Important Notes:

- **Participants should only respond to the questions which directly relate to their previously-submitted written representations on the plan.** Please clearly indicate in your statement(s) the question(s) you are answering.
- Statements should not exceed 3,000 words per Matter and should be submitted to the Programme Officer no later than 12 noon on 16 September 2019. Late responses will not be accepted. Please see the separately published guidance notes for further details.
- The examination is that of the plan as submitted by the Council. Therefore, it will not, at this stage, be considering the merits of sites for development that are not included in the Plan (“omission sites”). Should it be determined that there is a need for additional or different sites to be allocated, the Inspectors will, in the first instance, ask the Council to consider how it would wish to proceed with the Examination.
- The questions concerning soundness are primarily focussed on the plan’s policies. Insofar as they relate to the plan’s soundness, the examination will be considering the soundness of other elements of the plan including supporting text and appendices and these will be considered as part of the discussion on relevant policies.
- For the avoidance of doubt the examination of consistency with national policy will relate to the July 2018 version of the National Planning Policy Framework (NPPF), updated in February 2019, and relevant sections of the Planning Practice Guidance (PPG).
- Participant’s attention is drawn to key examination material subsequent to the submission of the plan on 28 June 2019 which may help inform statements. This includes the Inspectors’ initial observations (EX.INS.001 & EX.INS.002) and the Council’s response. Additionally, the Council on submitting the plan has provided a number of topic papers and statements of common ground, which those wishing to submit further statements may find particularly helpful.
Matter 1 - Legal Compliance and General Plan-making

Issue 1: Plan-making

1.1 Has preparation of the plan complied with the Local Development Scheme, Statement of Community Involvement and the requirements of the 2012 Local Planning Regulations?

1.2 Is the submitted Plan sufficiently clear on which development plan policies (2013 Core Strategy and 2006 Replacement Local Plan) would be superseded on adoption of the submitted Plan? [Regulation 8(5) of the 2012 Local Plan Regulations requires that superseded policies must be identified]. Could document KSD9 be included as an appendix to the plan as a main modification?

1.3 For soundness, should the Plan include a key diagram (NPPF paragraph 23)?

1.4 Does Policy SS8, as part of the strategic role of the Local Plan, provide a sound approach for supporting ‘made’ neighbourhood plans containing non-strategic policies? (noting NPPF paragraphs 28-30 and PPG on ‘Neighbourhood Planning’ - including paragraph 41-065-20140306 on the basic conditions for neighbourhood plans). Is there a clear identification of those strategic policies in the submitted Plan against which Neighbourhood Plans would be required to be in general conformity with?

1.5 How have issues of equality been addressed in the Local Plan?

Issue 2: Duty to Co-operate

1.6 Has the Council engaged constructively, actively and on an ongoing basis with all relevant organisations on strategic matters of relevance to the plan’s preparation, as required by the Duty to Co-operate?

1.7 What mechanisms have been established between authorities on cross-boundary strategic matters? Are the outcomes reflected in signed statements of common ground that demonstrate effective and on-going joint working, as per NPPF paragraph 27 and PPG paragraphs 61-009-20190315 to 61-017-20190315?

1.8 Are there any strategic cross-boundary implications arising from the strategy of planned growth in the eastern villages (Policy LP1) and at Markham Vale (Policy SS4) on infrastructure in neighbouring authorities and proximate M1 junctions? Has there been progress on a statement of common ground with Bolsover District Council (referenced at paragraph 4.49 of DtC Statement)? Is this an additional statement to that provided at appendix 9 of the DtC Statement? With regards to the duty to co-operate is the strategy of growth in the eastern part of the Borough
(including Markham Vale) positively prepared, justified and contributing to effective cross-boundary outcomes?

1.9 Are there any unmet housing needs from other authorities within the North Derbyshire and Bassetlaw Housing Market Area (HMA)? Has there been any need to update to the May 2018 HMA Statement of Common Ground (as per paragraph 4.2 of this statement of common ground)?

1.10 Are there any duty to cooperate issues regarding unmet housing needs within potential wider housing market areas – notably Derbyshire Dales and Sheffield City? Does Appendix 6 to the Duty to Cooperate Statement and representations at the Regulation 19 stage confirm that there has not yet been any formal request to Chesterfield to assist in meeting unmet needs?

1.11 Is there a Duty to Cooperate issue regarding any shortfall in Gypsy and Traveller provision across North Derbyshire (noting Table 2 of the HMA Statement of Common Ground, May 2018)? Have matters now been addressed by the September 2018 statement of common ground with the Derbyshire Gypsy Liaison Group (Appendix 7 to DtC Statement)?

1.12 Is there evidence of engagement and agreement on strategic cross-boundary planning matters within the wider Sheffield City Region (SCR) as intimated at paragraph 3.8 of the Duty to Cooperate Statement? In particular, the LEPs Strategic Economic Plan ambition to deliver 70,000 net additional jobs (2014-2024) and the development of a SCR Integrated Infrastructure Plan (SCRIIP)?

**Issue 3: Habitat Regulations Assessment**

1.13 Is the Habitats Regulation Assessment (HRA) – January 2019 (Document KSD4) robust in concluding that the policies and proposals in the plan (alone or in-combination with other plans/projects) would not have an adverse effect on the integrity of proximate European protected sites?

