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The Replacement Chesterfield Borough Local Plan adopted in June 2006 sets out the local planning authority's detailed policies and proposals for the development and use of land within Chesterfield borough, including Staveley and Brimington, until 2016.

The plan replaces the existing plan adopted in 1996 and incorporates the changes in policies that have occurred since then.

Following two rounds of extensive public consultation and a public inquiry, a Government appointed planning inspector considered all of the objections to the plan and supported the council's key proposals in the plan. The plan is vital for the development and regeneration of Chesterfield over the next ten years and will help the town become a safer, cleaner, greener and more thriving place to live and work.

In particular, it will enable the council to continue the impressive masterplanning work done so far to tackle the large scale regeneration required in the A61 and Chatsworth Road corridors.

The plan will enable:
• Major areas of business/industrial floorspace in the A61 corridor;
• a new football stadium on the Dema Glass site;
• major shopping development in the Holywell Cross area of the town centre;
• housing and mixed use regeneration at Walton Works and Wheatbridge Mills on Chatsworth Road.

Whilst helping to create the conditions in which the community and economy can thrive, the plan continues to provide the means to protect and improve the natural and built environment of the borough.

This plan looks forward to 2016. However the social economic and environmental challenges and opportunities in the borough will not stand still. So in 2007, following the consultation on a new regional plan, work will begin on the Local Development Framework which will roll forward the council's policies further into the future.

Cllr Stuart Bray
Lead Member for Planning and Asset Management
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1.0 INTRODUCTION

The Borough of Chesterfield

1.1 Chesterfield is the largest town in the administrative county of Derbyshire. The borough of Chesterfield is the smallest district in Derbyshire by area, being a relatively compact, predominantly urban area. It includes the settlements of Chesterfield, Brimington and Staveley which together had a population of just under 99,000 at the 2001 Census.

1.2 The town centre of Chesterfield is a sub-regional shopping and service centre for the whole of north eastern Derbyshire. It has excellent rail services to London and other regions and the M1 motorway runs adjacent to the borough’s eastern boundary with road links via the A617 and A619 to junctions 29 and 30.

1.3 Chesterfield lies on the River Rother and its tributaries which flow from south to north through the borough. The environs of these rivers and the Chesterfield Canal which runs parallel to the Rother for much of its length within the borough, offer major opportunities for further improvement. The urban areas of the borough are defined by “green wedges” of open countryside which help to retain the separate identity of communities. Chesterfield is also contained to the north, west and south by the North East Derbyshire Green Belt.

1.4 The borough is part of the North Derbyshire/North Nottinghamshire coalfield area which has been subject to major industrial structural change resulting from the closure of deep mines and the decline in heavy engineering industries both in the borough and the surrounding districts of Bolsover and North East Derbyshire.

1.5 Unemployment levels have been falling steadily in the last five years, but still remain the second highest in Derbyshire. The council has been investing in the restructuring of the town’s economy in order to attract new manufacturing industries and service based businesses. It is committed to working in partnership with the private sector and local and regional organisations to promote the regeneration of former industrial areas which lie derelict.

1.6 This will enable the borough to meet both its future housing and employment needs from the redevelopment of brownfield land within the urban area, thereby avoiding any further peripheral expansion of settlements on to greenfield land.

1.7 There remain significant concentrations of social and economic deprivation in parts of the borough, which the council is committed to tackling.
The Local Plan Process and the Plan Period

1.8 The council is required by law to prepare and keep up to date a local plan for its administrative area. The purpose of the local plan is to set out the council’s local planning policies and specific proposals for the development and use of land, in order to guide decisions on planning applications.

1.9 This plan is a replacement for the Chesterfield Borough Local Plan which was adopted in February 1996, covered the period up to 2001 and was prepared within the context of the Derbyshire Structure Plan (1990). A new structure plan, the Joint Derby and Derbyshire Structure Plan (JSP), was adopted in January 2001, which covers the period up to 2011. It was necessary to review and replace the 1996 local plan in order to provide up to date policies and proposals which conform with the strategic policies of the JSP.

1.10 It is also necessary that the local plan policies and proposals accord with national and regional planning policy guidance. National planning guidance in Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs) gives priority to achieving sustainable forms of development and thereby improving the quality of life for all sections of the community. Recent ministerial guidance also states that local plans should make provision for a 10 year supply of housing land from the date of adoption, which suggests that housing provision should be made in this plan for the period up to 2016.

1.11 In terms of regional planning policy, the current Regional Spatial Strategy for the East Midlands (RSS8) was approved in March 2005 and covers the period up to 2021. This now sets the strategic context for the borough beyond the JSP period and regard has been had to its proposals in preparing this revised version of the replacement local plan. RSS8 promotes a sequential approach to the selection of land for development, prioritising the use of previously developed sites and buildings within urban areas, particularly where they are, or will be, well served by public transport and can make a contribution to strengthening local communities. It also proposes the Northern Sub-Area as a priority area for regeneration with its concentration of economic, social and environmental problems linked to the decline of the coal industry in the North Derbyshire/North Nottinghamshire coalfield area. It requires that development plans should include proposals to assist the regeneration of these areas.

1.12 Therefore, to clarify, in the light of the adoption date of this local plan, the need to plan for a 10 year supply of housing and the changing strategic planning context, which under RSS8 now provides guidance up to 2021, the decision has been taken to extend the plan period to 2016.
1.13 The local plan has also been prepared within the context of the overall strategy and vision for Chesterfield as set out in the Community Strategy for Chesterfield and North East Derbyshire, which the borough council supports. The local plan accords with other detailed policies and strategies of the borough council such as the Housing Strategy, the joint Economic Development Strategy and the Parks and Open Spaces Strategy. Regard has also been paid to the Derbyshire Local Transport Plan.

1.14 This replacement plan was first placed on deposit for public consultation in October 2003. The council received a number of representations. In the light of these and other changes to proposals and government planning guidance, the plan has been revised further, including the roll forward of the plan period to 2016.

1.15 After the plan first went on deposit, the government’s proposals for the reform of the development plans system were enacted. The relevant provisions of the Planning and Compulsory Purchase Act 2004 commenced on 28th September 2004. This provides that Structure Plans will be replaced by the Regional Spatial Strategy and Local Plans by Local Development Frameworks. However, under the transitional arrangements the current adopted JSP and Chesterfield Borough Local Plan will be ‘saved’ for a period of 3 years from the commencement of the Act, whilst their replacements are being prepared.

1.16 Under the provisions of the new act, new or replacement local plans which were still under preparation and had reached first deposit stage when the Act came into force could be progressed through to adoption, but under slightly amended transitional procedures. This applies to this replacement of the Chesterfield Borough Local Plan. The transitional procedures state that the entire plan, including any changes proposed by the council, must be re-deposited to allow for objections to be made on the basis that there will be no modifications stage following the local plan public inquiry.

1.17 Therefore, the revised version of the replacement Chesterfield Borough Local Plan was re-deposited in its entirety in March 2005 and representations were invited on the whole plan. A public inquiry into objections to the plan outstanding from the first and re-deposit stages was held in the autumn of 2005. The inquiry formally closed on 24th April 2006 and the inspector’s report was received on 10th May 2006. Under the 2004 Transitional Regulations, the inspector’s report was binding on the council. Therefore, the plan has been amended in line with the inspector’s decisions and was formally adopted by the council on 7th June 2006. Under the 2004 Act, the policies and proposals of the replacement plan are automatically saved for a period of 3 years from the date of adoption.
Format and content of the Plan

1.18 The replacement local plan consists of a Written Statement and accompanying Proposals Map indicating the site specific policies and proposals. Within the Written Statement, **POLICIES ARE SET OUT IN BOLD TYPE AND CAPITALS** to distinguish them from reasoned justifications and other supporting text.

1.19 In addition to a clearly stated strategy, the plan provides guidance on a range of topics, including housing; employment, economic regeneration and tourism; environment; transport; shopping; open space, sport and recreation and sites for education, health and community facilities.

1.20 The council has also produced a number of background papers, including an Urban Capacity Study, a retail capacity study, housing and market needs assessment and a statement of consultation carried out to determine opinions on key planning issues, based on an ‘Issues’ document published in September 2001. The revised plan may also be supplemented by a number of supplementary planning documents to provide detailed explanation of new policies and proposals.
2.0 GENERAL STRATEGY

Introduction

2.1 It is important that the overall strategy for the local plan takes account of the joint Community Strategy for Chesterfield and North East Derbyshire and is consistent with other strategies and plans produced by the council and its partners, as well as national and regional planning guidance and the Derby and Derbyshire Joint Structure Plan.

2.2 The local plan review has been prepared within the context of an overall vision for the borough set out in the 2004 Community Strategy:

“to improve the quality of life for people in Chesterfield borough so that residents, workers and visitors can benefit from what the area has to offer”

2.3 The implementation of the plan will provide for the development needs of the borough up to 2016 to achieve this vision by:

- promoting economic prosperity through developing a vibrant, diverse and sustainable economy;
- encouraging a more cohesive and inclusive society by promoting safe communities, sustainable development, healthy living, tackling deprivation and poverty, eliminating discrimination and inequality and encouraging life-long learning, enjoyable use of leisure time and active citizenship;
- creating a high quality environment by improving the quality of homes and neighbourhoods and protecting and caring for the environment.

2.4 The council is committed to sustainable development throughout this vision. Sustainability is also one of the five guiding principles in the Community Strategy which sets out seven community themes. These themes form the basis for establishing community priorities and creating action plans to deliver real changes that will improve quality of life. The themes are:

- Crime and community safety
- Economic regeneration
- Environment and transport
- Healthy communities and well-being
- Homes and neighbourhoods
- Leisure and culture
- Lifelong learning
HAS THE POTENTIAL TO IMPROVE THE QUALITY OF LIFE OF ITS CITIZENS BY CONTRIBUTING TO:

(a) ECONOMIC AND SOCIAL REGENERATION;
(b) SUSTAINABLE DEVELOPMENT PATTERNS;
(c) CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT;
(d) SOCIAL INCLUSION.

Economic and social regeneration

2.5 The borough is part of the North Derbyshire/North Nottinghamshire coalfield, which has a concentration of economic, social and environmental problems linked to the decline of the coal industry. It is identified in RSS8 as a priority area for regeneration where development plans should include proposals to assist the regeneration initiatives of local authorities, regional development agencies and other organisations. New jobs and services should be concentrated in and around the main towns of the coalfield area, including Chesterfield, which is accessible to the wider area and serves particular concentrations of need, as well as smaller coalfield area towns, such as Staveley, which are in need of regeneration.

2.6 The joint Economic Development Strategy for Chesterfield and North East Derbyshire identifies a number of challenges for the borough:

- sustaining a competitive manufacturing base
- promoting the growth of higher-value service based sectors
- tackling unemployment by addressing the ‘jobs gap’
- addressing the regeneration needs of priority communities

2.7 Creating a more diverse, prosperous and sustainable economy is a key objective of the Local Strategic Partnership, the Chesterfield Area Regeneration Team (CHART), and the Community Strategy. The local plan can help to achieve this by ensuring that there is an adequate supply and range of sites and buildings allocated for new and expanding industry and commerce. A wide range of sites and buildings to meet the full range of business requirements is provided in the plan.

GEN 2 ECONOMIC AND SOCIAL REGENERATION

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT WHICH CONTRIBUTES TO THE IMPROVEMENT OF CHESTERFIELD’S PROSPERITY AND SECURES ECONOMIC AND SOCIAL REGENERATION BY FACILITATING INWARD INVESTMENT, PROTECTING EXISTING JOBS AND CREATING NEW JOB OPPORTUNITIES.
Environment

2.8 Much of the character of Chesterfield derives from the quality of the open countryside, which surrounds the outer edge of the borough and separates its various settlements. All parts of the borough are within easy reach of open countryside, which provides numerous opportunities for recreation and appreciation of the landscape. Much has been done to remove the legacy of despoiled and derelict landscapes, which resulted from former coal mining activities and to build new partnerships to improve the quality of the environment further.

2.9 The North East Derbyshire Green Belt has contained the urban expansion of the borough to the north, west and south and has protected the open countryside between Sheffield and the settlements of north eastern Derbyshire as well as preventing the coalescence of Sheffield and Chesterfield and smaller settlements adjoining the borough.

2.10 Elsewhere the protection of the open countryside between the different communities within the borough has helped to retain their distinctive identities. Some of these open breaks follow the valleys of rivers such as the Rother and Hipper. Others contain farmland and woodland. They all form part of a network of open land or “green wedges” which provide a valuable natural resource close to housing areas.

2.11 The borough also has an important historical and architectural heritage. There are a number of conservation areas, buildings of architectural or historic interest, archaeological sites and historic parks and gardens which form an important part of the borough’s built environment and make a significant contribution to its character. The local plan sets out policies to ensure that all of these areas are protected.

2.12 In accordance with the vision and aims of both the council and the local strategic partnership, the replacement local plan sets out policies on the built environment, Green Belt, green wedges, natural history sites, landscape and water areas, to ensure that the natural and built environment will be protected and, where possible, enhanced.

GEN 3 NATURAL, HISTORIC AND BUILT ENVIRONMENT

PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH PRESERVES OR ENHANCES THE DISTINCTIVE CHARACTER AND THE QUALITY OF THE BOROUGH’S NATURAL, HISTORIC AND BUILT ENVIRONMENT.

Urban Regeneration and sustainable development

2.13 A key objective of the plan is to encourage urban regeneration. Through the use of previously developed land and buildings with good access to public transport and a wide range of services, jobs and
facilities, existing urban communities can be strengthened and made more attractive, secure and desirable places to live.

2.14 The plan has applied the principles of sustainable development by adopting the sequential approach to the selection of sites for housing, employment and other major trip generating uses. Such an approach also helps to minimise the overall need to travel and encourages the increased use of public transport.

GEN 4 URBAN REGENERATION AND SUSTAINABLE LAND USE MIX

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT WHICH:

(a) CONTRIBUTES TO A SUSTAINABLE LAND USE MIX AND PATTERN BY MINIMISING THE OVERALL NEED TO TRAVEL BETWEEN HOME, WORK, SHOPPING, LEISURE AND OTHER ACTIVITIES AND BY MAXIMISING OPPORTUNITIES TO MAKE FULLEST USE OF ALTERNATIVES TO THE CAR; AND

(b) MAKES FULL USE OF PREVIOUSLY-DEVELOPED LAND AND BUILDINGS AND IS WELL-RELATED TO THE EXISTING URBAN AREA.

Homes and neighbourhoods

2.15 Ensuring an adequate supply of housing, including housing to meet affordable and special needs, is a key way that the local plan can contribute to the wider objectives of promoting social inclusion. Improvements to the built environment, including improved safety on roads and the upgrading of existing open spaces or the creation of new open spaces to provide a better quality local environment are also important objectives of the plan and can contribute to improving the quality of life in neighbourhoods.

GEN 5 HOMES AND NEIGHBOURHOODS

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT WHICH CONTRIBUTES TO:

(a) MEETING IDENTIFIED HOUSING NEED;
(b) IMPROVING THE QUALITY OF LIFE IN NEIGHBOURHOODS.

Promoting safe communities

2.16 The borough council is required by section 17 of the Crime and Disorder Act 1998 to “exercise their functions with due regard to their likely effect on crime and disorder”. In addition, the document “Safer Places – The Planning System and Crime Prevention“, published by the Office for the Deputy Prime Minister and the Home Office, refers to
how planning can contribute to crime prevention, the creation of safer places and well-designed, sustainable communities.

2.17 Safe and attractive communities can be developed by ensuring that the design, layout, lighting and landscaping of new developments help to discourage crime and anti-social behaviour. The security and safety of occupiers can be assisted, for example, by avoiding creating hidden areas near footpaths and within open spaces and by ensuring that public areas are overlooked and well-lit. Further guidance on designing safe developments may be issued by the council as necessary.

**GEN 6 COMMUNITY SAFETY**

PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH HAS FULL REGARD TO COMMUNITY SAFETY IN TERMS OF CONTRIBUTING TO THE PREVENTION AND REDUCTION OF CRIME, NUISANCE AND DISORDER AND REDUCING THE FEAR OF CRIME.

Promoting lifelong learning, health and community facilities and services

2.18 A well educated, highly skilled and healthy workforce is a vital component of a successful local economy and a key Community Strategy objective. The plan should make provision for essential developments such as schools and other educational establishments, health facilities and any other community facilities and services, including community halls and the fire service.

**GEN 7 LIFELONG LEARNING, HEALTH AND COMMUNITY FACILITIES AND SERVICES**

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT FOR EDUCATION, HEALTH AND COMMUNITY FACILITIES AND SERVICES PROVIDED THAT IT MEETS THE REQUIREMENTS OF OTHER POLICIES IN THE PLAN.

Access for all

2.19 The borough council aims to create environments where people with mobility difficulties, including disabled people, parents with children and elderly people, can move around freely, gain access to buildings and use all services available to other people, whether as customers, visitors, employees or residents.

**GEN 8 ACCESS FOR ALL**

THE COUNCIL WILL REQUIRE THAT, WHENEVER POSSIBLE, DEVELOPMENT PROPOSALS BY VIRTUE OF THEIR LOCATION AND PHYSICAL FEATURES MEET THE HIGHEST STANDARDS OF
ACCESSIBILITY AND INCLUSION SO THAT ALL POTENTIAL USERS, REGARDLESS OF DISABILITY, AGE OR GENDER CAN USE THEM SAFELY AND EASILY. IN PARTICULAR, REGARD SHOULD BE PAID TO:

(a) THE DESIGN, PROVISION AND SITING OF ACCESS RAMPS, DROPPED KERBS, STREET FURNITURE, FOOTPATHS, LIGHTING AND CIRCULATION PATTERNS AND OPEN SPACE;

(b) IMPROVING ACCESS TO PUBLIC TRANSPORT;

(c) THE DESIGN, QUANTITY AND LOCATION OF DISABLED PARKING PROVISION;

(d) PROVIDING AND SIGNPOSTING A SUITABLE MEANS OF APPROACH TO AND INTO BUILDINGS FROM ADJOINING STREETS OR CAR PARKS.

Infrastructure and facilities

2.20 The capacity of the existing infrastructure and facilities to accommodate new developments will need to be assessed as part of the planning application process. Specific infrastructure improvements and facilities may be required to enable development schemes to proceed in line with guidance in circular 05/05. These could include the provision of utilities and transport based infrastructure, and in the case of new residential development, the provision of affordable housing, education, health and community facilities and public open space. The timing of such provision may also be specified in order to make sure that it is available when the need arises.

2.21 In order to secure any necessary infrastructure, facilities or other measures, the council will normally seek to impose conditions on planning permissions which make the improvements necessary or negotiate legal or other agreements to meet identified requirements. Where appropriate, financial contributions may be required for off-site provision.

GEN 9 INFRASTRUCTURE AND FACILITIES

WHERE ADDITIONAL INFRASTRUCTURE AND FACILITIES OR OTHER MEASURES ARE REQUIRED TO ENABLE DEVELOPMENT TO PROCEED AND TO AVOID PLACING ADDITIONAL BURDENS ON THE EXISTING COMMUNITY, THE COUNCIL WILL SECURE THESE THROUGH CONDITIONS ON PLANNING PERMISSIONS AND/OR WHERE APPROPRIATE, SEEK TO ENTER INTO PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).
**Sustainable Design**

2.22 In Planning Policy Statement 1, the government advocates good design as a key element of achieving sustainable development. It identifies the importance of the architecture, functionality and impact of development and its resource efficiency to the quality and sustainability of an area. The local plan can help to promote and secure good design through policies against which the design of all development proposals can be considered. Both energy use minimisation and efficiency and use of renewable energy sources can also be promoted in this way. More specific policies on design are included in the housing, employment and environment chapters. Supplementary planning documents will also be published where appropriate to explain the council’s design requirements in more detail.

**GEN 10 SUSTAINABLE DESIGN**

PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH MAKES A POSITIVE CONTRIBUTION TO THE QUALITY OF THE ENVIRONMENT IN THE BOROUGH THROUGH GOOD DESIGN. PROPOSALS SHOULD BE DESIGNED TO:

(a) PRESERVE OR ENHANCE THE LOCAL DISTINCTIVENESS OF THE NATURAL AND BUILT ENVIRONMENT;

(b) RESPECT THE CHARACTER OF THE LOCALITY IN TERMS OF SCALE, LAYOUT, DENSITY, HEIGHT, MASSING, SPACE ARCHITECTURAL STYLE, MATERIALS AND LANDSCAPE;

(c) PROMOTE EASE OF ACCESS, REDUCE THE NEED TO TRAVEL AND FACILITATE JOURNEYS BY SUSTAINABLE MODES OF TRANSPORT;

(d) MINIMISE THE PRODUCTION OF WASTE AND POLLUTION;

(e) OPTIMISE ENERGY EFFICIENCY AND THE USE OF RENEWABLE ENERGY SOURCES.

**Areas of Major Change**

2.23 Within the borough there are a number of major sites, including former industrial areas and large institutions which during the lifetime of the plan and beyond are likely to be the subject of major change and redevelopment. These include:

- A61 corridor
- Town Centre Northern Gateway
- Land south of Chatsworth Road

2.24 Such areas present the key opportunities for regeneration in the borough over the next 10 years, with potential for a mixture of uses to deliver sustainable development to strengthen local communities.
Within these areas, it is critical that development occurs in a planned and co-ordinated way. Therefore the council will require general development frameworks or planning briefs to be drawn up, in consultation with the community, for example, through the local community forums, to guide development within these areas of major change. These will be prepared either by the council or landowners and be adopted by the council for development control purposes.

2.25 Land at Staveley Chemicals has also been considered as an area of major change for allocation within this plan, following the announcement of the closure of the Rhodia-Eco plant by 2007. However, it is not certain when or whether the land is likely to become available for redevelopment. Therefore, should this or other major sites become available for redevelopment within the plan period, they will be identified in the Annual Monitoring Report and the Local Development Scheme and brought forward as part of the Local Development Framework through Area Action Plans or supplementary planning documents to be prepared following the adoption of this plan. As development of the land at Staveley Chemicals would have significant implications for the nearby sites at Troughbrook Works and North Brimington, which are reserved by policy EMP6 for employment development in the long term, these sites will also be considered in any Area Action Plan or supplementary planning document which is brought forward for the Staveley Chemicals land.

GEN 11 A61 CORRIDOR AREA OF MAJOR CHANGE

Within the A61 Corridor Area of Major Change, as shown on the proposals map, planning permission will be granted for comprehensive redevelopment for a mixture of uses, in order to secure the regeneration of the corridor. Development proposals should have regard to the adopted planning brief for the A61 Corridor and should provide for the following key elements:

(a) Approximately 770 dwellings, 60,000 sq m of office, business and industrial floorspace and 12,000 sq m of leisure floorspace as set out in Policies HSN1 and EMP3;

(b) A new football stadium and park and ride facilities on the DEMA Glass site as set out in Policy POS6;

(c) Other ancillary uses, which may include A1 retail (approximately 1,400 sq m), A3 restaurants and cafes, A4 pubs and bars, car showrooms, hotels and tourist facilities and community uses;
(d) AN IMPROVEMENT SCHEME FOR EXISTING RESIDENTIAL PROPERTIES ON TAPTON TERRACE AND THE ASSOCIATED FOOTPATH/CYCLEWAY IN CONSULTATION WITH THE EXISTING RESIDENTS;

(e) A COMPREHENSIVE APPROACH TO FLOOD RISK MANAGEMENT;

(f) RESTORATION OF PART OF THE RIVER ROTHER TO NAVIGATION, INCLUDING PROVISION OF A CANAL TERMINUS AT THE SOUTHERN END OF THE CORRIDOR, AS SET OUT IN POLICY EVR14;

(g) A NETWORK OF GREENSPACES THROUGHOUT THE CORRIDOR FOR RECREATION AND WILDLIFE AND TO GIVE ACCESS TO THE RIVERSIDE;

(h) ON AND OFF-SITE IMPROVEMENTS TO TRANSPORT INFRASTRUCTURE INCLUDING FOOTPATHS, CYCLEWAYS, PUBLIC TRANSPORT AND THE HIGHWAY NETWORK, AS MADE NECESSARY BY THE DEVELOPMENT AND IN ORDER TO MINIMISE THE LEVEL OF CAR TRIPS GENERATED.

GEN 12 TOWN CENTRE NORTHERN GATEWAY AREA OF MAJOR CHANGE

WITHIN THE TOWN CENTRE NORTHERN GATEWAY AREA OF MAJOR CHANGE, AS SHOWN ON THE PROPOSALS MAP, PLANNING PERMISSION WILL BE GRANTED FOR COMPREHENSIVE REDEVELOPMENT FOR A MIXTURE OF USES. APPLICATIONS FOR PLANNING PERMISSION SHOULD BE ACCOMPANIED BY A GENERAL DEVELOPMENT FRAMEWORK SHOWING A COMPREHENSIVE APPROACH TO THE SITE. DEVELOPMENT PROPOSALS SHOULD PROVIDE FOR THE FOLLOWING KEY ELEMENTS:

(a) RETAIL FLOORSPACE, INCLUDING A RETAIL FOODSTORE AND A RANGE OF OTHER CONVENIENCE AND NON-BULKY COMPARISON GOODS RETAIL FLOORSPACE, AS SET OUT IN POLICIES SHC1 AND SHC4;

(b) OTHER ANCILLARY USES, WHICH MAY INCLUDE HOUSING, B1 OFFICES, A3 RESTAURANTS AND CAFES, A4 PUBS AND BARS, LEISURE, A2 FINANCIAL AND PROFESSIONAL SERVICES AND HOTELS AND COMMUNITY USES;

(c) A REVISED HIGHWAYS LAYOUT AND ASSOCIATED TRANSPORT PROPOSALS, INCLUDING PROVISION FOR BUSES AND APPROPRIATE REPLACEMENT PARKING FACILITIES;
(d) IMPROVED PEDESTRIAN LINKAGES BETWEEN HOLYWELL CROSS AND THE RETAIL CORE AREA OF THE TOWN CENTRE;

(e) PUBLIC REALM AND STREETSCAPE IMPROVEMENTS;

(f) PRESERVATION OR ENHANCEMENT OF THE CHARACTER OF THE SURROUNDING CONSERVATION AREAS AND THE SETTINGS OF LISTED BUILDINGS;

(g) PRIOR INVESTIGATION OF AREAS OF ARCHAEOLOGICAL INTEREST.

(h) OPEN SPACE PROVISION.

GEN 13 LAND SOUTH OF CHATSWORTH ROAD AREA OF MAJOR CHANGE

WITHIN THE LAND SOUTH OF CHATSWORTH ROAD AREA OF MAJOR CHANGE, AS SHOWN ON THE PROPOSALS MAP, PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT WHICH HELPS FACILITATE AND DOES NOT PREJUDICE THE REDEVELOPMENT OF THE OVERALL POLICY AREA. PLANNING PERMISSION WILL BE GRANTED FOR A MIXTURE OF USES AND ANY APPLICATIONS SUBMITTED WITHIN THE GEN13 AREA SHOULD BE ACCOMPANIED BY A GENERAL DEVELOPMENT FRAMEWORK TO INDICATE HOW THE DEVELOPMENT WOULD ALLOW FOR FUTURE REDEVELOPMENT WITHIN THE AREA AS A WHOLE. DEVELOPMENT FOR INDIVIDUAL SITES SHOULD BE ACCOMPANIED BY A PLANNING BRIEF AND PROVIDE FOR THE FOLLOWING ELEMENTS:

(a) HOUSING AND B1 OFFICE, BUSINESS AND LIGHT INDUSTRY AS SPECIFIED IN POLICIES HSN1 AND EMP4;

(b) OTHER ANCILLARY USES, WHICH MAY INCLUDE A1 RETAIL, A3 RESTAURANTS AND CAFES, A4 PUBS AND BARS, CAR SHOWROOMS, LEISURE, HOTELS AND TOURISM AND COMMUNITY USES;

(c) A COMPREHENSIVE APPROACH TO FLOOD RISK MANAGEMENT;

(d) A STRATEGY FOR THE FUTURE USE AND CONSERVATION OF THE LISTED BUILDINGS AND OTHER HISTORIC BUILDINGS AND FEATURES WITHIN THE AREA, THAT ARE REASONABLY RELATED TO THE DEVELOPMENT PROPOSED;
(e) ON AND OFF SITE IMPROVEMENTS TO TRANSPORT INFRASTRUCTURE INCLUDING FOOTPATHS, CYCLEWAYS, CAR PARKING, PUBLIC TRANSPORT AND THE HIGHWAY NETWORK, AS REQUIRED BY THE DEVELOPMENT AND IN ORDER TO MINIMISE THE LEVEL OF CAR TRIPS GENERATED;

(f) A NETWORK OF GREENSPACES RELATED TO THE RIVER HIPPER AND TO PROPOSED FOOTPATHS AND CYCLEWAYS.
3.0 HOUSING

Introduction

3.1 The key objective of the housing policies in the review of the local plan is to ensure that sufficient good quality housing is provided to meet the needs of all sections of the community. It seeks to achieve this within the overall context of national and regional guidance which aims to make the best possible use of previously developed land and buildings and promote sustainable patterns of development. The policies and proposals of the plan focus on measures such as the regeneration of inner urban sites (some with mixed uses) and encouraging higher densities where appropriate, whilst rigorously protecting and improving open spaces and the character and quality of the borough’s environment.

Housing land provision

3.2 Ministerial advice published in July 2003 requires that plans should make provision for at least 10 years’ potential supply of housing land from the date of their adoption. Therefore, the plan makes provision for housing land for the period to 2016. Progress will be monitored annually and adjustments will be made as necessary, should the estimate of the need for housing land change.

3.3 The Joint Structure Plan (JSP) requires land to be provided for 5,600 dwellings in the borough between 1991 and 2011, but provides no strategic requirement beyond that date. The Regional Spatial Strategy for the East Midlands, March 2005, (RSS8) identifies an annual average rate of provision of 2,550 dwellings for Derby and Derbyshire between 2001 and 2021 and states (in para. 4.35) that this is to apply to all development plans until such time as the figures are reviewed. Dividing this total on the basis of JSP district allocations, the borough should provide for 214 dwellings each year between 2011 and 2016. Interim guidance combining the JSP and RSS8 requirements, gives a total requirement of 6,670 additional dwellings in the borough for the period from 1991-2016.

3.4 At April 2005 some 5,734 dwellings of this requirement for the borough had already been accounted for by housing completions (5,037), dwellings under construction (136), and planning permissions which had not been started (561), leaving a shortfall of 936 dwellings to be provided for up to 2016. This shortfall is increased by 210 dwellings lost through demolitions or changes of use between 1991 and 2005 [giving 1,146 in Table 1] and a further 275 that could be expected to be lost from 2005-2016, giving an overall shortfall to 2016 of 1,421 dwellings.

3.5 In identifying sufficient land to accommodate additional housing, the council undertook an urban capacity study (UCS) in April 2003 in order to assess the potential for additional housing within the existing urban
area, thereby maximising the use of previously developed land and reducing the need to travel. This study looked at all potential redevelopment sites in accordance with government guidance and identified those likely to come forward in the period to 2011. Further work has been undertaken since which updates the UCS to include sites that are likely to become available up to 2016. It is considered that these sites include the most sustainable large brownfield sites which are to be brought forward over the plan period, in particular to assist in the regeneration of the borough.

3.6 The conclusions of the updated study show that all the borough’s housing requirements up to 2016 are capable of being met from previously-developed land. The council has reviewed the greenfield sites allocated in the 1996 adopted local plan. Nine greenfield sites previously allocated for housing in that plan, but where no planning permissions have been granted, have been de-allocated in this review. The national target of 60% housing completions on previously-developed land has already been exceeded in the borough (93% 2004-05) and will approach 100% following the completion of the remaining few greenfield sites in the next 2-3 years.

3.7 The greenfield sites allocated in the 1996 adopted plan which are no longer proposed for housing are:

- Site 1   St. John's Farm, Woodthorpe
- Site 9   Part of the East Crescent site, Duckmanton
- Site 12  Station Road, Hollingwood
- Site 17  Former RC school site, Newbold
- Site 22  Hady Hill
- Site 31  Land at the rear of Middlecroft Road
- Site 35  Further land at Ashgate
- Site 36  Small part of Storforth Lane site
- Site 37  Land at Troughbrook Road

3.8 The urban capacity study also shows that the potential for additional housing on previously developed land in the borough is sufficient to meet the JSP requirement and the RSS8 annual housing requirement to 2016 and beyond. This is mainly due to the large amount of vacant land and buildings, which has become available as a result of the closure of industrial companies. The greatest potential for additional housing land lies within the former industrial corridors along the A61 and A619 where large tracts of land are now lying derelict or unused. Policies aimed at the retention of all of this land for redevelopment for employment uses have been re-assessed in the light of the advice in PPG3, the quantity of employment land available compared with trends in take up (paragraph 4.8 of Employment chapter) and the potential for regeneration.

3.9 As a result of this re-assessment, the plan proposes the retention of the most suitable sites for continuing employment uses because of their excellent location or unsuitable environment for housing. In some
cases, especially where there are neighbouring residential communities or the potential for housing-led regeneration to strengthen local communities is good, sites are proposed for mixed uses including both housing and employment uses. Policies for major mixed use development sites in the Areas of Major Change (GEN11, GEN12 and GEN13) are contained in chapter 3 General Strategy.

3.10 As a result of this assessment, around two thirds of the unconstrained supply identified in the updated urban capacity study has been discounted. The remaining sites have been allocated in the Plan, totalling 1553 dwellings.

3.11 In addition to the above potential sources of supply, further opportunities for additional housing exist within the urban area resulting from a reduction in the number of vacant dwellings, conversion of buildings from non-residential to residential use and the sub-division of existing dwellings. A further source of supply will be small windfall sites, with less than 10 dwellings. Housing completions from these sources between 1991 and 2005 have averaged 53 dwellings per annum (both sites and conversions/changes of use). This average is expected to continue and would provide a further 583 completions up to 2016 (at 53 per annum for 11 years). Together with the allocated sites this provides for a supply of some 2,136 dwellings, which exceeds the overall shortfall identified in paragraph 3.4 (1,421) by 715 dwellings. It would be prudent to assume that not all the commitments would be implemented within the plan period. Therefore an allowance has been made to assume that 10% of the dwellings on sites with planning permission, allocated sites and small windfall sites will not be implemented, totalling 270 dwellings. This reduces the surplus to about 445 dwellings above the requirement according to interim guidance, but new district housing figures, which it is generally acknowledged are likely to be greater than the existing interim guidance figure, will be established in revised RSS8 before 2011 which will provide the context for an early review of the plan in the new Local Development Framework system.

3.12 The council’s approach to the selection of sites for housing is based on the sequential approach set out in PPG3. All the sites allocated in the plan re-use previously-developed land, either in whole or in part. Extensions to the urban area will be unnecessary thereby avoiding any encroachment onto agricultural land and open countryside. Policy HSN1 allocates a number of sites for residential development to meet the shortfall in the housing requirement, all of which are expected to come forward in the plan period. All the proposed sites are well located in relation to public transport, employment areas, shops, schools and other community facilities. Most are capable of being brought forward within the next five years and will help to create sustainable residential environments in line with PPG3 objectives.

3.13 Several of the sites allocated in HSN1 are likely to be developed after 2011, including parts of the large, mixed-use sites covered by policies
GEN11, GEN12 and GEN13 Areas of Major Change, which are required for regeneration. Phasing of these sites is dealt with in policy HSN2.

3.14 In summary the overall housing land supply position, is set out in the following table.

Table 1 Housing land supply position

<table>
<thead>
<tr>
<th>Description</th>
<th>Dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Structure Plan (JSP) and RSS8 derived housing requirement 1991-2016</td>
<td>6,670</td>
</tr>
<tr>
<td>(b) Dwellings completed 1991-2005</td>
<td>5037</td>
</tr>
<tr>
<td>(c) Dwellings under construction at 31 March 2005</td>
<td>136</td>
</tr>
<tr>
<td>(d) Dwellings with planning permission but not started at 31 March 2005</td>
<td>561</td>
</tr>
<tr>
<td>(e) Dwellings lost (1991-2005)</td>
<td>210</td>
</tr>
<tr>
<td><strong>Shortfall (a-b-c-d+e)</strong></td>
<td><strong>1,146</strong></td>
</tr>
<tr>
<td>(f) Windfall allowance on small sites/conversions (less than 10 dwellings) 2005-2016</td>
<td>583</td>
</tr>
<tr>
<td>(g) Allocated sites 2005-2011 (H10, 24, 30, 31, 38a, 39, 40a)</td>
<td>815</td>
</tr>
<tr>
<td>(h) Sites allocated after 2011 (H19, 20, 21, 25, 35, 38b, 40b)</td>
<td>738</td>
</tr>
<tr>
<td>(i) Estimate of losses (2005-2016)</td>
<td>275</td>
</tr>
<tr>
<td>(j) Allowance for non-implementation (10% of d, f, g and h)</td>
<td>270</td>
</tr>
<tr>
<td><strong>(k) Dwelling supply 1991-2016 (b+c+d-e+f+g+h-i-j)</strong></td>
<td><strong>7,115</strong></td>
</tr>
</tbody>
</table>

- No allowance has been made for large windfall sites (10 dwellings or more) since the most sustainable of these sites have been identified in the Urban Capacity Study and included in the list of sites allocated.

3.15 Table 2 sets out the proposed new housing sites with capacity for 10 or more dwellings which are allocated in policy HSN1. Sites carried forward from the 1996 Chesterfield Borough Local Plan and sites where planning permission has been granted since April 2005 have been superfixed with a * or # respectively. Sites where planning permission was granted prior to April 2005 but which have not yet been started are also listed as proposals of the plan and shown on the Proposals Map, although they have already been taken into account as commitments. A site at Elm Street/Sycamore Road, Hollingwood (40 dwellings) which had planning permission at April 2002 (since expired) is now proposed as partly residential and partly public open space as part of a recently amended planning agreement in relation to several proposed housing sites in the Hollingwood area.

HSN 1 SITES FOR RESIDENTIAL DEVELOPMENT

PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT WILL BE GRANTED ON THE SITES IN TABLE 2 AND SHOWN ON THE PROPOSALS MAP SUBJECT TO THE PHASING PROPOSALS CONTAINED IN POLICY HSN2.
Table 2 POLICY HSN1 Local Plan Housing Allocations

<table>
<thead>
<tr>
<th>Policy Ref.</th>
<th>Location</th>
<th>Dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td>H4#*</td>
<td>Laurel Crescent, Hollingwood</td>
<td>(22)</td>
</tr>
<tr>
<td>H8#*</td>
<td>Elm Street, Hollingwood</td>
<td>(17)</td>
</tr>
<tr>
<td>H10*</td>
<td>Land between Elm Street and Sycamore Road, Hollingwood</td>
<td>18</td>
</tr>
<tr>
<td>H19* !</td>
<td>Former Goldwell Rooms (frontage only)</td>
<td>18</td>
</tr>
<tr>
<td>H20* !</td>
<td>Walton Hospital (north)</td>
<td>60</td>
</tr>
<tr>
<td>H21* !</td>
<td>Walton Hospital (south)</td>
<td>60</td>
</tr>
<tr>
<td>H24</td>
<td>Land at Gate Inn, Mastin Moor</td>
<td>25</td>
</tr>
<tr>
<td>H25!</td>
<td>Newbold School</td>
<td>60</td>
</tr>
<tr>
<td>H30</td>
<td>William Street North, Old Whittington</td>
<td>11</td>
</tr>
<tr>
<td>H31#</td>
<td>Land at the rear of Penmore House</td>
<td>12</td>
</tr>
<tr>
<td>H35!</td>
<td>Shorts Builders Yard, Sheffield Road</td>
<td>20</td>
</tr>
<tr>
<td>H38a</td>
<td>Former Walton Works, Chatsworth Road*</td>
<td>150</td>
</tr>
<tr>
<td>H38b!</td>
<td>Former Wheatbridge Mills, Wheatbridge Road*</td>
<td>70</td>
</tr>
<tr>
<td>H39</td>
<td>Part of former UEF site, Derby Road</td>
<td>279</td>
</tr>
<tr>
<td>H40a</td>
<td>A61 Corridor Regeneration Scheme before 2011^</td>
<td>320</td>
</tr>
<tr>
<td>H40b!</td>
<td>A61 Corridor Regeneration Scheme after 2011^</td>
<td>450</td>
</tr>
</tbody>
</table>

* Brownfield sites carried forward from the 1996 Chesterfield Borough Local Plan (site capacities may be different)
# Sites with planning permission at April 2005 (included in Table 1 as commitments)
! Sites to be developed after 2011 subject to policy HSN2
+ Sites within Land South of Chatsworth Road AMC allocated for predominantly residential development subject to policy GEN13.
^ Allocations are part of the mixed-use redevelopment of A61 Corridor AMC defined in policy GEN11.

