6 March 2017

Our Ref: 17/3526

Dear Sir/Madam

**REPRESENTATION ON CHESTERFIELD BOROUGH COUNCIL’S LOCAL PLAN – DRAFT VERSION**

Please find below our response to the above consultation document. We have received written confirmation from the Council that this representation will be given full consideration.

**Local Plan Draft Policies**

**Draft Policy CS7: ‘Managing the Water Cycle’**

In respect of draft **Policy CS7**, the policy seeks a maximum possible reduction in surface water run-off based on the SFRA or most recent national guidance. Footnote 2 (page 9) of the Technical Guidance to the National Planning Policy Framework (2012) defines sustainable drainage systems as covering “the whole range of sustainable approaches to surface water drainage management. They are designed to control surface water run off close to where it falls and mimic natural drainage as close as possible.”

We consider that the approach taken by Policy CS7 would be too onerous on sites outside of Flood Zone 1 and an element of flexibility should apply.

**Draft Policy CS8: ‘A Healthy Environment’**

Draft **Policy CS8** requires an assessment of impact on air quality where appropriate.

Planning Potential would welcome further clarification on the requirements for an Air Quality Assessment (AQA) and would suggest that this should apply to any development proposed in or adjacent to Air Quality Management Areas (AQMA’s) and major development outside of AQMA’s which is likely to give rise to a significant number of vehicle movements.

Specific criteria should be incorporated into the policy which would indicate when an AQA is needed.

**Draft Policy CS13: ‘Economic Growth’**

Draft **Policy CS13** outlines how development should deliver sustainable economic growth by supporting existing jobs and businesses and delivering inward investment. The policy sets out how 83ha of new employment land will be developed between 2011 and 2031, citing B1, B2 and B8 uses as employment generating uses. Planning Potential note that a number of criteria are listed, all of which relate to business and industrial uses falling under use classes B1, B2 and B8.

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We would suggest that shops (Use Class A1) are included within the policy, as large retail units and foodstores generate significant employment opportunities and can contribute towards delivering sustainable economic growth. Paragraph 3 of the draft policy should be re-worded to include other employment generating uses i.e retail.

The NPPF recognises retail as an employment generating use.

Draft Policy CS16: ‘Retail’.

Draft Policy CS16 sets out a number of criteria where Retail Impact Assessments (RIA) will be required.

The first bullet of the policy relates to town and district centres. The policy states that a RIA will be required to accompany new retail proposals in town and district centres. This is a misinterpretation of national planning policy. The NPPF seeks to direct retail development to town and district centres which are seen as sequentially preferable locations for retail. Retail development in these centres are afforded protection under planning policy. Paragraph 26 of the NPPF sets out how a RIA is not required in centres. The requirement for an RIA in centres should be removed.

The second bullet relates to local centres and retail parks. The policy is too complex and needs to be more clear. This should be re-worded.

The third bullet relates to development outside of centres. We consider the 280m² floorspace threshold to be too low, particularly in light of the default 2,500m² threshold set out in the NPPF. This figure should be based on an up-to-date Retail Study. The 2010 Retail Study is the most recent Study which the Council have published. This formed part of the evidence base of the Core Strategy which was subsequently adopted in 2013. As a result this can be considered to be substantially out of date.

Summary

Overall, the contents of this representation seeks to ensure that the Chesterfield Borough Council Local Plan is sound and in accordance with paragraphs 150-157 of the NPPF.

To summarise our comments:

- Draft Policy CS7 is too onerous and a degree of flexibility should be included;
- Draft Policy CS8 – Specific criteria should be incorporated which define when an AQA is required;
- Draft Policy CS13 – Retail uses should be specifically included due to the economic benefits they generate;
- Draft Policy CS16 – National policy does not require a RIA in centres. The first bullet point should be amended to reflect this. The second bullet point relating to local centres and retail parks is too complex and should be simplified. The retail threshold set out at the third bullet point is too low and not supported by an up-to-date Retail Study.

We trust that our representation will be given full consideration through the Local Plan consultation process. We would be grateful if you could add our details on to the Council’s database to ensure that we are notified of any future stages of the document.
We would be grateful for confirmation of receipt of this representation.

Yours sincerely,

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