1.14 Is the Chesterfield HRA appropriately prepared in applying similar conclusions to those presented in neighbouring plan HRAs on the effects of the plan’s proposals on atmospheric pollution? Does the appropriate assessment take a sufficiently precautionary approach on air quality and reflect the advice in the Natural England letter dated 18 November 2018?

1.15 Does the reference to on-going cross-authority monitoring of air pollution in the Housing Market Area Statement of Common Ground provide the appropriate way forward for this matter? What steps are being taken to advance an agreed joint monitoring framework for nitrogen deposition for the relevant SACs/SPAs\(^1\)? Is there agreement that this monitoring would

\(^1\) Paragraph 4.26 Duty to Cooperate Statement 2019 (document KSD5)
not comprise ‘mitigation’ for the current round of plan-making and is primarily evidence gathering to inform future HRA processes?

**Issue 3: Climate Change**

1.16 Has the Council had regard to Section 19 of the 2004 Planning & Compulsory Purchase Act (As amended) requiring development plan documents to include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change? Which are the policies and how will they be monitored?

1.17 Flood risk (both from watercourses and surface water) is a notable issue for the Borough, particularly in parts of Chesterfield town. Is the plan’s approach to flood risk, including the site selection process, consistent with national policy and suitably precautionary, including modelling for the long term, to take account of the effects of climate change?

**Issue 4: Sustainability Appraisal (including Strategic Environmental Assessment)**

1.18 Does the Sustainability Appraisal (SA) (Documents SD3-5) adequately and accurately assess the likely effects of the policies and proposals of the Plan on the SA ‘themes’ and test them against reasonable alternatives?

1.19 Does SA adequately record unreasonable options and indicate (briefly) why any such options have been discounted?

1.20 What concerns have been raised about the SA methodology and outputs and what is the Council’s response to these? Have the requirements for Strategic Environmental Assessment been met?

**Issue 5: Site Selection Process - general**

1.21 Are the outputs for the Land Availability Assessment in documents KSD17-19 broadly consistent with the jointly agreed methodology?

1.22 Is there consistency between the outputs of the Land Availability Assessment and Sustainability Appraisal, particularly in sieving sites and considering the potential to mitigate any likely harm?

1.23 Having regard to the new PPG chapter on ‘Effective Use of Land’ is there any evidence that land allocated through previous plans should be reallocated for a more deliverable use?
Matter 2 – Securing a sustainable pattern of development

**Issue 1: Is the spatial strategy sound? [Policies LP1, LP2 & LP3]**

2.1 Are the 13 strategic objectives in the Plan soundly based and reflective of the key issues facing the Borough including those identified through the sustainability appraisal scoping and baseline work?

2.2 Is the proposed spatial strategy of ‘concentrate’ new development within walking distances of centres and ‘regenerate’ key locations and sites an appropriate strategy for the Borough? Will it ensure delivery of homes and jobs in the short-term as well as setting appropriate foundations for the pattern of development in the longer-term?

2.3 Are the regeneration priority areas identified in Policy LP1 justified and is it an appropriate spatial strategy (at a strategy level) to seek to accommodate appreciable levels of growth at these locations to “maximise regeneration benefits”? (see also questions under Matter 1 under to Duty to Cooperate and Matter 5 on Policy RP1 for the Regeneration Areas).

2.4 Is the expectation in Policy LP2 (Location of Development) that new residential development (both allocations and windfall) will be within walking distance (800 metres) of local, district or town centres a sound approach? Is 800 metres a justified threshold? Is most of the existing built-up area and immediate fringes of Chesterfield, Brimington and Staveley within the 800 metre threshold?

2.5 Is Policy LP3 (presumption in favour of sustainable development) necessary for plan soundness? Does it add to what is in the NPPF and does its inclusion reflect the guidance at PPG paragraph 61-036-20190723?

**Issue 2: Is the strategic approach to Green Belt, Strategic Gaps and Green Wedges soundly based? [Policies LP1 and LP16]**

2.6 The submitted plan proposes no alteration of Green Belt boundaries in the Borough. Paragraph 2.11 of the Plan states that there has been no review of Green Belt in Chesterfield although there is a joint methodology as part of the Sheffield City Region. Having regard to paragraph 139 of the NPPF, is the submitted Plan justified in respect of the following:
(i) ensuring that land which it is unnecessary to keep permanently open has not been included in Green Belt?
(ii) that Green Belt boundaries will not need to be altered at the end of the plan period?; and
(iii) the boundaries used are clearly defined, using physical features that are readily recognisable and likely to be permanent?
2.7 Policies LP1 and LP16 provide the primary local policy content for Green Belt in the Borough and seek to maintain and enhance existing Green Belt. Is the content at paragraphs 143 – 147 of the NPPF sufficient to manage development proposals in those parts of the Borough that are Green Belt?