Phasing of Housing Development

3.16 The urban capacity study (UCS) identifies a substantial amount of previously developed land that could be used for housing development. The rate at which developers are currently taking up the existing permissions is in excess of the rates required by the JSP and RSS8. If all of the sites derived from the UCS were to be granted planning permission immediately the housing target for the borough would be exceeded. This could potentially increase the number of empty homes, encourage in-migration and have a detrimental effect on the ability of other parts of the sub area to attract new housing development.

3.17 Between April 2011 and March 2016 the annual rates of housing provision in RSS8 imply that a total of 1070 dwellings will be needed in Chesterfield Borough. It would not however be prudent to release sites contributing to this need either until the start of this period or when the
lack of land for house building is adversely affecting the ability of the council to meet the strategic housing requirement.

**HSN 2 SITES FOR HOUSING DEVELOPMENT 2011-2016**

**PLANNING PERMISSION FOR HOUSING DEVELOPMENT ON SITES H19, H20, H21, H25, H35, H38b AND H40b WILL BE GRANTED AFTER 2011 UNLESS MONITORING OF THE HOUSING LAND SUPPLY INDICATES THAT THE PROPOSED DEVELOPMENT IS NEEDED EARLIER, OR IS NOT NEEDED UNTIL LATER, IN THE PLAN PERIOD TO MEET THE STRATEGIC HOUSING REQUIREMENT.**

Housing development on unallocated brownfield land

3.18 The contribution of small windfall sites to the overall housing supply has been set out in paragraph 3.11. Most of these are likely to be located within existing residential areas. Larger windfall sites may also become available during the plan period. A significant number of former industrial sites have become redundant in recent years. The government has indicated that such sites could be considered for housing development where they are located in sustainable locations. A number of these have been identified through the UCS and allocated for housing in policy HSN1. However, in order to prevent a significant oversupply of housing land it will be necessary to monitor and manage the release of further large (10 or more dwellings) windfall sites currently not allocated in the plan. The only large windfall housing developments to be allowed will be sustainable and they are therefore likely to be brownfield sites within the urban area, not in peripheral locations. Such sites must also be in line with the environmental and regeneration objectives of the plan, for example by helping to improve despoiled environment or supporting other regeneration initiatives.

3.19 The criteria set out in policy HSN3 will be used to assess applications for housing on unallocated previously developed land within the urban area. It is equally important to recognise the value to the community of open space within the urban area and protect it from development pressures. Guidelines for layout and design, and for provision of affordable housing as set out in policies HSN5 and HSN7 must be followed.

**HSN 3 RESIDENTIAL DEVELOPMENT ON LARGER WINDFALL SITES**

**PLANNING PERMISSION WILL ONLY BE GRANTED FOR RESIDENTIAL DEVELOPMENTS OF TEN OR MORE DWELLINGS (INCLUDING HOSTELS AND RESIDENTIAL INSTITUTIONS) ON WINDFALL SITES NOT ALLOCATED IN THE PLAN WHERE THE PROPOSED DEVELOPMENT IS NECESSARY TO MEET THE STRATEGIC HOUSING REQUIREMENT AND:**
(a) IS ON BROWNFIELD LAND WITHIN THE URBAN AREA;
(b) IS NOT IN THE GREEN BELT OR THE COUNTRYSIDE;
(c) WOULD MAKE A SIGNIFICANT CONTRIBUTION TO THE ABILITY OF THE COUNCIL TO SECURE THE REGENERATION OF KEY AREAS OF THE BOROUGH;
(d) WOULD NOT INVOLVE THE LOSS OF RECREATIONAL, SOCIAL, SHOPPING OR PARKING OR GARAGING FACILITIES OR ANY OTHER COMMUNITY FACILITIES UNLESS IT CAN BE DEMONSTRATED THAT THE FACILITY IS NO LONGER REQUIRED;
(e) WOULD BE COMPATIBLE WITH THE CHARACTER OF THE SURROUNDING AREA IN TERMS OF ITS SCALE, LAYOUT, DENSITY, FORM, DESIGN, HEIGHT OF BUILDINGS, LANDSCAPE, ACCESS AND CAR PARKING.

Maximising the use of existing buildings for housing

3.20 The re-use of vacant and underused buildings and the conversion and change of use to housing is sustainable and can contribute to increasing the availability and choice of housing. There is a continuing demand for smaller one and two person dwellings, which can be met through the conversion of large houses or changes of use from underused commercial floorspace e.g. above shops or former industrial or commercial buildings which have become redundant. An increase in the number of dwellings in shopping centres will also add to the vitality of these areas, particularly at night.

HSN 4 RE-USE OF VACANT OR UNDERUSED BUILDINGS

THE CONVERSION AND CHANGE OF USE OF EXISTING BUILDINGS TO HOUSING WILL BE PERMITTED PROVIDED THAT THEY ARE SUSTAINABLY LOCATED AND THAT THE SCALE AND INTENSITY OF THE PROPOSED DEVELOPMENT:

(a) WOULD NOT DETRACT FROM THE AMENITY OF ADJOINING DWELLINGS; AND

(b) WOULD BE IN KEEPING WITH THE GENERAL CHARACTER OF THE SURROUNDING AREA.

Layout and design of residential development

3.21 It is the council’s aim to improve the quality, attractiveness and safety of residential areas by promoting good design and innovation in both the buildings and layouts. This will involve the use of higher densities, more energy efficient buildings and giving a high level of priority to pedestrians and other non-car users, thereby contributing to more sustainable patterns of development.
3.22 By promoting good design for buildings and the public realm, higher densities can be achieved without sacrificing environmental quality. Low impact and carbon neutral developments would exemplify the type of energy efficiency measures desired. Locations with good access to public transport, shops and services should offer particular opportunities for achieving higher densities and giving less priority to car users. Design features could include measures to reduce vehicle speeds to 20mph or less where appropriate and to create a sustainable public realm environment which would improve highway safety, encourage walking and cycling and give opportunities for community cohesion and greater community safety. In assessing housing layouts the council will be looking for opportunities for landscaped footpath/cycle links to any nearby open space, shops, schools, public transport routes and workplaces.

3.23 Layouts will also be expected to provide a high standard of privacy, outlook and security without sacrificing the overall quality of townscape and urban form. Construction materials should harmonise with existing development in the area. Regard should also be had to any detailed residential design guidance contained in supplementary planning documents published by the council.

HSN 5 LAYOUT AND DESIGN OF RESIDENTIAL DEVELOPMENT (INCLUDING RESIDENTIAL EXTENSIONS)

PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT (INCLUDING FLATS, SHELTERED HOUSING, HOSTELS, RESIDENTIAL HOMES, NURSING HOMES AND OTHER RESIDENTIAL INSTITUTIONS) WILL BE GRANTED WHERE LAYOUTS PROVIDE:

(a) INNOVATIVE URBAN FORMS AND BUILDING DESIGNS WHICH RESULT IN HIGHER DENSITIES AND ENERGY EFFICIENCY;

(b) A MINIMUM DENSITY OF 30 DWELLINGS PER HECTARE NET;

(c) A MINIMUM DENSITY OF 40 DWELLINGS PER HECTARE NET ON SITES WHICH ARE CLOSELY RELATED TO CHESTERFIELD TOWN CENTRE, STAVELEY, WHITTINGTON MOOR AND CHATSWORTH ROAD DISTRICT CENTRES, THE RAILWAY STATION AND MAJOR PUBLIC TRANSPORT CORRIDORS;

(d) FOR THE USE OF MEANS OF TRANSPORT OTHER THAN THE PRIVATE CAR AND GIVE PRIORITY TO THE NEEDS OF PEDESTRIANS AND CYCLISTS RATHER THAN THE MOVEMENT AND PARKING OF VEHICLES;

(e) A HIGH QUALITY LIVING ENVIRONMENT AND A DESIGN AND LAYOUT OF BUILDINGS, OPEN SPACES AND LANDSCAPING THAT PROTECTS AND CREATES SPACES
OF AMENITY AND RECREATION VALUE AND CREATES AN
ATTRACTIVE TOWNSCAPE AND URBAN FORM,
RESPECTING AND ENHANCING THAT OF THE
SURROUNDING AREA;

(f) HIGH STANDARDS OF PRIVACY, OUTLOOK AND
COMMUNITY SAFETY;

(g) FOOTPATH/CYCLE LINKS, PREFERABLY WITHIN NATURAL
OPEN SPACE CORRIDORS, TO NEARBY OPEN SPACES,
SHOPS, SCHOOLS, PUBLIC TRANSPORT ROUTES AND
WORKPLACES;

(h) ADEQUATE AND SAFE HIGHWAY ACCESS; AND

(i) CAR PARKING IN ACCORDANCE WITH THE STANDARDS IN
APPENDIX B.

PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL
EXTENSIONS IF PROPOSALS RESPECT THE DESIGN AND
SCALE OF THE EXISTING BUILDING, WOULD NOT RESULT IN AN
UNACCEPTABLE IMPACT ON ADJOINING PROPERTIES IN
TERMS OF PRIVACY, OUTLOOK AND OVERSHADOWING AND
WOULD NOT COMPROMISE PARKING STANDARDS OR
HIGHWAY SAFETY.

Infill Housing Development in Residential Areas

3.24 The borough has seen a significant increase in the number of infill
housing developments in residential areas over the past 10 years,
where large plots are subdivided, properties built in back gardens of
existing houses or existing large properties demolished and
redeveloped at a higher density. Whilst these can make a valuable
contribution to housing supply from small windfall sites, they can also
have a harmful impact on the character of an area and on residential
amenity, such as where the density of development is too great, the
relationship between the plots is awkward or they result in the loss of
important trees or other landscape features. The council will therefore
in future assess proposals for infill residential development against the
following policy.

HSN 6 INFILL RESIDENTIAL DEVELOPMENT

PLANNING PERMISSION WILL BE GRANTED FOR INFILL
RESIDENTIAL DEVELOPMENT OR THE REDEVELOPMENT OF
EXISTING RESIDENTIAL PROPERTIES AT HIGHER DENSITIES
PROVIDED THE FOLLOWING CRITERIA ARE SATISFIED:

(a) IT WOULD BE IN KEEPING WITH THE CHARACTER OF THE
SURROUNDING AREA, IN PARTICULAR IN TERMS OF PLOT
SIZE, SPACE BETWEEN DWELLINGS AND THE SITING,
SCALE AND MASSING OF BUILDINGS;
(b) IT WOULD NOT RESULT IN THE LOSS OF LANDSCAPE FEATURES OR BOUNDARY TREATMENTS WHICH ARE IMPORTANT TO THE APPEARANCE OF THE LOCALITY;
(c) REASONABLE LEVELS OF PRIVACY WOULD BE MAINTAINED FOR EXISTING AND PROPOSED DWELLINGS;
(d) IT WOULD NOT HAVE A MATERIALLY DETRIMENTAL EFFECT ON THE AMENITIES OF ADJOINING OR ADJACENT PROPERTIES.
(e) IT WOULD PROVIDE A SAFE MEANS OF ACCESS AND ADEQUATE PARKING IN LINE WITH THE STANDARDS IN APPENDIX B.

PROPOSALS INVOLVING THE DEVELOPMENT OF BACKLAND WILL ONLY BE ACCEPTABLE WHERE A COMPREHENSIVE SCHEME IS PROPOSED WITH INDEPENDENT ACCESS AND A PROPERLY FORMED CUL-DE-SAC. THE PIECEMEAL DEVELOPMENT OF INDIVIDUAL BACK GARDENS, RESULTING IN TANDEM DEVELOPMENT WITH ACCESS OFF SHARED DRIVES AND PROBLEMS OF TRAFFIC DISTURBANCE AND LOSS OF PRIVACY TO EXISTING DWELLINGS WILL NOT BE ACCEPTABLE.

Affordable and Special Needs housing

3.25 PPG3 indicates that a need for affordable housing is a legitimate material planning consideration and that planning authorities may reasonably seek to negotiate for the provision of an element of affordable housing within developments providing not less than 25 dwellings or 1 hectare in size. Circular 6/98 recognises that this threshold could be reduced to 15 dwellings or 0.5ha in size in special circumstances.

3.26 The primary requirement for affordable housing in Chesterfield is for subsidised housing, mainly for rent. The principal aim is to assist applicants on the local authority housing waiting list and others who are unable to meet their housing needs on the open market at a price they can afford. It is recognised that for a minority of households low cost market housing can also contribute to meeting affordable needs. Whilst house prices at the lower end of the property market in Chesterfield borough are relatively low, affordability is still constrained by low family incomes. Therefore the contribution that further low cost market housing could make in the borough is considered to be limited.

3.27 A Housing Needs and Markets Survey (HNMS) was carried out in 2004 and this highlighted that:
- whilst house prices in Chesterfield are relatively low, since 1999 prices have risen at a rate above the national average;
- Average incomes in the borough are around 20% below national averages;
• Around a quarter of households in the borough (the vast majority being in rented accommodation) would be unable to move home without some form of subsidy;

• There are shortfalls of suitable accommodation (especially one bedroomed dwellings) in certain areas of Chesterfield;

• 16% of households are estimated to have a member with a disability.

3.28 The HNMS concluded that there is currently an affordable housing shortfall in the borough of Chesterfield of 125 units annually and that future needs could be up to 360 units annually. Taking account of the average house building rates in the borough and the increasing level of housing coming forward from smaller sites, it is considered that this evidence provides justification for the following affordable housing threshold and percentage target:

• An element of affordable housing to be sought on all sites providing 15 or more dwellings i.e. below the normal Circular 6/98 threshold of 25 dwellings;

• The proportion sought should be up to 36% affordable housing (including special needs housing) on each site which is at or above this threshold;

3.29 The study also concluded that nearly 16% of households are likely to have a member with special needs. Whilst this person will often have a physical disability, special needs also includes frail elderly people, young vulnerable people, people with a learning disability, a mental health problem or a severe sensory disability. These households are concentrated in the social rented sector and exhibit high levels of unsuitable housing and low income. There is a need to provide new specialist accommodation to help address this shortfall.

3.30 The HNMS identifies a continuing mismatch between stock available and demand for affordable housing. There are significant areas of high demand e.g. in the western part of the borough, but low levels of demand also exist in the some areas. The HNMS recommends that new provision ought to be made in areas of highest need or demand and elsewhere commuted sums should be considered to support off-site provision. It recommends that to meet the annual shortfall the affordable housing target of up to 36% should be applied borough wide.

3.31 The survey also justifies a specific need for affordable housing to meet the needs of households with disabilities. The borough council has already identified this need and has included proposals to address this in its housing strategy. The council's ability to address this need, particularly in relation to providing purpose built accommodation, is severely constrained by government policy and its enabling role is further constrained by the limited availability of funds for the Housing Corporation to allocate. A policy is required to allow the council to seek
provision of accommodation to meet these special needs and help create sustainable mixed communities.

3.32 Where the council and the developer agree that a financial or other contribution (such as land or buildings) should be offered in lieu of on-site provision, the contribution would normally be secured by a planning obligation.

3.33 The council will expect developers to achieve the target set for each site in the knowledge that public subsidy from either the council or the Housing Corporation is likely to be rarely available and to work in partnership with one or more of the six recommended Registered Social Landlords (RSLs) or one that provides an equivalent scheme in terms of quality, value for money and on-going services to tenants.

The council has signed a Social Housing Agreement with all the RSLs operating in the borough. This sets out the council’s aim to secure nomination rights of 100% for 5 years and 75% thereafter in respect of the affordable housing secured. Regard should be had to further detailed guidance on affordable housing to be contained in supplementary planning documents to be published by the council.

HSN 7 AFFORDABLE AND SPECIAL NEEDS HOUSING

ON SITES OF 15 OR MORE DWELLINGS (INCLUDING PHASED DEVELOPMENTS WHERE EACH PHASE IS LESS THAN 15 DWELLINGS) A PROPORTION OF AFFORDABLE AND/OR SPECIAL NEEDS HOUSING WILL BE SOUGHT THROUGH A PLANNING OBLIGATION IN LINE WITH THE NEEDS IDENTIFIED IN THE HOUSING NEEDS AND MARKETS STUDY FOR THE BOROUGH.

THE AMOUNT AND TYPE OF AFFORDABLE AND/OR SPECIAL NEEDS HOUSING TO BE NEGOTIATED WILL TAKE ACCOUNT OF:

(a) IDENTIFIED LOCAL HOUSING NEEDS;

(b) THE LOCATION OF THE SITE IN RELATION TO LOCAL SHOPS, SERVICES AND PUBLIC TRANSPORT;

(c) ANY PARTICULAR COSTS ASSOCIATED WITH THE SITE’S DEVELOPMENT;

(d) ANY OTHER PLANNING OBJECTIVES WHICH MAY NEED TO BE GIVEN PRIORITY.

THE AFFORDABLE AND/OR SPECIAL NEEDS HOUSING WILL NORMALLY BE PROVIDED ON SITE. EXCEPTIONALLY IT MAY BE PROVIDED ELSEWHERE IN THE BOROUGH OR BY WAY OF COMMUTED PAYMENTS WHERE IT IS NEITHER PRACTICAL NOR DESIRABLE TO PROVIDE THE HOUSING ON SITE.
Sites for Gypsies and Travellers

3.34 New guidance in Circular 1/2006 Planning for Gypsy and Traveller Caravan Sites, issued in February 2006, recognises that the advice in Circular 1/94 Gypsy Sites and Planning has failed to deliver adequate sites for gypsies and travellers in many parts of the country and introduces significant changes in government policy designed to operate in the new development plan system. These relate to the identification and provision of additional sites through the development plan process, to meet needs assessed through Gypsy and Traveller Accommodation Assessments (GTAA), which will be considered at a regional level by Regional Planning Boards (RPBs) and specified, in terms of pitch numbers, for individual local planning authorities in the Regional Spatial Strategy. Future Development Plan Documents (DPDs) will then be expected to identify specific sites to provide for identified needs, on the basis of criteria set out in the Core Strategy and following community involvement. DPDs will additionally be expected to include criteria-based policies to meet unexpected demand.

HSN 8 SITES FOR GYPSIES AND TRAVELLERS

PLANNING PERMISSION WILL BE GRANTED FOR GYPSY/TRAVELLER SITES PROVIDED THAT THE SITE:

(a) IS ACCESSIBLE TO COMMUNITY SERVICES AND FACILITIES;

(b) CAN BE ADEQUATELY SERVICED WITH DRINKING WATER AND SEWERAGE;

(c) IS OF SUFFICIENT SIZE TO ACCOMMODATE THE PROPOSED NUMBER OF CARAVANS, VEHICLES AND ANCILLARY WORK AREAS (INCLUDING OPEN STORAGE) AND TO PERMIT THE ESTABLISHMENT OF SATISFACTORY BOUNDARY TREATMENT TO ENSURE PRIVACY AND TO MAINTAIN VISUAL AMENITIES;

(d) IS OF AN APPROPRIATE DESIGN AND SCALE THAT DOES NOT HAVE A MATERIALLY ADVERSE IMPACT ON THE VISUAL OR OTHER AMENITIES OF SURROUNDING AREAS AND HAS SUITABLE SAFE ACCESS ONTO THE HIGHWAY NETWORK;

(e) IS NOT LOCATED IN THE GREEN BELT, ON WILDLIFE SITES OR OTHER PROTECTED GREEN SPACES. HOWEVER, SITES FOR GYPSIES AND OTHER TRAVELLERS WILL BE ACCEPTABLE IN OPEN COUNTRYSIDE BEYOND THE GREEN BELT PROVIDED CRITERIA (A) TO (D) ABOVE ARE SATISFIED.
4.0 EMPLOYMENT, ECONOMIC REGENERATION AND TOURISM

Introduction

4.1 Chesterfield’s economy has undergone considerable structural change over the last 15 years. The decline of the traditional industries based on coal, steel and heavy engineering led to high levels of unemployment through most of the last decade. The manufacturing sector now accounts for just over 16% of the workforce. Growth of service sector jobs has compensated to some extent with jobs in the public sector now accounting for almost 33% of the total workforce, retail/pubs/restaurants 24% and financial and business services 11%.

4.2 Although the level of unemployment has declined steadily from the high levels of the nineties, it still remains higher than both the regional and national rates and is the second highest in Derbyshire. The joint Economic Development Strategy for Chesterfield and North East Derbyshire (2005 – 2015) puts forward a vision for North Eastern Derbyshire that by 2015 it will be: “A competitive location, providing quality employment opportunities.” The local plan review seeks to contribute to this end by identifying sufficient land for new and existing businesses to meet structure plan requirements, consistent with the principles of sustainable development. Structure plan provision for employment land is concentrated on class B uses, comprising office, business and light industry (B1), general industry (B2) and distribution (B8), which are dealt with in this chapter. Policies to cover employment in other sectors such as retail, leisure, food and drink and entertainment, education, medicine and care and other services are dealt with in other chapters of this plan.

4.3 A key theme of the plan’s strategy is regeneration and this chapter includes a review of existing employment allocations to ensure that an appropriate range of sites, in terms of quality, size and location, is identified to meet future employment requirements emerging from various economic studies of the coalfield area. In addition to the continuing importance of manufacturing employment in the local economy, there is an identified need for high quality business and office space to accommodate growth in the knowledge-based sectors including ICT and high tech office development. It is vital that growing companies are afforded the widest possible choice of plots and buildings, including managed workspace and starter units, to avoid having to move from the area in order to expand.

4.4 Major employment opportunities have been identified both in the Staveley area at Markham Vale (formerly known as the Markham Employment Growth Zone) and in the Chesterfield area along the A61 corridor. Together they will provide the range of sites required for different types of B1-B8 employment use. Further employment opportunities are expected to come from redevelopment within the Areas of Major Change at the Town Centre Northern Gateway site and
to the south of Chatsworth Road in the A619 corridor and also from redevelopment on the Donkin/UEF site off Derby Road.

4.5 This chapter also includes policies to guide and promote tourism, which is an important element of the council’s economic development strategy. The tourism industry is a significant and growing part of the local economy and by supporting it the plan can enhance Chesterfield’s role as a tourist and visitor destination.

**Employment Land Provision**

4.6 The Derby and Derbyshire Joint Structure Plan 2001 (JSP) requires the provision of 110 hectares of employment land within the B1, B2 and B8 use classes in Chesterfield Borough over the period 1991-2011.

4.7 The structure plan only sets out required provision until 2011. In line with the period of this plan, therefore, a recalculation has been made to cover the period up to 2016. If 110 hectares of land is required between 1991 and 2011, this is an average of 5.5 hectares per year, so that 27.5 hectares will be needed for the additional 5 years. The recalculation for the period up to 2016 therefore increases the requirement to 137.5 hectares.

4.8 51.14 hectares of this has already been built (April 2005) leaving a need to develop a further 86.36 hectares. At the same date 62.19 hectares were already identified as being available for employment use, either with planning permission or allocated in the 1996 adopted local plan.

4.9 All employment land allocations in the 1996 local plan were re-examined to identify whether they are still suitable for employment development and capable of being brought forward for development before 2016. Those sites considered to be constrained or unsuitable and unlikely to be developed during the plan period have been left out of the revised list of local plan allocations, thereby enabling proposals for new land to be brought forward which are capable of being developed in the plan period.

4.10 As a result four small sites have been removed from the list of allocated employment sites. These are Private Drive (1ha.), Newbold Road (0.28ha.), Scarsdale Road, Whittington Moor (0.16ha), and south of Station Road North (0.4ha.) Old Whittington. For the reasons set out in detail in paragraphs 4.32 and 4.33 below, a 20 hectare allocation at North Brimington and a 7.56 hectare allocation at Troughbrook works are considered to be sites which are only likely to come forward in the long term. They are therefore included in policy EMP6 to come forward after 2016.

4.11 The exclusion of the above six sites from the 62.19 hectares of land previously identified as available for development up to 2011 reduces this figure by 29.4 hectares to 32.79 hectares. There is, therefore, a
requirement to identify a further 53.57 hectares of land for employment development to meet the balance of the structure plan provision. The following table summarises the employment land situation in relation to the structure plan provision for industrial development.

**Table 2a Comparison of Structure Plan Employment Land Requirement against Land Available and Allocations**

<table>
<thead>
<tr>
<th>Description</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure Plan requirement 1991 – 2016</td>
<td>137.5ha</td>
</tr>
<tr>
<td>Land Completed or under construction 1991- 2005</td>
<td>51.14ha</td>
</tr>
<tr>
<td>Outstanding commitments (13.01 hectares land with planning permission at 31st March 2005 together with 19.61 hectares land allocated in 1996 adopted local plan and reallocated in policy EMP5)</td>
<td>32.62ha</td>
</tr>
<tr>
<td>Sub Total of Land Available and Developed</td>
<td>83.78 ha</td>
</tr>
<tr>
<td><strong>Shortfall to be met</strong></td>
<td>53.72 ha</td>
</tr>
<tr>
<td>New Allocation, Markham Vale (Policy EMP1)</td>
<td>64.6 ha</td>
</tr>
<tr>
<td><strong>Overprovision</strong></td>
<td>10.88 ha</td>
</tr>
</tbody>
</table>

4.12 The majority of employment land in the borough is located along the A61 and A619 corridors where, in recent years, the closure or reduction in size of major companies has left large tracts of derelict and unused land and buildings. Policies in the 1996 local plan sought to retain these areas in employment use by allocating them for redevelopment for industrial purposes including perhaps offices or warehousing.

4.13 In several cases mixed use regeneration schemes are considered to be the most effective way of bringing derelict and redundant industrial land and buildings back into beneficial use. Residential led mixed-use schemes provide the best opportunity, although they may not be suitable on sites which are subject to adverse environmental conditions. The retail needs of the borough can be met by sites within existing centres and sites close to, or on the edge of, Chesterfield town centre, such as the Donkin/UEF site which is allocated for a large format DIY retail store as well as local shopping facilities as part of the mixed use regeneration scheme for the site. Three key regeneration opportunity sites are identified as Areas of Major Change in policies GEN11, GEN12 and GEN13. They are located in or close to areas of high economic and social deprivation. Large parts of these sites are proposed to be retained for employment uses within mixed use schemes, but not necessarily employment provided by industrial uses of land.

4.14 Therefore, in considering the scale of employment land provision, there are a number of qualifying factors which need to be taken into account:
- The assumption has been made that sites at Troughbrook Works and North Brimington do not contribute before 2016 for the reasons set out in paragraphs 4.32 and 4.33.

- Within the Areas of Major Change along the A61 and A619 corridors it is likely that there will be a net loss of industrial land area even if jobs are replaced, as intended.

- There is likely to be a change from industrial to housing on some unknown sites in the future, based on government guidance and current trends.

- Part of the plan’s strategy is to seek redevelopment of key areas of underused or vacant industrial land to provide other employment sector jobs.

4.15 Other land is identified in the plan for employment development, which was still in operational use as business or industrial land at 1991. Its redevelopment will only replace that lost since the start of the structure plan period and therefore does not contribute to the strategic requirement.

4.16 The table below sets out details of the employment land provision in the plan, identifying which sites contribute towards structure plan requirement. Although this shows a total provision of 97.22 hectares of land set against the requirement of 53.72 hectares in table 2a above, this includes the 32.64 hectares of land with an outstanding commitment identified in table 2a which have been reallocated in this plan. Therefore, the net additional allocation is 64.6 hectares at Markham Vale in order to meet the 55.41 hectares shortfall. This meets the required local plan allocation up to 2016 and makes an overprovision of 10.88 hectares (7.9%). At this level the excess provision is within the normal 10% allowance which should be made for possible non-implementation of sites within the plan period.

<table>
<thead>
<tr>
<th>Site</th>
<th>Structure Plan Contribution to 2016 (ha)</th>
<th>Not counted against Structure Plan (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New Allocations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Markham Vale (Policy EMP1)</td>
<td>64.6</td>
<td>20.6</td>
</tr>
<tr>
<td><strong>Reallocations from 1996 adopted local plan (policy EMP5)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whitting Valley Road</td>
<td>3.28</td>
<td></td>
</tr>
<tr>
<td>Station Road</td>
<td>5.6</td>
<td></td>
</tr>
<tr>
<td>Hartington Tip</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Dunston Road South</td>
<td>3.8</td>
<td></td>
</tr>
<tr>
<td>Dunston Road North</td>
<td>2.1</td>
<td></td>
</tr>
<tr>
<td>Land off Brimington Road North</td>
<td>1.83</td>
<td></td>
</tr>
<tr>
<td><strong>Sites with planning permission as</strong></td>
<td>13.01</td>
<td></td>
</tr>
</tbody>
</table>
yet unimplemented

Redevelopment of existing employment sites

<table>
<thead>
<tr>
<th>Site Description</th>
<th>Area (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donkin/UEF (Policy EMP2)</td>
<td>4</td>
</tr>
<tr>
<td>Former Dema Glass Site (Policy EMP3)</td>
<td>2</td>
</tr>
<tr>
<td>Former Pearsons Pottery site (Policy EMP3)</td>
<td>4</td>
</tr>
<tr>
<td>Lockoford Lane (Policy EMP3)</td>
<td>2</td>
</tr>
<tr>
<td>Former Lavers and Kitchens site (Policy EMP3)</td>
<td>7</td>
</tr>
<tr>
<td>Goytside Road (Policy EMP4)</td>
<td>5</td>
</tr>
<tr>
<td>TOTAL</td>
<td>97.22</td>
</tr>
</tbody>
</table>

Proposed development sites

Markham Vale

4.17 The concept of the Markham Vale development, (previously known as MEGZ, the Markham Employment Growth Zone) originated as a response to the Coalfields Task Force Report “Making the difference – a new start for England’s Coalfield Communities”. The 2002 RPG8 recognised the need to regenerate the Northern Coalfield as a priority and the Quality of Employment Land (QUELS) study, requested by Policy 12 of RPG8, concluded that the development of Markham Vale would significantly enhance the supply of employment land in the sub-region both in terms of quantity and quality.

4.18 It is considered that the Markham Vale proposal will contribute to the regeneration of the Northern Coalfields sub-area which continues to be afforded priority status. It makes use of brownfield land including the former Markham Colliery and addresses problems of dereliction and contamination. It provides a regeneration catalyst to an area with concentrated economic, social and environmental problems associated with the decline of the coal industry. It is well placed to serve the employment needs of a range of settlements, both urban and rural and will have good accessibility to road and rail infrastructure, including government approval in principle for access from a new Junction 29a on the M1 motorway. Finally, it will provide improved local landscapes and environmental improvement.

4.19 Outline planning permission for the scheme was issued in April 2005, in line with proposals set out in the deposit and redeposit drafts of this replacement local plan. It provides approximately 127.3 hectares (gross) of land for employment development of which 85.2 hectares is within Chesterfield Borough. It is anticipated that the project will be completed over a period of 10 years, from when permission was granted, within the period of this revised plan. Although it is now a commitment, a policy continues to be included in this plan in order to provide continuing context for the development.

4.20 Within the borough a total of 20.6 hectares (gross) of the proposed Markham Vale development was in active employment use at the
structure plan base date of 1991, so their redevelopment for employment uses does not count against the structure plan requirement. Therefore, the total amount of new employment land at Markham Vale to be set against the outstanding structure plan requirement up to 2016 is 64.6 hectares.

4.21 The development of Markham Vale is also intended to assist the development of further allocated industrial sites in the Staveley area. The scale of the necessary infrastructure also highlights the need to provide a range of employment opportunities and associated services. The magnitude of the scheme and the demands likely to be generated by it justify the inclusion of hotel and conference facilities, which will also help to promote neighbouring tourism attractions. Any retail, leisure and other service facilities should be limited to those which are strictly essential for meeting the daily needs of people working in and visiting businesses in the area.

EMP 1 MARKHAM VALE DEVELOPMENT

85.2 HECTARES OF LAND WITHIN THE BOROUGH AT MARKHAM VALE IS IDENTIFIED AS PART OF A NEW EMPLOYMENT SITE OF REGIONAL IMPORTANCE FOR B1, B2 AND B8 USES TO BE DEVELOPED ONLY AS PART OF A COMPREHENSIVE EMPLOYMENT SCHEME INVOLVING LAND WITHIN THE ADJACENT DISTRICTS OF NORTH EAST DERBYSHIRE AND BOLSOVER. DEVELOPMENT OF THIS LAND MUST INCORPORATE THE FOLLOWING ELEMENTS:

(a) A NEW JUNCTION 29A ON THE M1;
(b) PROVISION OF THE STAVELEY LOOP ROAD;
(c) PROVISION OF PUBLIC TRANSPORT CONNECTING TO SURROUNDING SETTLEMENTS, TO INCLUDE BUS SERVICES, A PARK AND RIDE FACILITY AND, WHERE FEASIBLE, PASSENGER RAIL SERVICES;
(d) PROVISION FOR A RAIL FREIGHT TERMINAL;
(e) NO MORE THAN 6 HECTARES OF B1 (A) OFFICE USE, SUBJECT TO A SEQUENTIAL TEST;
(f) PROVISION FOR A HOTEL IN THE SOUTHERN PART OF THE SITE NOT EXCEEDING 1 HECTARE IN AREA;
(g) A DESIGN FRAMEWORK FOR THE DEVELOPMENT, INCLUDING PUBLIC ART IN LINE WITH THE PERCENT FOR ART POLICY;
(h) SUBSTANTIAL LANDSCAPING AND TREE PLANTING.
Donkin/UEF Site, Derby Road

4.22 This 20 hectare site is located on Chesterfield’s southern gateway approach to the town centre. It is considered to be a strategic high quality employment site, as defined by policy 15 of the 2002 Regional Planning Guidance for the East Midlands (RPG8). Following public consultations on the first deposit version of the replacement local plan, planning permission was granted in 2004. Development has not yet begun and the proposal is retained in this local plan as a formal statement of the council’s intentions and to guide the scheme in the future. A vision and general master plan for the site has been prepared, which aims to create a new high quality employment scheme, largely comprising B1 office development, as well as allowing existing employment uses on the site to be retained.

4.23 Other uses are also necessary in order to achieve an economically viable scheme. The council’s Retail Capacity Study recognises the capacity for a large format DIY retail warehouse and the qualitative benefits this would bring to the town. A comparison of potential out-of-centre sites concluded that the Donkin/UEF site is best placed to offer a high level of accessibility by all modes of travel and the potential to generate linked shopping trips to the town centre. As well as housing, community facilities and local shops, therefore, the 2004 outline planning permission includes a large format DIY outlet. The opportunity will also be taken to open up the River Hipper frontage as an attractive public open space with a walking and cycling route linking the site to the town centre, Queens Park and the railway station.

EMP 2 DONKIN/UEF SITE, DERBY ROAD
20 HECTARES OF LAND IS IDENTIFIED AS A MAJOR MIXED USE REGENERATION OPPORTUNITY ON THE FORMER DONKIN/UEF SITE AT DERBY ROAD.

REDEVELOPMENT OF THE SITE SHOULD MEET THE FOLLOWING OBJECTIVES:

(a) THE DEVELOPMENT OF A MINIMUM OF 4 HECTARES AND 25,000 SQUARE METRES FOR A HIGH QUALITY B1 BUSINESS PARK FRONTING DERBY ROAD.

(b) THE RELOCATION OF BRYAN DONKIN VALVES TO A NEW 1.3 HECTARE SITE WITHIN THE BOROUGH’S EXISTING INDUSTRIAL AND BUSINESS AREAS;

(c) THE RETENTION OF CHESTERFIELD CYLINDERS ON A 4.8 HECTARES SITE.

(d) THE DEVELOPMENT OF A LARGE FORMAT DIY RETAIL WAREHOUSE ON A 3.9 HECTARE SITE.

(e) THE DEVELOPMENT OF 5.57 HECTARES OF LAND FOR HOUSING, INCLUDING SPECIAL NEEDS DWELLINGS TO SATISFY AFFORDABLE HOUSING REQUIREMENTS AND
LOCAL OPEN SPACE TO SATISFY CHILDRENS’ PLAY REQUIREMENTS.

(f) THE DEVELOPMENT OF LOCAL SHOPS AND COMMUNITY FACILITIES, INCLUDING DOCTORS’ SURGERY, PHARMACY, AND MEETING ROOMS FOR COMMUNITY USE.

(g) THE CREATION OF AN AMENITY AREA IN THE NORTHWEST OF THE SITE COMPRISING A RIVERSIDE WALKWAY THROUGH TO QUEENS PARK, PUBLIC OPEN SPACE (INCLUDING A SKATEBOARD PARK), WETLAND NATURE AREA, FOOTPATH AND CYCLEWAY LINKS TO THE TOWN CENTRE VIA HIPPER STREET SOUTH AND TO THE RAILWAY STATION VIA THE DISUSED RAILWAY LINE.

THE BOROUGH COUNCIL WILL REQUIRE THE SITE TO BE REDEVELOPED COMPREHENSIVELY IN ACCORDANCE WITH SECTION 106 OBLIGATIONS REQUIRING, IN ADDITION TO THE ABOVE, CAR PARKING SCHEMES FOR THE OFFICES AND RETAIL STORE, PROVISION FOR PUBLIC ART, RECYCLING AND SUSTAINABILITY MEASURES SCHEMES, AN ACCEPTABLE HIGHWAY ACCESS SOLUTION AND PROVISION FOR THE CONSTRUCTION OF A MINIMUM OF 2,323 SQUARE METRES OF B1 OFFICE FLOORSPACE PRIOR TO THE OCCUPATION OF THE DIY WAREHOUSE.

A61 Corridor

4.24 Much of the land in the borough historically and currently used for industry and business is located along the A61 corridor, mostly to the north of the town centre. The Sheepbridge/Dunston area has been the largest industrial development area in the borough and is one which has attracted a considerable level of business inquiries.

4.25 There are previously allocated sites in this corridor, which are retained in this review of the plan. These are the former Wagon Works site at Station Road, which has a completed access road as far as the edge of the site and the Whitting Valley Road site to the east of Station Road. It is also proposed to retain the two sites at Dunston Road. Dunston Road South has already received planning permission and both sites would extend the successful “hi-tech” scheme. All of these sites are listed in Table 3 above as part of the future industrial land provision for the borough and are allocated along with other smaller sites in Policy EMP5.

4.26 Further south in the same corridor there are other former industrial areas, which have become derelict due to the closure or contraction of major companies. These areas are extremely well located to accommodate business growth from both local and footloose companies which want to locate in the central part of the borough to take advantage of high-profile sites close to the railway station and the town centre. Several important sites are located here, including the
disused Dema Glass works at Sheffield Road, the unused land to the rear of the former Pearsons Pottery, land at Lockoford Lane East, and on Brimington Road the former Lavers timber business and the Trebor Bassett factory which ceased production in 2005.

4.27 Policy GEN11 in chapter 2 allocates this whole area in the south of the A61 corridor as an Area of Major Change suitable for regeneration through development for a mixture of uses, guided by a masterplan. Employment will be a key element of this mix, in both business and light industrial sectors, as defined in Policy EMP3. Other uses proposed include a canal basin with waterside businesses to attract visitors (including accommodation), an open space corridor around the river and canal, apartments and houses, a new football stadium on the glassworks site, leisure and offices. Major retail development would not be acceptable in these out-of-centre locations, given current government guidance in PPS6 and the plan’s aim of maintaining and enhancing the vitality of the town centre.

EMP 3 LAND FOR EMPLOYMENT DEVELOPMENT IN THE A61 CORRIDOR AREA OF MAJOR CHANGE

PLANNING PERMISSION WILL BE GRANTED FOR EMPLOYMENT DEVELOPMENT INCLUDING APPROXIMATELY 60,000 SQ.M. OF B1 AND B2 FLOORSPACE WITHIN THE A61 CORRIDOR AREA OF MAJOR CHANGE, AS SHOWN ON THE PROPOSALS MAP, SUBJECT TO THE TERMS OF POLICY GEN11. THE EMPLOYMENT DEVELOPMENT WILL BE PART OF A COMPREHENSIVE SCHEME TO REDEVELOP THE CORRIDOR AND WILL TAKE PLACE IN FOUR MAIN AREAS:

(a) FORMER DEMA GLASS SITE, SHEFFIELD ROAD;
(b) FORMER PEARSONS POTTERY SITE, POTTERY LANE EAST;
(c) FORMER ARNOLD LAVERS AND KITCHENS SITES, BRIMINGTON ROAD;
(d) FORMER TREBOR BASSET FACTORY SITE, BRIMINGTON ROAD.


