites in the County Council's ownership for gypsy and traveller provision. In the absence of any specific allocations coming forward, the proposed approach is considered to be justified by the inclusion of a criteria based policy which will assess the suitability of any sites that do come forward for traveller provision. However, amendments to the wording of the proposed policy are recommended to set out a firmer commitment by the District Council to ensuring sufficient sites are brought forward to meet the requirement set out in the GTAA.

Green Belt

Green Belt covers much of the northern and central areas of North East Derbyshire District. In the north, the Green Belt is very narrow and strategically important, particularly in preventing the coalescence of the urban area of southern Sheffield with the towns of Dronfield, Eckington and Killamarsh. It also prevents the coalescence of the three settlements with each other coalescence with Chesterfield and Staveley to the south. In this context, Strategic Objective D6 is supported, which seeks to protect the general area of the Green Belt and the purposes of including land within it, taking account of the need to promote sustainable patterns of development across the District.

Whilst the Green Belt has been an effective planning policy tool since its first designation in the 1980s in focusing development within settlements and re-

using brownfield land, it has also had a number of unintended impacts, such as on the availability of land for housing in some of the District's main settlements, particularly Dronfield, Eckington and Killamarsh. This has placed development pressure on green spaces and existing employment land for housing uses, particularly on house prices and affordability in those settlements and villages constrained by Green Belt.

In the context of the above, NEDDC has undertaken a Green Belt Review (2016) and Derbyshire County Council was consulted on the proposed methodology in March 2016. Further to consideration, Derbyshire County Council concluded the overall methodology was robust and consistent with that for undertaking Green Belt Reviews developed by the Sheffield City Region authorities, including the County Council, in 2014-15.

Based on the findings of the Green Belt Review, NEDDC has proposed to allocate six sites within the current Green Belt for housing development around Dronfield, Eckington and Killamarsh. Whilst the County Council would not wish to comment in detail on each individual site, it would appear in principle, that all the areas identified for removal from the Green Belt are well related to and / or well contained by existing areas of built development and are those areas which would appear to be likely to have least harm on the main Green Belt role and purpose.

Highways

Derbyshire County Council expressed significant concerns in its response on the CDLP on 7 April 2017 about the Plan's approach to highways and transport matters. Those concerns largely stemmed from the absence of any substantive transportation evidence to underpin the Plan and the absence of any strategy to mitigate the (at the time) unidentified impacts of the Local Plan's proposed development growth upon the wider transportation network. This, together with the inherent weaknesses in the late emergence of a strategy that would make provision for the delivery of sustainable transportation measures, was also highlighted as a concern.

Since Derbyshire County Council expressed the concerns above, collaborative work has been undertaken with NEDDC to commission an update to the transport evidence base, particularly updated transport modelling works, to test the impact of planned housing and employment growth on the highway network. This specifically relates to the main towns of Clay Cross, Dronfield, Eckington and Killamarsh.

In the context of the above, it is welcomed that Chapter 9 of the PDLP has been updated from that in the CDLP and now considers a number of transport issues, together with wider strategic transportation considerations. It is welcomed and supported that Chapter 9 largely meets the County Council's concerns expressed above and now appropriately reflects the outcomes of the updated transport modelling works and the identification of the need for

highway improvements or sustainable transport measures to support relevant development. Chapter 9 has also been updated to incorporate the comments made by the County Council by the inclusion of a more hierarchical approach to the management of travel demand.

In parallel with the strategic transportation analysis above, the County Council, as Highway Authority, has provided advice to NEDDC regarding safe and satisfactory access to the specific site allocations proposed in the Plan, which should provide assurance that there is a reasonable prospect of satisfactory access being achievable.

Infrastructure

The broad policy approach to infrastructure is fully supported and indicates that new development will only be permitted if it makes provision for necessary infrastructure on site within the development or makes a financial contribution through the use of Planning Obligations to mitigate the impacts of the development. This approach is broadly consistent with the approach to developer contributions set out in the Derbyshire Developer Contributions Protocol Interim Update (March 2018).

It is welcomed and supported that the Local Plan indicates continued use of Section 106 Agreements to help fund the required infrastructure rather than introduce a Community Infrastructure Levy (CIL). Evidence in the District Council's WPVA has indicated the introduction of CIL would not be financially viable in much of the District outside the high value areas and would not contribute meaningfully towards the delivery of necessary infrastructure to support the Plan. Currently, only one local authority in Derbyshire has adopted a CIL, which has raised significant ongoing issues and concerns for the County Council in seeking to secure contributions to fund strategic infrastructure, particularly school place provision.

Derbyshire County Council is continuing discussions with NEDDC to consider the school place planning needs associated with the housing growth and is currently updating individual primary and secondary school place capacity figures for schools in the District based on the 2018 school place projections. Concern has been raised by the County Council, however, on the omission of the County Council's notified sites in the Plan which need to be safeguarded for education purposes.

Other Issues

The landscape, minerals and public health issues raised by the Plan have been assessed. The County Council's comments made on the CDLP have been reaffirmed regarding the potential impact of the proposed development of the Coalite site on the setting of Bolsover Castle, which will require careful consideration and appropriate mitigation as the scheme progresses. There are no issues that raise any soundness concerns for the County Council on the minerals and public health policy matters.

(3) **Financial Considerations** There are no financial considerations directly 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 and the principles are embedded in the NEDDC publication draft Local Plan. 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 and county planning authorities in preparing and implementing their local plans.

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.

(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 Environment Department. Officer contact details – Steve Buffery, extension 39808.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member delegates authority to the Strategic Director – Economy, Transport and Environment to send a formal response to North East Derbyshire District Council on its Publication Draft Local Plan, in line with the issues and comments set out in this report.

Mike Ashworth
Strategic Director – Economy, Transport and Environment