2.8 As a consequence of almost simultaneous plan preparation in Bolsover, Chesterfield and North East Derbyshire, will Green Belt boundaries in this Local Plan form part of a contiguous and coherent Green Belt across the administrative boundaries? Appendix 2 of the Duty to Cooperate Statement refers to Strategic Green Belt Review as an “outstanding issue” with North East Derbyshire – does that give rise to any soundness issues for Chesterfield’s Local Plan?

2.9 Is the identification, function and policy approach to the proposed 6 strategic gaps and 3 green wedges in Policy LP1 justified and consistent with national policy in distinguishing these areas for particular safeguarding compared to open countryside more generally in the Borough?

2.10 Is the continuation of the principle of strategic gaps and green wedges from the 2013 Core Strategy (found sound against the NPPF 2012) justified as part of an appropriate strategy? Do the designations inhibit a sustainable pattern of development and/or a deliverable supply of land for development?

2.11 Does the 2016 Arup report (Document EV17) provide a robust and consistent basis/methodology on which to determine the delineation of the strategic gaps and green wedges?

2.12 The Green Infrastructure Topic Paper refers at paragraph 3.11 to the Strategic Gap between Brimington and Tapton (SG1) and states that it does not reflect the available evidence (summarised at Figure 3, p44 of the 2016 Arup Report). Is this the only example where the submitted Plan does not follow the advice in the 2016 Arup Report? What is the particular justification for the demarcation of the submitted Strategic Gap between Brimington and Tapton and is it sound?

2.13 Figure 7 of the 2016 Arup Report (page 56) shows the proposed Ringwood and Hollingwood Strategic Gap (SG2). Is it sound to include the Wildgoose Homes site (LAA site 259) within this designation on the Policies Map?
Matter 3 – Meeting housing need and the Plan’s Housing Requirement including the accommodation needs of travelling communities

**Issue 1: Whether the plan identifies a sound assessment of housing need and over what period**

3.1 Is it justified and consistent with national policy to establish the housing need that the Plan should accommodate through the methodology of Objectively Assessed Need (OAN) as identified through the Strategic Housing Market Assessment (SHMA) for the wider North Derbyshire & Bassetlaw HMA rather than the standardised methodology for local housing need (LHN)?

3.2 Does PPG paragraph 2a-015-20190220 provide a basis for finding the submitted plan’s housing need sound because the OAN is marginally higher than the latest LHN figure?

3.3 If applying the OAN, is the methodology used for defining Chesterfield’s OAN appropriate and does it provide a robust basis for establishing the scale of housing need? In particular, does the SHMA make justified adjustments to the demographic starting point in respect of migration and a part return to household formation rates?

3.4 Is the OAN justified in not making an uplift for economic/jobs growth in light of the aspirations of the LEPs and the potential of HS2 for the area? Does the draft Sheffield City Region (SCR) Statement of Common Ground confirm that the SCR LEPs economic ambitions are likely to be met across the city region?

3.5 Will either the OAN or LHN provide/support a sufficient labour supply to meet the ambitious but realistic employment forecasts for the Borough? For example, the 2017 SHMA at Table 31 indicates that an OAN to sustain an economic growth scenario of 4,200 net additional jobs would require an adjusted housing need of 330 dwellings per annum. Paragraph 3.59 of the SHMA advises to use baseline economic forecasts as a minimum but points to Council’s carrying out further testing of the higher growth scenario figures. Has there been any further consideration or assessment of the higher growth scenario?

3.5 Is there any compelling evidence to consider an uplift for market signals under OAN or LHN?

3.6 If the Plan were to be modified to the lower LHN figure as a starting point for establishing housing need in the Borough would that give rise to any strategic planning issues in either the HMA or the wider Sheffield City Region? Has a lower LHN informed housing need figure been subject to sustainability appraisal as a reasonable alternative?
3.7 The NPPF at paragraph 22 advises that “strategic policies should look ahead over a minimum 15 year period from adoption” (Inspector emphasis). Are there particular circumstances in Chesterfield to justify a slightly shorter plan period? Can the identified housing need be suitably extrapolated to 2035 against the submitted evidence base for the plan (for example infrastructure, future jobs forecasts etc.)?

3.8 What is the start of the plan period? Is it 2014 or for housing need has it been recalibrated to start from 2018?

**Issue 2: Does the Plan set an appropriate housing requirement? [Policy LP1]**

3.9 Is Policy LP1 clear that the housing requirement is the same as the OAN at 4,374 homes over the period 2018-2033? If so, would the housing requirement be justified, effective, positively prepared and consistent with national policy?

3.10 Any there any circumstances that indicate the District’s housing requirement should be other than the submitted evidence of the Objectively Assessed Need or the latest LHN figure?

3.11 References have been made to unmet housing need arising in Derbyshire Dales and Sheffield. Neither authority has made representations on the Plan requesting or identifying unmet needs that should be accommodated in the Borough. If the Plan is found sound on the basis of the SHMAs OAN, is the Housing Market Area (North Derbyshire and Bassetlaw) appropriately defined in the terms set out at PPG paragraph 61-018-20190315?

**Issue 3: Delivering an appropriate mix of housing including affordable forms of housing [Policy LP5]**

3.12 Paragraph 3.19 of the Local Plan sets out that those interested in custom and self-build are not facing significant difficulties accessing sites for development. However, paragraph 3.9 states that opportunities for self-build schemes will be encouraged. How does the plan seek to deliver this?