A619 Corridor (Chatsworth Road, South)

4.28 In the area to the south of Chatsworth Road a number of works have contracted or closed in recent years. Much of the land in this area is owned by one company, Robinson, which is seeking to redevelop it in a comprehensive way. The council welcomes this approach and has therefore identified it as an Area of Major Change in policy GEN13 in chapter 2, to be developed in a comprehensive way, in accordance
with an agreed general development framework and planning briefs. A mixture of uses within this area is most likely to contribute positively to the quality of life of the town and surrounding neighbourhoods and achieve sustainable development. As with the A61 corridor, employment will be an important element of this mix, as defined in policy EMP4, particularly on the south side of Goyt Side Road where there are ongoing industrial employment activities. There is potential for high quality housing and apartments in a riverside setting, offices and some ancillary leisure and food and drink uses.

4.29 As with the vacant industrial sites along the A61 corridor, major retail development would not be acceptable in these out-of-centre locations, given current government guidance in PPS6 and the council's intention of enhancing the vitality of the town centre. An extension of the Wheatbridge Road retail warehouse park would also not be acceptable, since further capacity for retail warehousing is already provided for south of Markham Road, nearer to the town centre. However, there is scope for small scale retail and associated commercial development on the immediate frontages to Chatsworth Road, provided that it is appropriate in scale and character to the facilities of the district shopping centre.

4.30 The redevelopment of land on or adjacent to Goyt Side Road will require the upgrading of that road to adoption standard to enable any development to proceed. The council will apply conditions to this effect or seek to negotiate it through a legal agreement linked to the granting of any planning permission.

EMP 4 LAND FOR EMPLOYMENT DEVELOPMENT IN THE AREA OF MAJOR CHANGE TO THE SOUTH OF CHATSWORTH ROAD

PLANNING PERMISSION WILL BE GRANTED FOR EMPLOYMENT DEVELOPMENT WITHIN THE AREA OF MAJOR CHANGE TO THE SOUTH OF CHATSWORTH ROAD (A619 CORRIDOR), AS SHOWN ON THE PROPOSALS MAP, SUBJECT TO THE TERMS OF POLICY GEN13, AS PART OF A COMPREHENSIVE MIXED USE APPROACH FOR THIS AREA. IN GRANTING PLANNING PERMISSION THE COUNCIL WILL SEEK TO NEGOTIATE AN OBLIGATION UNDER SECTION 106 OF THE 1990 ACT TO SECURE THE UPGRADING OF GOYT SIDE ROAD TO AN ADOPTABLE STANDARD, INCLUDING THE PROVISION OF A DEDICATED CYCLE LANE.

Other sites for employment development

4.31 A number of smaller sites were identified for employment development in the 1996 local plan, which as yet remain undeveloped. Several of these are in the A61 corridor as mentioned in paragraph 4.25, but others are outside the areas of major change identified in policies GEN11, GEN12 and GEN13 and continue to need specific policy coverage. As part of the review of employment sites these were
considered to offer important opportunities for industrial, business and high tech development within the plan period, particularly for small and medium sized businesses. They are therefore reallocated for B1, B2 and B8 employment uses.

EMP 5 OTHER SITES FOR EMPLOYMENT DEVELOPMENT

PLANNING PERMISSION WILL BE GRANTED FOR B1, B2 AND B8 USES ON THE FOLLOWING SITES, AS SHOWN ON THE PROPOSALS MAP:

(a) LAND AT WHITTING VALLEY ROAD (3.28 HECTARES)
(b) LAND AT STATION ROAD (5.6 HECTARES)
(c) HARTINGTON TIP (3 HECTARES)
(d) LAND AT DUNSTON ROAD (SOUTH) (3.8 HECTARES)
(e) LAND OFF BRIMINGTON ROAD NORTH (1.83 HECTARES)
(f) LAND AT DUNSTON ROAD (NORTH) (2.1 HECTARES)

PLANNING PERMISSION WILL BE GRANTED SUBJECT TO THE CRITERIA LISTED IN POLICY EMP8 BUT ON SITE (d) WILL BE LIMITED TO B1 OFFICE USE.

PROPOSALS FOR RETAIL DEVELOPMENT AND COMMERCIAL LEISURE USES WITHIN CLASS D2 WILL NOT BE PERMITTED UNLESS THEY ARE ANCILLARY TO THE MAIN INDUSTRIAL OR BUSINESS ACTIVITIES.

Sites for Employment development in the Long Term

4.32 A 20 hectare site at North Brimington cannot be developed at present as it has no road access. It relies on the proposed Chesterfield-Staveley regeneration route to open up this major new development opportunity. Although this route is safeguarded by the plan, it is unrealistic to expect the new road to be constructed in the near future so that the industrial site can be fully or even partly developed within the plan period. It is proposed, therefore, that this site is only included as an allocation in the longer term, beyond the period of this local plan (after 2016). However, in view of its excellent location, the site needs to be reserved for future employment development.

4.33 The nearby site at Troughbrook Works, east of Works Road (7.56 hectares) is close to hazardous chemical industries, which severely limits its development potential and the type of business activity likely to be attracted to the site. With such constraints it may not be developed within the period of the local plan up to 2016. It is therefore proposed to reserve the site for longer term business and industrial development, possibly in conjunction with any future plans for the redevelopment of the adjoining chemical works. However, the borough council will grant planning permission for other uses which would
provide employment, providing they are compatible with adjoining land uses.

4.34 While reserving these two sites for employment development beyond the plan period, policy EMP6 does allow for their earlier development if required to meet a shortfall of employment land in relation to the strategic requirement. This situation could arise should the take-up of other allocated employment sites be lower than expected through sites not coming forward for development, allocated sites being lost to other forms of development and regeneration, or unexpectedly low levels of job creation or floorspace provision arising from employment developments. In such circumstances it would be clear that the supply of employment land was inadequate, and that the early release of either of these sites would not lead to an oversupply of employment land.

EMP 6 SITES FOR EMPLOYMENT DEVELOPMENT IN THE LONG TERM

TWO SITES WILL BE SAFEGUARDED FOR EMPLOYMENT DEVELOPMENT BEYOND THE PLAN PERIOD, UNLESS EARLIER DEVELOPMENT OF EITHER SITE IS NEEDED TO MEET A SHORTFALL OF EMPLOYMENT LAND IN RELATION TO THE STRATEGIC REQUIREMENT:

a) TROUGHBROOK WORKS (7.56HA)

b) NORTH BRIMINGTON (20HA)

DEVELOPMENT OF BOTH THE TROUGHBROOK AND NORTH BRIMINGTON SITES WILL ONLY BE PERMITTED FOLLOWING THE COMPLETION OF THE CHESTERFIELD – STAVELEY REGENERATION ROUTE. IN THE CASE OF TROUGHBROOK WORKS DEVELOPMENT WILL ONLY BE PERMITTED IF IT IS COMPATIBLE WITH ANY EXTANT PERMISSION FOR HAZARDOUS INDUSTRIAL USES ON THE ADJACENT SITE.

Development in existing employment areas

4.35 Existing industrial and business areas are largely built-up. However, there may be scope for small scale development, for example for the expansion of existing uses or, in some cases, redevelopment. It is important that such development is allowed in order to protect existing jobs and facilitate new job opportunities. The maintenance of an adequate and diverse supply of employment land is a key objective of the plan. Therefore, proposals for alternative uses, including retail development, will not normally be permitted.

4.36 It is important that sufficient land is allocated and available for business and industrial use to meet the strategic requirements. However, the council also recognises that in a modern economy not all employment opportunities fall strictly within the B1, B2 or B8 use classes. Particular
Attention will therefore be paid to the job creation potential of any alternative proposal. The council will take account of the extent to which the new ‘alternative’ development can reasonably co-exist with existing business and industrial operations. It will seek to ensure that development does not inhibit industrial or business activity on land allocated for that use. In considering proposals, the council will give full weight to other policies of this plan and the need to maintain an adequate supply of employment land for business and industrial purposes.

**EMP 7 DEVELOPMENT IN EXISTING BUSINESS AND INDUSTRIAL AREAS**

Within the established employment areas, as shown on the proposals map, planning permission will be granted for employment development subject to the criteria listed in policy EMP8.

In assessing such proposals outside the B1, B2 and B8 use classes, regard will be had to the employment generating potential of the alternative use.

Proposals for retail development and major commercial leisure uses within use class D2 will not be permitted unless they are ancillary to the main industrial or business activities.

Planning permission will only be granted for the redevelopment of existing employment sites for other alternative uses, provided that the following criteria are met:

(a) (in the case of sites near to residential areas) a satisfactory living environment for residents can be created and adequate supporting community facilities provided or there is a high level of accessibility to existing facilities;

(b) The proposal would not prejudice the development potential of other land identified for employment use by adversely affecting market image or physical layout;

(c) The proposal would not lead to a qualitative or quantitative deficiency in the supply of employment land;

(d) The proposal would not unduly inhibit existing or future business activity in the area through incompatible environmental or operational demands.
Layout and design of Employment Development

4.37 It is the council’s aim to achieve a high quality environment in new employment areas and improve the environment in existing employment areas, whenever the opportunity arises. It is also important to ensure that the impact of employment development on the surrounding areas is minimised.

EMP 8 LAYOUT AND DESIGN OF EMPLOYMENT DEVELOPMENT

WITHIN THE PROPOSED AND EXISTING EMPLOYMENT AREAS REFERRED TO IN POLICIES EMP1, 2, 3, 4, 5 AND 7, PROPOSALS FOR THE DEVELOPMENT OR REDEVELOPMENT OF LAND, THE EXTENSION OF EXISTING PREMISES, OR THE REUSE, (INCLUDING THE CONVERSION) OF VACANT EMPLOYMENT PREMISES FOR EMPLOYMENT USES (USE CLASSES B1, B2, AND B8) WILL BE PERMITTED PROVIDED THAT:

(a) A SAFE, EFFICIENT AND ATTRACTIVE ROAD LAYOUT AND ACCESSES ARE PROVIDED, INCLUDING ACCESS FOR BUSES WHERE APPROPRIATE;

(b) ADEQUATE SPACE IS PROVIDED FOR THE PARKING AND LOADING/UNLOADING OF VEHICLES WITHIN THE SITE TO SATISFY BOTH OPERATIONAL AND NON-OPERATIONAL REQUIREMENTS, HAVING REGARD TO THE PARKING STANDARDS SET OUT IN APPENDIX B;

(c) ADEQUATE SPACE IS PROVIDED WITHIN THE SITE TO MEET FORESEEABLE EXTENSION NEEDS AND TO ACCOMMODATE SATISFACTORY ALL EXTERNAL STORAGE;

(d) INDIVIDUAL BUILDINGS ARE OF A HIGH STANDARD OF DESIGN AND APPEARANCE AND RELATED, WHERE APPROPRIATE, TO ADJOINING BUILDINGS, THE AREA GENERALLY AND THE NATURAL FEATURES OF THE SITE IN TERMS OF SITING, SCALE, ORIENTATION, DETAILING AND MATERIALS;

(e) THE IMPORTANCE OF LANDSCAPING IS RECOGNISED IN TERMS OF CREATING A PLEASANT WORKING ENVIRONMENT AND REDUCING THE IMPACT OF THE BUSINESS, INDUSTRIAL OR STORAGE DEVELOPMENT ON ADJACENT AREAS, AND THE NEED TO DESIGN AND TREAT MEANS OF ENCLOSURE, WHERE NECESSARY, AS AN INTEGRAL PART OF THE SITE DEVELOPMENT IS ALSO RECOGNISED;

(f) SITES ARE PLANNED AND LAID OUT ON A COMPREHENSIVE BASIS IN AN EFFICIENT AND VISUALLY PLEASING MANNER WITH PARTICULAR ATTENTION PAID TO THE LOCATION AND
SCREENING OF STORAGE AND SERVICE AREAS AND THE ARRANGEMENT OF CAR PARKS, BUILDINGS AND LANDSCAPING;

(g) FOR SITES IN CLOSE PROXIMITY TO HOUSING OR RECREATION USES, LANDSCAPED “BUFFER ZONES” ARE PROVIDED ALONG THEIR MORE SENSITIVE BOUNDARIES AND CONSIDERATION GIVEN TO THE USE OF OTHER MEASURES SUCH AS SOUND INSULATION, POLLUTION CONTROL, TRAFFIC MANAGEMENT AND RESTRICTED HOURS OF WORKING IN ORDER TO MINIMISE THE ADVERSE IMPACTS OF DEVELOPMENT ON THE AMENITY OF RESIDENTS;

(h) FOR SCHEMES COMPRISING A NUMBER OF SMALL FACTORY UNITS, COMMUNAL VEHICLE CIRCULATION AND PARKING FACILITIES ARE PROVIDED, WHERE APPROPRIATE, THOUGH EACH UNIT WILL STILL BE REQUIRED TO HAVE ITS OWN LOADING/UNLOADING AREA.

Employment development outside new and existing employment areas

4.38 Major new office developments have taken place or have been approved on the fringes of Chesterfield town centre, notably on the former Royal Hospital site; Durrant Road; Boythorpe Road and the redevelopment of Chetwynd House. Two business centres have also been developed by the borough council at Tapton (within the site of a former country house) and on the new “hi tech” Dunston Technology Park campus.

4.39 It is anticipated that the large majority of new employment opportunities will be met within the new and existing employment areas in the plan. In particular the provision of at least 25,000 square metres of new B1 office space at the Donkin/UEF site will be the main focus for this type of employment use with further provision at Markham Vale and in the A61 Corridor in due course. However, there is still further potential for small-scale office-based employment within residential areas and on the edge of shopping centres, particularly on the eastern and southern fringes of Chesterfield town centre. Any B1 office proposals within retail centres should not involve the loss of shopping facilities or important retail frontages. Policy SHC1 provides guidance on appropriate locations for B1 uses within existing centres.

4.40 Within residential areas small B1 businesses can operate without detriment to the amenities of neighbouring residential properties in converted dwellings or purpose-built accommodation on appropriate sites. This could include large houses in their own grounds. There is also a need to facilitate the expansion of working from home as a highly sustainable contribution to improving the local economy. However, it will be important to ensure that adequate controls are in
place to protect the amenity and privacy of neighbouring residential properties and prevent residential communities from becoming dominated by employment uses.

EMP 9 BUSINESS AND INDUSTRIAL DEVELOPMENT IN RESIDENTIAL AREAS

WITHIN RESIDENTIAL AREAS PROPOSALS FOR NEW EMPLOYMENT DEVELOPMENT WITHIN CLASSES B1, B2 AND B8 WILL BE PERMITTED OUTSIDE EXISTING AND ALLOCATED SITES PROVIDED THAT THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON THE CHARACTER OF THE SURROUNDING AREA AND THE AMENITIES OF LOCAL RESIDENTS THROUGH:

(a) THE INAPPROPRIATE SITING AND SCALE OF THE DEVELOPMENT;
(b) THE NATURE OF THE PROCESSES OR ACTIVITIES;
(c) THE TRAFFIC GENERATED BY IT.

ANY PROPOSALS WILL ALSO BE SUBJECT TO POLICY EMP 7 AND CAR PARKING POLICY.

PROPOSALS FOR NEW EMPLOYMENT DEVELOPMENT WITHIN CLASSES B2 AND B8 WILL NOT BE PERMITTED IN RESIDENTIAL AREAS UNLESS THEY ACCORD WITH THE CRITERIA LISTED ABOVE AND ARE MINOR IN SCALE.

Tourism

4.41 Tourism plays a valuable role in Chesterfield’s economy. It is estimated that approximately 3.5 million people visited Chesterfield in 2002 and that their expenditure of £135 million supported 3400 jobs. Chesterfield town centre is a major attraction with its world famous Crooked Spire and many historic buildings and traditional open market. The proximity of the town to the Peak District National Park and attractions such as Chatsworth, Haddon, Hardwick, Sherwood Forest and the Chesterfield Canal makes it an ideal base for visitors to the area.

4.42 The borough council’s Tourism Strategy seeks to increase the social and economic benefits that sustainable tourism can bring whilst safeguarding the environment and the interests of the local community. It sets out a number of objectives including:

(a) to encourage appropriate new investment in tourism and leisure related businesses, and to develop the existing product in order to benefit the economy and contribute to the atmosphere of the town

(b) to ensure that Chesterfield’s infrastructure provision is of the highest standard and takes into consideration not only the needs
of the resident population but also the needs of the visitor to Chesterfield

(c) to encourage sustainable tourism activity and promote the importance of protecting and enhancing the environment

4.43 The council has been steadily adding to and improving its existing tourism infrastructure. Developments have included:

- major new shopping facilities in Chesterfield town centre at Vicar Lane
- environmental improvements in Chesterfield and Staveley town centres
- major country parks at Holmebrook Valley and Poolsbrook
- a new Tourist Information Centre in Chesterfield town centre
- major leisure and cultural facilities
- restoration of part of the Chesterfield Canal
- the creation of multi-user trails forming part of a national and regional network
- the development of over 40 works of public art which form Chesterfield’s art trail.

4.44 In order to promote further visitor growth in the borough it is important to try to encourage new visitor attractions. Specifically the council has granted planning permission for a major new leisure development, the Ecodome, on the western side of Sheffield Road at Sheepbridge. The proposal consists of a large, climate-controlled dome for a wide variety of leisure and educational activities, together with a lake for outdoor leisure uses and accommodation in lodges.

4.45 The original proposal is being amended to facilitate a greater degree of daily use of the facilities and enable visitors to access the site by a range of transport means.

4.46 The development of the Ecodome as a major new visitor attraction would be a significant boost to revitalising the local economy and increasing the number of overnight stays.

4.47 In view of its location within the Green Belt, the council would not consider any alternative development which is not aimed at increasing the number of tourists to the town.

4.48 The further restoration of the Chesterfield Canal both within the borough and in neighbouring authorities will bring greater numbers of visitors, particularly when the western and eastern sections are linked to provide a complete waterway to the Trent. The development of further strategic walking and cycling routes, linking to Greenways (including the existing Trans Pennine Trail and the Sustrans regional and national cycle route) will also benefit tourism in the borough and lead to further opportunities for leisure facilities related to the use of the
canal and trails, together with additional visitors for the Chesterfield and Staveley open air markets. The Solar Pyramid, a large-scale artwork proposed at Pools Brook Country Park, will be a further major attraction for tourists.

EMP 10 TOURISM DEVELOPMENTS

PLANNING PERMISSION WILL BE GRANTED FOR THE DEVELOPMENT, ENHANCEMENT AND EXPANSION OF VISITOR ATTRACTIONS AND RELATED FACILITIES, PROVIDED THAT:

(a) THE PROPOSALS MEET THE TEST OF THE SEQUENTIAL APPROACH WHICH GIVES PREFERENCE TO MORE CENTRAL LOCATIONS UNLESS THE PARTICULAR DEVELOPMENT IS BASED ON AN EXISTING RESOURCE;

(b) THEY ARE OF A SCALE, NATURE AND DESIGN WHICH WILL BE COMPATIBLE WITH, AND CONTRIBUTE TO THE PROTECTION AND ENHANCEMENT OF THE ENVIRONMENT;

(c) THE TRAFFIC GENERATED IS ACCEPTABLE;

(d) THEY DO NOT CONFLICT WITH OTHER POLICIES OR PROPOSALS IN THE PLAN;

(e) THEY ARE, OR CAN BE MADE, WELL SERVED BY THE PUBLIC TRANSPORT NETWORK.

EMP 11 ECODOME PROPOSAL

LAND IN THE GREEN BELT NORTH OF THE A61 AT SHEEPBRIDGE AND WEST OF SHEFFIELD ROAD WILL BE SAFEGUARDED FOR DEVELOPMENT OF THE ECODOME LEISURE PROJECT IN ACCORDANCE WITH THE PLANNING PERMISSION FOR THE SITE.

4.49 A key factor in promoting Chesterfield as a tourist and visitor destination is the quality and availability of accommodation in the town. A number of new hotels have been built in recent years, including the Travelodge, Travel Inn and Ibis and improvements have also been made to existing hotel facilities. The provision of a range of tourist accommodation, including hotels, guest houses, bed and breakfast, self-catering and camping and caravanning accommodation would assist the objectives of the council’s tourism strategy. Business tourism is also a growing sector of the tourist industry and allowing growth in connection with major employment proposals such as Markham Vale and Donkin/UEF could also contribute to the borough’s tourism/visitor offer.

4.50 Locations for new visitor accommodation should be highly sustainable i.e. within the built-up area and well related to the public transport
network. Proposals in countryside locations, including the conversion of suitable existing rural buildings, would be controlled by policies EVR 1 and EVR 2.

EMP 12 PROPOSALS FOR VISITOR ACCOMMODATION

PROPOSALS FOR THE DEVELOPMENT, EXPANSION OR IMPROVEMENT OF VISITOR ACCOMMODATION AND RELATED FACILITIES, INCLUDING CONFERENCE FACILITIES, WILL BE PERMITTED IN THE FOLLOWING LOCATIONS PROVIDED THEY MEET THE TEST OF THE SEQUENTIAL APPROACH WHICH GIVES PREFERENCE TO MORE CENTRAL LOCATIONS (UNLESS THE PARTICULAR DEVELOPMENT IS BASED ON AN EXISTING RESOURCE):

(a) CHESTERFIELD TOWN CENTRE, PARTICULARLY IN AREAS WELL RELATED TO THE RAILWAY STATION;

(b) OTHER AREAS WHICH ARE, OR CAN BE MADE, WELL SERVED BY THE PUBLIC TRANSPORT NETWORK;

(c) MAJOR NEW EMPLOYMENT AREAS;

(d) WITHIN THE AREAS OF MAJOR CHANGE AS IDENTIFIED IN POLICIES GEN11, 12 AND 13;

(e) OTHER SITES WITHIN THE BUILT-UP AREA WHERE THE PRIVACY AND AMENITY OF ADJOINING RESIDENTS IS NOT ADVERSELY AFFECTED.

4.51 Camping and caravan sites provide an increasingly popular form of tourist accommodation. There is a gap in provision not only in Chesterfield but throughout North Eastern Derbyshire. There is also no hostel accommodation for visitors and only a limited number of self-catering units. Planning restrictions in the Peak District National Park and Green Belt areas provide an opportunity for increasing this form of visitor accommodation in the borough where there is easy access to the National Park and other attractions in North Derbyshire.

4.52 A site on Dunston Road (the Mullan Park site) has planning permission for caravan and chalet use. Whilst initial construction work was carried out, the site has remained undeveloped for a number of years. The site is located on the fringe of the National Park and is well placed for this use. Any alternative form of tourist development will need to comply with policy EVR2.

4.53 Elsewhere in the borough similar proposals will be encouraged provided that they also comply with policy EVR2, if they are located in areas of open countryside. Proposals in the Green Belt would be inappropriate.
5.0 ENVIRONMENT

Introduction

5.1 This chapter sets out land use policies designed to protect and enhance the natural and built environment. Careful use of our natural resources is a key component of promoting sustainable development and achieving a high quality urban environment is crucial to the successful regeneration of the borough.

5.2 Many of the policies in this chapter are carried over from the previous local plan but in some cases have been altered to reflect more up-to-date guidance from the government and other agencies.

Protection of the countryside

Green Belt

5.3 The purpose of Green Belts is to contain urban development and prevent the coalescence of settlements, thereby helping to sustain urban communities. The underlying principles for this policy are set out in PPG2 (Green Belts). General Strategy Policy 6 of the Derby and Derbyshire Joint Structure Plan (JSP) defines the general location of the Green Belt in North-East Derbyshire and policy 7 sets out the limited types of development that will be allowed in Green Belts.

5.4 The JSP indicates that there should be no need to alter the general extent of the Green Belt to accommodate future development needs up to 2011.

5.5 In the light of the above and the sequential approach to the selection of land for development, it is not proposed to delete any areas of land from the Green Belt, except where minor adjustments are necessary to reflect current anomalies e.g. garden extensions.

5.6 The policies in the 1996 adopted local plan were effective in preventing inappropriate development in the Green Belt. However, proposals for the replacement of dwellings, conversions to increase the number of dwellings, extensions and alterations to dwellings and changes of use to residential were not permitted by the 1996 adopted policy. This is inconsistent with PPG2 and the policies of neighbouring districts and the policy has been amended accordingly in this plan. So long as the openness of the Green Belt remains unaffected, such proposals can help to ensure that buildings remain in use and can also help to diversify the rural economy. Extensions, alterations and replacements should also not adversely affect the overall character of the Green Belt.
EVR 1 GREEN BELT

WITHIN THE GREEN BELT PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW DEVELOPMENT OF AN URBAN CHARACTER SUCH AS HOUSING, INDUSTRY, COMMERCE, OFFICE DEVELOPMENT AND RETAILING.

PROPOSALS FOR LAND USES WHICH PRESERVE THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND IN IT, AS WELL AS PROPOSALS FOR NEW BUILDINGS RELATED TO AGRICULTURE, FORESTRY, ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION, CEMETERIES AND OTHER APPROPRIATE USES IN THE GREEN BELT, WILL BE PERMITTED PROVIDED THAT:

(a) THE PROPOSAL WOULD NOT DETRACT FROM AN AREA WHERE THE OPEN CHARACTER OF THE GREEN BELT IS PARTICULARLY VULNERABLE BECAUSE OF ITS PROMINENCE OR NARROWNESS; AND

(b) THE SCALE, SITING, DESIGN, MATERIALS AND LANDSCAPE TREATMENT ARE SUCH THAT THE VISUAL EFFECT OF THE PROPOSAL IS MINIMISED AND BUILDINGS ARE IN KEEPING WITH THEIR SURROUNDINGS AND REFLECT LOCAL CHARACTER.

PLANNING PERMISSION WILL BE GRANTED FOR THE CONVERSION OR CHANGE OF USE OF EXISTING BUILDINGS IN THE GREEN BELT PROVIDED THAT CRITERIA (a) AND (b) ABOVE ARE MET AND THAT:

(c) THE PROPOSED USE DOES NOT HAVE A SIGNIFICANTLY GREATER IMPACT ON THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND WITHIN IT THAN THE EXISTING USE; AND

(d) ANY EXTENSION OR ASSOCIATED USE OF LAND SURROUNDING THE BUILDING WOULD NOT CONFLICT WITH THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND WITHIN IT.

PLANNING PERMISSION WILL BE GRANTED FOR EXTENSIONS AND ALTERATIONS TO DWELLINGS IN THE GREEN BELT PROVIDED THAT THEY;

(e) ARE PROPORTIONATE TO THE SIZE AND IN KEEPING WITH THE SCALE AND CHARACTER OF THE EXISTING DWELLING;

(f) ARE CONSTRUCTED OF APPROPRIATE BUILDING MATERIALS; AND

(g) DO NOT HAVE AN ADVERSE IMPACT ON THE SETTING OF THE DWELLING OR THE GREEN BELT.
PLANNING PERMISSION WILL BE GRANTED FOR THE REDEVELOPMENT OF EXISTING DWELLINGS IN THE GREEN BELT PROVIDED THAT:

(h) THE PROPOSED DWELLING DOES NOT HAVE A GREATER IMPACT ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND WITHIN IT THAN THE EXISTING DWELLING AND DOES NOT OCCUPY A MATERIALLY LARGER AREA OF THE SITE THAN THE EXISTING BUILDINGS.

Open countryside and other open land outside the Green Belt.

5.7 There are many areas of open countryside and other open land between communities outside the Green Belt. The open character of these green wedges has been retained through longstanding planning policies of the borough council to resist inappropriate development. They provide a high quality natural environment close to residential communities, thereby enhancing the quality of life in the borough. They define the separate communities of the borough and in some cases penetrate the urban area along river corridors.

5.8 Apart from agricultural land, this network of green spaces contains woodlands, lakes, rivers, the Chesterfield Canal, natural history sites, historic parks and gardens, greenways, country parks, allotments and other public open space. Some of these sites are open land within the built-up area. The local plan will continue to ensure that this network of open land is retained, thereby providing opportunities for enhancing environmental quality and biodiversity interest as well as enabling further greenways to be established by linking up open spaces, woodlands, water areas and the countryside beyond the borough’s boundary.

5.9 None of these areas is required for development in the plan period except for the land now allocated for development within Markham Vale (see chapter 4). Land has been allocated for urban development in accordance with national and regional policy guidance and General Development Strategy Policy 3 of the JSP which includes references to respecting patterns of open land within and between settlements and avoiding prominent intrusion into the countryside.

5.10 In view of the vulnerability of these green wedges, it is important that any development should not detract from their open character or compromise their potential as wildlife habitats. Examples of the types of development, which could be acceptable, are those relating to agriculture and forestry, outdoor sports and recreation, tourism and other types of farm or rural diversification. The conversion or change of use of existing buildings (including to residential use) can help to diversify elements of the existing rural economy will normally be acceptable provided that the open character of the area is not
compromised and provided that it does not lead to a large number of extra car trips made by employees or other visitors. The redevelopment of existing buildings will be acceptable for the types of uses appropriate in the open countryside. The replacement of existing dwellings with new dwellings will also be acceptable. However, the redevelopment of existing non-residential buildings to residential use would not be acceptable. Minerals and waste development may need to take place in the open countryside. However, as the responsibility for determining such applications rests with the county council, the relevant policy framework is contained in the Minerals and Waste Local Plans and LDFs. The county council will consult the council on any relevant applications in the borough.

**EVR 2 DEVELOPMENT IN THE OPEN COUNTRYSIDE AND OTHER OPEN LAND**

WITHIN THE AREAS OF OPEN COUNTRYSIDE AND OTHER OPEN LAND PLANNING PERMISSION WILL ONLY BE GRANTED FOR NEW DEVELOPMENT WHICH IS NECESSARY FOR THE NEEDS OF AGRICULTURE AND FORESTRY OR IS RELATED TO RECREATION, TOURISM OR OTHER TYPES OF FARM OR RURAL DIVERSIFICATION PROVIDED THAT:

(a) THE LOCATION OF THE DEVELOPMENT OUTSIDE THE SETTLEMENT FRAMEWORK IS SUSTAINABLE;

(b) THE PROPOSAL WOULD NOT DETRACT FROM AN AREA WHERE THE OPEN CHARACTER OF THE COUNTRYSIDE IS PARTICULARLY VULNERABLE BECAUSE OF ITS PROMINENCE OR NARROWNESS (INCLUDING THE QUALITY OF THE LANDSCAPE AND ANY NATURE CONSERVATION INTEREST); AND

(c) THE SCALE, SITING, DESIGN, MATERIALS AND LANDSCAPE TREATMENT ARE SUCH THAT THE VISUAL EFFECT OF THE PROPOSAL IS MINIMISED AND BUILDINGS ARE IN KEEPING WITH THEIR SURROUNDINGS AND REFLECT LOCAL CHARACTER; AND

(d) THE PROPOSAL WOULD NOT LEAD TO UNDUE DISTURBANCE BY THE CREATION OF EXCESSIVE NOISE OR TRAFFIC OR THE ATTRACTION OF LARGE NUMBERS OF PEOPLE.

(e) THE PROPOSED DEVELOPMENT INCLUDING ANY ACTIVITIES OUTSIDE THE BUILDING WOULD AVOID UNNECESSARY URBANISATION AND SPRAWL AND NOT MATERIALLY HARM THE RURAL LANDSCAPE

PLANNING PERMISSION WILL BE GRANTED FOR THE CONVERSION OR CHANGE OF USE OF EXISTING BUILDINGS IN AREAS OF OPEN COUNTRYSIDE PROVIDED THAT CRITERIA (a) TO (e) ABOVE ARE MET AND THAT THE BUILDING IS SUITABLE FOR THE INTENDED USE WITHOUT THE NEED FOR-SIGNIFICANT EXTENSION OR MAJOR RECONSTRUCTION. PROPOSALS FOR
CONVERSION OR CHANGE OF USE OF RURAL BUILDINGS FOR HOUSING PURPOSES WILL ONLY BE ACCEPTABLE IF EVIDENCE IS SUBMITTED TO SHOW THAT EFFORTS HAVE BEEN MADE TO SECURE RE-USE WHICH FURTHERS EMPLOYMENT OR IF EMPLOYMENT USE WOULD BE INAPPROPRIATE IN THAT LOCATION OR THAT BUILDING.

PLANNING PERMISSION WILL BE GRANTED FOR THE REDEVELOPMENT OF EXISTING BUILDINGS IN AREAS OF OPEN COUNTRYSIDE ONLY FOR USES WHICH ARE NECESSARY FOR THE NEEDS OF AGRICULTURE AND FORESTRY OR ARE RELATED TO RECREATION, TOURISM OR OTHER TYPES OF FARM OR RURAL DIVERSIFICATION PROVIDED THAT CRITERIA (a) TO (e) ABOVE ARE MET AND THAT:

(f) THE PROPOSED BUILDING DOES NOT HAVE A GREATER IMPACT ON THE OPEN CHARACTER OF THE COUNTRYSIDE AND THE PURPOSE OF INCLUDING LAND WITHIN IT THAN THE EXISTING BUILDINGS AND DOES NOT OCCUPY A MATERIALLY LARGER AREA OF THE SITE THAN THE EXISTING BUILDINGS.

PLANNING PERMISSION WILL BE GRANTED FOR THE REPLACEMENT OF EXISTING DWELLINGS WITH NEW DWELLINGS PROVIDED THAT CRITERIA (c) AND (f) ABOVE ARE MET.

Safeguarding and enhancing the natural environment

5.11 The open land protected by policies EVR1 and EVR2 offers the local communities considerable opportunities to enjoy the recreational benefits of living close to attractive landscapes, woodlands, rivers, lakes, canal and natural history sites. These areas also afford protection to wildlife, improve public health and offer opportunities for environmental education. The beauty and amenity which these areas provide needs to be conserved and managed.

5.12 The borough council is a partner in the Three Valleys Project, which works to promote greater understanding and conservation of the countryside and to improve access to it, through the development of sustainable tourism initiatives. The Chesterfield Canal Greenway, the Linacre valley project and the Chesterfield Walking for Health project are all recent examples of such projects.

5.13 Derbyshire Wildlife Trust, in consultation with the borough council, has also prepared a “Greenprint for Chesterfield”, which translates national and county Biodiversity Action Plans to a borough level. It identifies priority habitats and species and sets detailed targets and action plans for achieving them.
5.14 The River Rother Wildlife Strategy and the Poolsbrook and Doe Lea Strategy also identify and guide opportunities for the enhancement of these river valleys as a strategic wildlife corridors.

**Landscape character**

5.15 It is important that the local distinctiveness, character and diversity of the landscape is conserved and, where necessary, enhanced. Landscape character types have been identified and described in the Landscape Character of Derbyshire document, published by Derbyshire County Council in December 2003, in accordance with government advice in PPS7. This work builds upon the national landscape characterisation work undertaken by the Countryside Commission (now the Countryside Agency) and English Nature throughout the 1990's, culminating in the publication of the "Character of England" map in 1996. These descriptions will help ensure that new development is sensitive to both landscape and biodiversity interests.

5.16 Development which is considered to be appropriate in the countryside will be required to be designed in a manner which accords with the character of the particular type of landscape where it is located. Proposals for development will also be encouraged to respect those features which make the landscape distinctive and protect them during construction work. The loss of locally distinctive features such as dry stone walls, hedges, trees will be resisted. Particular care needs to be taken when considering proposals which affect the character of landscape features on the periphery of settlements and prominent ridge lines.

5.17 The boundaries of the five landscape character types in the borough are shown in Appendix A. The landscape character types are Wooded Hills and Valleys, Wooded Farmlands, Coalfield Village Farmlands, Estate Farmlands and Riverside Meadows.

5.18 The borough council will seek to promote landscape conservation and restoration schemes through the Three Valleys Project and in accordance with the Parks and Open Spaces Strategy.

5.19 There were two areas of local landscape significance in the 1996 local plan. In line with advice in PPS7 it was considered that a new policy designed to protect the character of all landscapes and control the design of development in the countryside would be more appropriate, so these local designations have not been incorporated in this plan.

**EVR 3 LANDSCAPE CHARACTER**

PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT IN THE COUNTRYSIDE PROVIDED THAT IT IS DESIGNED IN A MANNER WHICH CONSERVES, PROTECTS, ENHANCES OR RESTORES THE LOCAL DISTINCTIVENESS AND
CHARACTER OF THE LANDSCAPE TYPE WITHIN WHICH IT IS LOCATED.

THE DESIGN OF DEVELOPMENT SHALL HAVE REGARD TO AND CONSERVE THE RELEVANT CHARACTERISTICS OF THE LANDSCAPE CHARACTER TYPE WITHIN WHICH IT IS LOCATED, AS FOLLOWS:

(a) LANDFORM AND NATURAL PATTERNS OF DRAINAGE, AND;

(b) PATTERN AND COMPOSITION OF TREES AND WOODLAND, AND;

(c) PATTERN AND COMPOSITION OF FIELD BOUNDARIES, AND;

(d) TYPE AND DISTRIBUTION OF WILDLIFE HABITATS, AND;

(e) PATTERN AND DISTRIBUTION OF BUILDINGS AND ROADS, AND;

(f) PRESENCE AND PATTERN OF HISTORIC LANDSCAPE FEATURES, AND;

(g) TYPICAL SCALE, LAYOUT, DESIGN AND DETAILING OF VERNACULAR BUILDINGS, THEIR ENClosures AND OTHER LOCAL AND TRADITIONAL MAN-MADE FEATURES OF SIGNIFICANCE.

EXISTING VIABLE FEATURES WHICH ARE IMPORTANT TO THE LOCAL LANDSCAPE CHARACTER SHALL BE RETAINED AND PROTECTED DURING CONSTRUCTION WORK.

IN ORDER TO SECURE SUCH PROVISION THE LOCAL PLANNING AUTHORITY WILL IMPOSE PLANNING CONDITIONS AND/OR SEEK TO ENTER INTO PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

Nature conservation

5.20 The policies of this local plan for nature conservation are intended to protect and enhance particular sites, but also to recognise the importance of all habitats and species throughout the borough and their contribution to biodiversity.

5.21 Nature conservation designations include both statutory and non-statutory sites. The borough of Chesterfield does not contain any statutory nature conservation designations of international or national importance e.g. Sites of Special Scientific Interest. Sites of regional/local importance include statutorily designated sites like Local Nature Reserves(e.g. Brearley Park Meadows, New Whittington) and non-statutory sites. The non-statutory sites are collectively termed Sites of Importance for Nature Conservation (SINC}s). The term encompasses both ecological sites known in Derbyshire as Wildlife Sites and geological sites known as Regionally Important Geological sites. There are currently 26 Wildlife Sites in the borough. As mentioned above,
one of these which was recently designated at Brearley Park Meadows, New Whittington, is also a Local Nature Reserve. The borough does not contain any sites which have been identified as being of sufficient geological importance to be considered a SINC.

5.22 Following further survey work by the Derbyshire Wildlife Trust amendments have been made to the boundaries of some existing sites and one site at Ironworks Canalside has been deleted from the list. These designated sites are important to Chesterfield’s natural environmental heritage and are good examples of their habitat types. They need to be protected from inappropriate development because they represent the most important wildlife habitats in the borough. This is also in accordance with the Habitat Regulations 1994, which seek to protect features of the landscape, such as rivers and small woods, that are of major importance for wildlife.

5.23 The sites within the borough protected by policy EVR4 are shown on the Proposals Map and are listed as follows:

Table 4 Sites of Importance for Nature Conservation (SINCs)

<table>
<thead>
<tr>
<th>Map Key No.</th>
<th>Site Name</th>
<th>Site No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ashgate Plantation</td>
<td>CH053</td>
</tr>
<tr>
<td>2</td>
<td>Birdholme Nature Reserve</td>
<td>CH002</td>
</tr>
<tr>
<td>3</td>
<td>Blue Bank Pools and Wood</td>
<td>CH026</td>
</tr>
<tr>
<td>4</td>
<td>Breck Farm Water Meadows</td>
<td>CH041</td>
</tr>
<tr>
<td>5</td>
<td>Brierley and Roughpiece Woods</td>
<td>CH046</td>
</tr>
<tr>
<td>6</td>
<td>Brimington Field</td>
<td>CH006</td>
</tr>
<tr>
<td>7</td>
<td>Brockwell Reservoir</td>
<td>CH045</td>
</tr>
<tr>
<td>8</td>
<td>Doe Lea Flash</td>
<td>CH012</td>
</tr>
<tr>
<td>9</td>
<td>Grasscroft Wood</td>
<td>CH004</td>
</tr>
<tr>
<td>10</td>
<td>Hopewell Wood</td>
<td>CH014</td>
</tr>
<tr>
<td>11</td>
<td>Hundall Heap</td>
<td>CH049</td>
</tr>
<tr>
<td>12</td>
<td>Ireland Wildlife Area</td>
<td>CH010</td>
</tr>
<tr>
<td>13</td>
<td>Brearley Park Meadows</td>
<td>CH061</td>
</tr>
<tr>
<td>14</td>
<td>Kings Wood disused railway</td>
<td>CH043</td>
</tr>
<tr>
<td>15</td>
<td>Netherthorpe Flash</td>
<td>CH052</td>
</tr>
<tr>
<td>16</td>
<td>Newbold Spoil Heaps</td>
<td>CH058</td>
</tr>
<tr>
<td>17</td>
<td>Piccadilly Cottages Scrub</td>
<td>CH037</td>
</tr>
<tr>
<td>18</td>
<td>Pinnock (Norbriggs) Flash</td>
<td>CH051</td>
</tr>
<tr>
<td>19</td>
<td>Poolsbrook Flash</td>
<td>CH011</td>
</tr>
<tr>
<td>20</td>
<td>Ringwood Lake</td>
<td>CH008</td>
</tr>
<tr>
<td>21</td>
<td>Spital Scrub</td>
<td>CH030</td>
</tr>
<tr>
<td>22</td>
<td>Staveley Sewage Works</td>
<td>CH040</td>
</tr>
<tr>
<td>23</td>
<td>Tapton Fish Pond</td>
<td>CH031</td>
</tr>
<tr>
<td>24</td>
<td>Three Nook Plantation</td>
<td>CH054</td>
</tr>
<tr>
<td>25</td>
<td>West Wood and Parkers Wood</td>
<td>CH007</td>
</tr>
<tr>
<td>26</td>
<td>Whittington Hospital Grounds</td>
<td>CH005</td>
</tr>
</tbody>
</table>

5.24 Where proposals for development would be likely to disturb any of these sites, applicants will be required to submit a detailed study of the
ecological and/or geological interest of the site and a statement of the potential direct and indirect environmental impact of the proposed development on or adjacent to these sites, indicating any mitigating measures to be taken.

5.25 The list of sites to which policies EVR4 and EVR5 apply may not be exhaustive. Other sites may be designated in the future, and when this occurs such sites will be afforded the same protection as existing sites.

**EVR 4 PROTECTION OF WILDLIFE SITES (1)**

DEVELOPMENT WILL ONLY BE PERMITTED WHERE IT DOES NOT ADVERSELY AFFECT, EITHER DIRECTLY OR INDIRECTLY, THE INTERESTS AND FEATURES OF IMPORTANCE OF THE WILDLIFE SITES SHOWN ON THE PROPOSALS MAP AND LISTED IN TABLE 4, OR ANY SUCH SITES DESIGNATED IN THE FUTURE.

5.26 Exceptionally, where other objectives or needs outweigh policy EVR4, it may be necessary to require compensatory measures either on the site or elsewhere through the use of planning conditions or agreements, including the maintenance of features through management regimes.

**EVR 5 PROTECTION OF WILDLIFE SITES (2)**

WHERE PLANNING PERMISSION IS GRANTED FOR DEVELOPMENT AFFECTING WILDLIFE SITES SHOWN ON THE PROPOSALS MAP AND LISTED IN TABLE 4, OR SUCH SITES DESIGNATED IN THE FUTURE, THE BOROUGH COUNCIL WILL IMPOSE CONDITIONS ON PLANNING PERMISSIONS AND/OR SEEK TO ENTER INTO LEGAL AGREEMENTS TO PRESERVE OR ENHANCE THE ESSENTIAL QUALITY OF THE SITE AND WHERE POSSIBLE MINIMISE THE IMPACT OF THE DEVELOPMENT AND ENSURE THAT MEASURES ARE TAKEN TO CREATE AND ENHANCE HABITATS AND GEOLOGICAL FEATURES.

5.27 The wildlife resources of the borough are not limited to formally designated wildlife sites but occur in a network of dispersed areas which are often inter-linked. It is therefore necessary to consider habitats as a wider issue not solely related to individual protected areas. Chesterfield’s overall biodiversity is reflected in the “Lowland Derbyshire” Local Biodiversity Action Plan and in the Greenprint for Chesterfield. It is important that habitats, including those of legally protected species, are adequately protected as they may be vulnerable to destruction or disturbance from development proposals. Developers will be expected to have full regard to the relevant legislation and provide an analysis of the effects of their proposals on the natural history value of the site together with appropriate mitigation measures. Relevant legislation includes the following: (1) Wildlife and Countryside Act 1981, (2) Badgers Act 1992, (3) EC Habitats and Species Directive 92/43 EEC, and (4) Habitats Regulations, 1994. Developers will also
be expected to provide an analysis of the effects of their proposals on the natural history value of the site together with appropriate mitigation measures. The borough council will seek to maintain and enhance biodiversity within the borough by securing the creation, enhancement and/or management of habitats in or adjacent to new development.

5.28 Wildlife habitats are part of the urban area and where previously developed land is proposed for development the nature conservation value of the site needs to be investigated and any loss of habitat will need to be compensated through provision elsewhere.

5.29 Where compensatory measures are required, the borough council will seek to negotiate the creation of new habitats of equivalent size and quality, either on the development site or at some suitable alternative location. These measures will include a provision for appropriate management and monitoring of the habitat for a suitable period after development takes place.

EVR 6 PROTECTION OF HABITATS

WHERE PLANNING PERMISSION IS GRANTED FOR DEVELOPMENT, OPPORTUNITIES WILL BE TAKEN TO SECURE NEW FEATURES OF LOCAL IMPORTANCE FOR BIODIVERSITY, NEW HABITATS AND GEOLOGICAL EXPOSURES. WHERE DEVELOPMENT IS LIKELY TO HAVE AN ADVERSE IMPACT UPON EXISTING HABITATS OR FEATURES OF LOCAL IMPORTANCE FOR BIODIVERSITY, MEASURES WILL BE REQUIRED BY CONDITION OR SOUGHT THROUGH LEGAL AGREEMENT TO MITIGATE THE LOSS BY FACILITATING THE SURVIVAL OF SPECIES WHICH INHABIT OR USE THE SITE, INCLUDING THE CREATION OF REPLACEMENT OR ALTERNATIVE HABITATS WHERE APPROPRIATE.

5.30 The Wildlife and Countryside Act 1981 gives statutory protection to many animals and plant species irrespective of whether planning permission has been granted. Certain species are also protected by the Habitats Regulations 1994, whereby it is an offence to deliberately capture, kill or disturb these species or damage or destroy their breeding site or resting place. Development affecting these protected species also requires a licence from the Department of the Environment, Food and Rural Affairs (DEFRA) whether or not planning permission has been granted.

5.31 There are some species which have no, or limited, protection yet are known to be nationally rare. Such species are identified nationally through a series of “Red Data Books”. If they are to be disturbed by development it may be necessary to put mitigation measures in place in which case the borough council will liaise with appropriate bodies at the appropriate time and seek to negotiate a section 106 agreement to secure the provision of any necessary measures.
EVR 7 PROTECTION OF SPECIES

PLANNING PERMISSION FOR DEVELOPMENT LIKELY TO HAVE A DIRECT ADVERSE IMPACT UPON SPECIES PROTECTED BY LAW OR NATIONALLY RARE SPECIES WILL ONLY BE GRANTED IF IT CAN BE DEMONSTRATED THAT THERE IS AN OVERRIDING NEED FOR THE DEVELOPMENT, OR MITIGATION MEASURES CAN BE PUT IN PLACE THAT ALLOW THE CONSERVATION STATUS OF THE SPECIES TO BE MAINTAINED OR ENHANCED ON SITE.

PLANNING PERMISSION WILL ONLY BE GRANTED FOR PROPOSALS THAT ADVERSELY AFFECT EUROPEAN PROTECTED SPECIES WHERE THE DEVELOPMENT IS NECESSARY TO PRESERVE PUBLIC HEALTH OR SAFETY OR FOR OTHER IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST AND THERE IS NO SATISFACTORY ALTERNATIVE TO THE PROPOSED DEVELOPMENT.

WHERE PERMISSION IS GRANTED FOR DEVELOPMENT AND CONSERVATION OF THE PROTECTED SPECIES ON SITE IS NOT POSSIBLE, APPROPRIATE TRANSLOCATION OF THE COMMUNITY AND/OR REPLACEMENT OF THE HABITAT ELSEWHERE MAYBE REQUIRED BY CONDITION OR SOUGHT THROUGH LEGAL AGREEMENT.

5.32 Enhancing the natural environment is a key component of the council’s vision. The borough council has been actively involved in several projects in conjunction with various partners. In addition to the local nature reserve at Brearley Park Meadows, the council has undertaken in its “Greenprint” to create ten further Local Nature Reserves by 2006. It is also considering further action to improve the natural history value and biodiversity of the river corridors and canal. A strategy for the Rother Washlands has been prepared to help achieve this objective.

Trees, woodlands and hedgerows

5.33 Trees and woodland provide important wildlife habitats and can contribute significantly to visual amenity. The borough council is committed to the retention of trees and woodlands which contribute to the amenity of an area by making Tree Preservation Orders where appropriate or through the use of planning conditions. Where trees have to be felled as a result of necessary development, the borough council will require replacement trees to be planted at a rate which reflects the scale and quality of the loss.

5.34 Whilst trees and woodlands are fundamental to enhancing nature conservation and biodiversity objectives, their contribution to the economic regeneration of the borough should not be underestimated. Planting new woodlands and the protection and management of
existing woodlands, copses and hedgerows are important elements in making the borough a more attractive place for inward investment. Replacement planting using locally indigenous species will be required where appropriate. Hedgerows are an especially valuable part of the network of habitats whose biodiversity value needs to be recognised. Hedgerows can be afforded special protection under the Hedgerow Regulations 1997 and can be deemed “important” provided they satisfy certain archaeological, botanical, historical, or wildlife value criteria and are at least 30 years old. Significant progress has been made through reclamation schemes and the East Derbyshire Woodland Project but there is considerable scope for further woodland planting as part of the overall strategy for enhancing the natural environment and creating opportunities for informal recreation.

5.35 The river valley and canal corridors in particular provide opportunities for further significant woodland planting schemes. These can be achieved in association with other development schemes or as part of the borough council’s ongoing enhancement programme. The area alongside the canal and river from Bilby Lane to Mill Green, Staveley is a priority for enhancement and woodland planting should form an integral part of regeneration proposals for this area. These would extend the environmental improvements proposed by the Markham Vale scheme. Four specific sites are identified on the proposals map and major woodland planting (1 hectare and upwards) will be sought there and elsewhere as appropriate.

EVR 8 PROTECTION OF TREES AND WOODLANDS AND HEDGEROWS

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT IN AREAS OF ANCIENT WOODLAND.

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD DAMAGE TREES, WOODLANDS, COPSES OR HEDGEROWS WHICH CONTRIBUTE TO THE AMENITY OF AN AREA OR BY VIRTUE OF THEIR AGE AND SIZE OFFER IMPORTANT HABITATS UNLESS IT CAN BE DEMONSTRATED THAT THERE IS NO REASONABLE PRACTICABLE ALTERNATIVE. WHERE IT IS ACCEPTED THAT TREES HAVE TO BE FELLED, CONDITIONS WILL BE IMPOSED TO SECURE THE REPLACEMENT OF SUCH TREES WHICH SHOULD BE WITH LOCALLY INDIGENOUS SPECIES, WHERE APPROPRIATE, AT A RATE WHICH REFLECTS THE SCALE AND QUALITY OF THE LOSS.

PLANNING PERMISSION FOR DEVELOPMENT LIKELY TO HAVE AN ADVERSE IMPACT UPON AN “IMPORTANT” HEDGEROW WILL ONLY BE PERMITTED IF IT CAN BE DEMONSTRATED THAT THERE IS AN OVERRIDING NEED FOR THE DEVELOPMENT, OR MITIGATION AND/OR COMPENSATORY MEASURES CAN BE PUT IN PLACE THAT ALLOW THE HEDGEROW TO BE MAINTAINED OR ENHANCED.
EVR 9 TREE AND WOODLAND PLANTING

WHERE THE CREATION OF NEW WOODLANDS IS REQUIRED IN CONNECTION WITH DEVELOPMENT FOR REASONS OF LANDSCAPE CHARACTER, BIODIVERSITY AND/OR AMENITY THIS SHOULD INCORPORATE PUBLIC ACCESS PROVIDING THIS DOES NOT CONFLICT WITH HABITAT CREATION AND OTHER CONSERVATION CONSIDERATIONS. WHERE APPROPRIATE, IT WILL BE A REQUIREMENT THAT DEVELOPERS TO INCLUDE WOODLAND PLANTING IN SCHEMES TO REGENERATE AND ENHANCE THE ENVIRONMENT.

WITHIN THE FOUR AREAS SHOWN ON THE PROPOSALS MAP IN THE VICINITY OF STAVELEY WORKS, MAJOR WOODLAND PLANTING WILL BE REQUIRED AS PART OF COMPREHENSIVE SCHEMES TO REGENERATE AND ENHANCE THE ENVIRONMENT, WITH FURTHER SCHEMES ELSEWHERE IN THE BOROUGH AS APPROPRIATE.

ALL NEW WOODLAND PLANTING SCHEMES REQUIRED BY DEVELOPMENT MUST TAKE INTO ACCOUNT THE WILDLIFE VALUE OF EXISTING HABITATS AND FEATURES AND BE DESIGNED TO COMPLEMENT AND ENHANCE THESE WHERE APPROPRIATE. PLANTING MUST BE OF LOCALLY INDIGENOUS SPECIES APPROPRIATE TO THE LOCATION AND MUST REFLECT THE CHARACTER OF THE AREA.

Flood protection

5.36 The Environment Agency (EA) is responsible for flood protection and advises local authorities about the areas which are at serious risk of flooding. The EA has defined all or parts of the rivers Rother, Drone, Doe Lea, Hipper and Whitting within the borough, together with a short length of the Riddings Brook, as main rivers. These are in the Upper Don Catchment for which the EA is preparing a Catchment Flood Management Plan for long term management of flood risk. Possible flood alleviation schemes are being considered for the Brampton area and the southern part of Chesterfield where flooding has occurred.

5.37 The revised Planning Policy Guidance Note 25, Development and Flood Risk, July 2001 (PPG25), states that the susceptibility of land to flood risk is a material planning consideration, requiring a risk-based and sequential approach to developing land i.e. using the sites least liable to flood first. This approach has been followed in the allocation of sites for development in the local plan, avoiding undeveloped areas of high flood risk and areas needed for washland creation, together with all areas of functional washland. The Environment Agency has been consulted at every stage and account has been taken of the latest flood
risk maps. In addition policies in this plan will secure compliance with PPG25 as applications for planning permissions come forward.

5.38 In order to assist in the sequential approach to be taken by planning authorities, PPG25 sets out the three zones which are the sequential characterisation of risk from river, coastal or tidal flooding. Zone 1 covers areas of little or no risk of flooding, that is an annual probability of less than 0.1%. Areas within zone 2 (low to medium risk) have an annual flooding probability of 0.1 – 1.0% from a river or a 0.1 – 0.5% from tidal or coastal sources. The high risk zone 3 is land which has an annual flooding probability of greater than 1% from river sources or a risk greater than 0.5% from tidal and coastal.

5.39 Some land which is within zone 3 is identified as washlands which are areas of functional floodplain and provide essential storage of flood water. In accordance with PPG25, built development in washlands, where excess water flows or is stored in times of flood, should be wholly exceptional and limited to essential infrastructure that has to be sited in such areas. This is not only to protect the development and to safeguard against putting others at risk, but also to prevent reduction in capacity of the washlands which could affect flood risk elsewhere. Washland areas may be suitable for some recreation, sport, amenity and conservation uses. Any essential development in washlands must be of a design which minimises the damage that flooding would cause.

5.40 The flood zones are identified by the Environment Agency and are shown on their flood zone map which is to be updated every 3 months annually. The outer edges of zones 2 and 3 are shown on the proposals map of this local plan but the most up to date version of the flood zone map, as it becomes available, must be consulted upon the submission of a planning application. The flood zone map only shows the current risk of flooding. The Environment Agency assists planning authorities by keeping them updated on the latest advice and advising them on planning applications where flooding is an issue.

5.41 Allowance must be made for the potential for increased flooding due to climate change. Properties, which are not currently in danger of flooding may be so in 50 years' time. This being the case, the borough council is taking a precautionary approach and requires that all development, especially in identified risk zones, takes account of flooding in the design and construction. The Environment Agency is also intending to produce maps showing the extent and effect of flood defences and the potential impacts of climate change. As they become available, these will provide important inputs to the preparation of Catchment Flood Management Plans and flood risk assessments and will be taken into account when determining planning applications. It may be the case that upon new information being provided by the Environment Agency, development is not permitted in areas outside the currently identified flood zone 3.
5.42 Flooding can occur from a number of sources other than rivers, the sea and tides. Run-off from impermeable surfaces (such as roofs, car parks, roads) from open land which is served by land drains and from saturated, frozen or compacted soil surfaces, sewers and groundwater all contribute to flooding. They can occur in all areas, not just those identified by the Environment Agency’s flood zone map referred to above.

5.43 Where essential development can acceptably manage flood risk, developers must also demonstrate that measures have been included to protect the biodiversity of the flood plain and/or watercourses. Where protection is not possible, development must put in place suitable mitigation/ compensatory measures.

**EVR 10 DEVELOPMENT AND FLOOD RISK**

APPLICATIONS FOR PLANNING PERMISSION IN ANY PART OF THE BOROUGH MUST TAKE ACCOUNT OF THE POTENTIAL FOR FLOODING DUE TO SURFACE WATER RUN-OFF AND FOR ITS POTENTIAL WORSENING THROUGH FUTURE CLIMATE CHANGE. DESIGN SOLUTIONS MAY BE REQUIRED TO ACCOMMODATE ANY POTENTIAL FLOODING. ALL DEVELOPMENT PROPOSALS MUST BE ACCOMPANIED BY A FLOOD RISK ASSESSMENT APPROPRIATE TO THE SCALE AND NATURE OF THE DEVELOPMENT.

IN AREAS OF FLOOD RISK SHOWN ON THE PROPOSALS MAP OR OTHERWISE IDENTIFIED BY THE ENVIRONMENT AGENCY, APPLICATIONS FOR DEVELOPMENTS WILL BE SUBJECT TO THE FOLLOWING RESTRICTIONS AND REQUIREMENTS:

IN ZONE 3 AREAS IDENTIFIED AS PROTECTED WASHLANDS - DEVELOPMENT WILL ONLY BE PERMITTED IN EXCEPTIONAL CIRCUMSTANCES FOR ESSENTIAL INFRASTRUCTURE WHICH CANNOT BE PRACTICABLY LOCATED ELSEWHERE. IN OTHER ZONE 3 AREAS AND IN ZONE 2, PLANNING PERMISSION WILL NOT BE GRANTED IF THE FLOOD RISK ASSESSMENT INDICATES THAT THE DEVELOPMENT WOULD:

(a) INCREASE THE RISKS OF FLOODING ON SITE AND/OR ELSEWHERE, WHETHER UPSTREAM OR DOWNSTREAM; OR

(b) BE AT RISK OF FLOODING ITSELF; OR

(c) IMPEDE ACCESS TO A WATERCOURSE FOR MAINTENANCE; OR

(d) NOT PROVIDE ADEQUATE FLOOD MITIGATION AND FLOOD WARNING MEASURES.

IN ADDITION, THE DEVELOPMENT SHOULD NOT ADVERSELY AFFECT THE BIODIVERSITY VALUE OF THE FLOODPLAIN OR WATERCOURSES.
Drainage and flood prevention

5.44 Most development reduces the amount of water soaking into the ground and increases the rate and amount of surface water going into drains. Traditional drainage systems are designed to carry water off site as quickly as possible. This can lead to problems elsewhere such as flooding downstream, pollution and damage to waterside habitats. Sustainable Drainage Systems (SuDS), represent an approach which can offer a solution to many of these problems through a variety of techniques to slow down the rate of run-off and drainage flows.

5.45 SuDS can minimise the additional flood risk that new development can cause by controlling surface water as near to source as possible. The borough council will seek to ensure that new developments incorporate sustainable urban drainage systems where this is practicable. Within those areas of the borough where surface water run-off has recently led to damage to property, it could be unwise to undertake development.

5.46 The issue of surface water run-off not only arises as a result of future development but is a problem caused by existing development too. Retro-fitting SuDS is fairly straightforward and can be done during works to existing buildings. The borough council will, therefore, request that whenever planning permission is sought for works to existing properties (such as building conversions or extension), SuDS are considered and incorporated where necessary.

**EVR 11 SURFACE WATER DRAINAGE**

SUSTAINABLE DRAINAGE SYSTEMS (SuDS) MUST BE INCORPORATED INTO ALL DEVELOPMENT UNLESS IT IS NOT VIABLE TO PROVIDE AND MAINTAIN THEM.

DEVELOPMENT PROPOSALS WHICH ADD TO THE RISK OF FLOODING OR OTHER ENVIRONMENTAL DAMAGE, AS A RESULT OF SURFACE WATER RUN-OFF, WILL BE PERMITTED ONLY WHERE, AS A RESULT OF AN ASSESSMENT OF WATER DRAINAGE IMPACTS BY A DEVELOPER, APPROPRIATE CONTROL MEASURES ARE IDENTIFIED AND IMPLEMENTED, IF NECESSARY THROUGH A LEGAL AGREEMENT, BEFORE THE DEVELOPMENT IS BROUGHT INTO USE.

NEW DEVELOPMENT MUST NOT IMPEDE ACCESS TO FLOOD DEFENCES OR WATERCOURSES.

Sewerage and sewage disposal

5.47 The provision of infrastructure is important in all major new developments. This includes water and sewerage systems which must all be adequate to cope with the additional flows resulting from development in order that they should not become overloaded and
cause backflow or flooding elsewhere. Water companies and the Environment Agency provide details of the infrastructure capacities in local areas and must therefore be consulted. If they advise that the infrastructure in place is not adequate, the developer will be required to contribute to the costs of any necessary improvements.

**EVR 12 SEWERAGE AND SEWAGE DISPOSAL**

**PLANNING PERMISSION WILL ONLY BE GRANTED FOR NEW DEVELOPMENT IF IT PROVIDES THE NECESSARY DRAINAGE AND TREATMENT INFRASTRUCTURE. WHERE IT IS IDENTIFIED THAT EXISTING INFRASTRUCTURE IS NOT ADEQUATE, DEVELOPER CONTRIBUTIONS TOWARDS THE NECESSARY IMPROVEMENTS WILL BE SECURED THROUGH CONDITIONS OR NEGOTIATED THROUGH SECTION 106 AGREEMENTS.**

**River and canal environments**

5.48 The rivers, canal and other water features in the borough provide valuable amenity, wildlife and leisure areas, some of which have been enhanced during the last ten years e.g. Holmebrook Valley and Poolsbrook Country Parks and the restoration of the canal as far as Staveley. Whilst providing opportunities for recreation, the council has had long standing policies to protect and enhance these features and adjacent land against development proposals which might prejudice their character, amenity and wildlife value. Of particular note is that part of the Staveley-Chesterfield regeneration route which follows the river and canal corridor.

5.49 The Chesterfield Canal is a route of “national strategic significance”. The borough council is a member of the Chesterfield Canal Partnership, which aims to restore to navigation those remaining disused sections of the canal. Within the borough the section of the canal between Mill Green, Staveley and the borough boundary to the south of Renishaw is disused and derelict. It is proposed that the canal should be restored on its original line except at Mill Green, Staveley where it will be accommodated alongside the proposed Staveley-Chesterfield regeneration route. There is a need to protect the character of the Chesterfield Canal and any historic features and structures associated with the canal as well as its immediate setting.

5.50 Measures will be taken by the borough council and, where appropriate, private developers to enhance the environment of the areas defined in policy EVR13 for the benefit of nature conservation, and where appropriate, public access and recreation including walking and cycling that are a positive benefit to healthy communities.

5.51 The restoration of the canal is likely to create opportunities for business activities associated with the increased use of the canal corridor for recreation, including waterside developments such as a marina. These
should be accommodated within the urban areas close to the canal and within easy walking distance of it. Specific provision for a major new basin and terminus facility on the canal will be made within the A61 Corridor “Area of Major Change”. A further new basin with associated facilities is proposed on the Staveley side of the canal in the countryside north of Hall Lane, Staveley.

**EVR 13 PROTECTION AND ENHANCEMENT OF RIVER AND CANAL ENVIRONMENTS**

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE A SIGNIFICANT ADVERSE EFFECT ON THE EXISTING CHARACTER AND/OR THE FUTURE POTENTIAL FOR THE IMPROVEMENT AND ENHANCEMENT OF THE ENVIRONMENT OF THE RIVERS AND THE CHESTERFIELD CANAL AND OF THE WATERCOURSES LINKING TO THEM, AS SHOWN ON THE PROPOSALS MAP, INCLUDING PUBLIC ACCESS AND RECREATION. PROTECTION OF NATURAL FEATURES AND MARGINAL VEGETATION WILL BE SOUGHT BY CONDITION OR LEGAL AGREEMENT AND PROPOSALS TO MODIFY RIVER AND STREAM CHANNELS WILL BE RESISTED UNLESS ESSENTIAL AS PART OF AN APPROVED CANAL OR RIVER RESTORATION SCHEME.

**EVR 14 RESTORATION OF CHESTERFIELD CANAL**

THE ORIGINAL ROUTE OF THE CHESTERFIELD CANAL WILL BE SAFEGUARDED FROM DEVELOPMENT LIKELY TO PREJUDICE ITS FUTURE RESTORATION EXCEPT AT MILL GREEN, STAVELEY WHERE THE PROPOSED STAVELEY-CHESTERFIELD REGENERATION ROUTE WILL BE REQUIRED TO RESTORE THE CANAL ALONGSIDE THE ROAD.

NEW BASINS ARE PROPOSED AT HALL LANE, STAVELEY AND AT HOLBECK CLOSE IN THE AREA OF MAJOR CHANGE BESIDE THE A61.

OTHER PROPOSALS FOR DEVELOPMENT ASSOCIATED WITH THE RECREATION AND LEISURE POTENTIAL OF THE CANAL WILL BE PERMITTED WITHIN THE URBAN AREAS CLOSE TO ITS ROUTE PROVIDING THEY COMPLY WITH THE GENERAL DEVELOPMENT CONTROL POLICIES OF THE LOCAL PLAN.

Protecting the health and safety of the community

**Contaminated land**

5.52 The emphasis of planning policy on the re-use of previously developed land increasingly involves sites which have been contaminated by their previous users. The development of such sites can raise health and safety concerns or harm the environment through the mobilisation of
contaminants. Contaminants such as lead ores can also occur naturally and from time to time these may need to be taken into account.

5.53 Although contamination is subject to controls under pollution control legislation, primarily the Environmental Protection Act 1990 (part ii), PPS23 indicates that the land use issues of contamination are a material planning consideration. The aim will be to ensure that development brings the site to a state where it is fit for use and where there are no unacceptable risks to health, safety or the environment.

5.54 Where it is known or suspected that land is contaminated, it will be necessary for applicants to provide a desk top study followed by a comprehensive site investigation. Applicants should identify any potential adverse effects on the new development, or risks to human health and/or the local environment resulting from previous contamination together with proposed measures to deal with them.

**EVR 15 CONTAMINATED LAND**

PLANNING PERMISSION FOR DEVELOPMENT ON CONTAMINATED LAND WILL ONLY BE GRANTED WHERE THERE HAS BEEN AN INITIAL DESK STUDY AND WHERE APPROPRIATE A COMPREHENSIVE INVESTIGATION AND DISCLOSURE BY THE DEVELOPER OF POTENTIAL HAZARDS AT THE SITE AND WHERE ADEQUATE AND APPROPRIATE REMEDIAL MEASURES TO DEAL WITH THE HAZARDS HAVE BEEN IDENTIFIED TO BE SECURED BY PLANNING CONDITIONS OR THROUGH A PLANNING OBLIGATION AND CARRIED OUT BEFORE DEVELOPMENT STARTS.

Hazardous substance establishments

5.55 Certain sites and pipelines are designated as dangerous substance establishments by virtue of the quantities of hazardous substance present. The siting of such installations will be subject to planning controls, for example under the Planning (Control of Major-Accident Hazards) Regulations 1999, with the objective, in the long term, to maintain appropriate distances between establishments and residential areas and areas of public use. In accordance with Circular 04/2000 the council will consult the Health and Safety Executive, as appropriate, about the siting of any proposed dangerous substance establishments.

**EVR 16 HAZARDOUS SUBSTANCE ESTABLISHMENTS**

PLANNING PERMISSION FOR THE DEVELOPMENT OF HAZARDOUS SUBSTANCE ESTABLISHMENTS WILL NOT BE GRANTED IF THERE WOULD BE AN UNACCEPTABLE RISK TO PUBLIC HEALTH AND SAFETY OR THE ENVIRONMENT.
Development in proximity to existing major hazard installations

5.56 The Health and Safety Executive (HSE) has identified six major hazard establishments in the borough, the most significant being Rhodia Eco Services Limited at Staveley. In addition the consultation area of the former Coalite Chemicals Division plant at Bolsover comes into the south eastern part of the plan area at Duckmanton and includes the site of the former Markham Colliery. The HSE is a statutory consultee on significant development proposals within defined consultation zones around these major hazards.

5.57 The HSE has produced planning decision matrices in the form of advice tables for assistance in land use planning control. These indicate which categories of development are most likely to be recommended for refusal by the HSE in the light of their risk assessments. These are most likely in the inner zone around the Rhodia Eco Services plant at Staveley.

5.58 Detailed advice will be issued in supplementary planning document(s) as necessary.

**EVR 17 DEVELOPMENT IN PROXIMITY TO MAJOR HAZARD INSTALLATIONS**

WITHIN THE MAJOR HAZARDS CONSULTATION ZONES DEFINED ON THE PROPOSALS MAP PLANNING PERMISSION FOR DEVELOPMENT WILL ONLY BE GRANTED PROVIDED THAT THE ASSESSED RISK IN RELATION TO THE PARTICULAR DEVELOPMENT IS NOT SO GREAT AS TO OUTWEIGHT OTHER PLANNING CONSIDERATIONS.

High voltage power lines

5.59 There is an absence of clear scientific evidence to support the imposition of exclusion zones around high voltage power lines on health grounds. However, National Grid and other electricity providers are aware of the difficulties of planning new development under and immediately adjacent to high voltage overhead power lines. Development proposals will be resisted where there would be an unacceptable adverse impact upon amenity. The visual impact of transmission infrastructure should also be minimised through sensitive site planning and design. National Grid does not encourage built development immediately beneath its lines and promotes land uses that raise the environmental quality of the area.
EVR 18 DEVELOPMENT IN PROXIMITY TO HIGH VOLTAGE POWER LINES

PLANNING PERMISSION FOR DEVELOPMENT PROPOSALS UNDER OR IMMEDIATELY ADJACENT TO OVERHEAD HIGH VOLTAGE POWER LINES WILL BE GRANTED PROVIDED THAT:

(a) THERE WOULD NOT BE AN UNACCEPTABLE ADVERSE IMPACT UPON AMENITY; AND

(b) THE LAYOUT AND DESIGN MINIMISES THE VISUAL IMPACT OF TRANSMISSION INFRASTRUCTURE.

Telecommunications

5.60 Communications technology is expanding rapidly to meet the growing demand for better communications at work and at home. Provision needs to be made for this growth but not at the expense of important environmental considerations.

5.61 It will be necessary to minimise the visual impact of telecommunications developments requiring planning consent. PPG8 advocates the use of existing buildings and the sharing of masts to help keep visual impact to a minimum. This is particularly important within or adjoining the best and most sensitive environments in the borough.

5.62 Health considerations and public concern can, in principle, be material considerations in the determination of applications for planning permission or prior approval. However, it is the Government’s view that the planning system is not the place for determining health safeguards. Current guidance is that if a proposed mobile phone base station meets the International Commission on Non-ionising Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local authority, in processing an application for planning permission or prior approval, to consider further health aspects and concerns about them.

5.63 As required under PPG8 the borough council will work with telecommunications operators to review their requirements on an annual basis. Wherever possible proposed installations should accord with proposals or needs specified in operators’ annual roll out plans.

EVR 19 TELECOMMUNICATIONS

PLANNING PERMISSION WILL BE GRANTED FOR TELECOMMUNICATIONS DEVELOPMENTS PROVIDED THAT:
(a) THERE IS AN OPERATIONAL NEED FOR THE DEVELOPMENT OF THE INSTALLATION AND THE USE OF THE PARTICULAR SITE; AND

(b) THE SITING, DESIGN, HEIGHT, EXTERNAL APPEARANCE, MATERIALS, COLOURS, LANDSCAPING AND THE SCREENING (WHERE APPROPRIATE AND CONSISTENT WITH THE OPERATOR’S LEGAL OBLIGATIONS AND TECHNICAL REQUIREMENTS) MINIMISES THE VISUAL IMPACT OF THE PROPOSAL ON THE SURROUNDING LANDSCAPE; AND

(c) SITES WITHIN VISUALLY OR ENVIRONMENTALLY SENSITIVE AREAS (INCLUDING SITES WITHIN OR ADJOINING THE GREEN BELT, OPEN COUNTRYSIDE, RIVER CORRIDORS, WILDLIFE SITES, CONSERVATION AREAS, HISTORIC PARKS AND GARDENS AND ON OR NEXT TO LISTED BUILDINGS) ARE AVOIDED WHEREVER POSSIBLE, OR THAT THE DEVELOPER DEMONSTRATES THAT THERE ARE NO SUITABLE ALTERNATIVE SITES AVAILABLE WHICH WOULD BE LESS HARMFUL IN VISUAL OR ENVIRONMENTAL TERMS; AND

(d) THERE IS NO REASONABLE POSSIBILITY OF SHARING MAST FACILITIES OR USING AN EXISTING BUILDING OR STRUCTURE WHERE THIS REPRESENTS THE OPTIMAL ENVIRONMENTAL SOLUTION.

Reducing pollution and waste

Waste management and recycling

5.64 The government’s objective in PPS10 and its Waste Strategy 2000 is to reduce the amount of waste we produce and, where waste is produced, deal with it in a way that contributes to the economic, social and environmental goals of sustainable development.

5.65 The borough council is committed to achieving challenging targets for increasing recycling or composting of waste. The best way in which the planning system can assist is to ensure that, in all major new development proposals, the management of waste generated from both the construction and occupation of the development is planned for.

5.66 Applicants for planning permission for major new developments should consider:

• what arrangements they will make for the sustainable management of their demolition and construction waste and what special arrangements will be required for any hazardous waste at the site.
• providing space on a housing or retail development for at least one “bring site” (bottle, cans etc banks).
• making provision for each residential unit and each shop to separate putrescible waste from other waste.
• setting aside one plot on an industrial estate for a recycling centre.
• designing for the provision of paper and card balers in business developments.

EVR 20 PROVISION OF WASTE MANAGEMENT AND RECYCLING FACILITIES

IN THE CASE OF PROPOSALS FOR LARGE SCALE RESIDENTIAL DEVELOPMENTS OF 100 OR MORE DWELLINGS AND INDUSTRIAL, OFFICE, LEISURE OR RETAIL DEVELOPMENTS OF 1,000 SQUARE METRES OR MORE, PLANNING PERMISSION WILL ONLY BE GRANTED IF APPLICANTS MAKE PROVISION FOR THE SUSTAINABLE MANAGEMENT OF WASTES GENERATED FROM BOTH THE CONSTRUCTION AND OCCUPATION OF THE DEVELOPMENT.

WHERE EXISTING RECYCLING FACILITIES ARE NOT AVAILABLE WITHIN 400 METRES OF SUCH PROPOSALS THE BOROUGH COUNCIL WILL SEEK TO NEGOTIATE AN AGREEMENT FOR THEIR PROVISION UNDER SECTION 106 OF THE 1990 PLANNING ACT.

5.67 Where waste management facilities and other lawful uses which are known to have an adverse environmental impact such as a sewage works have been permitted or allocated it is important that their use is not compromised by other development proposals. Such essential land uses are potentially polluting by reason of noise, dust, smell and traffic. If new developments such as housing or buildings frequented by the public are located close by, a conflict of interest can result. The borough council will not permit development in the vicinity of waste management facilities and uses of a similar kind unless it can be shown that it would not unduly restrict or constrain these existing uses.

EVR 21 PROTECTION OF WASTE MANAGEMENT FACILITIES, SEWAGE TREATMENT WORKS AND SIMILAR OPERATIONS

PLANNING PERMISSION FOR DEVELOPMENT PROPOSALS IN THE VICINITY OF PERMITTED OR ALLOCATED WASTE MANAGEMENT FACILITIES, SEWAGE TREATMENT WORKS, INTENSIVE AGRICULTURAL UNITS AND SIMILAR OPERATIONS WILL ONLY BE GRANTED IF THEY WOULD NOT UNDULY RESTRICT OR CONSTRAIN THE PERMITTED OR ALLOCATED ACTIVITIES OR WOULD NOT RESULT IN THE DEVELOPMENT PROPOSAL SUFFERING UNACCEPTABLE ADVERSE IMPACTS AS A RESULT OF THE NORMAL OPERATION OF THE FACILITY.
Renewable energy

5.68 Renewable energy is defined in PPS22 (Renewable Energy) as energy flows that occur naturally and repeatedly in the environment, including those derived from the sun, the wind, the movement of the oceans, and the fall of water and from biomass. These sources can increase diversity and security of supply and reduce harmful emissions of greenhouse gases.

5.69 The national objective is set out in the Energy White Paper. The main aims are to cut carbon dioxide emissions by 60% by 2050 with interim targets in the intervening years; and to generate 10% of UK electricity from renewable sources by 2010 and 20% by 2020 with sustained improvements thereafter. The East Midlands Renewable Energy Planning Strategy identifies solar energy as the most significant renewable energy source in Derbyshire. As well as solar energy there may be the opportunity to generate from wind turbines, pumped water storage, landfill gas and biodegradable waste/crops.

5.70 The borough council will support and encourage the use of renewable energy sources but will have regard to environmental, economic and social impacts especially within sensitive areas. In this respect it will foster community involvement in renewable energy projects at an early stage and seek to promote a wider knowledge of and a greater understanding of the subject.

5.71 The borough council wishes to support proposals for the use of renewable energy sources, particularly smaller scale local initiatives, provided that the impact on people and the environment is acceptable and the benefits outweigh any disturbance. The borough council also wishes to encourage the development of low impact and low emission housing and other buildings. Energy efficient building designs will be sought through negotiation during the application process as required in policy GEN10 in chapter 2 of this plan.

EVR 22 RENEWABLE ENERGY

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT REQUIRED IN CONNECTION WITH THE GENERATION OF RENEWABLE ENERGY PROVIDED THAT:

(a) THE IMPACT ON THE NATURAL AND BUILT ENVIRONMENT, ESPECIALLY THE CUMULATIVE EFFECT ON A NUMBER OF SUCH PROJECTS, IS ACCEPTABLE AND TAKES INTO ACCOUNT THE POTENTIAL EFFECT ON THE LANDSCAPE CHARACTER OF THE SITE AND ITS SURROUNDING AREA; AND

(b) SUFFICIENT MITIGATION MEASURES OR DESIGN SOLUTIONS CAN BE INCORPORATED SO THAT THE DEVELOPMENT DOES NOT CREATE UNACCEPTABLE
LIVING CONDITIONS OR DISTURBANCE FOR NEARBY RESIDENTS; AND

(c) THE DEVELOPMENT PROVIDES ECONOMIC AND SOCIAL BENEFITS WHICH OUTWEIGH ANY DISTURBANCE CAUSED.

Air, noise, water and light pollution and other adverse environmental impacts

5.72 The aim of this policy is to guide the location of potentially polluting development in relation to surrounding land uses and to protect sensitive development from existing sources of pollution in line with the guidance in PPS23. It should be regarded as complementary to powers under other legislation to control pollution. Other adverse environmental impacts need to be treated in a similar way, for example water abstractions, health hazards and air quality.