3.13 Does Policy LP5 provide an appropriate basis for assessing the housing mix of proposed developments?

3.14 With reference to footnote 46 of the NPPF and the PPG sections regarding housing for older and disabled people and housing optional technical standards, would the requirement for accessible, adaptable and wheelchair user dwellings in Policy LP5 be justified, viable and accord with national policy? Would Policy LP5 contain sufficient flexibility in its requirement for accessible, adaptable and wheelchair user dwellings in
3.15 Is the reference ‘subject to site suitability’ within Policy LP5 clear and would it ensure that the policy is effective?

3.16 Does the evidence of need and viability submitted justify the affordable housing requirements set out in Policy LP5? Would the policy be clear and more effective by including the affordable housing requirements for each CIL zone within the policy?

3.17 Does Policy LP5 intend that all affordable housing it secures to be in the form of shared ownership? If so, in its current form, would the policy as written achieve this? Would such a requirement be justified and effective within the context of the wider forms of affordable housing as defined in the NPPF?

3.18 Based on the Council’s evidence regarding an aging population and notwithstanding the support for new registered care facilities offered by Policy LP5, how would the plan make adequate provision for specialist housing for older people?

**Issue 4 – Whether the Plan makes adequate provision to meet the needs of gypsies and travellers and travelling showpeople [Policy LP6]**

3.19 Paragraph 3.24 of the Plan refers to the Designing Gypsy and Traveller Sites Good Practice Guide 2008. This document has been cancelled. As such, is requiring development to consider it justified?

3.20 Paragraph 10.1 of The Housing Topic Paper indicates that the need for gypsy and traveller site allocations has been met. As such, does the preceding text to Policy LP6 require revisions? Is the Hady Lane site (reference T1 in Table 8) an allocation to be shown on the Policies Map or does the site now benefit from planning permission / implementation?

3.21 Should the plan make any provision for travelling show people accommodation and set out what requirements would be applicable for proposals for travelling showpeople accommodation?

3.22 Does criterion a) of Policy LP6 accord with the Planning Policy for Traveller Sites?

3.23 Would a reference to highway safety ensure that Policy LP6 is effective?

3.24 Does criterion i) of Policy LP6 serve a clear purpose and avoid duplication?
3.25 Are there any more details on when the Gypsy and Traveller Accommodation Assessment will be reviewed, possibly as part of a wider assessment of caravan and houseboat needs in accordance with Section 124 of the Housing & Planning Act 2016? What steps would be taken should any review indicate that sites would be required to meet the needs of gypsies and travellers and travelling showpeople?

3.26 The Statement of Common Ground between Chesterfield Borough Council and the Derbyshire Gypsy Liaison Group sets out that across the wider housing market area, the emerging Local Plans do not identify sufficient specific sites to meet the need for pitches. What actions and progress are being taken to address this matter? [also see Q1.11 under Matter 1]

3.27 Has the Equality Impact Assessment of the Plan (document KSD3) considered the effect of the plan on those who by reason of race and ethnicity identify as gypsies and travellers?

Matter 4 – Planning for the economic prosperity of the Borough including employment sites and town centres

Issue 1: Whether the plan provides a clear economic vision and strategy to build a strong, competitive economy [Policy LP7]

4.1 Does the Plan set out a clear economic vision and strategy for the area which positively and proactively encourages sustainable economic growth and is flexible to needs not anticipated in the Plan (NPPF para 81)?

4.2 Does the Plan recognise and seek to address potential barriers to economic investment (NPPF, paragraph 81)?

4.3 Is the approach to future jobs in the Plan soundly based and aligned to the Council’s Growth Strategy 2019-2023 and both the Sheffield City Region and Derby and Derbyshire and Nottingham and Nottinghamshire Local Enterprise Partnership (D2N2) Local Enterprise Partnership’s Strategic Economic Plans?

4.4 Are there specific clusters or networks of businesses that the Plan should provide for (NPPF, paragraph 82)? If so, does the submitted Plan provide a positive and supportive policy framework?

4.5 What is the North Derbyshire Growth Zone (para 2.7 Employment Land Topic Paper) and does the submitted Plan appropriately respond to it?

4.6 Does the Plan appropriately respond to Sheffield City Region SEPs identification and the D2N2 SEPs prioritisation of the A61 Corridor through the Borough as a location for jobs growth?
4.7 Is the economic potential of the HS2 spur to Sheffield appropriately reflected in employment forecasts or is this a matter for plan review as and when certainty develops about the project and its timeframe?

**Issue 2: Employment land to meet anticipated needs over the plan period**

4.8 Is the Plan justified and effective in providing for 51.63 ha of employment land over the plan period? Would this provide a sufficient supply to meet projected employment land requirements?

4.9 Does Policy LP7 represent an effective policy to provide 44ha of new employment land as per the Plan’s strategic objective S6? Is it clear where and how an additional “new” 44ha of employment land will be provided? Is the 44ha a minimum figure?