5.73 Policies to reduce reliance on the private car can help reduce emissions of air pollutants and thereby assist in improving air quality. Noise sensitive developments should be located away from existing sources of significant noise pollution and potentially noisy developments need to be located in areas where the impact of noise on existing developments can be minimised. Light pollution, caused by excessive or intrusive artificial light arising from poor or insensitive design, can have a detrimental effect on wildlife and on the character and amenity of areas after dark.

5.74 The quality of water in the rivers and streams within the borough has improved steadily through increased investment in sewage treatment works, tighter controls over industrial discharges and the general decline in polluting industries. However, within the catchment area of the Rother, abandoned minewaters, contaminated land, agricultural wastes, discharges from sewage works, chemical industries and coking plants all continue to affect the water quality of the Rother and its tributaries. Nevertheless, areas of high conservation value remain on some sections of the Rother in the form of oxbow lakes, subsidence flashes, washland, wetlands and restored opencast sites.

5.75 The Environment Agency has a wide range of responsibilities and powers relating to environmental management and improvements in the quality of the water environment. The borough council can assist the efforts of the Environment Agency in controlling pollution and improving water quality by resisting development which would increase the level of water pollution. Water conservation measures will be encouraged in new development and adverse effects on surface water and ground water quality will be resisted.
EVR 23 POLLUTION AND OTHER ADVERSE ENVIRONMENTAL IMPACTS

1) PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD MATERIALLY INCREASE EXISTING LEVELS OF AIR, NOISE, WATER, LIGHT POLLUTION OR RESULT IN SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS UNLESS THESE ARE OUTWEIGHED BY THE SOCIAL OR ECONOMIC BENEFITS TO THE WIDER COMMUNITY, OR THE WIDER ENVIRONMENTAL BENEFITS. IN SUCH CIRCUMSTANCES PLANNING PERMISSION WILL ONLY BE GRANTED PROVIDED (a) NO PRACTICABLE ALTERNATIVE AND BETTER SITE IS READILY AVAILABLE OR (b) ALL REASONABLE MITIGATION MEASURES ARE IMPLEMENTED.

2) PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD BE ADVERSELY AFFECTED BY EXISTING SOURCES OF AIR, NOISE, WATER OR LIGHT POLLUTION OR RESULT IN SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS UNLESS IT CAN BE DEMONSTRATED THAT THE ADVERSE IMPACT CAN BE REDUCED TO AN ACCEPTABLE LEVEL BY MITIGATION MEASURES AT THE SOURCES, OR WITHIN THE DEVELOPMENT SITE.

Protecting and improving the quality of the built environment

Advertisements

5.76 The indiscriminate siting of advertisement hoardings and the inappropriate use of illuminated signs and fascias can detract from the quality of streets in the borough and can be highly intrusive to the settings of public spaces.

5.77 Whilst recognising the needs of business to advertise, it is important to ensure that the size, form and design of advertisements does not lead to a reduction in visual amenity. It is especially important to protect the character of Conservation Areas, the setting of listed buildings and residential areas. The safety of drivers, cyclists and pedestrians must also be taken into account.

5.78 The erection of permanent poster display boards is not generally compatible with the borough council's aim to improve the quality of the town's built environment. However, there may be particular instances where they can be used to screen sites which are likely to remain unsightly or derelict for some time. In such cases associated landscaping will be required.
EVR 24 ADVERTISEMENTS

ADVERTISEMENT CONSENT WILL ONLY BE GRANTED PROVIDED THAT THE ADVERTISEMENT:

(a) DOES NOT HARM THE APPEARANCE, CHARACTER OR SETTING OF ITS SITE OR SURROUNDINGS BY REASON OF ITS SCALE, DETAIL OR DESIGN; AND

(b) PRESERVES OR ENHANCES THE SPECIAL CHARACTER OF CONSERVATION AREAS AND DOES NOT HAVE AN ADVERSE EFFECT ON THE SETTING OF LISTED BUILDINGS; AND

(c) DOES NOT HAVE AN ADVERSE EFFECT ON PEDESTRIAN, CYCLIST OR VEHICLE TRAFFIC SAFETY; AND

(d) IF SITED ON A BUILDING, IS PLACED SYMMETRICALLY ON THE BUILDING AND DOES NOT CUT ACROSS ARCHITECTURAL FEATURES; AND

(e) IS ACCOMPANIED WITH LANDSCAPING, FENCING AND SCREENING DETAILS ON ASSOCIATED LAND WHERE APPROPRIATE.

PROPOSALS FOR THE ERECTION OF ILLUMINATED ADVERTISEMENTS WILL BE GRANTED PROVIDED THAT ANY ILLUMINATION IS NOT DETRIMENTAL TO THE VISUAL AMENITY OF THE AREA AND DOES NOT HARM LIVING CONDITIONS BY REASON OF ITS SCALE, COLOUR, DIRECTION OR INTENSITY.

Shop fronts

5.79 The borough council recognises that the character and appearance of retail areas can be undermined by poor quality shop fronts and unsympathetic building security measures. The overall design of shop fascias should be compatible with the building and its surroundings, and where appropriate, incorporate traditional details, features, proportions and materials.

5.80 Extensive areas of shop fronts which are covered by solid shutters create an unattractive and uninteresting environment outside shopping hours. Whilst recognising the importance of security measures, it is equally important that the quality of the street scene is not devalued by insensitive solutions.

5.81 The installation of security devices will always require Listed Building Consent. Shop security devices on a listed building or a building within a conservation area will only be permitted where it would not harm the character or appearance of the building or the street scene.
**EVR 25 SHOP FRONTS**

PLANNING PERMISSION WILL BE GRANTED FOR NEW, ALTERED OR REPLACEMENT SHOP FRONTS WHERE:

(a) THEIR DESIGN, SCALE AND CHARACTER ARE COMPATIBLE WITH THE BUILDING AND SURROUNDING AREA; AND

(b) APPROPRIATE MATERIALS ARE USED; AND

(c) THE DESIGN OF ENTRANCES ALLOWS ACCESS TO ALL MEMBERS OF THE COMMUNITY.

**EVR 26 BUILDING SECURITY**

PLANNING PERMISSION WILL BE GRANTED FOR BUILDING SECURITY MEASURES WHICH COULD INCLUDE SECURITY GRILLES PROVIDED THAT THEY:

(a) ARE SYMPATHETICALLY DESIGNED AS AN INTEGRAL PART OF THE SHOP FRONT AND ARE NOT DETRIMENTAL TO THE CHARACTER OF THE BUILDING AND STREET SCENE; AND

(b) ALLOW A GOOD LEVEL OF VISIBILITY INTO THE PREMISES AND A GOOD LEVEL OF LIGHT PENETRATION FROM THE BUILDING INTO THE STREET.

SECURITY GRILLES WILL ONLY BE PERMITTED ON LISTED BUILDINGS OR BUILDINGS WITHIN A CONSERVATION AREA WHERE THEY ARE OF A DESIGN APPROPRIATE TO THE HISTORIC CHARACTER OF THE INDIVIDUAL BUILDING AND/OR THE STREET OR AREA.

Percent for art

5.82 The borough council has operated a highly successful percent for art policy since 1994. To date over 50 schemes have been completed. There has been considerable community involvement in developing schemes, with artists leading workshops in schools, colleges and with community groups. An “Art Trail” leaflet, produced in 2000, illustrates the schemes.

5.83 Works of art can make a positive contribution to the built environment by giving new and refurbished buildings a unique identity. This helps to create a sense of place and adds to the character of the neighbourhood. By promoting the image of the town, it can encourage economic development and tourism. By encouraging the artists to engage with the people in the neighbourhood the percent for art process can also assist in the regeneration of the town by fostering and developing community spirit.
5.84 The policy is directed to major developments, but the borough council would also encourage other smaller development schemes to consider including works of art within their developments. Favourable consideration would also be given to spreading at least part of the art budgets beyond the site in question.

5.85 On very large sites where there could be several separate but related developments, it may be more appropriate for the developers to provide the requisite sum in the form of a commuted payment so that one significant work of art is obtained instead of several more minor pieces. Where a proposed development forms part of a larger scheme, developers should consider making this contribution to the commissioning of a single work of art. The borough council will encourage developers to engage an artist at the earliest possible stage in the project to work in collaboration with the architect.

**EVR 27 PERCENT FOR ART**

WHERE MAJOR DEVELOPMENT SCHEMES COSTING £1,000,000 AND OVER HAVE A SIGNIFICANT VISUAL IMPACT, AFFECT THE CHARACTER OF A NEIGHBOURHOOD OR INVOLVE THE LOSS OF LOCAL AMENITIES OR HABITATS, THE LOCAL PLANNING AUTHORITY WILL SEEK TO NEGOTIATE A LEGAL AGREEMENT WITH DEVELOPERS TO INCORPORATE ACCEPTABLE WORKS OF ART EITHER WITHIN THE SCHEME OR AT AN ALTERNATIVE LOCATION AT A LEVEL OF NOT LESS THAN 1% OF THE TOTAL DEVELOPMENT COST OF THE SCHEME.

The evaluation and protection of archaeological sites

5.86 Archaeological remains and their settings are an important part of Chesterfield’s heritage. The borough contains two scheduled ancient monuments, Brampton Barn and Tapton Castle Hill and the historic core of Chesterfield town centre contains known concentrations of important archaeological remains. Details of many unscheduled remains are recorded in the Sites and Monuments Record (SMR).

5.87 PPG16 advises that there should be a presumption in favour of physical preservation of nationally important archaeological remains and their settings, whether scheduled or not, where these are affected by proposed development. The advice in relation to remains of lesser importance is to balance carefully the importance of the archaeology against the need for the proposed development. Preference is given to the retention of remains “in situ” in order to ensure their complete survival.

5.88 Where development proposals may disturb or destroy archaeological remains an assessment of their potential should be undertaken before applying for planning permission. If this assessment shows it to be necessary, an archaeological field evaluation may be required to
ascertain the nature and importance of the remains and the effects of the proposed development on them. It is important that there is early consultation between the developer and the borough council to discuss the initial assessment and the extent of any evaluation needed to follow it.

5.89 In view of the archaeological significance of the historic core of Chesterfield town centre, all applicants for planning permission will normally be required to submit an archaeological evaluation of their site. This will not, however, be required for changes of use and development which will not disturb the ground surface.

**EVR 28 SCHEDULED ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES**

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT, WHICH WILL RESULT IN DAMAGE OR DISTURBANCE TO SCHEDULED ANCIENT MONUMENTS OR OTHER ARCHAEOLOGICAL SITES OF NATIONAL IMPORTANCE AND/OR THEIR SETTINGS.

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH MAY AFFECT OTHER KNOWN OR POTENTIAL ARCHAEOLOGICAL SITES AND THEIR SETTINGS OR HERITAGE FEATURES UNLESS AN APPROPRIATE ARCHAEOLOGICAL ASSESSMENT IS SUBMITTED AS PART OF THE PLANNING APPLICATION WHERE APPROPRIATE. WHERE NECESSARY A FIELD EVALUATION OF THE SITE, TOGETHER WITH AN ASSESSMENT OF THE POTENTIAL EFFECTS OF THE PROPOSED DEVELOPMENT, WILL BE REQUIRED AS PART OF THE PLANNING APPLICATION. PLANNING PERMISSION WILL ONLY BE GRANTED IF IT DEMONSTRATES THAT THE DEVELOPMENT WILL NOT DISTURB OR DESTROY SIGNIFICANT REMAINS OR BE SIGNIFICANTLY DETERMINAL TO THEIR SETTING.

WHERE DISTURBANCE IS UNAVOIDABLE AND WHERE PLANNING PERMISSION IS GRANTED FOR DEVELOPMENT WHICH WOULD AFFECT ARCHAEOLOGICAL SITES AND THEIR SETTINGS OR HERITAGE FEATURES, THE BOROUGH COUNCIL WILL SEEK TO MINIMISE ITS IMPACT. WHERE NECESSARY IT WILL IMPOSE CONDITIONS OR SEEK PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO ENSURE APPROPRIATE ARCHAEOLOGICAL INVESTIGATION AND RECORDING PRIOR TO AND DURING DEVELOPMENT AND POST-EXCAVATION ANALYSIS OF SUCH REMAINS TO AN AGREED PROGRAMME.
EVR 29 CHESTERFIELD TOWN CENTRE HISTORIC CORE

WITHIN THE HISTORIC CORE OF THE TOWN CENTRE, AS SHOWN ON THE PROPOSALS MAP, PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH WOULD INVOLVE GROUND DISTURBANCE IF:

(a) AN ASSESSMENT OF THE ARCHAEOLOGICAL POTENTIAL OF THE SITE IS SUBMITTED WITH THE APPLICATION; AND

(b) WHERE THE ASSESSMENT SHOWS IT TO BE APPROPRIATE AN ARCHAEOLOGICAL FIELD EVALUATION IS SUBMITTED FOR CONSIDERATION AS PART OF THE PLANNING APPLICATION TO ALLOW THE POTENTIAL OF THE SITE TO BE TAKEN INTO ACCOUNT; AND

(c) WHERE APPROPRIATE, A STATEMENT IS SUBMITTED DEMONSTRATING HOW IT IS INTENDED TO ACCOMMODATE OR OVERCOME THE ARCHAEOLOGICAL CONSTRAINTS OF THE SITE TO THE SATISFACTION OF THE COUNCIL; AND

(d) THE DEVELOPMENT WILL NOT DISTURB ARCHAEOLOGICAL REMAINS IDENTIFIED AS WORTHY OF PRESERVATION IN SITU WITHOUT BEING DISTURBED, OR BE SIGNIFICANTLY DETRIMENTAL TO THE SETTING OF SUCH SITES; AND

(e) THE PROPOSALS WILL MINIMISE THE DISTURBANCE OF OTHER ARCHAEOLOGICAL REMAINS.

WHERE DISTURBANCE IS UNAVOIDABLE AND WHERE PLANNING PERMISSION IS GRANTED FOR DEVELOPMENT WHICH WOULD AFFECT ARCHAEOLOGICAL SITES AND THEIR SETTINGS OR HERITAGE FEATURES, THE BOROUGH COUNCIL WILL SEEK TO MINIMISE ITS IMPACT AND WHERE NECESSARY, IT WILL IMPOSE CONDITIONS OR SEEK PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO ENSURE APPROPRIATE ARCHAEOLOGICAL INVESTIGATION AND RECORDING PRIOR TO AND DURING DEVELOPMENT AND POST EXCAVATION ANALYSIS OF SUCH REMAINS TO AN AGREED PROGRAMME.

Conservation, listed buildings and the built environment

5.90 Local authorities are required to designate areas of special architectural interest as Conservation Areas, where policies to preserve and enhance the historic environment and to encourage their physical and economic revitalisation should be applied.
5.91 The borough council has designated 10 such areas. They are:

- Somersall Lane
- Abercrombie Street
- Old Whittington
- Queens Park
- Newbold Road (Eyre Chapel)
- Chesterfield town centre
- Spencer Street
- Staveley town centre
- Former Scarsdale Hospital site
- Brimington centre

5.92 Of particular importance in Chesterfield town centre is the need to control new development to reflect the retained mediaeval street pattern and to preserve and enhance the urban character and the importance of certain views and open spaces, particularly the visual importance of St. Mary’s church and its grounds.

5.93 Buildings of architectural or historic interest form a vital part of the town’s heritage and will be protected from harmful alterations or loss. Proposals for the demolition of or significant alterations or additions to such listed buildings will only be granted in exceptional circumstances where there is clear evidence that all reasonable efforts have been made to sustain existing uses or find viable new ones.

5.94 Outline planning applications relating to proposals which affect listed buildings or the character or appearance of conservation areas are generally unlikely to be acceptable. However, in exceptional circumstances they may be acceptable provided that the illustrative material demonstrates beyond doubt that the nature and scale of the development could be accommodated without detriment to any material consideration. Applications for planning permission for development involving the demolition of buildings or structures which make a positive contribution to the character or appearance of a conservation area will not be granted unless there are acceptable and detailed plans for redevelopment. Conservation area consent to demolish buildings of inappropriate structure or design will be granted where removal or replacement would benefit the character or appearance of the area. Where replacement buildings are proposed, conditions will be imposed to ensure that a contract for redevelopment, in accordance with an approved detailed scheme, is in existence prior to the start of demolition. In Conservation Areas there is also a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of the conservation area.

5.95 Development in areas adjacent to a Conservation Area can have a detrimental impact upon it. The borough council will seek to ensure that in such areas development respects the special character and
setting of that Conservation Area and will refuse permission for
development which would fail to do so.

5.96 In addition to the following policies, the borough council will have
regard to the advice in PPG15, including the preparation of
Conservation Area Character Appraisals, reviewing the boundaries of
existing Conservation Areas, use of Article 4 directions and, where
appropriate, designating new Conservation Areas, based on
Conservation Area Character Appraisals.

EVR 30 CONSERVATION AREAS

WITHIN CONSERVATION AREAS PLANNING PERMISSION WILL
ONLY BE GRANTED FOR DEVELOPMENT PROPOSALS
(INCLUDING CONVERSIONS, ALTERATIONS, EXTENSIONS AND
CHANGES OF USE) WHICH PRESERVE OR ENHANCE THE
SPECIAL CHARACTER OR APPEARANCE OF THE
CONSERVATION AREA.

PLANNING PERMISSION FOR NEW DEVELOPMENT (INCLUDING
EXTENSIONS TO EXISTING BUILDINGS AND NEW OR
REPLACEMENT SHOP SIGNS) WILL NOT BE GRANTED UNLESS:

(a) THE DESIGN, SCALE, MASSING AND SITING OF THE
PROPOSAL RESPECTS THE SPECIAL CHARACTER OR
APPEARANCE OF THAT PART OF THE CONSERVATION AREA
IN WHICH IT IS TO TAKE PLACE; AND

(b) DUE REGARD HAS BEEN PAID TO THE RELATIONSHIP OF
THE PROPOSAL TO ADJACENT BUILDINGS, TREES, VIEWS
(BOTH INTO AND OUT OF THE CONSERVATION AREA),
SPACES AND HISTORIC STREET PATTERN OR ANY OTHER
COMPONENT PART OF THE CONSERVATION AREA OR ITS
SETTING WHICH CONTRIBUTES TO ITS SPECIAL
CHARACTER OR APPEARANCE; AND

(c) MATERIALS AND COMPONENTS APPROPRIATE TO THE
SPECIAL CHARACTER AND APPEARANCE ARE USED; AND

(d) THEY RESPECT THE CHARACTER AND STYLE OF THE
BUILDING IN TERMS OF ITS ARCHITECTURAL DETAIL AND
MATERIALS.

INTERNALLY ILLUMINATED SIGNS WILL NOT BE PERMITTED
WHERE THESE COVER THE WHOLE OF THE FASCIA OF THE
BUILDING.

PLANNING PERMISSION WILL NOT BE GRANTED FOR
DEVELOPMENT AFFECTING THE SETTING OF A CONSERVATION
AREA WHICH WOULD HAVE A MATERIALLY DETRIMENTAL
EFFECT ON ITS SPECIAL CHARACTER OR APPEARANCE
INCLUDING VIEWS INTO OR OUT OF THE AREA.
WHERE NECESSARY ARTICLE 4 DIRECTIONS WILL BE USED BY THE COUNCIL TO ENSURE ADDITIONAL CONTROLS OVER DEVELOPMENT IN CONSERVATION AREAS.

EVR 31 DEMOLITION OF BUILDINGS OR STRUCTURES IN CONSERVATION AREAS

WHERE A BUILDING OR OTHER STRUCTURE MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA, PLANNING PERMISSION FOR DEVELOPMENT INVOLVING ITS DEMOLITION OR REMOVAL WILL ONLY BE GRANTED WHERE:

(a) IT IS BEYOND REPAIR AND INCAPABLE OF BENEFICIAL USE; OR

(b) IN EXCEPTIONAL CASES THE REDEVELOPMENT OR THE RESULT OF THE DEMOLITION WOULD PRODUCE SUBSTANTIAL BENEFITS FOR THE COMMUNITY (INCLUDING THE PHYSICAL AND/OR ECONOMIC REVITALISATION OF THE CONSERVATION AREA) WHICH WOULD OUTWEIGH THE LOSS RESULTING FROM THE DEMOLITION.

PERMISSION FOR REDEVELOPMENT INVOLVING THE DEMOLITION OF BUILDINGS OF INAPPROPRIATE STRUCTURE OR DESIGN WILL BE GRANTED WHERE REMOVAL OR REPLACEMENT WOULD BENEFIT THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.

CONDITIONS WILL BE IMPOSED ON THE PLANNING PERMISSION TO ENSURE THAT A CONTRACT FOR REDEVELOPMENT IN ACCORDANCE WITH AN APPROVED DETAILED SCHEME IS IN EXISTENCE PRIOR TO THE START OF DEMOLITION.

EVR 32 BUILDINGS OF ARCHITECTURAL AND HISTORIC INTEREST (LISTED BUILDINGS)

PLANNING PERMISSION FOR DEVELOPMENT INVOLVING THE DEMOLITION OF LISTED BUILDINGS, IN WHOLE OR IN PART, WILL NOT BE GRANTED UNLESS:

(a) THE APPLICATION IS ACCOMPANIED BY AN ASSESSMENT OF THE CONDITION AND COSTS OF REPAIR AND MAINTENANCE OF THE LISTED BUILDING AND

(b) EVIDENCE IS PROVIDED THAT EFFORTS HAVE BEEN MADE TO RETAIN THE BUILDING AND, WHERE RELEVANT, THAT ALTERNATIVE USES HAVE BEEN FULLY EXPLORED AND DISCOUNTED FOR GOOD PLANNING REASONS.
PLANNING PERMISSION FOR THE CHANGE OF USE OR CONVERSION OF A LISTED BUILDING TO A NEW USE WILL ONLY BE GRANTED WHERE:

(i) THE CHANGE OF USE OR CONVERSION WILL ENSURE THE PRESERVATION OF THE BUILDING WITHOUT DETRIMENT TO THE ELEMENTS RESPONSIBLE FOR ITS LISTING AND

(ii) THE PROPOSED USE WILL NOT BE PREJUDICIAL TO THE SETTING OF THE BUILDING.

PLANNING PERMISSION FOR DEVELOPMENT INVOLVING THE ALTERATION OR EXTENSION OF A LISTED BUILDING WILL ONLY BE PERMITTED WHERE THE SCALE, MATERIALS AND COMPONENTS RESPECT THE CHARACTER AND ORIGINS OF THE BUILDING.

EVR 33 DEVELOPMENT AFFECTING THE SETTING OF A LISTED BUILDING

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE A DETRIMENTAL EFFECT ON THE SETTING OF A LISTED BUILDING.

Historic parks and gardens

5.97 There are several parks and gardens of historic interest in the borough which require special protection to ensure their survival and integrity. As well as having heritage importance, historic parks and gardens are valued assets in providing access to open, green spaces for the public. This is important to enable easy, regular contact with nature, which will increase general well-being and quality of life, as well as providing an education about nature and how it can and should be protected.

5.98 Queens Park is included on English Heritage’s National Register of Historic Parks and Gardens with a grade 2 status. The Queens Park heritage scheme aims to improve the amenity and historical integrity of the park. The effect of development proposals on a registered park or garden or its setting is a material consideration in the determination of planning applications. Other locally important parks and gardens also merit protection.

5.99 Where proposals for development are likely to affect historic parks and gardens, applicants will be required to submit a specialist evaluation of the site and the likely impact of the proposed development on the historic interest, together with a statement of any measures proposed to mitigate adverse impacts.
EVR 34 HISTORIC PARKS AND GARDENS

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE A DETRIMENTAL EFFECT ON THE CHARACTER, ENVIRONMENT OR SETTING OF THE FOLLOWING HISTORIC PARKS AND GARDENS, AS SHOWN ON THE PROPOSALS MAP:

(a) QUEENS PARK
(b) TAPTON HOUSE AND GROUNDS
(c) RINGWOOD HALL GROUNDS
(d) TAPTON GROVE
(e) DUNSTON HALL DEERPARK

PLANNING APPLICATIONS FOR DEVELOPMENT AFFECTING HISTORIC PARKS AND GARDENS WILL BE REQUIRED TO BE ACCOMPANIED BY AN IMPACT ANALYSIS.

EVR 35 RECORDING OF LISTED BUILDINGS, CONSERVATION AREAS AND HISTORIC PARKS AND GARDENS

WHERE PLANNING PERMISSION IS GRANTED FOR DEVELOPMENT INVOLVING:

(a) DEMOLITION OR SIGNIFICANT ALTERATION OR EXTENSION TO LISTED BUILDINGS, OR
(b) DEMOLITION OR SIGNIFICANT NEW CONSTRUCTION IN A CONSERVATION AREA, OR
(c) WORKS AFFECTING HISTORIC PARKS AND GARDENS, DOCUMENTARY RECORDS, INCLUDING PHOTOGRAPHS AND MEASURED SURVEY DRAWINGS AS APPROPRIATE, WILL BE REQUIRED BY CONDITION.
6.0 TRANSPORT

Introduction

6.1 National and regional policies aim to support the development of sustainable transport solutions. The new emphasis is on creating an integrated transport policy:

- within and between different types of transport
- with policies for the environment
- with land use planning
- with policies for education, health and wealth creation

6.2 The main objectives of national guidance are to:

- promote more sustainable transport choices both for people and for moving freight
- promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
- reduce the need to travel, especially by car

6.3 This integrated approach and these objectives have been incorporated in RSS8 and the JSP and provide a framework for the Derbyshire Local Transport Plan (LTP). The land use policies of the local plan have been developed within this framework. By shaping the pattern of development and influencing the location, scale, density, design and mix of land uses, these policies should help deliver the Government’s objectives.

Transport strategy

6.4 The LTP has embraced a balanced approach to delivering an integrated transport system for the borough. This provides for wider travel choice and opportunity while allowing limited traffic growth. This would create an equitable, needs-based transport system that seeks to reduce reliance on the car, promotes social inclusion, encourages a buoyant economy and protects the environment.

6.5 Chesterfield provides the main focus for employment, shopping, leisure and transport facilities for the North East of Derbyshire. The Staveley area lies within the coalfield communities to the east which contain some of the highest levels of unemployment and the lowest levels of car ownership.

6.6 The main transport priorities will be to assist in the regeneration of the borough and to provide better access to local facilities and employment. The main focus of road network investment will be along the A61 corridor, where the majority of regeneration opportunities will arise and where the main congestion hotspots exist, and Markham Vale, (formerly known as the Markham Employment Growth Zone),
which requires major investment in the strategic road network. A related proposal is the Chesterfield-Staveley Regeneration Route which would link the two parts of the borough.

6.7 Measures and policies to reduce the impact of traffic and encourage travel by modes other than the private car are priorities for the borough. The transport implications of new development will need to be assessed to ensure that the overall effect on the highway network does not result in increased traffic congestion, a worsening of the environment or amenity of local residents or lead to a reduction in road safety.

6.8 A transport assessment should be submitted by developers where the proposed development is likely to significantly increase traffic on the highway network. The assessment should indicate the likely modal split of journeys to and from the site, together with details of proposed measures to fund any necessary improvements to the existing highway network, traffic management and traffic-calming measures and access to public transport, walking and cycling through a Section 106 obligation. Designs could include 20mph zones to improve highway safety.

**TRS 1 TRANSPORT IMPLICATIONS OF NEW DEVELOPMENT**

PROPOSALS FOR DEVELOPMENT WHICH WOULD GENERATE SIGNIFICANT DEMAND FOR ADDITIONAL TRIPS BY PRIVATE CAR WILL NOT BE GRANTED PLANNING PERMISSION UNLESS THE APPLICANT SUBMITS A TRANSPORT ASSESSMENT IDENTIFYING POTENTIAL ADVERSE IMPACTS AND MEASURES TO REDUCE THE NUMBER AND IMPACT OF MOTORISED JOURNEYS INCLUDING:

(a) MEASURES TO ASSIST ACCESS TO THE SITE ON FOOT OR BY CYCLE;

(b) PROVISION OF OR CONTRIBUTIONS TOWARDS PUBLIC TRANSPORT;

(c) THE PREPARATION AND IMPLEMENTATION OF A TRAVEL PLAN SETTING OUT HOW ALTERNATIVE MODES OF TRANSPORT WILL BE ENCOURAGED AND HOW THEIR USE WILL BE MONITORED;

(d) IMPROVEMENTS TO THE HIGHWAY NETWORK AND TRAFFIC MANAGEMENT MEASURES;

(e) MEASURES TO MINIMISE ADDITIONAL AIR AND NOISE POLLUTION GENERATED BY TRAFFIC ASSOCIATED WITH THE DEVELOPMENT.
LEGALLY-BINDING AGREEMENTS WITH THE BOROUGH COUNCIL WILL BE SOUGHT FROM DEVELOPERS TO SECURE THE AGREED MEASURES WHERE THE USE OF PLANNING CONDITIONS IS LIKELY TO BE INEFFECTIVE.

Major transportation projects

M1, MEGZ and Chesterfield-Staveley Regeneration Route

6.9 Markham Vale, (formerly known as the Markham Employment Growth Zone) is one of the major transport projects in Derbyshire which is included in the LTP. Reference has been made in the Employment chapter to the importance of Markham Vale to the regeneration of the Northern Coalfields Sub-Area and accordingly land for employment uses has been allocated. The complementary transport improvements include a new junction (29A) on the M1 motorway, local access roads, a modest intermodal rail terminal and rail-connected factories, new pedestrian and cycle links with regular bus services (which may be subsidised for a period of up to 10 years) and park and ride.

6.10 A multi-modal study has considered ways of tackling congestion on the M1 corridor in the East Midlands. The recommendations from the study will be considered for inclusion in a review of RSS8. The study has recommended a strategy which:

- addresses the immediate problems of congestion and safety on the roads;
- identifies some ways of achieving very quick public transport improvements to provide more travel choice;
- specifies a range of policy interventions to encourage behaviour change;
- provides sufficient capacity on the motorway to cater for the expected traffic growth (that is bound to happen) before public transport improvements and the “transport change” strategy have combined to reduce traffic growth.

6.11 The recommendations of the study include substantial investment in public transport as well as increasing capacity on the M1. Most of the immediate problems on the M1 relate to junctions and improvements are recommended in the short term at junction 29, which lies in North East Derbyshire.

6.12 The proposed new junction (29A) to serve the Markham Vale proposals has also been included in the recommendations, as is the longer term widening of the M1 between junctions 21 and 30. The early provision of junction 29A will relieve potential congestion on adjoining junctions caused by development of Markham Vale. Phase 1 of the M1 widening will take place within the existing highway boundary so will not need safeguarding. Phase 2 will go beyond this but details will not be available until 2006 and works programmed for 2010 onwards. Both
these proposals are supported by the borough council and land will be safeguarded for them in the plan. Developers within the Markham Vale scheme will need to consult the Highways Agency in respect of their transport assessments. Should there be any delay in the construction of the new junction 29a, developers will need to assess the traffic impact of the Chesterfield Staveley Regeneration Route and the associated new employment sites.

6.13 Additional rail services are proposed from Chesterfield station. New rail services are proposed to Nottingham, Mansfield and Sheffield with a new interchange station at Markham Vale and the reopening of the Clowne branch between Creswell and Seymour junction. Land for these proposals, including a strategic park and ride facility at the new station, will need to be safeguarded. The implementation and timing of improvements to rail infrastructure and the creation of a strategic park and ride facility will be subject to further feasibility studies and funding.

6.14 The potential for a modest, sub-regional intermodal freight terminal at Markham Vale, based on the existing rail infrastructure, will also need to be safeguarded.

6.15 An integral part of the Markham Vale proposals is the improvement of local access roads between junction 29A and Staveley. In its entirety the proposed road access improvements form a link from the A632 through the proposed junction with the M1 thence along Erin Road, under the A619 at Staveley (Lowgates), under Eckington Road to Hall Lane and thence south to join the A619 south of Staveley (the Lowgates link). At Lowgates the proposed road will need to be designed to accommodate the existing Trans Pennine Trail and Chesterfield Canal. Land for these road schemes will be safeguarded in the plan.

6.16 The Chesterfield-Staveley Regeneration Route, which is listed in Transport Policy 14 of the JSP as a major road programmed by the county council, is proposed to have its eastern terminus at Staveley connecting with the new highway links associated with Markham Vale. Although the scheme is not explicitly associated with Markham Vale, it would require the Markham Vale development to be in place in order to go ahead in the form envisaged. The LTP lists this scheme as a potential future County Council scheme and it will be subject to a full economic and environmental appraisal. The road would provide a route through the upper Rother Valley where development land lies dormant through lack of access. The route would also provide traffic relief for the A619, and accommodate the existing Trans Pennine Trail and the Chesterfield Canal, which both run through the valley. Where the route affects a wildlife site suitable mitigation or compensatory measures will be required.

6.17 Although access to the M1 will be possible via the new junction 29A, the county council proposes to examine options for the Chesterfield-Staveley Regeneration Route, including a bypass of Mastin Moor and
the Lowgates area. Therefore, the county council wishes to retain protection for the whole of the former Staveley-Brimington bypass route.

TRS 2 TRANSPORT SCHEMES ASSOCIATED WITH MARKHAM EMPLOYMENT GROWTH ZONE (MARKHAM VALE) AND THE M1

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD PREJUDICE THE IMPLEMENTATION OF THE FOLLOWING MAJOR TRANSPORT INFRASTRUCTURE SCHEMES:

(a) WIDENING OF THE M1 (AS SHOWN ON THE PROPOSALS MAP);

(b) JUNCTION 29A AND ASSOCIATED LOCAL ROAD IMPROVEMENTS INCLUDING THE LOWGATES LINK (AS SHOWN ON THE PROPOSALS MAP);

(c) THE CHESTERFIELD-STAVELEY REGENERATION ROUTE (AS SHOWN ON THE PROPOSALS MAP);

(d) A NEW RAIL STATION AND STRATEGIC PARK AND RIDE FACILITY AT SEYMOUR JUNCTION (IF LOCATED WITHIN THE BOROUGH);

(e) A NEW FREIGHT TERMINAL AT MARKHAM VALE;

(f) THE REOPENING OF THE CLOWNE BRANCH RAILWAY BETWEEN CRESWELL AND SEYMOUR JUNCTION AND THE USE OF THE EXISTING FREIGHT LINES TO CHESTERFIELD AND SHEFFIELD FOR PASSENGER SERVICES (AS SHOWN ON THE PROPOSALS MAP).

TRS 3 CHESTERFIELD-STAVELEY REGENERATION ROUTE

THE DETAILED DESIGN OF THE CHESTERFIELD-STAVELEY REGENERATION ROUTE AND THE LOWGATES LINK MUST TAKE FULL ACCOUNT OF:

(a) EITHER THE PROPOSED NEW JUNCTION 29A AND OTHER ROAD IMPROVEMENTS ASSOCIATED WITH THE MEGZ (MARKHAM VALE) DEVELOPMENT OR, IN THE ABSENCE OF A SIGNED CONTRACT FOR THE CONSTRUCTION OF THE PROPOSED NEW JUNCTION 29A, THE IMPACT OF TRAFFIC ON JUNCTION 30 AND THE A61;

(b) THE EXISTING CHARACTER OF THE ROTHER VALLEY AND CHESTERFIELD CANAL AND MINIMISE ANY IMPACT ON THEIR NATURAL ENVIRONMENT;
(c) THE POTENTIAL FOR ENHANCING THE RIVER AND CANAL CORRIDOR, IN PARTICULAR THE RESTORATION OF THE CANAL FOR NAVIGATION;

(d) THE POTENTIAL FOR THE CREATION OF GREENWAY ROUTES TO REPLACE EXISTING RIGHTS OF WAY AFFECTED BY THE SCHEME;

(e) THE AMENITY OF RESIDENTS IN THE NEIGHBOURING AREA.

PLANNING PERMISSION WILL ONLY BE GRANTED PROVIDED THAT THE SCHEMES ACCOMMODATE ANY DISTURBANCE TO THE RESTORED CANAL AND THE TRANS PENNINE TRAIL BY REPLACING THE FACILITIES TO AN EQUIVALENT OR IMPROVED STANDARD.

Chesterfield town centre and A61/A619/A617 (M1) corridors

6.18 Chesterfield town centre and the major employment and commercial areas located along the A61/A619/A617 (M1) corridors are the focus of many of the daily journeys of local residents and those from further afield. The town suffers from peak hour congestion at an increasing number of locations and traffic delays are becoming more frequent. There are several congestion hotspots which cause “rat-running” through adjacent residential areas. Derbyshire County Council is undertaking a study of the strategic road network. This could indicate a need for lanes for buses/ multi-occupancy private cars, new junctions and/or road widening. Once the details are agreed these proposals would need to be safeguarded, where appropriate, by the plan from development.

6.19 There is a positive need to manage the town centre in terms of accessibility for shopping, commercial, business and social purposes coupled with the need to maintain a vibrant centre. A central area transportation management strategy should form part of the proposed comprehensive strategy and vision for the further development and enhancement of the town centre.

6.20 Reference has been made in the General Strategy to the regeneration opportunities along the A61/A619/A617 (M1) corridors as well as within and on the edge of Chesterfield town centre. The council has published a planning brief for the A61 Corridor Area of Major Change. This area is shown on the Proposals Map and is subject to policy GEN11.

6.21 The planning brief has identified specific access points in order to serve the comprehensive redevelopment of the area. The development of these accesses will need to be safeguarded. New accesses to the A61 will only be supported in accordance with this comprehensive redevelopment. Investment in the redevelopment of these sites will
require contributions to improving the local highway infrastructure, as required by policy TRS1.

**TRS 4 SAFEGUARDING OF LAND REQUIRED FOR TRANSPORT INFRASTRUCTURE TO SERVE THE A61 CORRIDOR DEVELOPMENTS**

LAND REQUIRED FOR THE PROVISION OF NEW ACCESS ROADS, JUNCTIONS OR PUBLIC TRANSPORT PROVISION TO SERVE THE COMPREHENSIVE REDEVELOPMENT OF THE A61 CORRIDOR AREA OF MAJOR CHANGE, AS SHOWN ON THE PROPOSALS MAP, WILL BE PROTECTED FROM ANY DEVELOPMENT WHICH WOULD PREJUDICE THEIR CONSTRUCTION.

6.22 The Holywell Cross roundabout is a principal focal point for road traffic next to the town centre. The area also suffers visually from a poor quality environment. A major new retail site has been identified adjacent to Holywell Cross (shopping policy SHC4), which will require improvements to be made to the roundabout. However, as part of the regeneration of the northern fringes of Chesterfield town centre, there is an opportunity to link that retail site more closely to the town centre, involving more radical changes to the existing traffic system and car park.

6.23 The council has commissioned a study to develop proposals for the Town Centre Northern Gateway Area of Major Change to achieve the comprehensive redevelopment of this area. This area is identified on the proposals map and is subject to policy GEN12 and a site specific policy SHC4. The study has identified specific access roads and junctions in order to serve the comprehensive redevelopment of the study area. The development of these accesses will need to be safeguarded. It will also be necessary to ensure that bus access to, and within, the area is improved. Therefore, this area is identified in the plan as an area of major change to be the subject of a development framework.

**TRS 5 CHESTERFIELD TOWN CENTRE NORTHERN GATEWAY AREA OF MAJOR CHANGE**

LAND REQUIRED FOR THE PROVISION OF NEW TRANSPORT INFRASTRUCTURE TO SERVE THE COMPREHENSIVE REDEVELOPMENT OF THE TOWN CENTRE NORTHERN GATEWAY AREA OF MAJOR CHANGE, AS SHOWN ON THE PROPOSALS MAP, WILL BE PROTECTED FROM ANY DEVELOPMENT WHICH WOULD PREJUDICE ITS CONSTRUCTION.
6.24 Industrial traffic from the Station Lane industrial estate and the areas to the south of New Whittington emerges through adjacent residential areas which is detrimental to amenity. The alignment of a potential link road from Station Lane to Newbridge Lane needs to be protected so that through traffic can be routed away from residential areas.

**TRS 6 WHITTING VALLEY LINK ROAD**

**LAND REQUIRED FOR THE PROVISION OF A LINK ROAD FROM STATION LANE TO NEWBRIDGE LANE, AS SHOWN ON THE PROPOSALS MAP, WILL BE PROTECTED FROM ANY DEVELOPMENT WHICH WOULD PREJUDICE ITS CONSTRUCTION.**

Managing travel demand

6.25 The Chesterfield area has historically some of the highest levels of bus use in Derbyshire. However, increasing use of the car (partly due to the availability of relatively cheap or free parking in or close to the town centre), is causing increasing problems. As 70% of Chesterfield residents travel less than 5km to work, there is opportunity and potential to switch to alternative modes.

6.26 The borough council has developed a town centre transport plan which aims to achieve a much higher level of demand management and measures to encourage a change in travel behaviour, whilst maintaining the future viability of the town centre as a sub-regional shopping, commercial and tourist venue.

6.27 The North East Derbyshire Integrated Transport Strategy (NEDITS) is examining ways to comprehensively upgrade and improve the bus network in the town and surrounding area, including high quality bus corridors linking with a bus interchange.

6.28 The borough council has operated a temporary park and ride scheme in the run-up to Christmas. Although such schemes need a subsidy to cover operating losses, the town centre transport plan suggested that park and ride should be looked into further. A possible site has been identified within the A61 Corridor Area of Major Change on the Dema Glass site in association with the proposed football stadium. Other opportunities to implement schemes of park and ride and also park and walk will be supported, in particular along the main A61 and A617 corridors. Where sites are proposed the council will ensure that the impact on local amenity is minimised, the facility is suitable for use by disabled people and the potential for walking, cycling and motor cycle journeys is maximised.

6.29 The availability of car parking spaces is a major factor in influencing how people travel. National and regional guidance aims to reduce
levels of parking provision in order to encourage people to use their cars less. PPG13 sets out national maximum parking standards for certain major developments. RSS8 also sets out maximum parking provision for major new employment uses which are more restrictive in town centres that are better served by public transport.

6.30 Appendix B sets out the maximum car parking standards for different classes of development. These standards reflect the council’s sustainability objectives to reduce reliance on the car, particularly for journeys to work. However, where there are road safety or amenity implications that cannot be resolved by other control mechanisms or sustainable transport measures, higher standards of provision may be appropriate to avoid unacceptable levels of on-street parking so that provision above the maximum may be permitted.

6.31 Guidelines for the provision of cycle, motorcycle and disabled parking are also included in Appendix B, but are not subject to a maximum level. More restrictive standards have been set for developments within and on the edge of Chesterfield town centre, as defined on the proposals map.

**TRS 7 PARK AND RIDE/WALK SITES**

PLANNING PERMISSION WILL BE GRANTED FOR PARK AND RIDE/WALK SCHEMES PROVIDED THAT:

(a) THE AMENITY OF ADJOINING RESIDENTIAL AREAS IS NOT HARMED, AND;

(b) IT HAS A POSITIVE IMPACT ON THE USE OF PUBLIC TRANSPORT AND IS WELL RELATED TO EXISTING COMMUTER ROUTES, AND;

(c) IT IS DESIGNED TO CONTRIBUTE TO COMMUNITY SAFETY, TO PROTECT ACKNOWLEDGED INTERESTS OF THE BUILT AND NATURAL ENVIRONMENT AND FOR USE BY DISABLED PEOPLE.

**TRS 8 CAR, MOTORCYCLE AND CYCLE PARKING PROVISION**

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT PROVIDED THAT CAR, MOTORCYCLE AND CYCLE PARKING IS PROVIDED IN ACCORDANCE WITH THE PARKING STANDARDS SET OUT IN APPENDIX B.

PLANNING PERMISSION FOR MORE THAN THE MAXIMUM STANDARDS WILL ONLY BE GRANTED WHERE THERE ARE SIGNIFICANT ROAD SAFETY OR AMENITY IMPLICATIONS OR WHERE THE ADDITIONAL PARKING PROVIDED WOULD CONSTITUTE REPLACEMENT PUBLIC CAR PARKING COMPLIANT WITH THE TERMS OF POLICY TRS9.
6.32 With regard to public car parking facilities in Chesterfield town centre, it is proposed that there will be no overall increase in parking capacity within the plan period. However, there would be scope for development to take place on existing parking sites, provided that measures are taken to substitute for it or provide replacement parking either within the development or in close proximity to it.

**TRS 9 DEVELOPMENT IN PLACE OF EXISTING CAR PARKS IN TOWN, DISTRICT AND LOCAL CENTRES**

Planning permission will only be granted for the development of existing car parks in town, district and local centres, if an alternative and appropriate degree of accessibility is provided including provision of, or contributions to, public transport facilities or infrastructure, or if replacement car parking is provided either within the development or in close proximity to it.

6.33 The provision of any additional off-street car parking outside the town and district centres not connected with development proposals would not normally meet the aim of reducing reliance on the private car and encouraging the use of alternative modes of transport.

**TRS 10 OFF-STREET PARKING**

Outside the town, district and local centres shown on the proposals map, planning permission will only be granted for off-street car parking not connected with development proposals, where it can be demonstrated that:

(a) Bus, cycle and pedestrian provision cannot be improved to meet the identified need;

(b) Excessive on-street parking is having an adverse effect on highway safety or residential amenity;

(c) The facility will not encourage additional trips by private car;

(d) The facility is required as part of a travel plan or area transport strategy agreed with the borough council.

6.34 The development of travel plans is a further way to reduce reliance on the car. They are intended to raise awareness of other travel options such as public transport, walking, cycling and car sharing. Plans should be worked up for all developments generating significant amounts of travel e.g. business, educational, hospital, retail, leisure
and service uses. The criteria in paragraph 89 and Appendix D of PPG13 will be used to determine the developments likely to generate significant amounts of travel for the purposes of policy TRS11. It is important that travel plans are monitored and action taken to ensure agreed targets are met.

**TRS 11 TRAVEL PLANS**

**PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS GENERATING SIGNIFICANT AMOUNTS OF TRAVEL UNLESS TRAVEL PLANS HAVE BEEN SUBMITTED AND AGREED AS PART OF TRANSPORT ASSESSMENTS SETTING OUT:**

(a) MEASURES TO BE ADOPTED TO ENCOURAGE USERS OF THE DEVELOPMENT TO USE MODES OF TRANSPORT OTHER THAN THE CAR TO ACCESS THE SITE;

(b) OUTPUTS AND TARGETS TO ASSESS THE EFFECTIVENESS OF THESE MEASURES;

(c) MEASURES, INCLUDING REGULAR MONITORING AND ENFORCEMENT OF AGREED TARGETS, TO ENSURE THE LONG TERM EFFECTIVENESS OF THE PLAN.

**LEGALLY BINDING AGREEMENTS WITH THE BOROUGH COUNCIL WILL BE SOUGHT FROM DEVELOPERS TO SECURE THE AGREED MEASURES WHERE THE USE OF PLANNING CONDITIONS IS LIKELY TO BE INEFFECTIVE.**

**Promoting alternatives to the car**

6.35 Improvements to walking and cycling routes and the creation of new links to facilitate and encourage walking and cycling are vital elements in reducing car use. Improving the pedestrian environment and providing facilities for cycle users should also help achieve this aim. Similarly improvements to bus and rail services and infrastructure are essential in promoting public transport as an effective alternative to the car.

**Walking and cycling**

6.36 Walking is a sustainable mode of transport available to most people. A large proportion of journeys which are made are short distance and walking will usually be the most sustainable way to go. It also helps to promote healthy communities. Likewise, cycling has a key role to play in reducing reliance on the private car and is also a sustainable form of transport and particularly suitable for short and medium length journeys within the town.

6.37 However, the condition of the local environment can be an important factor in determining how much people walk or cycle. The borough council is seeking to increase the number of journeys made on foot or
by cycle by improving the environment for walkers and cyclists in public areas and in new development. The improvement of strategic walking and cycling routes including the restored Chesterfield Canal and towpath has increased their use by walkers and cyclists.

6.38 The needs of disabled people and others with limited mobility will also need to be taken into account in assessing development proposals. Measures such as dropped kerbs, safe crossing facilities, refuges, wider pavements, safety lighting, and the use of tactile surfacing materials should be considered.

6.39 Development proposals need to take account of the needs of existing and potential walkers and cyclists in their design and layout. The provision of facilities for cyclists, such as secure cycle parking (including lockers where appropriate) and changing rooms for both walkers and cyclists should also be incorporated in development schemes.

6.40 Account will also need to be taken of any specific proposals in the local transport plan, walking and cycling strategies and travel plans. Measures to give walkers and cyclists greater priority on existing and new highways will also encourage a greater number of journeys to be made by foot or cycle.

**TRS 12 PROVISION FOR PEDESTRIANS AND CYCLISTS**

**PLANNING PERMISSION WILL ONLY BE GRANTED WHERE A SAFE AND ATTRACTIVE ENVIRONMENT FOR CYCLISTS AND PEDESTRIANS, INCLUDING THOSE WHO ARE DISABLED OR HAVE LIMITED MOBILITY IS PROVIDED.**

**IN CONSIDERING APPLICATIONS FOR PLANNING PERMISSION, THE COUNCIL WILL REQUIRE THE FOLLOWING MEASURES TO BE INCORPORATED INTO THE DESIGN OF THE DEVELOPMENT:**

(a) **SAFE, CONVENIENT AND DIRECT PEDESTRIAN AND CYCLE LINKS TO EXISTING AND POTENTIAL WALKING AND CYCLING ROUTES NEAR TO THE DEVELOPMENT SITE;**

(b) **SAFE PEDESTRIAN AND CYCLE ROUTES WITHIN THE DEVELOPMENT SITE;**

(c) **THE PROVISION OF FACILITIES FOR PEDESTRIANS AND CYCLISTS, SUCH AS CHANGING ROOMS WITH SHOWERS AND SECURE CYCLE PARKING, AS APPROPRIATE TO THE SCALE OF THE DEVELOPMENT.**

**THE COUNCIL WILL SEEK TO NEGOTIATE LEGALLY BINDING AGREEMENTS WITH DEVELOPERS TO SECURE THE AGREED MEASURES WHERE THE USE OF PLANNING CONDITIONS IS LIKELY TO BE INEFFECTIVE.**
THE BOROUGH COUNCIL WILL REQUIRE PROPOSALS FOR NEW HIGHWAYS AND THE UPGRADING OF EXISTING HIGHWAYS TO INCORPORATE SPECIFIC PROVISION FOR CYCLISTS AND PEDESTRIANS OR, WHERE APPROPRIATE, ROUTES FOR CYCLISTS THAT AVOID BUSY JUNCTIONS.

6.41 Making the existing highways safer for cyclists and providing more attractive routes should help to increase the use of cycles as a choice of transport for both journeys to work as well as recreational journeys.

6.42 Strategic walking and cycling routes have been developed by the council along the valleys of the rivers Rother, Hipper and Holmebrook. The towpath of the Chesterfield Canal is also a major off-road walking and cycling route. It forms part of a national multi-user trail, the Trans Pennine Trail. The council has developed important links to this route from Brimington and New Whittington. An alternative section of this trail suitable for horse riders has been developed between Piccadilly Road (close to Chesterfield town centre) and Staveley via Tapton, Brimington Common, Westwood, Inkersall and the Arkwright Trail.

6.43 The council attaches great importance to the continuing development of a strategic network of walking and cycling routes throughout the borough. The council is a partner in the East Derbyshire Greenways Strategy, which aims to promote the development of strategic multi-user routes between settlements. Greenways are defined by the Countryside Agency as largely car-free, off-road routes for shared use by people of all abilities on foot, bike, or horseback. It also supports the development of further phases of Sustrans National Cycle Network Route 67 (formerly regional route 60), which is a walking and cycling link to the National Cycle Network. As part of the transportation management strategy for Chesterfield town centre, a number of safer walking and cycling routes linking neighbouring residential areas with the town centre will be identified.

6.44 The proposals map shows the strategic walking and cycling routes which the borough council will seek to promote during the plan period, as well as the existing routes which will be protected from inappropriate development.

**TRS 13 PROPOSED GREENWAYS AND STRATEGIC WALKING AND CYCLING ROUTES**

THE COUNCIL WILL SEEK THE DEVELOPMENT OF THE FOLLOWING GREENWAYS AND STRATEGIC WALKING AND CYCLING ROUTES AND SAFEGUARD THEM FROM ANY OTHER PROPOSALS WHICH WOULD PREJUDICE THEIR CONSTRUCTION:

(a) HIPPER VALLEY PHASE 3;

(b) HOLMEBROOK VALLEY PHASE 2;
(c) HADY TRAIL;

(d) SUSTRANS NATIONAL CYCLE NETWORK ROUTE 7 PHASE 2;

(e) PARK ROAD TO RAILWAY STATION;

(f) PICCADILLY ROAD TO ROYAL HOSPITAL;

(e) CHESTERFIELD CANAL TOWPATH (EAST OF STAVELEY);

(f) SEYMOUR JUNCTION TO CLOWNE.

WHERE THE PROPOSED ROUTES LIE WITHIN DEVELOPMENT SITES, PLANNING PERMISSION WILL NOT BE GRANTED UNLESS THE ROUTE IS CONSTRUCTED AS PART OF THE DEVELOPMENT SCHEME.

CONTRIBUTIONS TO THE CONSTRUCTION OF ROUTES WILL BE SOUGHT WHERE DEVELOPMENT IS PROPOSED ON SITES IN CLOSE PROXIMITY TO SUCH ROUTES, TO SECURE WALKING AND CYCLING ACCESS.

TRS 14 PROTECTION OF FOOTPATH AND CYCLE ROUTES

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT PROPOSALS WHICH WOULD SEVER OR ADVERSELY AFFECT THE CONTINUITY OF THE STRATEGIC WALKING AND CYCLING NETWORK UNLESS AN ALTERNATIVE ROUTE OR ROUTES CAN BE SECURED TO THE SATISFACTION OF THE BOROUGH COUNCIL THAT ARE AS SAFE, CONVENIENT AND ATTRACTIVE AS THOSE BEING REPLACED.

Public transport – bus services

6.45 Improving bus services and facilities for bus passengers offers the greatest potential for achieving reduced reliance on the car, helping to reduce congestion and improving air quality. A large proportion of the community, particularly women, children, elderly and disabled people, still depend on public transport (especially buses). The maintenance and enhancement of existing services and facilities is considered essential to improving the quality of life of communities in the borough, particularly where car ownership levels are still low and to promote social inclusion.

6.46 The Chesterfield area boasts some of the highest levels of bus use in the county and through the Local Transport Plan there are proposals to comprehensively upgrade and improve the bus network, including the primary bus routes to the town and improving facilities within the town.
centre of Chesterfield. Major developments that significantly increase traffic will need to ensure that this is managed in a sustainable manner. The council will seek appropriate contributions towards improving the bus network and service. Whilst each case will be considered on its merits, as a guide developments of 1000m² or more of commercial floorspace and 20 dwellings or more will be considered to be major developments for the purposes of policy TRS16.

6.47 A first phase of improvements for bus passengers in Chesterfield town centre included a major upgrading of the existing bus stops at New Beetwell Street, thereby creating a small transport interchange. This provides sheltered waiting areas and enhanced pedestrian/bus facilities.

6.48 A second phase has recently been completed at the existing bus station on the south side of New Beetwell Street for the benefit of bus, express coach and excursion coach users. This has provided increased capacity for local bus services, providing suitable drop off and pick up points for express coach services as well as parking facilities for cars, taxis and private hire vehicles to facilitate transport integration. Passenger facilities has been improved by the provision of sheltered waiting areas, refreshment facilities and toilets. Opportunities to reduce the level of traffic along New Beetwell Street will also be examined.

6.49 Elsewhere within the town centre and on the approach routes to the centre, the provision of bus priority measures would reduce journey times and maintain the profile of bus travel. Some of these measures are proposed in the Local Transport Plan while others will be achieved in conjunction with development proposals and the council will seek contributions, where appropriate, to relevant improvements in public transport services and facilities.

6.50 Improvements to public transport through traffic management schemes will also assist the regeneration of the Staveley area and form a key element of the Local Transport Plan for that area.

6.51 The creation of park and ride or park and walk sites in appropriate locations can be another mechanism to deliver sustainable transport objectives. Where appropriate the council will require developers to include in their transport assessments an evaluation of the potential for including park and ride or park and walk facilities within their proposals.

**TRS 15 PROVISION FOR BUSES**

WHERE APPROPRIATE, PLANNING PERMISSION WILL BE GRANTED FOR BUS PRIORITY MEASURES.
TRS 16 CONTRIBUTIONS TO PUBLIC TRANSPORT INFRASTRUCTURE

PLANNING PERMISSION WILL ONLY BE GRANTED FOR MAJOR DEVELOPMENTS WHICH MAKE APPROPRIATE PROVISION FOR, OR CONTRIBUTE TOWARDS, PUBLIC TRANSPORT INFRASTRUCTURE AND/OR PARK-AND-RIDE/ WALK FACILITIES TO MANAGE INCREASED TRAVEL DEMAND IN A SUSTAINABLE MANNER.

THE COUNCIL WILL SEEK TO NEGOTIATE THE PROVISION OF SUCH MEASURES THROUGH LEGALLY BINDING AGREEMENTS WITH THE DEVELOPER WHERE THE USE OF PLANNING CONDITIONS IS LIKELY TO BE INEFFECTIVE.

Public transport – rail services

6.52 Chesterfield is well served by passenger rail services to London and South Yorkshire along the M1 corridor; between the north east and Scotland and the south west; and between East Anglia and the north west and into Yorkshire. These services provide opportunities for both long distance rail travel as well as more local commuting trips.

6.53 Access to the rail network from the eastern side of the borough is less good. There are no passenger rail services between Chesterfield and Staveley and onward links to North Nottinghamshire and South Yorkshire. Whilst the development of new rail links are likely to be expensive it is necessary to investigate such links for the potentially high quality service they could offer for longer journeys. Paragraph 6.13 refers to the new passenger rail links and increased passenger services on existing routes proposed by the M1 multi-modal study. These new links and new rail station at Markham Vale will be safeguarded by Policy TRS2.

6.54 Chesterfield railway station lies beyond the eastern edge of the town centre making access to it by foot, cycle and bus from the main shopping and office areas difficult. The recent redevelopment of the station and increases in car parking provision should encourage greater use of rail services. The implementation of improvement plans for the station forecourt has improved the attractiveness of the station to all users with better bus interchange, cycling and disabled persons facilities and more attractive walking and cycling routes on the approaches to the station, including improvements to the Corporation Street bridge route. Further improvement of routes to create good quality, safe links to the station from all quarters of the town will be supported. These improvements, and those improving access by buses, will help to discourage single occupancy private car use.

6.55 The creation of an alternative vehicular route to the station from Hollis Lane would improve vehicular access between the station and the primary road network to the south and east of the town. This route
would be particularly convenient for buses routed on the A632 and could also assist access to the station for walkers and cyclists. It would also help to ease traffic congestion through the town centre on St. Mary’s Gate. Such a link could be created as part of any redevelopment opportunities which might arise in this area.

**TRS 17 IMPROVING ACCESS TO THE RAILWAY STATION**

**PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD PREJUDICE THE IMPLEMENTATION OF A NEW VEHICULAR ACCESS TO THE RAILWAY STATION FROM HOLLIS LANE AS SHOWN ON THE PROPOSALS MAP.**

**DEVELOPMENT ADJACENT TO THE SAFEGUARDED ACCESS SHOULD INCORPORATE IMPROVED PEDESTRIAN AND CYCLE ACCESS TO THE STATION.**

**Rail freight**

6.56 Moving freight by rail is becoming increasingly important particularly for bulk traffic and long distance and international movements. Rail freight needs to be further developed and encouraged in order to reduce the negative environmental impact of moving freight by road.

6.57 The borough council supports the proposal by Central Railways to create a new freight link between the north west of England and Europe. This route would use existing rail lines within the borough.

6.58 The safeguarding of rail lines in the Staveley area in connection with the Markham Vale proposals, including the potential for a new freight terminal, has already been highlighted at paragraph 6.13 and policy TRS 2.

6.59 Opportunities may exist in the future for the redevelopment for employment purposes of employment land adjacent to rail lines, thereby increasing the potential for moving freight by rail. The council will require developers to examine the potential for providing suitable facilities to enable the transportation of freight by rail in connection with such proposals.

**TRS 18 PROVISION FOR THE DEVELOPMENT OF RAIL FREIGHT FACILITIES**

**LAND ADJACENT TO DISUSED AND OPERATIONAL RAIL LINES WILL BE SAFEGUARDED FROM DEVELOPMENT WHICH WOULD PREJUDICE THE POTENTIAL FOR RAIL FREIGHT LINKS AND RAIL-BASED DISTRIBUTION ACTIVITIES.**

**IN CONSIDERING APPLICATIONS FOR DEVELOPMENT ON LAND ADJACENT TO RAIL LINES, THE COUNCIL WILL REQUIRE**
DEVELOPERS TO EXAMINE THE POTENTIAL FOR THE PROVISION OF APPROPRIATE INFRASTRUCTURE TO FACILITATE THE MOVING OF FREIGHT BY RAIL.
7.0 SHOPPING, TOWN CENTRES AND DISTRICT AND LOCAL CENTRES

Introduction

7.1 The borough contains a network of centres which provide shopping and other services, ranging in size from Chesterfield town centre to a large number of small local centres. The Derby and Derbyshire Joint Structure Plan 2001 (JSP) defines Chesterfield town centre as a sub-regional centre, since it serves not only the borough but also the surrounding areas of north-eastern Derbyshire. Around 187,000 people live within 15 minutes drive time of Chesterfield town centre and use the shopping and other services and facilities on a regular basis. This concentration of shops and services plays a vital role in Chesterfield’s economy and should continue to do so. It is important therefore that the sub-regional role of Chesterfield is maintained and strengthened.

7.2 Staveley centre is defined as a town centre and the Chatsworth Road and Whittington Moor centres are defined as district centres in the JSP. Local centres are defined in this local plan and are at Abercrombie, Birdholme, Brimington, Brookside, Hasland, Holme Hall, Inkersall Green, Littlemoor, Loundsley Green, Newbold, New Whittington, Old Whittington and Walton. The key objective of national and regional guidance and the JSP is to sustain and enhance the vitality and viability of this traditional hierarchy of centres by continuing to make them the focus for retail development, services and community facilities and improvements to the environment, public transport and accessibility. It is important that both private and public investment in existing centres should be consolidated through further improvements and developments. In accordance with advice in PPS6, this replacement local plan considers the need for new retail development in the plan area and identifies sites in accord with the sequential approach to the location of retail development. It favours sites within town centres first of all, edge of centre and district and local centre locations next and lastly out of centre locations only where they are accessible by a choice of means of transport.

Need for additional retail facilities

7.3 A retail capacity study for the borough was commissioned from Nathaniel Lichfield and Partners in 2000 and updated in 2002. The study suggests that there will be quantitative need for additional retail floorspace in both convenience and comparison businesses. However, the scale of additional retail development will depend mainly on assumptions about future levels of expenditure growth. A cautious approach needs to be taken with regard to expenditure growth projections, particularly in the longer term. In the light of this, it is estimated that there is a quantitative need for the following amounts of retail floorspace in the borough up to 2011:
Floorspace Type | Amount in m² (net)
---|---
Convenience (food retail) | up to 3,362
Non-bulky comparison (high street shops) | up to 13,118
Bulky comparison (retail warehouses) | up to 10,022.

A review of the retail capacity study covering the period to 2016 will be undertaken as part of the programme of work leading to the preparation of the Local Development Framework for the borough.

7.4 In addition to quantitative projections, the council has considered the qualitative benefits of different forms of new retail development to the residents of the borough, in terms of improving choice and the range of shopping available. Overall, the assessments of need suggest that there may be scope for additional food store floorspace in Chesterfield within the plan period, even allowing for existing commitments at Clay Cross and Dronfield within the adjoining area of North East Derbyshire District.

7.5 Although residents have easy access to most bulky comparison goods, there is considered to be a high level of leakage of bulky comparison goods expenditure from the borough to nearby towns. There would be qualitative benefits in providing a large DIY retail warehouse to serve the whole Chesterfield catchment area, thereby reducing the need for residents to travel to different retail destinations outside of the borough. However, the scale of such a store is such that specific provision would have to be made on an out-of-centre site.

7.6 The provision of high street comparison shopping in Chesterfield town centre has been improved following the development of the Vicar Lane scheme and other commitments. Nevertheless, the projections indicate that there will be a need for further high street comparison shopping facilities in Chesterfield over the plan period, to ensure that expenditure leakage does not increase in the future and to maintain the vitality and viability of the town centre and other centres.

Proposals for Town, District and Local Centres

Chesterfield town centre

7.7 As a result of long established policies, Chesterfield town centre has retained its importance as the major focus for shopping, services and community facilities and related leisure activities, for people living in the north east of Derbyshire. Major retail schemes at The Pavements and Vicar Lane have maintained the attractiveness of the centre in the face of increasing competition, particularly from out-of-centre developments at Meadowhall and at the McArthur Glen factory outlet scheme at junction 28 of the M1. The attractiveness of Chesterfield town centre is partly due to its traditional character, based around a popular market and a range of smaller independent shops complementing the larger national multiple stores. Major environmental
improvements have been undertaken in the last twenty years to maintain and enhance this character.

7.8 The challenge for Chesterfield town centre is to accommodate further growth in retail business and other town centre activities over the plan period without losing its traditional character. To guide its future growth and enhancement, a Chesterfield Town Centre Masterplan was approved in April 2004. The masterplan was commissioned by the Chesterfield Town Centre Partnership, which consists of the Derbyshire Chamber of Commerce, Chesterfield Borough Council and a number of local businesses. It sets out a vision for the future of the town centre, with proposals for development, refurbishment, environmental improvement, promotion and management. It also identifies the role of different parts of the town centre for retail, civic, cultural and leisure purposes. The key proposals in the masterplan affecting the development and use of land are reflected in this local plan.

7.9 Future opportunities for retail development within the retail core of the town centre are likely to be smaller in scale than previously, but the masterplan identifies opportunities for redevelopment of some of the more outdated shopping floorspace, such as in Burlington Street, Knifesmithgate and the Victoria Centre (between Knifesmithgate and Saltergate). Further high street comparison shopping could be accommodated in these locations to enhance the sub-regional role of the town centre and the plan will give first priority to these locations for new non-bulky comparison retail development.

7.10 Within the retail core area there is very little scope for larger format retail developments, such as to meet the identified needs for a new food store and retail warehousing for bulky comparison goods. Therefore, consideration has been given to locations on the edge of the town centre. Two suitable sites have been identified:

1. Land south of Markham Road.
2. Town Centre Northern Gateway site.

7.11 The existing retail warehouse park on the southern side of Markham Road is well connected to the town centre and is a good location for the further development of retail warehouses to accommodate growth in bulky goods comparison shopping. It has recently been added to on the former Hipper Corn Mill site where a further 1,858 square metres of retail warehouse floorspace has been built in 2005 and there is scope for the development of a further 3,000 square metres of retail warehousing on the adjacent site to the west of Hipper Street South.

7.12 On the north side of the town centre, land between Newbold Road and Saltergate has previously been identified as having potential for retail development. This site is very close to the existing retail core and to public transport provision with good pedestrian links to both. It is also on a prominent approach to the town centre and virtually surrounded
by Conservation Areas. The adjacent Holywell Cross car park has previously been identified as an area in need of environmental improvement coupled with improvements to the highway network. The first deposit version of the Plan identified it as a site for further retail development, subject to a feasibility study.

7.13 The Town Centre Masterplan identifies this whole area as the ‘Town Centre Northern Gateway’, with potential for a retail and mixed use development to anchor the town centre on its northern side. A feasibility study of this area has been undertaken since the publication of the first deposit plan, to assess the potential for a comprehensive redevelopment linking this land to the retail core of the town centre. In the light of this, Policy GEN12 identifies this area as an ‘Area of Major Change’, to be redeveloped comprehensively for a mix of uses defined in the policy. A detailed planning brief and general development framework will be published to guide development within this area. The site area extends from Newbold Road to Saltergate, including the multi-storey car park and Holywell Cross car park, and includes the land south of Saltergate between Knifesmithgate, Elder Way and Cavendish Street (including the Victoria Centre). This is an opportunity for a retail development for convenience and comparison goods, plus a mix of other town centre uses which may include residential, A3 food and drink, offices, leisure and a hotel, all around a new public space. Its location within and adjacent to Conservation Areas, makes it unsuitable for bulky goods retail warehousing, but it would be suitable for further high street shopping and a new food store. Guidance on the scale and type of retail floorspace to be provided is given in policy GEN12 but will be dependent on the capacity of the site and the highway network, the retail floorspace needs of the borough and the mix of other uses required on the site. In particular, developers should refer to the retail capacity study for the borough and guidance contained in the planning brief for the site. Applications will need to be supported by retail, transport and environmental assessments. The redevelopment would also provide an opportunity for major improvements to the highway network, the arrangement of car parking and the provision for public transport, pedestrian and cycle access.

Staveley town centre and Whittington Moor and Chatsworth Road district centres

7.14 All these centres are considerably smaller than Chesterfield town centre and serve a primarily local, convenience function for the surrounding residential areas. All three centres have a reasonable range of local shopping facilities, including major food superstores in Staveley and Chatsworth Road and smaller food stores in Whittington Moor. They include a number of service uses, which complement the retail uses. It is important that the health and diversity of these centres is maintained by locating new and protecting existing shopping, local services and community facilities within them and improving accessibility to them.
7.15 There is little scope for extending any of these centres due to physical constraints. Additionally, due to the ease of access from most parts of the borough to Chesterfield town centre and the relatively static population in the borough, it is not considered that there is any justification for proposing major extensions to these centres, particularly where these would not be compatible with the scale or character of the existing centres.

7.16 Within or adjacent to the centres there are pockets of existing housing which will need to be protected against inappropriate development proposals affecting residential amenity.

*St Augustine’s*

7.17 The St Augustine’s area is poorly served by local shopping. There is no district centre, only a sporadic distribution of corner shops. The area would benefit from the development of a more substantial, well-defined local centre. The Donkins/UEF site provides an opportunity for the development of a local convenience shopping facility together with community facilities and this is proposed as part of the mixed-use masterplan for this site.

*Local centres*

7.18 Most residential areas of the borough are served by small, local convenience shopping centres. Some are old “village” centres, others are purpose built centres within recent housing developments. The local centres are as listed in paragraph 7.2 and are at: Abercrombie, Birdholme, Brimington, Brookside, Hasland, Holme Hall, Inkersall Green, Littlemoor, Loundsley Green, Newbold, New Whittington, Old Whittington and Walton. It is important that their function as local shopping and social/community centres is maintained and protected, but it is not envisaged that they will need to grow significantly. The amenities of adjacent residential properties will also need to be protected.

7.19 At Walton land at Breckland Road has been allocated for the expansion of the existing local centre for shopping and/or social/community uses. At Grangewood land has been allocated for a new local centre, including shops, service, social and community facilities, to serve a large housing area which has few facilities. A third new local centre will be part of the mixed-use redevelopment opportunity on the former Donkin/UEF site at Derby Road, as described in policy EMP2 (Chapter 4). In addition, local shopping and service facilities will be provided within the A61 Corridor Area of Major Change, as defined in Policy GEN11. Further guidance on the scale, type and location of retail floorspace to be provided there is set out in the A61 Corridor planning brief.

7.20 A wide range of uses is important to maintaining and enhancing the vitality and viability of existing centres. Non-retail uses support the
main shopping function of centres, sustain their economy into the evening bringing activity after shops have closed and enable people to make linked trips so reducing the need to travel. Such uses include A2 financial and professional services, A3 and A4 cafes, restaurants and pubs, A5 hot-food takeaways, D1 and D2 leisure and entertainment and social and community uses, residential and B1 office uses. Some of these uses can be successfully accommodated within the core retail area where they complement the main shopping function, such as A2 and A3 uses, or where they make use of space above shops, such as office and residential uses. Other uses, in particular late night entertainment and leisure uses, need more careful consideration to ensure they do not create community safety problems or cause harm to adjoining residential uses, especially locations on the periphery of the town centre. Where appropriate, consideration will be given to proposals for these non-retail uses to increase the mix of uses within centres. In doing so the council will consider the impact of the proposal on the primary retail function of the centre and the street or frontage in which it would be located and its relationship to surrounding land uses. Strategies for centres, such as the Chesterfield Town Centre Masterplan, will be used to guide the location of these uses. Policies SHC10, SHC12 and SHC13 provide specific guidance on the location and criteria for A3 and A4 drinking establishments, nightclubs, amusement centres and D2 casino uses throughout the borough.

SHC 1 DEVELOPMENT WITHIN EXISTING TOWN, DISTRICT AND LOCAL CENTRES

IN ORDER TO SUSTAIN AND ENHANCE THE VITALITY AND VIABILITY OF TOWN, DISTRICT AND LOCAL CENTRES, AS DEFINED ON THE PROPOSALS MAP, EXCEPT IN AREAS OUTSIDE OF THE RETAIL CORE IN CHESTERFIELD TOWN CENTRE, PLANNING PERMISSION WILL BE GRANTED FOR RETAIL DEVELOPMENT WITHIN USE CLASS A1 WITHIN THESE CENTRES, PROVIDED THAT ITS SCALE AND NATURE IS COMPATIBLE WITH THE SCALE, CHARACTER AND FUNCTION OF THE CENTRE.

IN PARTICULAR, WITHIN THE RETAIL CORE OF CHESTERFIELD TOWN CENTRE, LAND BETWEEN BURLINGTON STREET, KNIFESMITHGATE AND SALTERGATE, AS DEFINED ON THE PROPOSALS MAP, IS IDENTIFIED FOR REDEVELOPMENT TO PROVIDE NEW RETAIL FLOORSPACE, SUITABLE FOR NON-BULKY COMPARISON GOODS RETAILING TO EXTEND THE RANGE OF HIGH STREET SHOPS.

THE COUNCIL WILL ALSO SEEK TO IMPROVE THE VITALITY AND VIABILITY OF THESE CENTRES BY GRANTING PLANNING PERMISSION FOR APPROPRIATE NON-RETAIL FUNCTIONS AND SERVICES WITHIN THESE CENTRES INCLUDING CLASS A2 FINANCIAL AND PROFESSIONAL SERVICES, A3, A4 AND A5 FOOD AND DRINK, D1 SOCIAL, COMMUNITY AND HEALTH FACILITIES, D2 LEISURE, B1 OFFICE AND RESIDENTIAL USES,
SUBJECT TO POLICIES SHC10, SHC12 AND SHC13 ON A4 AND D2 USES AND THE FOLLOWING CRITERIA:

(a) THE PROPOSAL, EITHER ON ITS OWN OR CUMULATIVELY TOGETHER WITH OTHER SIMILAR USES WOULD NOT HARM THE PRIMARY RETAIL FUNCTION OF THE CENTRE OR THE PARTICULAR STREET OR FRONTAGE IN WHICH IT WOULD BE LOCATED;

(b) IT WOULD BE ACCEPTABLE IN TERMS OF ITS IMPACT ON RESIDENTIAL AMENITIES, TRAFFIC AND HIGHWAY SAFETY AND VISUAL IMPACT.

WITHIN CHESTERFIELD TOWN CENTRE, IN THE AREAS OUTSIDE OF THE RETAIL CORE, PERMISSION WILL NOT BE GRANTED FOR FURTHER A1 RETAIL USES OTHER THAN ON MIXED USE SITES IDENTIFIED IN THE PLAN. PERMISSION WILL BE GRANTED FOR A2 FINANCIAL AND PROFESSIONAL SERVICES, A3 RESTAURANTS AND CAFES, A5 TAKEAWAYS, C1 HOTELS AND C2 AND C3 RESIDENTIAL USES, D1 NON-RESIDENTIAL INSTITUTIONS, AND B1 OFFICES, SUBJECT TO THEIR IMPACT ON LOCAL RESIDENTIAL AMENITY, TRAFFIC AND PARKING. USES WITHIN CLASSES A4 AND D2 WILL ALSO BE CONSIDERED SUBJECT TO POLICIES SHC10, SHC12 AND SHC13.

IN ALL OF THE EXISTING CENTRES, SCHEMES TO IMPROVE ACCESSIBILITY BY PUBLIC TRANSPORT, PEDESTRIANS, CYCLISTS AND DISABLED PEOPLE AND TO IMPROVE PUBLIC CAR PARKING, COMMUNITY SAFETY AND THE QUALITY AND ATTRACTIVENESS OF THE ENVIRONMENT WILL BE SOUGHT AS PART OF NEW DEVELOPMENT PROPOSALS.

SHC 2 PROVISION OF NEW OR EXTENDED LOCAL CENTRES

THE FOLLOWING SITES, AS DEFINED ON THE PROPOSALS MAP, ARE ALLOCATED FOR NEW LOCAL CENTRES OR EXTENSIONS TO EXISTING LOCAL CENTRES, WHERE PLANNING PERMISSION WILL BE GRANTED FOR LOCAL SHOPS, SERVICES, SOCIAL AND COMMUNITY FACILITIES:

(a) LAND AT DERBY ROAD/REDVERS BULLER ROAD;
(b) LAND TO THE REAR OF THE TRUMPETER PUBLIC HOUSE, GRANGEWOOD;
(c) LAND AT BRECKLAND ROAD, WALTON;
(d) LAND WITHIN THE A61 CORRIDOR AREA OF MAJOR CHANGE ASDEFINED IN POLICY GEN11.
SHC 3 NEW RETAIL WAREHOUSING ON LAND AT MARKHAM ROAD

PLANNING PERMISSION FOR RETAIL WAREHOUSES WILL BE GRANTED ON LAND TO THE SOUTH OF MARKHAM ROAD AS SHOWN ON THE PROPOSALS MAP PROVIDED THAT:

(a) THERE IS A PROVEN NEED FOR THE DEVELOPMENT, WHICH CANNOT BE ACCOMMODATED WITHIN CHESTERFIELD TOWN CENTRE;

(b) THE DEVELOPMENT IS ACCEPTABLE ON TRAFFIC AND HIGHWAY GROUNDS;

(c) THE DEVELOPMENT DOES NOT UNDERMINE THE VITALITY AND VIABILITY OF CHESTERFIELD TOWN CENTRE AS A WHOLE NOR THAT OF OTHER CENTRES;

(d) GOOD QUALITY PEDESTRIAN AND CYCLE LINKS TO THE TOWN CENTRE AND ADJOINING AREAS ARE PROVIDED;

(e) THE DEVELOPMENT IS OF A HIGH QUALITY DESIGN WHICH IS APPROPRIATE TO ITS SURROUNDINGS IN TERMS OF SCALE, DESIGN AND MATERIALS.

PLANNING PERMISSION FOR RETAIL WAREHOUSES WILL BE SUBJECT TO CONDITIONS RESTRICTING THE RANGE OR TYPES OF GOODS OR SERVICES TO BULKY HOUSEHOLD GOODS AND DIY ITEMS.

SHC 4 NEW RETAIL DEVELOPMENT ON LAND BETWEEN NEWBOLD ROAD AND SALTERGATE

LAND BETWEEN NEWBOLD ROAD AND KNIFESMITHGATE IS ALLOCATED FOR NEW CONVENIENCE AND NON-BULKY COMPARISON GOODS RETAIL FLOORSPACE AS PART OF A MIXED USE REDEVELOPMENT SCHEME WITHIN THE TOWN CENTRE NORTHERN GATEWAY AREA OF MAJOR CHANGE DEFINED IN POLICY GEN12 AND SHOWN ON THE PROPOSALS MAP. PLANNING PERMISSION WILL BE GRANTED FOR RETAIL DEVELOPMENT PROVIDED THAT:

(a) THERE IS A PROVEN NEED FOR THE DEVELOPMENT, WHICH CANNOT BE ACCOMMODATED WITHIN THE RETAIL CORE OF CHESTERFIELD TOWN CENTRE;

(b) THE DEVELOPMENT IS ACCEPTABLE ON TRAFFIC AND HIGHWAY GROUNDS AND RESULTS IN A SIGNIFICANT IMPROVEMENT TO THE HIGHWAY NETWORK IN THE HOLYWELL CROSS AREA;
(c) THE DEVELOPMENT DOES NOT UNDERMINE THE VITALITY AND VIABILITY OF CHESTERFIELD TOWN CENTRE AS A WHOLE NOR THAT OF OTHER CENTRES;

(d) GOOD QUALITY PEDESTRIAN AND CYCLE LINKS TO THE TOWN CENTRE AND ADJOINING AREAS ARE PROVIDED;

(e) THE DEVELOPMENT IS OF A HIGH QUALITY DESIGN WHICH IS APPROPRIATE TO ITS CONTEXT IN TERMS OF SCALE, DESIGN AND MATERIALS AND PRESERVES OR ENHANCES THE CHARACTER OF THE SURROUNDING CONSERVATION AREAS AND THE SETTING OF LISTED BUILDINGS;

PROPOSALS MUST BE ACCOMPANIED BY A GENERAL DEVELOPMENT FRAMEWORK FOR THE MIXED USE SCHEME DEMONSTRATING HOW THE RETAIL FLOORSPACE INTEGRATES WITH THE RETAIL CORE OF THE TOWN CENTRE AND CONTRIBUTES TO THE COMPREHENSIVE REDEVELOPMENT OF THE AREA OF MAJOR CHANGE.