4.10 Is there an up-to-date review of employment land or other evidence to demonstrate that land identified under Policy LP7 has a reasonable prospect of coming forward to meet employment needs? The Plan at paragraph 4.8 references a 2018 Employment Land Study – does this exist and if so, should it be an evidence document to the examination?

4.11 Have the proposed employment sites, and any potential alternative sites, been assessed through the LAA and Sustainability Appraisal processes?

4.12 Policy LP7 refers to “established employment areas” as shown on the Policies Map. Are these the lilac areas attributed to Policy LP7? What are “established employment areas” – are they lawful long-established employment sites, undeveloped sites with planning permission for employment areas, previously allocated employment that has been rolled forward from the Core Strategy or a combination of all these sources?

4.13 In addition to Policies SS2, SS4 and SS5 does the Plan allocate any new parcels of employment land within the 27.33ha listed at Table 9 of the Plan? (Appendix 1 of the Employment Land Topic Paper (2019) describes the land parcels without planning permission in Table 9 as “allocations”).

4.14 The plan at Policy LP7 supports light and general industrial within established employment areas “and at areas at Markham Vale, the Staveley & Rother Valley Corridor and the Chatsworth Road Corridor”. Are Policies LP7, SS4, SS5 and SS2 clear on scale, location and any development management issues of potential employment areas at these strategic sites?

4.15 Is there an employment land trajectory that forecasts where and when supply will come forward?
**Issue 3 – Is the strategic employment role of Markham Vale and Staveley & Rother Valley appropriately reflected in the Plan?**

**Markham Vale (Policy SS4)**

4.16  Is the Plan’s approach to Markham Vale (Policies LP1, LP7 and SS4) consistent with the strategies and funding schedules of the LEPs?

4.17  Through Local Plans, the Enterprise Zone status and any wider master-planning is there a co-ordinated and agreed approach to the wider Markham Vale location? Are there consistent cross-boundary allocations for employment development?

4.18  What is the strategy for Markham Vale in the Plan – is it to protect/support what has been developed and facilitate new development on the remaining smaller parcels of land? Has there been an exploration, through the Land Availability Assessment or Employment Land Study, of any reasonable alternative options to potentially expand the SS4 site? Does the Seymour Link Road offer potential additional phases of the site within the Borough?

4.20  Pages 9-10 at Appendix 1 of the Employment Land Topic Paper (2019) show land “allocations” remaining at Markham Vale including 2.6ha at Impala Estates (as per Local Plan Table 9). What is the total remaining balance at Markham Vale and is this an appropriate land quantum to support the strategic employment role of this site? Appendix 1 of the Employment Land Topic Paper identifies “allocations” land at East and North Markham Vale totalling 2.7ha – does this partly account for the 5.2ha with planning permission in Table 9 of the Plan?

**Staveley and Rother Valley (Policy SS5)**

4.21  Is the site anticipated to contribute to the 44ha of “new” employment land planned over the plan period and is the figure 2ha as presented in Table 9 (for Staveley Works Corridor) anticipated within plan period? The figures of 10ha for the Works Road area and 30ha at the Hall Lane area in Policy SS5 appear to be in addition to the supply presented at Table 9, is this correct (reflecting the long-term nature of the site)?

4.22  Is the potential HS2 Infrastructure Maintenance Depot to be considered part of the strategic employment offer of the site and as part of the 44ha of ”new” employment land for the plan period? Is the 4ha calculated at Table 9 of the Plan for the HS2 depot a reasonable figure?

4.23  The submitted plan refers to the intricacies of safeguarding land for the HS2 depot in combination with delivering employment land. Is this a matter of site layout and detail that can be resolved through a
masterplanned approach or future plan review without affecting the soundness of the submitted plan?

**Issue 4: managing employment development across the District [Policies LP7 and LP8]**

4.24 Does Policy LP7 strike an appropriate balance between the protection of employment sites and flexibility for other uses and/or redevelopment in some circumstances?

4.25 Is Policy LP7 justified and consistent with national policy in seeking a local preference towards recruitment, training and procurement on all major development proposals?

**Issue 5: Ensuring the vitality of Town Centres [Policies LP9 and LP10]**

4.26 Could the Council please provide further details of which sites are existing commitments, have planning permission or are new allocations in the tables of convenience and comparison retail supply (Tables 12).

4.27 Would the Plan enable the latest identified requirement for net additional convenience and comparison retail floorspace to be met through a range of suitably located sites, including into the longer term (the minimum ten years ahead set out at NPPF paragraph 85)?

4.28 Should the last sentence of the first paragraph of Policy LP9 read ‘be of an appropriate scale’? Would use of the word ‘supported’ be more appropriate in the second paragraph of the policy rather than ‘...cultural and tourism facilities will be encouraged’?

4.29 Policy LP 9 lists a number of main town centre uses that it will encourage. Criteria a) – f) apply to main town centre uses other than A1 retail. Are these two elements of the policy consistent and reasonable? For example, an office development would receive support from the policy, but as part of addressing criteria a)-f) would have to contribute to a well-used environment in the evening, cater for a diversity of leisure and cultural attractions and events, and contribute to an appropriate mix of licensed premises. Would the main town centre uses identified by Policy LP9 be consistent with the definition of main town centre uses set out in the NPPF?