Provision for large format DIY retail store

7.21 Although land is allocated in Policy SHC3 for additional retail warehousing south of Markham Road, there is no available, suitable or viable site for a large DIY retail store within or on the edge of the town centre. The qualitative benefits of providing such a store in the borough have been accepted and although it is recognised that there is likely to be some adverse impact on existing retail warehouses, the vitality and viability of the town centre as a whole is unlikely to be affected. Therefore, following an assessment of a range of possible out-of-centre locations, land on the former Donkin/UEF site has been allocated for a large format DIY retail store, as part of the comprehensive redevelopment of the Donkin/UEF/Cylinders site, for a mix of office, retail and residential uses, together with a local centre and new park.

7.22 Development of a major DIY warehouse in this location will consolidate the existing Alma leisure park and the existing bulky goods stores immediately to the north as well as the Ravenside retail warehouse park on Markham Road with the development. As part of a comprehensive redevelopment of this 20 hectare ‘gateway’ site, there will be the opportunity to link both with the large residential areas to the south as well as Chesterfield town centre via a network of pedestrian and cycle routes. The site is therefore, better placed than any other to maintain and enhance the vitality and viability of Chesterfield town centre.

7.23 On this basis planning permission has been granted for the development of a 9,755 sq.m. (100,000 sq.ft.) DIY retail store on the site, together with 2,325 sq.m (25,027 sq.ft) of builders centre and 1,860 sq.m. (20,022 sq.ft.) of garden centre, subject to conditions restricting the sale of goods and a Section 106 legal agreement.
However, it is proposed to maintain the allocation in this plan to ensure that the uses are not lost to other sites. It is not considered that there is capacity for more than one such store in the borough within the plan period. The council will not grant permission for any additional retail floorspace on this site nor any change in the type of goods to be sold.

**SHC 5 LARGE FORMAT DIY WAREHOUSE ON LAND AT DERBY ROAD**

LAND ON THE FORMER DONKINS/UEF SITE AT DERBY ROAD, AS IDENTIFIED ON THE PROPOSALS MAP, IS ALLOCATED FOR A LARGE FORMAT DIY RETAIL WAREHOUSE. DEVELOPMENT SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PLANNING PERMISSION GRANTED FOR OFFICE AND DIY RETAIL FLOORSPACE FOR THE SITE. PLANNING PERMISSION WILL NOT BE GRANTED FOR ANY FURTHER RETAIL FLOORSPACE ON THIS SITE.

Other proposals for retail development in edge-of-centre or out-of-centre locations

7.24 The council considers that the sites identified in this plan for retail development provide sufficient capacity in the most suitable locations to meet the retail needs of the borough over the plan period. Therefore, the council does consider there will be a need for any further major retail development in the borough over the plan period. However, should other proposals come forward they will be assessed in particular against the tests of need, the availability of sequentially preferable sites and their impact on the vitality and viability of existing centres, as specified in PPS6.

**SHC 6 OTHER PROPOSALS FOR RETAIL DEVELOPMENT IN EDGE-OF-CENTRE OR OUT-OF-CENTRE LOCATIONS**

OTHER THAN ON THE SITES IDENTIFIED IN THIS PLAN, PLANNING PERMISSION WILL NOT BE GRANTED FOR FURTHER RETAIL DEVELOPMENT IN THE BOROUGH WITHIN THE PLAN PERIOD UNLESS EVIDENCE HAS BEEN SUBMITTED TO THE LOCAL PLANNING AUTHORITY WHICH DEMONSTRATES THAT THE FOLLOWING CRITERIA CAN BE SATISFIED:

(a) THERE IS A PROVEN NEED FOR THE DEVELOPMENT;

(b) THE PROPOSAL MEETS THE SEQUENTIAL TEST FOR RETAIL DEVELOPMENT SET OUT IN PPS6;

(c) THE SCALE AND NATURE OF THE DEVELOPMENT IS COMPATIBLE WITH THE SCALE, CHARACTER AND FUNCTION OF THE CENTRE;

(d) THE PROPOSED DEVELOPMENT, EITHER INDIVIDUALLY, OR CUMULATIVELY WHEN TAKEN TOGETHER WITH RECENTLY COMPLETED DEVELOPMENTS AND OUTSTANDING PLANNING PERMISSIONS, WOULD NOT MATERIALLY HARM
THE VITALITY AND VIABILITY OF EXISTING TOWN OR LOCAL CENTRES;

(e) THE ADDITIONAL TRAFFIC WHICH THE DEVELOPMENT WOULD GENERATE CAN BE SATISFACTORILY AND SAFELY ACCOMMODATED BY THE SURROUNDING ROAD NETWORK;

(f) THE DEVELOPMENT WOULD BE EASILY ACCESSIBLE BY A CHOICE OF MEANS OF TRANSPORT;

(g) THE SITE WOULD BE EASILY ACCESSIBLE FOR PEDESTRIANS AND PEOPLE WITH A DISABILITY;

(h) THE DEVELOPMENT IS OF A HIGH QUALITY DESIGN WHICH IS SYMPATHETIC TO ITS SURROUNDINGS IN TERMS OF SCALE, DESIGN AND MATERIALS;

THE LEVEL OF DETAIL AND TYPE OF EVIDENCE SUBMITTED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS POLICY SHOULD BE PROPORTIONATE TO THE SCALE AND NATURE OF THE PROPOSAL. FOR APPLICATIONS FOR RETAIL DEVELOPMENT OVER 2,500 SQ. METRES GROSS FLOORSPACE A FULL RETAIL ASSESSMENT WILL BE REQUIRED. HOWEVER PROPOSALS FOR SMALL SHOPS AND EXTENSIONS TO EXISTING SMALL SHOPS WHICH COMPLY WITH THE REQUIREMENTS OF POLICY SC7 WILL NOT BE REQUIRED TO SUBMIT EVIDENCE THAT THEY SATISFY THE ABOVE CRITERIA.

New Small Shops

7.25 Small individual shops serve an important role within the borough, particularly where they are the only local shopping provision in a village or neighbourhood. Therefore, whilst retail development outside existing centres and allocated sites is generally contrary to policy, it might be appropriate to encourage small, convenience shops in areas not well served by existing shopping centres. Land at Derby Road, Grangewood, Walton and in the A61 Corridor has been proposed for new local shopping in policy SHC2, but proposals for small individual shops, either new buildings or changes of use, or extensions to existing small shops in residential areas will also be acceptable in principle, provided that they do not exceed 200 square metres gross floorspace.

7.26 In addition, in areas not well served by existing centres, proposals for the redevelopment of small local shops for other purposes will not be permitted, unless it can be shown that the store is no longer viable. Evidence will need to demonstrate that genuine attempts have been made to market the premises as a shop for a period of at least 12 months and that suitable offers have not been received.
SHC 7 NEW SMALL SHOPS

PROPOSALS FOR NEW SMALL SHOPS, INCLUDING CHANGES OF USE AND EXTENSIONS TO EXISTING SMALL SHOPS, NOT EXCEEDING 200 SQUARE METRES GROSS FLOORSPACE WILL BE PERMITTED IN OUT-OF-CENTRE LOCATIONS PROVIDED THAT:

(a) THEY WOULD SERVE A LOCAL CATCHMENT AREA ONLY;
(b) THEY WOULD NOT UNDERMINE THE VITALITY AND VIABILITY OF EXISTING CENTRES SHOWN ON THE PROPOSALS MAP; AND
(c) THEY ARE ACCEPTABLE IN TERMS OF TRAFFIC GENERATION AND WILL NOT ADVERSELY AFFECT RESIDENTIAL AMENITIES.

SHC 8 LOSS OF SMALL SHOPS

IN AREAS NOT WELL SERVED BY EXISTING CENTRES, PROPOSALS FOR THE REDEVELOPMENT OF SMALL LOCAL SHOPS WILL NOT BE PERMITTED, UNLESS IT CAN BE SHOWN THAT THE STORE IS NO LONGER VIALBE. APPLICANTS WILL NEED TO SUBMIT EVIDENCE TO DEMONSTRATE THAT GENUINE ATTEMPTS HAVE BEEN MADE TO MARKET THE PREMISES AS A SHOP FOR A PERIOD OF AT LEAST 12 MONTHS AND THAT SUITABLE OFFERS HAVE NOT BEEN RECEIVED.

Trade Retail and Showroom Uses

7.27 Specialised outlets such as builders and plumbers merchants, car and caravan showrooms, tyre and exhaust centres are usually inappropriate in traditional shopping centres. Locating such uses in primarily commercial areas should protect amenity and provide opportunities for visits by public transport. It is particularly important that such uses are restricted through conditions to ensure that the shopping functions of defined centres are not undermined.

SHC 9 TRADE RETAIL AND SHOWROOM TYPE PREMISES

OUTSIDE THE DEFINED CENTRES, PLANNING PERMISSION WILL BE GRANTED FOR SPECIALISED OUTLETS SUCH AS BUILDERS AND PLUMBERS MERCHANTS, CAR AND CARAVAN SHOWROOMS AND TYRE AND EXHAUST CENTRES, PROVIDED THAT:

(a) ANY RETAIL ELEMENT IS ANCILLARY TO THE MAIN NON-RETAIL USE, AND;
(b) THE SURROUNDING AREA IS PREDOMINANTLY COMMERCIAL OR INDUSTRIAL IN CHARACTER, AND
PLANNING PERMISSION FOR SPECIALISED OUTLETS WILL BE LIMITED BY CONDITION OR SECTION 106 AGREEMENTS TO THE SALE OF A RESTRICTED RANGE OF GOODS AND SERVICES IN ORDER TO PROTECT THE VITALITY AND VIABILITY OF THE EXISTING DEFINED CENTRES.

Food and Drink Uses

7.28 Town and local centres are the most appropriate locations for food and drink uses, such as restaurants and cafes (A3), pubs and bars (A4) and take-aways (A5), where they can add to the vitality and viability of the centre. However, other locations, which are potentially suitable include main roads well served by a choice of means of transport, mixed use regeneration sites and, to a more limited extent, employment areas. In all cases highway safety and the amenities of residents need to be protected.

7.29 In the case of proposals for A4 premises which are likely to be licensed for the sale and consumption of alcohol, such as pubs and bars, their impact on community safety will also need to be considered, both on their own and cumulatively, when taken together with other similar licensed premises in the area, especially where the premises are likely to be open late at night. The council recognises that the number type and density of premises selling alcohol for consumption on the premises may, if unusually concentrated in an area, give rise to serious problems of nuisance and disorder. In situations where the police or the Community Safety Partnership are concerned that community safety could be compromised by the opening of a public house or bar, consideration will need to be given as to whether the proposal could be made acceptable through on-site or off-site measures to design out crime, including provision of such as a contribution to CCTV, environmental improvements and late night transport, and engagement in local initiatives such as pub watch. The council will wish to see applicants discuss these measures with the local planning and licensing authority at an early stage prior to the submission of a planning application. Any such measures which are required would need to be secured through the use of a legal agreement or planning conditions as appropriate.

7.30 In areas of the borough not well served by existing centres, the council wishes to see existing individual public houses and bars retained where they provide a service to the local community. Therefore in such locations, proposals for the redevelopment of existing public houses and bars will not be permitted, unless it can be shown that the premises is no longer viable for its existing use or an alternative local shopping or service use. Evidence will need to demonstrate that genuine attempts have been made to market the premises for its
existing use or for an alternative local retail or service use for a period of at least 12 months and that suitable offers have not been received.

**SHC 10 FOOD AND DRINK USES**

Planning permission will only be granted for new or extensions of existing food and drink uses (Classes A3, A4 and A5) within existing and proposed centres, or at main road locations well served by a choice of means of transport, or within mixed use regeneration sites and in existing and proposed employment areas provided that:

(a) The scale and appearance of the proposal would be appropriate to the locality;

(b) The proposal would not adversely affect the amenity of residents in the locality;

(c) It would be acceptable in terms of highway safety;

(d) Either on its own, or cumulatively with other similar uses within the area, it would not give rise to unacceptable community safety problems which could not be overcome by suitable measures to improve community safety and design out crime;

(e) If located within an existing centre it would accord with policy SHC1.

Where planning permission is granted for such uses outside of existing centres, the council will seek to apply appropriate conditions to remove permitted development rights to change the use to A1 retail if it is considered that this would harm the vitality or viability of nearby centres.

**SHC 11 LOSS OF EXISTING FOOD AND DRINK USES**

In areas not well served by existing centres, proposals for the redevelopment of existing A4 uses will not be permitted, unless it can be shown that they are no longer viable. Applicants will need to submit evidence to demonstrate that genuine attempts have been made to market the premises for its existing use or for an alternative local retail or service use for a period of at least 12 months and that no suitable offers have been received.
Nightclubs

7.31 Nightclubs are considered to be suitable uses for town and local centres, where they make a contribution to the vitality and attractiveness of centres in the evening, combining with restaurants, pubs and bars. They are in a category of their own (sui generis) use, requiring a mix of floorspace in A4 drinking use and D2 assembly and leisure/use for live music and dancing. Similar considerations as apply to A4 uses will need to apply to planning applications for nightclubs, particularly in respect of residential amenity, highway safety and community safety. In terms of community safety, the council will need to consider their impact both on their own and cumulatively, when taken together with other licensed premises in the area, especially where the premises are likely to be open late at night. The council recognises that the number type and density of premises selling alcohol for consumption on the premises may, if unusually concentrated in an area, give rise to serious problems of nuisance and disorder. Within Chesterfield town centre, particular care should be taken in locating nightclubs in the areas outside of the retail core, where there are nearby residential streets and properties that could be disturbed. Similar considerations would apply to locations on the edge of other centres.

7.32 In situations where the police or the Community Safety Partnership are concerned that community safety could be compromised by the opening of a nightclub, consideration will need to be given as to whether the proposal could be made acceptable through off-site measures such as a provision of CCTV surveillance, environmental improvements or late night transport and engagement in local initiatives such as pub watch. The council will wish to see applicants discuss these measures with the local planning and licensing authority at an early stage prior to the submission of a planning application. Any such measures which are required would need to be secured through the use of a legal agreement or planning conditions as appropriate.

SHC 12 NIGHTCLUBS

PLANNING PERMISSION WILL BE GRANTED FOR NEW OR EXTENSIONS OF EXISTING NIGHTCLUBS WITHIN EXISTING AND PROPOSED CENTRES, PROVIDED THAT:

(a) THE SCALE AND APPEARANCE OF THE PROPOSAL WOULD BE APPROPRIATE TO THE LOCALITY;

(b) THE PROPOSAL WOULD NOT ADVERSELY AFFECT THE AMENITY OF RESIDENTS IN THE LOCALITY;

(c) IT WOULD BE ACCEPTABLE IN TERMS OF HIGHWAY SAFETY;
(d) EITHER ON ITS OWN, OR CUMULATIVELY WITH OTHER SIMILAR USES WITHIN THE AREA, IT WOULD NOT GIVE RISE TO UNACCEPTABLE COMMUNITY SAFETY PROBLEMS WHICH COULD NOT BE OVERCOME BY SUITABLE MEASURES TO IMPROVE COMMUNITY SAFETY AND DESIGN OUT CRIME;

(e) IT WOULD ACCORD WITH POLICY SHC1.

Amusement centres and casinos

7.33 Amusement centres and casinos are defined in categories of their own (sui generis) use. Particular care needs to be taken in the location of such uses within the borough. Whilst they can be located within existing centres where they can contribute to the vitality and viability of a centre, particularly to its attractiveness as a destination for leisure and entertainment, they can have an unacceptable impact on residential amenity due to noise, upon visual amenity due to the need for illuminated signage and on commercial vitality and viability of shopping areas if they are only open during the evening. Government advice therefore is that amusement centres should not be located in primary retail areas close to housing or near to schools, churches, hospitals and hotels. Recent research associated with the publication of the Gaming Bill has suggested that large casinos should not be located close to housing, places of work or schools, due to the their social implications related to problem gambling. Therefore, proposals for amusement centres and casinos will be considered subject to the following policy.

SHC 13 PROPOSALS FOR AMUSEMENT CENTRES AND CASINOS

PLANNING PERMISSION WILL BE GRANTED FOR PROPOSALS FOR AMUSEMENT CENTRES AND CASINOS PROVIDED THEY SATISFY THE FOLLOWING CRITERIA:

(a) IF LOCATED WITHIN AN EXISTING CENTRE IT WOULD NOT BE WITHIN A PRIMARY SHOPPING FRONTAGE AND WOULD NOT HARM THE OVERALL VITALITY AND VIABILITY OF THE CENTRE;

(b) IT WOULD NOT BE LOCATED CLOSE TO HOUSING, SCHOOLS, CHURCHES, HOSPITALS OR HOTELS AND, IN THE CASE OF LARGE CASINOS, PLACES OF WORK;

(c) IT WOULD BE ACCEPTABLE IN TERMS OF TRAFFIC AND HIGHWAY SAFETY;

(d) IT WOULD NOT HARM VISUAL AMENITY;

(e) IN GENERAL IT WOULD NOT CAUSE HARM TO THE AMENITIES OF SURROUNDING LAND USES BY REASON OF NOISE OR OTHER DISTURBANCE.
Major Leisure Development

7.34 Leisure facilities, such as cinemas, theatres, bowling, health and fitness centres, bingo halls and other large leisure uses falling within Class D2 of the Use Classes Order, can also play an important role in maintaining and enhancing the vitality and viability of town and district centres. They can, if appropriately located, provide a key part of the visitor attraction of shopping centres, complementing the retail function and extending the stay of shoppers, enabling linked trips for a variety of activities.

7.35 Government guidance in PPS6 is clear that such major generators of travel should be located within or on the edge of existing centres, where access by a choice of means of transport is easy and convenient. Within the borough, although no specific sites within existing centres are identified for leisure uses, in terms of the PPS6 sequential test, the most appropriate locations for the type of major leisure uses listed above are sites within or on the edge of Chesterfield and Staveley town centres and the district centres at Whittington Moor and Chatsworth Road.

7.36 The plan does identify two key opportunities for leisure uses on or close to the edge of existing centres, within the A61 Corridor and the Town Centre Northern Gateway Areas of Major Change. In particular, the planning brief for the A61 Corridor identifies the Dema Glass site for major new leisure provision. Opportunities may also exist within the Area of Major Change to the south of Chatsworth Road, subject to Policy GEN13. Further detailed guidance will be set out in the planning briefs for these areas.

7.37 In all cases government guidance requires that proposals for leisure uses which are likely to attract many trips and which are proposed in edge of centre or out of centre locations must demonstrate a need for the proposal and satisfy the PPS6 sequential test. Accordingly, proposals for D2 leisure uses will be considered against the following policy (except for D2 nightclub and casino uses which will remain subject to policies SHC12 and SHC13).

**SHC 14 LEISURE PROPOSALS**

Planning permission will be granted for Class D2 leisure uses on suitable sites within the borough’s town and district centres. Proposals for casino uses are covered by Policy SHC13.

Where there are no suitable sites within existing centres, Class D2 leisure proposals will be considered on sites on the edge of the town and district centres and within the areas of major change subject to policies GEN11, 12 and 13 and provided that there is a proven need for the development.
PLANNING PERMISSION WILL NOT BE GRANTED FOR CLASS D2 LEISURE PROPOSALS IN OUT OF CENTRE LOCATIONS UNLESS THERE IS A PROVEN NEED FOR THE DEVELOPMENT AND THERE ARE NO OTHER SUITABLE SITES AVAILABLE IN THE SEQUENTIALLY PREFERABLE LOCATIONS IDENTIFIED ABOVE.

ALL PROPOSALS FOR CLASS D2 LEISURE PROPOSALS MUST ALSO SATISFY THE FOLLOWING CRITERIA:

(a) THE SCALE AND NATURE OF THE PROPOSAL WOULD BE COMPATIBLE WITH THE SCALE, CHARACTER AND FUNCTION OF THE CENTRE OR LOCATION;

(b) IT WOULD NOT ADVERSELY AFFECT THE AMENITY OF RESIDENTS IN THE LOCALITY;

(c) THE ADDITIONAL TRAFFIC GENERATED BY THE DEVELOPMENT CAN BE SATISFACTORILY AND SAFELY ACCOMMODATED ON THE SURROUNDING ROAD NETWORK;

(d) THE DEVELOPMENT WOULD BE EASILY ACCESSIBLE BY A CHOICE OF MEANS OF TRANSPORT;

(e) IT WOULD BE OF A HIGH QUALITY DESIGN WHICH WOULD BE SYMPATHETIC TO ITS SURROUNDINGS AND ENHANCE THE APPEARANCE OF THE AREA;

(f) THE SITE IS NOT ALLOCATED FOR ANOTHER LAND USE.
8.0 PARKS, OPEN SPACE, SPORT AND RECREATION

Introduction

8.1 Demand for sport and recreation facilities and the protection and enhancement of public open space within urban areas is increasing. National planning guidance in PPG17 (Open Space, Sport and Recreation, July 2002) places emphasis on protecting open spaces of recreational value and using the planning system to promote sport and informal recreation in order to improve people’s quality of life.

8.2 The government’s objectives for sport and recreation are to ensure the effective planning of accessible, high quality open spaces and sport and recreation facilities which meet the needs of local residents and which are economically and environmentally sustainable. This will primarily involve the improvement and protection of existing facilities, but will also necessitate new provision, in some cases.

8.3 It is recognised that good quality parks and open spaces can deliver a wide range of social, economic and environmental benefits.

8.4 The policies of the 1996 adopted plan achieved the protection of existing open space and playing fields as well as ensuring that there is sufficient new provision (mainly children’s play space) to meet further demands. A Parks and Open Spaces Strategy (2002) for the borough has been adopted by the council to provide the context, vision and strategic direction for the management and improvement of parks and open spaces and the development of new public open space. It sets local standards for provision in line with guidance in PPG17. An initial action plan has been prepared which forms the basis of the policies and proposals in this local plan.

8.5 This replacement local plan continues to protect a hierarchy of parks and other public open space, setting out standards for provision in association with new development, and makes new proposals where deficiencies exist and opportunities are available. It carries forward policies to protect playing fields and allotments. There are specific policies for the Chesterfield Football Club and for Chesterfield Rugby Club.

The Parks and Open Spaces Strategy

8.6 The strategy recognises that it will be essential that:

- each area of the borough is served by a range of types of open space appropriate to the community
- the nature, layout and condition of sites meet the needs of the community
- each site has a range of facilities appropriate to its role and users
- there are measures in place to encourage a broad usage of sites
- there is community involvement in the management of sites
- there is adoption of good management practice

8.7 The strategy identifies a hierarchy of parks, of varying size and distribution, to meet different levels of need and catchment. The hierarchy consists of:

- **Borough Parks** – large areas of public open space, catering for weekend and occasional visits by car and public transport and serving an area of the borough within a distance of around 3.2 kilometres. Queens Park and the Annex serve the greater part of the borough whilst Holmebrook Valley Country Park and Pools Brook Country Park serve the urban areas to the west and east of the borough respectively. The strategy does not propose any further Borough Parks but seeks to ensure that the three existing parks will be protected and the range of facilities broadened.

- **Community Parks** - smaller areas of public open space of between 2 and 20 hectares providing a range of facilities including local sports and play provision, and serving a community within a distance of around 400 metres. The three larger Borough Parks also have this function for their immediate areas and the strategy lists 11 more sites (paragraph 8.3 of the strategy).

The strategy highlights a number of areas where additional provision is considered to be necessary, if the desired provision is to be achieved (paragraph 8.4 of the strategy).

- **Immediate local public open space of recreational value** – smaller areas of public open space, usually within housing areas, providing children’s play facilities. Deficiencies are evident in some parts of the borough, often in densely built up and deprived areas and are unlikely to be remedied except through provision within or associated with new developments.

8.8 Key needs identified by the strategy for provision of parks, local space of recreational value and equipped play provision include:

- existing Borough Parks to be protected but no further Borough Parks to be sought
- where possible all homes to be within 400 metres of a Community Park in the region of 6-6.5 hectares in size
- all Community Parks to have a Neighbourhood Equipped Area for Play (NEAP)
- where possible, all homes in the borough to be within 300 metres of accessible natural space
- where possible, deprived areas of the borough and dense built-up areas to have a minimum of 0.8 hectares per thousand population of land fulfilling the requirements of the National Playing Fields Association standard for children’s play
where possible and where appropriate, all homes within the borough to be within 240 metres straight line distance of a minimum 3,600 square metres open space containing a Locally Equipped Area for Play (LEAP)

generally Local Area for Play (LAP) provision is not considered appropriate in most circumstances and appropriate alternative provision to be sought

provision of an even distribution of outdoor youth facilities to be primarily, but not exclusively, located in community parks where there is sufficient space and where a local need is determined

specialist youth facility provision to meet a wider need be provided at key locations e.g. skateparks

8.9 In addition to the above it is important to recognise the need to develop a greater linkage between individual sites, primarily through the development of Greenways, to form an integrated and accessible greenspace system. Where such improved links are achievable in connection with new development, the opportunity will be taken to secure them when applications for planning permission are being determined.

8.10 The detailed needs identified in the strategy will be used as a guide to the identification of the specific requirements for open space and related facilities generated by new development. As indicated in the strategy, existing public open space generally needs to be protected from development except for development associated with the provision of leisure or recreational uses of an open nature. Unusually it may be appropriate to grant planning permission for development on open space, for example where the open space is surplus to requirements. In such cases, provision for other forms of open space or sport and recreation that are in deficit will be sought on part of the site.

8.11 Cemeteries and closed churchyards contribute to the landscape and spacious open character of the locality. Such sites provide significant areas of green space and when associated with other adjacent open sites make an important contribution to overall open space provision. Policy EVR2 in chapter 5 is intended to protect these sites.

8.12 In addition to public open spaces, there are some areas of privately owned open space, which contribute to the quality of the urban environment because they have amenity value and, in some cases, wildlife value. They are often located within wider green corridors such as that along the Chesterfield Canal. They require protection from development in the same way as public open space and are covered by policy EVR2 in chapter 5.
POS 1 EXISTING PARKS AND OPEN SPACES

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT ON PUBLIC AND PRIVATE OPEN SPACES, AS IDENTIFIED ON THE PROPOSALS MAP, WHERE THE DEVELOPMENT IS ASSOCIATED WITH THE RECREATIONAL USE OF THE LAND AND WOULD ALLOW THE RECREATIONAL USE TO BE ENHANCED, PROVIDING IT WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE OPEN CHARACTER OF THE AREA.

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD RESULT IN THE LOSS OF PUBLIC OR PRIVATE OPEN SPACES, AS IDENTIFIED ON THE PROPOSALS MAP, UNLESS THE SITE DOES NOT MAKE A SIGNIFICANT CONTRIBUTION TO THE WIDER NETWORK OF OPEN SPACES IDENTIFIED IN THE LOCAL PLAN AND THEN ONLY IF THE DEVELOPMENT:

(a) MAKES PROVISION FOR REPLACEMENT OPEN SPACE WHICH IS AT LEAST EQUIVALENT TO THAT WHICH IS TO BE LOST (WHilst RETAINING THE EXISTING FACILITIES UNTIL THE REPLACEMENT IS AVAILABLE FOR USE); OR

(b) THE OPEN SPACE IS SURPLUS TO REQUIREMENTS, IN WHICH CASE PROVISION FOR OTHER FORMS OF OPEN SPACE OR SPORT AND RECREATION THAT ARE IN DEFICIT WILL BE SOUGHT ON PART OF THE SITE.

New public open space

8.13 As mentioned in 8.7 above, the Parks and Open Spaces Strategy identifies deficiencies in public open space provision in fifteen parts of the borough. The borough council will seek to create new community parks and local open spaces and increase the level of landscape provision in highways, housing, commercial and industrial areas through the initial action plan arising from the Parks and Open Spaces Strategy. Developers will be expected to help implement some of this plan as part of their contribution to open space provision.

8.14 Four sites are allocated in this local plan for new community parks. This represents the first phase in the implementation of the strategy.

- Land between Sycamore Road and Elm Street, Hollingwood - Residential development is taking place or has been permitted on five sites within the former British Steel housing area at Hollingwood. As there is a deficiency of local open space and community park provision in the east of Brimington, it is proposed that the above site be allocated for a community park to be provided
by the developers of the other land in this area, in lieu of smaller areas of on-site provision on each of the development sites.

- **Land to the north of Coronation Road, Brimington** – There is a requirement for a new community park in the east of Brimington. A site has been allocated on the northern edge of the built-up area of Brimington.

- **Land to the north of Coniston Road, Dunston** – There is a requirement for a new community park in Dunston. A site has been allocated on the open break between the Dunston Technology Park and the Mardale Close residential area for development of a new community park in association with the rugby club development described in paragraph 8.32 and policy POS7.

- **Land at Duckmanton** – There is a requirement for a new community park in Duckmanton. This could be achieved as part of the Markham Vale proposals.

**POS 2 NEW PUBLIC OPEN SPACE**

**THE FOLLOWING SITES ARE ALLOCATED FOR NEW PUBLIC OPEN SPACE, AS SHOWN ON THE PROPOSALS MAP:**

(a) 0.7 HECTARES OF LAND BETWEEN SYCAMORE ROAD AND ELM STREET, HOLLINGWOOD

(b) 3.0 HECTARES OF LAND TO THE NORTH OF CORONATION ROAD, BRIMINGTON

(c) 3.9 HECTARES OF LAND TO THE NORTH OF CONISTON ROAD, DUNSTON

(d) 1.0 HECTARES OF LAND AT DUCKMANTON

**Public open space requirements resulting from new developments**

8.15 New development will usually generate a need for public open space. In the case of housing (including flats but excluding sheltered accommodation, residential care homes and nursing homes) this could take various forms, for example new recreation space within a proposed housing development (often equipped children’s play facilities), provision of new amenity open space for new employment, leisure, health or education facilities, or the improvement of existing parks and open spaces in line with the Parks and Open Spaces Strategy. Conditions applied to planning permissions will be used to secure facilities within development sites, while the council will seek to negotiate legal agreements for off-site provision where appropriate.
8.16 Suitable forms of provision for each of the proposed housing sites in policy HSN1 of the Housing chapter are as follows:

H20 Walton Hospital (north); contribution to improving existing public open space to the north of Whitecotes Lane

H21 Walton Hospital (south); contribution to improving facilities at Grangewood or Gorsey Knowe

H24 Land at Gate Inn, Mastin Moor; contribution to improvement of adjacent play facilities

H25 Newbold School; provision of open space in the eastern part of the site and alongside the footpath to the south; provision of play/youth/sport facilities on the adjacent playing field site

H38a&b Land South of Chatsworth Road; contribution towards provision of facilities within the local area.

H39 Part of former UEF site, Derby Road; provision of new local open space, incorporating play/youth within the proposed residential area, accessible to the existing St. Augustine's area as well as the new housing area

8.17 It is also necessary to set out the appropriate levels of open space provision, likely to be made necessary by “windfall” housing sites. However, it is impractical to provide separate, very small areas of open space that would be generated by smaller scale housing schemes, most of which will be less than 10 dwellings and often only single plots. It would also be impractical to seek contributions to the improvement of existing facilities from these smaller developments.

8.18 In respect of “windfall” sites of between 10 and 50 dwellings, the council will not be seeking the provision of immediate local open space for children’s play within developments as such areas would be too small for future management by the council. As an alternative, the council would be seeking to agree an off-site payment for the improvement of an existing nearby public open space in line with the needs identified in the Parks and Open Spaces Strategy and Action Plan. Incidental open space within developments for landscaping and visual amenity purposes will still be required in accordance with policy HSN5 in chapter 3.

8.19 On sites of 50 dwellings and over, the council will be seeking the provision of a locally equipped area for play (LEAP) of 3,600 square metres or over capable of accommodating five or more pieces of children’s play equipment. Sites of over 100 dwellings will require to be individually assessed. The adoption of play areas by the council will depend on developers agreeing to an index-linked commuted sum for the maintenance of that facility for a period of ten years. Open space
and play provision within a development will need to be carefully designed and located taking due account of community safety issues.

**POS 3 PUBLIC OPEN SPACE REQUIREMENTS RESULTING FROM NEW DEVELOPMENT**

NEW DEVELOPMENTS PROVIDING FOR SIGNIFICANT NUMBERS OF EMPLOYEES, VISITORS OR OTHER USERS WILL BE REQUIRED TO PROVIDE OR ENHANCE OPEN SPACE TO MEET THEIR NEEDS. THESE FACILITIES AND CONTRIBUTIONS TOWARDS THEM MAY BE ON SITE OR OFF SITE AS APPROPRIATE AND WILL BE SECURED BY CONDITIONS OR SOUGHT THROUGH LEGAL AGREEMENT.

WHERE EXISTING OPEN SPACE PROVISION IN THE LOCALITY IS INADEQUATE, THE FOLLOWING WILL BE SOUGHT IN NEW RESIDENTIAL DEVELOPMENTS (INCLUDING FLATS BUT EXCLUDING SHELTERED ACCOMMODATION, RESIDENTIAL CARE HOMES AND NURSING HOMES), IN LINE WITH THE COUNCIL’S IDENTIFIED PRIORITIES FOR PARKS AND OPEN SPACES:

(a) ON SITES PROVIDING BETWEEN 10 AND 49 DWELLINGS, A FINANCIAL CONTRIBUTION TO IMPROVEMENTS TO EXISTING PUBLIC OPEN SPACE AND RELATED PLAY FACILITIES;

(b) ON SITES PROVIDING 50 DWELLINGS AND OVER, THE PROVISION OF A LOCALLY EQUIPPED AREA FOR PLAY (LEAP) TOGETHER WITH A COMMUTED SUM FOR MAINTENANCE.

(c) SITES PROVIDING 100 DWELLINGS OR OVER WILL BE INDIVIDUALLY ASSESSED TAKING INTO ACCOUNT THE COUNCIL’S OVERALL OBJECTIVES FOR PARKS AND OPEN SPACES IN THE BOROUGH. ON-SITE PROVISION OF FACILITIES AND/OR A CONTRIBUTION TO OFF-SITE FACILITIES MAY BE SOUGHT, AS WELL AS CONTRIBUTIONS TOWARDS MAINTENANCE.

**Sports pitches and playing fields**

8.20 The Parks and Open Spaces Strategy indicates that the existing public open space system is likely to be generally sufficient to accommodate outdoor sports facilities needs, taking into account education and private sector provision, whilst also catering for requirements in respect of parks, accessible natural greenspace, children’s play space and land required for landscape and wildlife purposes.

8.21 Private facilities, including school pitches, play an important role in achieving the adequate provision of sports pitches. Any loss would be
detrimental to the overall provision in the borough. The council is required to consult Sport England on planning applications that would result in the loss of playing fields and sports facilities. Such applications would be opposed by Sport England unless it meant that there was no overall detriment to the quantity and quality of provision in the borough.

8.22 The development of new community parks in areas of deficiency should give opportunities to provide further pitches in future. The requirement to accommodate additional pitch needs/relocated sites could lead to the setting out of pitches on open space not currently used or to the increased carrying capacity of existing pitches. If additional pitch needs cannot be accommodated in this way then additional land should be set aside for pitch use rather than provide it inappropriately to the detriment of other open space roles and uses.

**POS 4 SPORTS PITCHES AND PLAYING FIELDS**

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD INVOLVE THE LOSS OF LAND PREVIOUSLY OR CURRENTLY USED FOR SPORTS OR RECREATION PURPOSES, INCLUDING PLAYING FIELDS ASSOCIATED WITH EDUCATIONAL ESTABLISHMENTS AND PRIVATE COMPANIES, UNLESS:

(a) ALTERNATIVE REPLACEMENT FACILITIES OF EQUIVALENT OR BETTER QUANTITY, QUALITY AND COMMUNITY BENEFIT CAN BE PROVIDED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT; OR

(b) THE PROPOSALS ARE SO MINOR IN SCALE THAT THEY DO NOT ADVERSELY AFFECT THE USE OF THE PLAYING FIELD; OR

(c) THE FACILITY IS SURPLUS TO REQUIREMENTS, IN WHICH CASE PROVISION FOR OTHER FORMS OF OPEN SPACE OR SPORT AND RECREATION THAT ARE IN DEFICIT WILL BE SOUGHT ON PART OF THE SITE.

Allotments

8.23 Allotments provide a valuable leisure and community resource and contribute to the promotion of healthier and more sustainable lifestyles. National guidance in PPG17 also draws attention to their perceptual value as "green spaces" appreciated by passers-by and as habitats for wildlife. Demand for allotments to cultivate tends to fluctuate and there is an uneven distribution of allotment sites throughout the borough, with some communities having very limited provision and others having an excess. Across the whole borough there are 45 hectares of allotments (33 ha council and 12 ha privately owned) which in plot terms equates
to a provision of twice the national average. Qualitatively though, only 2 of these sites are categorised as good and 13 of reasonable quality, while 20 are categorised as poor. Some of the private sites are smallholdings rather than conventional allotments. Once any allotment is lost to built development it cannot easily be replaced.

8.24 Both PPG3 and PPG17 stress the importance of all forms of open space in urban areas. Therefore, where a demand for allotments continues to exist, the council’s policy is to ensure that the allotment facility is maintained. The council will only permit the loss of allotments for which there is still a demand if they are replaced by a site of at least the same quality and accessibility.

8.25 If it can be demonstrated that there is no current or future demand for allotments and the site (in whole or in part) is no longer in active use, the council’s policy is to retain the site in other open space uses, in accordance with the needs highlighted in the Parks and Open Spaces Strategy, e.g. play areas, wildlife sites, woodland, parks etc. The option of built development would only be considered if the site cannot usefully contribute to the open space needs or deficiencies of the local community.

8.26 In areas where there is little or no current provision of allotments, there may be opportunities to develop new sites on the edge of the built up area within the open countryside if demand was forthcoming in accordance with Policy EVR2. The areas of deficiency identified in the strategy include: former Newbold Ward (now Linacre and Loundsley Green Wards), Dunston Ward, Walton Ward and south of Rother Ward, the south of Hasland Ward and the former Markham Ward (now part of Hollingwood and Inkersall Ward). There is a need to provide new allotment sites to satisfy the deficiencies in these areas, provide new better-quality allotments and improvements to existing ones. As upgrading of the poor and, to a lesser extent, the reasonable category allotments takes place it is council policy to actively market and provide allotment sites as part of its commitment to leisure, health, sustainability, community involvement and education and lifelong learning.

**POS 5 ALLOTMENTS**

**PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH INVOLVES THE LOSS OF ALLOTMENT SITES IF:**

(a) **ALTERNATIVE REPLACEMENT FACILITIES OF EQUIVALENT OR BETTER QUANTITY, QUALITY AND COMMUNITY BENEFIT ARE PROVIDED IN THE SAME AREA OF THE BOROUGH; OR**

(b) **IT IS DEMONSTRATED TO THE SATISFACTION OF THE BOROUGH COUNCIL THAT THERE IS, AND WILL CONTINUE**
TO BE, INSUFFICIENT DEMAND FOR THE ALLOTMENTS. IN SUCH CIRCUMSTANCES, PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH WOULD RESULT IN THE PERMANENT LOSS OF OPEN LAND PROVIDED THAT THE COUNCIL IS SATISFIED THAT THE LAND IS NOT REQUIRED TO MEET OTHER OPEN SPACE NEEDS.

WHERE ALLOTMENTS OR PARTS OF ALLOTMENTS ARE FOUND TO BE SURPLUS TO REQUIREMENTS, PRIORITY WILL BE GIVEN TO ALTERNATIVE OPEN USES INCLUDING LOCAL PLAY SPACE FOR CHILDREN, COMMUNITY PARKS, GREENWAYS, WILDLIFE AREAS, SPORTS PITCHES AND WOODLAND.