4.30 Is the reference to ‘overwhelm’ in criterion a) of Policy LP9 sufficiently clear to ensure the policy is effective? Would use of the word ‘vitality’ within criterion d) capture what the Council seeks to achieve?

4.31 Would Policy LP9 provide sufficient flexibility and allow a suitable mix of uses in accordance with paragraph 85a) of the NPPF and Paragraph: 001 Reference ID: 2b-001-20190722 of the PPG?
4.32 Following the grant of planning permission for housing, should the LP9 designation cover land on Goyt Side Road?

4.33 Is the need for a retail impact assessment within Policy LP10 clear and consistent with national policy, particularly as it is required for new retail proposals within (Inspector emphasis) town and district centres?

4.34 Are the distance and size thresholds set out for Retail Impact Assessments in Policy LP10 justified and in accordance with the NPPF and PPG Paragraph: 015 Reference ID: 2b-015-20190722? As the NPPF contains a different size threshold, does the reference within Policy LP10 to ‘in accordance with the NPPF’ ensure that the policy is clear? Is the policy clear for when a Retail Impact Assessments should be applicable for development falling outside the distances and sizes it prescribes?

Matter 5 – Proposed Site Allocations - Housing Sites and Strategic Sites

Issue 1: Whether the proposed housing allocations will deliver sustainable housing development to meet identified needs. [Policy LP4 and SS Policies]

a) Baseline evidence

5.1 The Housing Topic Paper (TP1) refers to The Housing Land Supply Statement (April 2019). Could a copy of this please be provided? Appendix 3 of TP1 list a number of site statements: could copies of these please be provided to the examination?

b) Soundness of Policy LP4

5.2 With reference to Policy LP4 criterion a), to ensure the policy is effective and clear, should ‘built up area’ be defined?

5.3 The last paragraph of Policy LP4 sets out what would be required of proposed residential development should the Council be unable to demonstrate a five-year housing supply. Would this approach ensure the policy is effective and consistent with paragraph 11 of the NPPF?

c) Soundness of Sites H1-H36 presented in Table 4

5.4 In the context of the constraints and mitigation measures identified within the evidence base, are each of the housing allocations in Table 4 of the Plan soundly based, viable, and deliverable in accordance with the proposed housing trajectory (See TP1 appendix B) and the site capacities as anticipated? Where relevant, an update on the planning status of the sites should be provided.
5.5 Do the site areas and anticipated housing numbers presented in Table 4 correlate with the underpinning evidence including the helpful Site Allocation Conclusion Summaries document (examination document KSD23)? For example different figures arise for sites H32 (site area), H35 (site area and capacity). Can any differences be explained or require modifications to the Plan?

5.6 Is it clear to those using the plan that those H sites in Table 4 that also fall within allocated regeneration areas would also be subject to the requirements in Policy RP1 (for example masterplanning)?

5.7 Are there any proposed housing allocations in Table 4 that require specific policy to address site-related issues? Particularly larger sites, constrained sites or sites in multiple ownerships? Is the approach in Table 4 consistent with the PPG 61-002-20190315 which requires when plans are allocating land that “....sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.” Should Table 4 set out the anticipated rate of development for these sites to illustrate their contribution to the housing trajectory?

d) Soundness of housing provision at Sites SS1-SS7

The SS policies should be clearly written, ensure that the allocations are viable, justified, consistent with national policy and effective. The following questions are guided by these principles.

5.8 In the context of the constraints, mitigation measures and infrastructure requirements identified within the evidence base, are each of the SS allocations soundly based, viable, and deliverable in accordance with the proposed housing trajectory (See TP1 appendix B) and the site capacities as anticipated?

SS1 – Chesterfield Town Centre

5.9 What is the planning status of the 2015 Town Centre Masterplan referred to in paragraphs 11.4-11.6 of the Plan?

5.10 Policy SS1 states that planning permission will be granted for development that contributes towards criteria a) – i). As read, this would imply that any other material planning harm that falls outside of this criteria would not prevent planning permission from being granted. Would it be more appropriate to state that proposals that meet these criteria would receive support?

5.11 Should Policy SS1 require consideration of the effect of development on archaeological matters in the context of the area including the Historic
Town Centre Core. Policy SS1 sets out that planning permission will be granted for new residential development between St Mary’s Gate and the A61, subject to the re-provision of any public car parking lost elsewhere within or closely related to Chesterfield Town Centre. Is this the only requirement for such a proposal to receive planning permission? Could the Council please clarify what is meant by the re-provision of public car parking? As written, it would imply that any proposal could have to replace any public car parking lost elsewhere or closely related to the Town Centre. If this is the case, is this reasonable, justified and likely to ensure residential development is deliverable within the SS1 area?

5.12 Would the total cost of the infrastructure requirements and developer contributions sought in Appendix A for SS1 impede the delivery of development the policy seeks to promote? A number of the infrastructure requirements do not include cost estimates; are the Council in position to set out the likely cost of these?

5.13 Would Policy SS1 criterion i) be consistent with Policy LP9? Within the policy, is it necessary and justified to include the paragraph about the requirements of Policies LP9 and LP10?