Chesterfield Football Club

8.27 Chesterfield Football Club is seeking to relocate from its existing ground at Saltergate, in order to provide a modern stadium to meet the club’s future requirements. Planning policy guidance advocates locating such major generators of travel demand in locations which are capable of being well served by public transport and close to existing town and district centres.

8.28 A number of alternative sites for the stadium have been considered, but the most suitable location in planning terms is the former Dema Glass site on Sheffield Road. The site is located within the urban area and benefits from good access by car and public transport. It is also a former industrial site in need of regeneration, for which a football stadium would act as a catalyst. There are no other more sustainable or sequentially preferable sites available in the borough.

8.29 Accordingly, the site is allocated in the revised plan for a football stadium. A planning brief for the A61 Corridor Area of Major Change has been published which gives more detailed guidance on the site and the mix of other uses and associated facilities to be provided on the site alongside the stadium to enable its regeneration.

8.30 Once the new stadium is constructed and the football club has relocated, the existing Saltergate stadium will become redundant and alternative uses for the site will need to be considered. It is important that any redevelopment of the stadium site is in keeping with the character and mix of uses of the surrounding area. Therefore, the most suitable use is considered to be residential, with the possibility of some A2 or B1 offices and small shops or restaurants along the Saltergate frontage. It is considered that a planning brief should be drawn up and agreed with the council to guide the redevelopment of the Saltergate site. To ensure that an operational football stadium is maintained, planning permission for the redevelopment of the Saltergate stadium will not be granted until the a new stadium on the Dema Glass site has been provided.
POS 6 CHESTERFIELD FOOTBALL CLUB

4 HECTARES OF LAND ON THE FORMER DEMA GLASS SITE IN SHEFFIELD ROAD IS ALLOCATED FOR DEVELOPMENT OF A NEW FOOTBALL STADIUM, AS SHOWN ON THE PROPOSALS MAP, TO ENABLE THE RELOCATION OF CHESTERFIELD FOOTBALL CLUB FROM SALTERGATE. PLANNING PERMISSION WILL BE GRANTED FOR A NEW FOOTBALL STADIUM ON THE DEMA GLASS SITE, PROVIDED THAT:

(a) IT ALLOWS FOR THE POSSIBLE GRADE SEPARATION OF THE A61 /LOCKOFORD LANE ROUNDABOUT;
(b) PARK AND RIDE FACILITIES ARE INTEGRATED INTO THE DEVELOPMENT;
(c) A MIXTURE OF OTHER EMPLOYMENT GENERATING USES IS PROVIDED INCLUDING CLASS B1, CAR SHOWROOMS AND LEISURE AND ENTERTAINMENT FACILITIES. A1 RETAIL USES RETAIL WILL NOT BE PERMITTED UNLESS ANCILLARY TO THE MAIN USES.

FURTHER DETAILED GUIDANCE IS PROVIDED IN THE ADOPTED A61 CORRIDOR PLANNING BRIEF.

PLANNING PERMISSION FOR THE REDEVELOPMENT OF THE SALTERGATE STADIUM FOR ALTERNATIVE USES WILL NOT BE GRANTED UNTIL AND UNLESS A NEW FOOTBALL STADIUM HAS BEEN PROVIDED ON THE DEMA GLASS SITE.

Chesterfield Rugby Club

8.31 Chesterfield Rugby Club is seeking to relocate from its present site at Stonegravels where there is insufficient playing and training area to accommodate an expanding number of teams. The club would also like to develop greater links with schools and with the council bring the sport to the community.

8.32 A number of alternative sites have been investigated and a suitable site has been identified on land north of Coniston Road at Dunston. This would occupy part of the land allocated in the first deposit plan in this location for a new community park. Therefore, the council will require the public park to be provided on the remainder of the land in accordance with policy POS2 of the plan, to be secured as necessary by the use of conditions or through a S106 legal agreement attached to any planning permission for the new rugby club.

POS 7 CHESTERFIELD RUGBY CLUB

LAND NORTH OF CONISTON ROAD AT DUNSTON IS ALLOCATED FOR THE PROVISION OF A NEW RUGBY CLUB AS SHOWN ON THE PROPOSALS MAP. PLANNING PERMISSION WILL BE GRANTED FOR A NEW RUGBY CLUB AND ASSOCIATED
FACILITIES ON THIS LAND, SUBJECT TO THE FOLLOWING CRITERIA:

(a) A SAFE VEHICULAR ACCESS TO THE SITE MUST BE PROVIDED FROM DUNSTON ROAD IN ORDER TO MINIMISE THE IMPACT OF TRAFFIC ON SURROUNDING RESIDENTIAL AREAS;

(b) A TRAVEL PLAN IS SUBMITTED TO AND AGREED WITH THE COUNCIL SHOWING HOW THE RUGBY CLUB WILL MANAGE JOURNEYS TO AND FROM THE SITE, INCLUDING MEASURES TO MINIMISE THE NUMBER OF JOURNEYS BY CAR AND MAXIMISE JOURNEYS BY PUBLIC TRANSPORT, CYCLING AND WALKING;

(c) ANY BUILDINGS OR CAR PARKING AREAS ASSOCIATED WITH THE FACILITY MUST BE LOCATED ON THE EASTERN SIDE OF THE SITE AND DESIGNED IN ORDER TO MINIMISE THEIR IMPACT ON SURROUNDING RESIDENTIAL PROPERTIES;

(d) FLOODLIGHTING MUST BE DESIGNED AND LOCATED IN ORDER TO MINIMISE ITS IMPACT ON SURROUNDING RESIDENTIAL PROPERTIES;

(e) AN APPROPRIATE SCHEME OF LANDSCAPING TO CREATE PITCH LEVELS AND, WHEREVER POSSIBLE, RETAIN EXISTING TREES AND HEDGEROWS, IN ORDER TO MINIMISE THE IMPACT ON ADJOINING RESIDENTIAL PROPERTIES;

(f) PROVISION OF A NEW COMMUNITY PARK/PUBLIC OPEN SPACE ON THE ADJOINING AREA OF LAND IN ACCORDANCE WITH POLICY POS2.

THE COUNCIL WILL SEEK TO SECURE THE ABOVE REQUIREMENTS BY CONDITION OR BY AGREEMENT UNDER SECTION 106 OF THE TOWN & COUNTRY PLANNING ACT 1990.

THE COUNCIL WILL NOT SUPPORT ANY EXCAVATION OF THE SITE OTHER THAN THAT NECESSARY TO CREATE PITCHES.
9.0 COMMUNITY, HEALTH AND EDUCATION FACILITIES

9.1 Land needs to be protected from other forms of development in order to accommodate the identified requirements of the local community for educational, health and community facilities.

Education Sites

9.2 In the previous plan period a new junior school at Brimington was completed and land adjacent to Poolsbrook primary school was acquired by the county council and incorporated into the school site. A site at Walton was not required by the county council for a new school and was developed for housing purposes. A site for a replacement for Barrow Hill primary school is also no longer required, as the existing school has been re-organised with extensive refurbishment carried out. Derbyshire County Council has identified no further requirements for new school sites but some land is required in order to accommodate replacement and additional facilities for existing schools.

CMT 1 EDUCATION SITES

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD PREJUDICE THE USE OF THE FOLLOWING SITES FOR IDENTIFIED EDUCATIONAL USES:

(a) LAND OFF HIGHER ALBERT STREET, STONEGRAVELS FOR A REPLACEMENT ABERCROMBIE PRIMARY SCHOOL;

(b) LAND AT CROSS LONDON STREET, NEW WHITTINGTON FOR EXTENSIONS TO NEW WHITTINGTON PRIMARY SCHOOL;

(c) LAND AT NORBRIGGS ROAD, WOODTHORPE, STAVELEY FOR PLAYING FIELDS TO SERVE NORBRIGGS PRIMARY SCHOOL.

Contributions towards educational facilities

9.3 Derbyshire County Council prepares a Schools Organisational Plan for the Derbyshire districts on a regular basis. This indicates the need to add or remove school places in line with forecasts. Where schools lack the capacity to accommodate additional numbers of children arising from new residential developments, the borough council will seek contributions from developers, in accordance with Circular 05/05 (Planning Obligations), towards the provision of any additional classroom accommodation required as a result of the development. Policy GEN9 refers in general terms to the need for additional infrastructure to be provided by developers to enable development to proceed and paragraph 2.21 endorses the use of section 106 agreements to secure specific facilities. The following policy refers
specifically to the educational requirements arising from new residential developments likely to be occupied by people with children.

CMT 2 CONTRIBUTIONS TOWARDS EDUCATIONAL FACILITIES

WHERE PLANNING PERMISSION IS GRANTED FOR DEVELOPMENTS OF OVER 10 DWELLINGS LIKELY TO BE OCCUPIED BY PEOPLE WITH CHILDREN, THE COUNCIL WILL USE CONDITIONS AND/OR SEEK TO NEGOTIATE A PLANNING OBLIGATION TO SECURE A CONTRIBUTION TOWARDS THE PROVISION OF ADDITIONAL EDUCATIONAL FACILITIES IN THE SCHOOL OR SCHOOLS SERVING THE NEW DEVELOPMENT. THIS IS UNLESS CONSULTATION BY THE BOROUGH COUNCIL WITH THE LOCAL EDUCATION AUTHORITY CONCLUDES THAT THE PROPOSED DEVELOPMENT WILL NOT CREATE THE NEED FOR ADDITIONAL FACILITIES. WHERE A CONTRIBUTION IS REQUIRED THE PROVISIONS OF POLICY GEN 9 WILL APPLY.

Development of health and further education provision

9.4 The operational areas of the Royal and Walton hospitals are defined on the proposals map. New development linked to health needs will normally be accepted within the sites defined. Any proposals to extend the existing operational areas beyond these boundaries into the open countryside would be contrary to Green Belt and open countryside policies (EVR1 and EVR2).

9.5 Both the Royal and Walton hospitals are major employment generating sites which also have large numbers of visitors and development proposals will need to ensure that travel to and from the site by modes other than the car are maximised. The most effective way of doing this will be through travel plans.

9.6 The site of Chesterfield College is adjacent to the town centre and is well served by public transport facilities. Expansion within the site area will be accepted providing that it has no adverse effect on adjacent residential areas, but a travel plan should be prepared as described in policy TRS11. No additional car parking should be provided in view of the location of the site near to the town centre.

9.7 In addition, all three of these major institutions are likely to be the subject of ongoing development and redevelopment over the course of the plan period as health and further education requirements change. Given the scale of the three sites it is preferred that development should occur in a planned and co-ordinated manner, in accordance with a general development framework for each of the sites, which should be agreed with the local planning authority.
CMT 3 DEVELOPMENT OF HEALTH AND FURTHER EDUCATION PROVISION

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT RELATING TO THE NEEDS OF HEALTH AND FURTHER EDUCATION PROVISION WITHIN THE AREAS SHOWN FOR THESE PURPOSES ON THE PROPOSALS MAP AS FOLLOWS:

(a) ROYAL HOSPITAL SITE, CALOW (HEALTH);
(b) WALTON HOSPITAL SITE, WALTON (HEALTH);
(c) CHESTERFIELD COLLEGE (FURTHER EDUCATION).

WHERE THE SCALE OF THE PROPOSAL NECESSITATES IT, PLANNING APPLICATIONS MUST BE ACCOMPANIED BY A GENERAL DEVELOPMENT FRAMEWORK FOR THE SITE AND A TRAVEL PLAN.

IN THE CASE OF CHESTERFIELD COLLEGE (SITE C) NO ADDITIONAL CAR PARKING SHOULD BE PROVIDED IN VIEW OF THE LOCATION OF THE SITE NEAR TO THE TOWN CENTRE.

Sites for emergency services

9.8 The Derbyshire Fire and Rescue Service wishes to relocate from its current site at Sheffield Road to one more accessible to areas of high risk, in particular Chesterfield town centre, the M1 and A61. A site has been identified on part of the former Chesterfield Cylinders site off Derby Road, which would meet these requirements and is to be safeguarded from development in this local plan.

9.9 The East Midlands Ambulance Service currently has a station at Old Road, Ashgate. A more central location is required and land at the former Chesterfield Cylinders site beside the proposed fire station site is regarded by the council as suitable, providing for the opportunity for a joint site for emergency services should the ambulance service identify a requirement for a new site.

CMT 4 SITES FOR EMERGENCY SERVICES

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD PREJUDICE THE USE OF LAND ON PART OF THE FORMER CHESTERFIELD CYLINDERS LAND OFF DERBY ROAD AS IDENTIFIED ON THE PROPOSALS MAP FOR THE DEVELOPMENT OF A NEW FIRE AND RESCUE CENTRE FOR THE EMERGENCY SERVICES.
Protection of Existing Community Facilities

9.10 Services and facilities such as community centres/village halls, local shops, health care facilities and public houses are required to serve and support the local population. Facilities which people can get to on foot, by bicycle or by public transport reduce the need for car journeys and provide for people who do not have access to a car, such as people who cannot drive, people on low incomes or families with diverse transport needs. Local facilities are meeting places which promote social cohesion and once facilities are lost they can be difficult to replace. Therefore, the council will not support proposals which would result in the loss of community facilities, unless the terms of the following policy can be satisfied.

CMT 5 PROTECTION OF EXISTING COMMUNITY FACILITIES

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD RESULT IN THE LOSS OF LAND OR PREMISES USED FOR COMMUNITY FACILITIES UNLESS IT IS DEMONSTRATED THAT;

(a) THE FACILITY IS NOT REQUIRED OR IS NO LONGER Viable; OR

(b) ALTERNATIVE PROVISION WILL BE MADE OR IS ALREADY AVAILABLE; OR

(c) THE USE SERVING THE COMMUNITY WILL BE RETAINED AND ENHANCED BY THE DEVELOPMENT.
APPENDIX A

LANDSCAPE CHARACTER OF CHESTERFIELD (Reproduced from the Landscape Character of Derbyshire published by Derbyshire County Council)
APPENDIX B

PARKING STANDARDS

1. This appendix sets out the off-street car, motorcycle and cycle parking standards required by the council for new developments. The car parking standards are based on those set out in PPG13 and Regional Spatial Strategy (RSS8).

2. The advice in PPG13 is to ensure that car parking requirements are minimised and opportunities for other modes of travel are maximised. The car parking standards are therefore expressed as the maximum spaces appropriate for each type of development.

3. Standards for disabled persons car parking, motorcycle and cycle parking should be considered as minimum standards.

4. All floorspace is to be measured gross.

<table>
<thead>
<tr>
<th>USE CLASS A</th>
</tr>
</thead>
</table>

**Class A1 Retail – Customers**

<table>
<thead>
<tr>
<th>Usage</th>
<th>Chesterfield Town Centre and adjoining sites</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Customers</strong></td>
<td></td>
</tr>
<tr>
<td><em>Food retail</em></td>
<td></td>
</tr>
<tr>
<td>up to 1,000m²</td>
<td>1 space per 25m²</td>
</tr>
<tr>
<td>over 1,000m²</td>
<td>1 space per 14m²</td>
</tr>
<tr>
<td><em>Non-food retail</em></td>
<td></td>
</tr>
<tr>
<td>up to 1,000m²</td>
<td>1 space per 25m²</td>
</tr>
<tr>
<td>over 1,000m²</td>
<td>1 space per 20m²</td>
</tr>
</tbody>
</table>

**Staff Parking**

1 space per 4 members of staff

<table>
<thead>
<tr>
<th><strong>Class A2 – Financial Services</strong></th>
</tr>
</thead>
</table>

Chesterfield Town Centre

| **Customers and Staff** | 1 space per 35m² | As A1 |

<table>
<thead>
<tr>
<th><strong>Class A3 – Restaurants and Cafes</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chesterfield Town Centre</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Class A4 – Takeaways</strong></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Class A5 – Drinking Establishments</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(Gross dining/ public bar/ lounge/ public area as appropriate)</td>
</tr>
<tr>
<td>Chesterfield Town Centre</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Customers</strong></th>
<th>1 space per 5m²</th>
<th>As A1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employees</strong></td>
<td>1 space per 4 members of staff normally present during working hours</td>
<td>As A1</td>
</tr>
</tbody>
</table>
### USE CLASS B

<table>
<thead>
<tr>
<th>Class B1 – Offices only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chesterfield Town Centre</td>
</tr>
<tr>
<td><strong>Chesterfield Town Centre</strong></td>
</tr>
<tr>
<td>upto 2,500m²</td>
</tr>
<tr>
<td>over 2,500m²</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

### Class B1 – non office, B2 – general industry and B8 – storage and distribution

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>upto 2,500m²</td>
</tr>
<tr>
<td>over 2,500m²</td>
</tr>
</tbody>
</table>

### USE CLASS C

<table>
<thead>
<tr>
<th>Class C1 – Hotels and Guest Houses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class C1 – Hotels and Guest Houses</strong></td>
</tr>
<tr>
<td>Guests</td>
</tr>
<tr>
<td>Staff</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Class C2 – Residential Institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class C2 – Residential Institutions</strong></td>
</tr>
<tr>
<td>Residential care homes</td>
</tr>
<tr>
<td>Staff on duty</td>
</tr>
<tr>
<td>Residents</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Class C3 – Dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class C3 – Dwellings</strong></td>
</tr>
<tr>
<td>1 bedroom dwellings</td>
</tr>
<tr>
<td>2 and 3 bedroom dwellings</td>
</tr>
<tr>
<td>4 and over bedroom dwellings</td>
</tr>
<tr>
<td>Elderly persons units</td>
</tr>
<tr>
<td>Houses in multiple occupation</td>
</tr>
</tbody>
</table>

Within the town and district centres well served by public transport and containing social and commercial facilities the borough council will, where appropriate, permit residential development without dedicated parking. Elsewhere the amount of parking to be provided will be determined having regard to the likely level of demand, the efficient use of land and the need for good design, subject to the following maximum standards:
## USE CLASS D

### Class D1 – Non Residential Institutions

1 space per 5 seats or 5m² of public floor area

<table>
<thead>
<tr>
<th>Category</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical and Veterinary</td>
<td>1 space per medical member of staff</td>
</tr>
<tr>
<td>Surgeries and clinics</td>
<td>2 spaces per consulting room</td>
</tr>
<tr>
<td>Schools</td>
<td>1 space per 2 members of staff normally on duty</td>
</tr>
<tr>
<td>Crèche and Day Nurseries</td>
<td>1 space per 2 members of staff</td>
</tr>
</tbody>
</table>

(Facilities should be provided clear of the highway to enable children to enter and leave parked cars and minibuses in safety without vehicles reversing unless the proposed facility is located where vehicles can wait to set down or pick up children safely on the highway.)

Day Centres 1 space per 2 members of staff

### Class D2 – Assembly and Leisure

<table>
<thead>
<tr>
<th>Category</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cinemas, music and concert halls, theatres</td>
<td>1 space per 5 seats</td>
</tr>
<tr>
<td>Bingo, swimming pools &amp; other indoor leisure</td>
<td>1 space per 5 seats or 25m² as appropriate</td>
</tr>
</tbody>
</table>

**Outdoor recreation**

<table>
<thead>
<tr>
<th>Category</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor racquet clubs</td>
<td>3 spaces per court</td>
</tr>
<tr>
<td>Sports fields</td>
<td>12 spaces per pitch</td>
</tr>
<tr>
<td>Bowling greens</td>
<td>12 spaces per green</td>
</tr>
<tr>
<td>Golf clubs</td>
<td>120 spaces per 18 hole course</td>
</tr>
<tr>
<td>Driving ranges</td>
<td>1 space per bay</td>
</tr>
</tbody>
</table>

Uses not included above - maximum parking for customers, visitors and staff.

### SUI GENERIS

<table>
<thead>
<tr>
<th>Category</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement arcades</td>
<td>As for A1</td>
</tr>
<tr>
<td>Night clubs</td>
<td>1 space per 5 seats or 25 m² as appropriate, or in town centres a contribution to off-site provisions and/ or other modes of transport to be negotiated.</td>
</tr>
<tr>
<td>Laundrettes</td>
<td>As for A1</td>
</tr>
<tr>
<td>Cash and carries</td>
<td>1 space per 25m² gross</td>
</tr>
<tr>
<td></td>
<td>1 space per 2 staff on duty</td>
</tr>
<tr>
<td>Petrol filling stations and garages</td>
<td>Customers - 1 space per 30m²</td>
</tr>
<tr>
<td></td>
<td>Staff - 1 space per 100m²</td>
</tr>
<tr>
<td></td>
<td>Car wash - 5 spaces per unit</td>
</tr>
<tr>
<td>Taxi, vehicle hire and driving schools</td>
<td>1 space per vehicle operated</td>
</tr>
</tbody>
</table>

All other uses to be assessed individually.
OTHER PARKING REQUIREMENTS

Cycling parking standards

For all housing consisting of flats there should be provision for secure cycle storage.

For all non-residential developments over 100m² but less than 1,000m², there should be provision of three secure and preferably covered cycle parking spaces.

For all non-residential developments of 1,000m² and above, the provision of cycle parking spaces should follow the basic guideline of 5% of the maximum provision for cars.

Motorcycles

Any transport assessments and travel plans should indicate the expected level of demand for motorcycle parking and make provision for safe and secure motorcycle parking where appropriate.

For all housing consisting of flats there should be provision for secure motorcycle storage.

Disabled Parking

The Borough Council will seek an additional number of parking spaces for disabled people in line with DETR Traffic Advisory Leaflet 5/95.
## APPENDIX C

### GLOSSARY

Click on the following letter to reach the terms starting with that letter:

A B C D E F G H I K L M N O P R S T U V W

<table>
<thead>
<tr>
<th>A</th>
</tr>
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</table>
| **Annual Monitoring Report (AMR)**  
A report submitted to the government by local planning authorities or regional planning bodies assessing progress with and the effectiveness of a Local Development Framework. |
| **Adoption**  
The final confirmation of a development plan or Local Development Document status by a local planning authority (LPA). |
| **Affordable Housing (or sub-market housing)**  
Housing, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes that are average or below average, or in relation to the price of general market housing. |
| **Ancillary Use / Operations**  
A subsidiary or secondary use or operation closely associated with the main use of a building or piece of land. |
| **Archaeological Assessment / Evaluation**  
An assessment of the potential archaeological interest of a site or building. This can be either a desk-based assessment or a field assessment, involving ground survey and small-scale pits or trial trenching carried out by professionally qualified archaeologist(s) looking for historical remains. |

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<table>
<thead>
<tr>
<th>B</th>
</tr>
</thead>
</table>
| **Biodiversity**  
The whole variety of life encompassing all genetics, species and ecosystem variations, including plants and animals. |
| **Biodiversity Action Plan (BAP)**  
A strategy prepared for a local area aimed at conserving and enhancing biological diversity. |
| **Brief / Planning Brief**  
A document containing guidance and specification about the way a site or group of sites should be developed. The term can refer to site-specific development briefs, design briefs, development frameworks and master plans that seek to positively shape future development. |
| **Brownfield Land and Sites**  
See 'Previously-Developed Land'. |
| **Buffer Zone**  
An area of land separating certain types of development from adjoining sensitive land uses. Often used in relation to minerals and/or waste development. |

Back to glossary index
Catchment (in retailing terms)
The geographical area from which a retail destination draws its trade. Sometimes measured in terms of 'Drive Time'.

Change of Use
A change in the way that land or buildings are used (see Use Classes Order). Planning permission is usually necessary in order to change from one 'use class' to another.

Character
A term relating to Conservation Areas or Listed Buildings, but also to the appearance of any rural or urban location in terms of its landscape or the layout of streets and open spaces, often giving places their own distinct identity.

Circular
A government publication setting out policy guidance and procedural matters.

Community Strategy
A strategy prepared by a local strategic partnership (LSP) under Local Government Act 2000 to improve quality of life and aspirations in the area which it covers.

Conditions (or 'planning conditions')
Requirements attached to a planning permission to limit, control or direct the manner in which a development is carried out.

Conservation Area
Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Contaminated Land
Land that has been polluted or harmed in some way making it unfit for safe development and usage unless cleaned.

Design guide
A document providing guidance on how development can be carried out in accordance with good design practice often produced by a local authority with a view to retaining local distinctiveness.

Designing Out Crime
The planning and design of street layouts, open space, and buildings so as to reduce the actual likelihood or fear of crime, for example by creating natural surveillance.

Development Plan Documents (DPDs)
Development Plan Documents are prepared by local planning authorities and outline the key development goals of the local development framework. Development Plan Documents include the core strategy, site-specific allocations of land and, where needed, area action plans. There will also be an adopted proposals map which illustrates the spatial extent of policies that must be prepared and maintained to accompany all DPDs. All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and be adopted after receipt of the inspector's binding report. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise. DPDs form an essential part of the Local Development Framework.
**District Centre**

A group of shops, community uses and service outlets serving part of an urban area and providing a geographic focus for it, separate from the town centre, but with more variety than local centres.

**Edge-of-Centre**

A location that is within easy walking distance (often considered 200-300 metres) of the primary shopping area.

**Employment Land Availability (ELA)**

The total amount of land reserved for industrial and business use awaiting development.

**Environmental Impact Assessment (EIA), and Environmental Statement (EA)**

Applicants for certain types of development, usually more significant schemes, are required to submit an "environmental statement" accompanying a planning application. This evaluates the likely environmental impacts of the development, together with an assessment of how the severity of the impacts could be reduced.

**Flood plain**

Generally low-lying areas adjacent to a watercourse, tidal lengths of a river or the sea, where water flows in times of flood, or would flow but for the presence of flood defences.

**Flood Risk Assessment**

An assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered.

**Green Belt (not to be confused with the term 'greenfield')**

A designation for land around certain cities and large built-up areas, which aims to keep this land permanently open or largely undeveloped. The purposes of the green belt are to:

- check the unrestricted sprawl of large built-up areas
- prevent neighbouring towns from merging
- safeguard the countryside from encroachment
- preserve the setting and special character of historic towns
- assist urban regeneration by encouraging the recycling of derelict and other urban land.

Green belts are defined in a local planning authority's development plan.

**Green corridor / wildlife corridor**

Green corridors can link housing areas to the national cycle network, town and city centres, places of employment and community facilities. They help to promote environmentally sustainable forms of transport such as walking and cycling within urban areas and can also act as valuable habitats and linkages for wildlife movement between wetlands and the countryside.

**Green Wedges**

Green wedges comprise the open areas around and between parts of settlements, which maintain the distinction between the countryside and built up areas, prevent the coalescence (merging) of adjacent places and can also provide recreational opportunities.
**G**

**Greenfield Land or Site**
Land (or a defined site) usually farmland, that has not previously been developed.

**Greenhouse Gases**
Naturally occurring examples include water vapour, carbon dioxide, methane, nitrous oxide and ozone. Some human activities increase these gases, including fossil fuel combustion within motor vehicles and some power stations.

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**H**

**Hazardous Waste**
Wastes that have the potential to cause harm to human health or the environment.

**High Hedges**
Evergreen hedges over 2 metres high categorised in Part 8 of the [Anti-social Behaviour Act 2003](#), as causing a nuisance to neighbouring occupants of property. The act gives local planning authorities the role of adjudicators in cases where neighbours have been unable to resolve their difference about such hedges.

**Housing Land Availability (HLA)**
The total amount of land reserved for residential use awaiting development.

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**I**

**Infill development**
The development of a relatively small gap between existing buildings.

**Inset map**
A development plan map showing a particular area of interest on the wider proposals map at a larger, more readable scale.

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**K**

**Knowledge-based Industry**
High technology industries (such as computers and office equipment, and pharmaceuticals) and knowledge-based services (for example, telecommunications, information technology, finance, insurance and business services), which are important to economic development.

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**L**

**Landfill Gas**
The gas generated in any landfill site accepting biodegradable material. It consists of a mixture of gases, mainly methane and carbon dioxide, and usually has the potential to be a biofuel.

**Landscape Character**
The distinct and recognisable pattern of elements that occur consistently in a particular type of landscape and give it recognisable identity. It reflects particular combinations of geology, landform, soils, vegetation, land use and human settlement.
**Listed Building**
A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures (e.g. wells) within its curtilage. English Heritage is responsible for designating buildings for listing in England.

**Listed Building Consent**
Consent required for the demolition, in whole or in part of a listed building, or for any works of alteration or extension that would affect the character of the building.

**Local Centre**
A small group of shops and perhaps limited service outlets of a local nature (for example in a suburban housing estate) serving a small catchment. Sometimes also referred to as a local neighbourhood centre.

**Local Development Document (LDD)**
A document contained in a Local Development Framework.

**Local Development Framework (LDF)**
Local Development Framework (LDF) is a term used to describe a folder of documents, which includes all the local planning authority’s local development documents. A LDF is comprised of:
- Development Plan Documents (which form part of the statutory development plan)
- Supplementary Planning Documents
- Proposals Map

The local development framework will also comprise of:
- the Statement of Community Involvement
- the Local Development Scheme
- the Annual Monitoring Report
- any Local Development Orders or Simplified Planning Zones that may have been added
- any policies or guidance saved from the pre-2004 development plan system

**Local Development Scheme (LDS)**
The local planning authority’s time-scaled programme for the preparation of Local Development Documents that must be agreed with government and reviewed every year.

**Local Nature Reserve**
An area designated by a local authority for the management of a habitat of local significance where protection and public understanding of nature conservation is encouraged. (See also Site of Nature Conservation Importance)

**Local Plan**
An old-style development plan prepared by district and other local planning authorities. Some of these plans will continue to operate for a time after the commencement of the new development plan system, by virtue of specific transitional provisions.

**Local Strategic Partnership (LSP)**
A partnership that brings together organisations from the public, private, community and voluntary sectors within one or more local authority areas, with the objective of improving people's quality of life and aspirations. (See also Community Strategy)

**Local Transport Plan**
A five-year integrated transport strategy, prepared by local authorities in partnership with the community, seeking funding to help provide local transport projects. The plan sets out the resources predicted for delivery of the targets identified in the strategy. Local Transport Plans should be consistent with the policies and priorities set out in the Regional Transport Strategy as an integral part of the Regional Spatial Strategy.

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Market Towns
Small to medium-sized country towns that are rural service, social and economic centres. Most also hold or used to hold a regular market.

Master Plan
A type of planning brief outlining the preferred usage of land and the overall approach to the layout of a development on a site or group of sites. To provide detailed guidance for subsequent planning applications.

Mixed use
Provision of a mix of complementary uses, such as residential, community and leisure uses, on a site or within a particular area.

National Park
The statutory purposes of national parks are to conserve and enhance their natural beauty, wildlife and cultural heritage and to promote opportunities for public understanding and enjoyment of their special qualities. National parks are designated by the Countryside Agency, subject to confirmation by the Secretary of State under the National Parks and Access to the Countryside Act 1949.

Nature Conservation
The protection, management and promotion of wildlife habitat for the benefit of wild species, as well as the communities that use and enjoy them.

Outline application
A general application for planning permission to establish that a development is acceptable in principle, subject to subsequent approval of detailed matters. Does not apply to changes of use.

Out-of-Centre
In retailing terms, a location that is clearly separate from the primary shopping area of a town centre but not necessarily outside the urban area.

Over-development
An amount of development (for example, the quantity of buildings or intensity of use) that is excessive in terms of demands on infrastructure and services, or impact on local amenity and character.
**Passive Solar Design**
All the methods of architectural design and construction intended to capture and store the sun's heat. Very simple examples include a garden greenhouse, or a south-facing window in a dwelling.

**Permitted Development (or Permitted Development Rights)**
Permission to carry out certain limited forms of development without the need to make an application to a local planning authority, as granted under the terms of the Town and Country Planning (General Permitted Development) Order.

**Phasing or Phased Development**
The programming of development into manageable parts. For example, an annual rate of housing release for a large development that may need to be controlled so as to avoid destabilising housing markets and causing low demand.

**Planning & Compulsory Purchase Act 2004**
- a statutory system for regional planning
- a new system for local planning
- reforms to the development control and compulsory purchase and compensation systems
- removal of crown immunity from planning controls.

**Planning Condition**
Condition attached to a planning permission.

**Planning Gain**
The benefits or safeguards, often for community benefit, secured by way of a planning obligation as part of a planning approval and usually provided at the developer's expense. For example, affordable housing, community facilities or measures mitigating adverse environmental impacts.

**Planning Obligations and Agreements**
Legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. For example, the provision of highways. Sometimes called "Section 106" agreements.

**Planning Permission**
Formal approval sought from a local planning authority (such as Chesterfield Borough Council) to allow a proposed development to proceed. Often granted with conditions. Permission may be sought in principle through outline planning applications, or be sought in detail through full planning applications.

**Planning Policy Guidance (PPG)**
Issued by central government setting out its national land use policies for England on different areas of planning. These are gradually being replaced by Planning Policy Statements.

**Planning Policy Statement (PPS)**
Issued by central government to replace the existing Planning Policy Guidance notes in order to provide greater clarity and to remove from national policy advice on practical implementation, which is better expressed as guidance rather than policy.

**Playing Field**
Land laid out with a pitch or pitches for games.

**Previously Developed Land (PDL) or 'Brownfield' land**
Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed-surface infrastructure. The definition covers the curtilage of the development. Planning Policy Guidance Note 3 (Housing) has a detailed definition.
**Protected Species**
Plants and animal species afforded protection under certain Acts of Parliament and Regulations.

**Public Art**
Works of art visible to or benefitting the general public. Can be permanent or temporary, usually manifested physically, such as sculpture, lighting effects, street furniture, paving, railings or signs, but can also be manifested as an activity, event or abstract commission, such as a piece of music or a dance.

**Public Open Space**
Urban space, designated by a council, where public access may or may not be formally established, but which fulfils or can fulfil a recreational or non-recreational role (for example, amenity, ecological, educational, social or cultural usages).

**Recycling**
The reprocessing of waste for further productive use either in its current form or in a different one.

**Regeneration**
The economic, social and environmental renewal and improvement of rural and urban areas.

**Regional and Sub-Regional Shopping Centres**
Out-of-town or out-of-centre shopping centres generally over 50,000 square metres net retail area, typically enclosing a wide range of comparison goods.

**Regional Planning Guidance (RPG)**
Regional planning policy and guidance issued for each region in England by the Secretary of State. As part of the reform process the existing RPG becomes the spatial strategy for the region until revised by a replacement Regional Spatial Strategy (RSS).

**Regional Spatial Strategy (RSS)**
A strategy for how a region should develop over 15 to 20 years time and possibly longer. The Regional Spatial Strategy identifies the scale and distribution of new housing in the region, indicates areas for regeneration, expansion or sub-regional planning and specifies priorities for the environment, transport, infrastructure, economic development, agriculture, minerals and waste treatment and disposal. Most former Regional Planning Guidance is now considered RSS and forms part of the development plan. The Regional Spatial Strategy for the East Midlands (which includes Chesterfield) is prepared on behalf of the East Midlands Regional Assembly.

**Renewable Energy**
Renewable energy is energy flows that occur naturally and repeatedly in the environment, for example from the wind, water flow, tides or the sun.

**Retail Floorspace**
Total floor area of a property that is associated with all retail uses. Usually measured in square metres. May be expressed as a net figure (the sales area) or in gross (including storage, preparation and staff areas).

**Retail Warehouses**
Large, usually out-of-town or out-of-centre units selling bulky non-food items such as DIY, furniture, leisure and household goods.
Saved Policies / Saved Plan
Policies within unitary development plans, local plans and structure plans that are saved for a time, pending their replacement through production of Local Development Documents.

Section 106 Agreement
A legal agreement under section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain necessary extra works related to a development are undertaken.

Sequential approach / sequential test
A planning principle that seeks to identify, allocate or develop certain types or locations of land before others. For example, brownfield housing sites before greenfield sites, or town centre retail sites before out-of-centre sites.

Setting
The physical context of a building or site, for example the surroundings of a listed building or landscape around a village or town.

Site of Nature Conservation Importance (SINC)
Locally important sites of nature conservation adopted by local authorities for planning purposes. (See also Local Nature Reserve).

Social Inclusion
Positive action taken to include all sectors of society in planning and other decision-making.

Special Needs Housing
Housing to meet the needs of groups of people who may be disadvantaged, such as the elderly, the disabled, students, young single people, rough sleepers, the homeless, those needing hostel accommodation, key workers, travellers and occupiers of mobile homes and houseboats.

Structure Plan
An old-style development plan, which sets out strategic planning policies and forms the basis for detailed policies in local plans. These plans will continue to operate for a time after the commencement of the new development plan system, due to transitional provisions under planning reform.

Sui-Generis
A term given to the uses of land or buildings, not falling into any of the use classes identified by the Use Classes Order 2005, for example amusement arcades, launderettes, car showrooms and petrol filling stations.

Superstore
A self-service store selling mainly food, or food and non-food goods, usually of more than 2,500 square metres of trading floor space, with a large car park.

Supplementary Planning Document (SPD)
A Local Development Document that may cover a range of issues, thematic or site specific, and which provides further detail of policies and proposals in a 'parent' Development Plan Document. Under the new planning system, this class of document is intended to take the place of Supplementary Planning Guidance (SPG) in due course.

Supplementary Planning Guidance (SPG)
Document produced under the old development plan system which could cover a range of issues, both thematic and site specific and provide further detail of policies and proposals in a development plan. Intended to be replaced by Supplementary Planning Documents under the post-2004 planning system.
Sustainability Appraisal (including Strategic Environmental Assessment)
An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with the principles of sustainable development.

Sustainable Communities
People living in a place, places or area in a way that follows the principles of sustainable development.
(See below)

Sustainable Development
A widely used definition drawn up by the World Commission on Environment and Development in 1987: "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."
The government has set out four aims for sustainable development in its strategy A Better Quality of Life, a Strategy for Sustainable Development in the UK.
The four aims, to be achieved simultaneously, are:
- social progress which recognises the needs of everyone
- effective protection of the environment
- prudent use of natural resources
- maintenance of high and stable levels of economic growth and employment.

Sustainable travel / sustainable transport
Often meaning walking, cycling and public use of transport (and in some circumstances "car sharing"), which is considered to be less damaging to the environment and likely to contribute less to traffic congestion and pollution than one-person car journeys.

Town Centres
Includes a range of different-sized centres, including market and country towns, traditional suburban centres, and quite often, the principal centre(s) in a local authority’s area

Transitional Arrangements
Generally used to describe arrangements that are put in place to manage the change from one system of regulations or procedures to another. More recently used to describe government regulations outlining the process of preparing development plans begun before, and to be completed after, the Planning and Compulsory Purchase Act 2004. It includes existing "saved" unitary, structure and local plans until new Local Development Documents are adopted.

Travel Demand Management
Planning the travel impacts of existing and new developments to minimise travel needs and provide travel choices, for example by efficient car usage (including car sharing), bicycles, and walking and public transport.

Tree Preservation Order (TPO)
A mechanism for securing the preservation of single trees or groups of trees of acknowledged public amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority.
Unauthorised Development
Development that has taken, or is taking place, without the benefit of planning permission. It may be the subject of enforcement action if to allow the development could conflict with the policies of the Local Development Framework or other material considerations.

Urban Capacity Study
A study undertaken to establish how much additional housing can be accommodated within a particular urban area.

Urban Design
The art of making places. It involves the design of buildings, groups of buildings, spaces and landscapes, in villages, towns and cities, to create successful development.

Urban Fringe
The urban fringe is the transitional area at the point where urban areas meet the countryside. It can provide a valuable resource for the provision of sport and recreation, particularly in situations where there is an absence of land within urban areas to make such provision.

Urban Regeneration
Making an urban area develop or grow strong again through means such as job creation and environmental renewal.

Urban Sprawl
The uncontrolled or unplanned extension of urban areas into the countryside.

Use
In the context of this local plan, the way in which land or buildings are used. See also Change of Use and Use Classes Order.

Use Classes Order
The Town and Country Planning (Use Classes) Order 1987 puts uses of land and buildings into various categories. Planning permission is not needed for changes of use within the same use class.

Viability
In terms of retailing, a centre that is capable of commercial success. In terms of community facilities such as village shops and pubs, operations which are capable of being sustained on the evidence of projected resources and usage.

Vitality
In terms of retailing, the vigour of a centre or individual shop’s day to day trading, or the capacity of a centre to grow or develop its level of activity.

Wildlife Corridor
Strip of land (for example, along a hedgerow) conserved and managed for wildlife, usually linking more extensive wildlife habitats.
### Windfall Site

A site not specifically allocated for development in a development plan, but which unexpectedly becomes available for development during the lifetime of a plan. Most "windfalls" are referred to in a housing context. They tend to be very small sites for one or a small number of homes.