5.14 Given paragraph 11.7 of the Plan sets out that the Council no longer seek to progress the development of the Northern Gateway scheme, is its inclusion within Policy SS1 for safeguarding justified?

5.15 Is the status of the diagram on p92 of the Plan clear? Is it an Inset Map to be considered as part of the Policies Map?

**SS2 – Chatsworth Road Corridor**

As we await a map to show the precise location and geographical extent of this allocation, further questions could follow in relation to this site.

5.16 Policy SS2 criterion e) seeks development to contribute towards the improvement of identified transport and highway issues: is it clear how development is expected to satisfy this criterion (what is required)?

5.17 Policy SS2 sets out that outside the defined district centre, development will be focussed on new housing and compatible uses. What would comprise a ‘compatible use’?

5.18 Would the total cost of the infrastructure requirements and developer contributions sought in Appendix A for SS2 impede the delivery of development the policy seeks to promote? A number of the infrastructure requirements do not include cost estimates; are the Council in position to set out the likely cost of these?
5.19 Neither Policy SS2 or Table 4 to Policy LP4 identify an anticipated housing capacity; would the inclusion of an indicative housing figure ensure that the policy is clear and effective?

SS3 – Chesterfield Waterside

5.20 Is the total cost of the infrastructure requirements and developer contributions sought in Appendix A for SS3 reasonably accurate and would they impede the delivery of development? A number of the infrastructure requirements do not include cost estimates; are the Council in position to set out the likely cost of these?

5.21 Is Policy SS3 (including the area allocated in the policies map), paragraph 11.15 and page 98 of the Plan reflective of the planning permission at the site? Are there any updates with development and planning applications at the site?

5.22 With reference to Policy SS3 criterion c), should the policy set out any additional specificity on what an appropriate mix of uses should be?

5.23 The policy refers to proposals coming forward in accordance with an ‘approved masterplan’. Was that agreed as part of the 2011 outline consent or is this a separate process or document that remains to be prepared?

5.24 Given the Council acknowledge that growth in the north of the borough, and large sites including Chesterfield Waterside has been lower than anticipated (see Duty to Cooperate Statement KSD5 page 69), would SS3 deliver as anticipated in the housing trajectory?

SS5 – Staveley and Rother Valley

5.25 The Housing Topic Paper sets out that 100 dwellings from the Staveley and Rother Valley Corridor are included in the latter stages of the plan period. Table 4 of the Plan includes 150 dwellings from the SS5 allocation whilst paragraph 3.7 of the Plan states supply from this site has not been included in the supply. Could the Council please clarify this matter.

5.26 The Viability Study has applied a clean-up cost of around £50,000 per dwelling at the SS5 site and concludes this renders the site unviable without public subsidy. What are the reasonable prospects of funding to de-contaminate and remediate the site? How would the HS2 project potentially affect the viable re-development of the site?

5.27 Policy SS5 sets out a number of other infrastructure requirements. In such circumstances, is the site viable, developable and is there a reasonable prospect and sufficient lead-in times to secure the strategic infrastructure necessary to unlock a sustainable pattern of growth? What
effect would other policy requirements have on site viability, for example adaptable and accessible housing (Policy LP5), percent for art (Policy LP21 and charging points for electric vehicles (Policy LP23)?

5.28 Is the total cost of the infrastructure requirements and developer contributions sought in Appendix A for SS5 reasonably accurate and would they impede the delivery of development? A number of the infrastructure requirements do not include cost estimates; are the Council in position to set out the likely cost of these?

5.29 What effect would the Chesterfield Staveley Relief Road (CSRR) and the HS2 depot have on the number and timing of housing delivered at the SS5 site? Is the CSRR the mitigation to the site access constraints identified at paragraph 11.22 of the Plan?

5.30 What is the progress on HIF bid for the CSRR?

5.31 What is the progress on a full business case and any planning application for the CSRR?

5.32 What work has been undertaken to establish the effect contamination and unstable land would have on site capacity?

5.33 The Council’s Site Allocation Conclusions Summaries document (examination ref KSD23) states that mitigation is required for air pollution. Should Policy SS5 include a requirement for this mitigation? If so, what implications would this have on site viability and deliverability?

5.34 It is stated that ‘planning permission will be granted’ under the various ‘character area’ headings within Policy SS5. As the considerations listed are unlikely to be exhaustive, should these sections of the policy be reworded for clarity?

5.35 In the absence of a masterplan how have the character areas been identified? Should they be indicated on a map? What is the status of the site layout plan for SS5 on page 107 of the Plan?

5.36 Policy SS5 criterion ii) refers to ‘specific planning application traffic’. Would ‘traffic associated with the proposed development’ be clearer?

5.37 Policy SS5 Lagoon Character seeks the provision of retail units of a specified size. To ensure consistency with Policies LP9 and LP10 and the proposed local centre status, is it necessary to set out the overall size area of retail use sought at the site?

5.38 Is there sufficient clarity in the second bullet point for the Hall Lane Character Area? Is it 30 ha of B1/B2 and B8 or the HS2 depot, or both?
SS6 – Land at Dunston

5.39 Paragraph 11.30 of the LP sets out that planning permission is in place on land to the west of Dunston Lane. Are there any updates on the planning status of the wider SS6 site?

5.40 The Statement of Common Ground with DCC Highways identified that “the main difference” between Core Strategy and Local Plan from a highway modelling perspective is the proposed strategic allocation at Dunston (SS6). There is current work being carried out as a result of the granting of planning permission for the first phase of the Dunston scheme to ensure that there is sufficient mitigation for the whole development. What assurances are there that the additional growth proposed at Dunston will not result in a severe impact on the highway network for all users? Is Policy SS6 justified and effective in relation to securing necessary transport mitigation?

5.41 Policy SS6 bullet point one refers to ‘access arrangements’. To ensure the policy is effective and clear, should it require that access arrangements are acceptable?

5.42 The site is within 500m of heritage assets, should Policy SS6 require consideration of this?

5.43 Would the total cost of the infrastructure requirements and any developer contributions necessary impede the delivery of site SS6? No cost estimates have been provided for infrastructure requirements; are the Council in position to set out the likely cost of any that are necessary?

SS7 – Chesterfield Railway Station and Station Arrival

5.44 Are there any updates to the development of the Town Centre Masterplan as referred to in paragraph 11.36 of the LP? Would this be the approved masterplan/development framework referred to in Policy SS7?

5.45 Policy SS7 states that planning permission will be granted for development that meets criteria a)- h). As the considerations listed are unlikely to be exhaustive, should this section of the policy be revised for clarity? Should criterion i) contain any text?

5.46 Should Policy SS7 include reference to archaeology considerations and ensure that development provides inclusive access?

5.47 Is the total cost of the infrastructure requirements and developer contributions sought in Appendix A for SS7 reasonably accurate and would they impede the delivery of development? A number of the infrastructure requirements do not include cost estimates; are the Council in position to set out the likely cost of these?
**Issue 2: Whether the Regeneration Priority Areas are justified and deliverable [Policy RP1]**

5.48 Is Policy RP1 clearly written, justified, consistent with national policy, effective and would it ensure that development is deliverable?

5.49 Would Policy RP1 ensure that the infrastructure effects of development within the Regeneration Priority Areas (RPAs) are appropriately mitigated?

5.50 Why are the housing numbers given for some RPAs different to the total number of dwellings for housing allocations set out in Policy LP4? For example, Policy RP1 expects development within Barrow Hill to deliver 50 new homes whilst housing allocation H20 anticipates 35 new homes, and Policy RP1 expects Duckmanton RPA to deliver 400 new homes whilst housing allocations H26 and H34 would deliver a total of 435 homes.

5.51 Policy RP1 anticipates that the Mastin Moor RPA would deliver 400 new homes, which corresponds with the 400 homes anticipated from allocation H35. However, in the context of the total site area for H35 and the planning application history at the site, is the expected number of houses set out accurate and appropriate?

5.52 In 2015 modelling was done to support the Staveley and Rother Valley Corridor proposals which also included potential growth of up to 650 dwellings at Mastin Moor. Does this evidence indicate a need for any site specific policy for highways infrastructure (on or off site) for the 400 dwellings proposed at Mastin Moor through Policy RP1?

5.53 Does Policy RP1 expect a master planned approach for all planning applications submitted within the RPA boundary? If so, this could apply to smaller development proposals; is this reasonable and justified?

5.54 Should there be cross-references in Policy RP1 to the housing allocations made through Policy LP4?

5.55 In certain circumstances, subject to landscape, infrastructure and highways impacts, Policy RP1 allows the level of housing growth for each RPA to be exceeded. Is this aspect of the policy clearly written, justified and appropriate? Generally, are the housing numbers for the RPAs to be considered minimum figures?

5.56 Should Policy RP1 require consideration of the cumulative effect of development proposals within the RPAs on the wider highway network and provision any necessary mitigation work?
Matter 6 – Housing Land Supply

We will need to reach a conclusion on whether the Plan’s housing requirement of 4,374 dwellings (Policy LP1) is sound. However, without prejudice to that main issue and working on the assumption that it is soundly-based:

6.1 What is the housing land supply position as of 1 April 2019? – was this updated as part of housing topic paper?

6.2 How many homes have been completed since the start of the plan period and what definition/methodology of “completion” has been applied?

6.3 Does the Plan illustrate the expected rate of housing delivery through a trajectory and set out a housing implementation strategy describing how a five year supply will be maintained (NPPF paras 73, 74 and 75)? On submission, the Plan does not contain a housing trajectory. Does Appendix 2 of the Housing Topic Paper (June 2019) present a sound trajectory?

6.4 In general terms completions since 2011/12 (a period of relative economic stability) have been averaging around the 150 dwellings per annum mark, notwithstanding a 2013 Core Strategy and evidence that the Council has permitted schemes in the absence of a 5-year housing land supply. Against this background is the housing topic paper trajectory realistic to forecast a significant increase in delivery, peaking at 800 dwellings per annum in 2022/23?

6.5 Is the plan’s submitted provision for a supply buffer of some 20% above the figure of 4,374 set out in Policy LP1 justified, effective and positively prepared?

6.6 In applying the NPPFs definition of deliverable, would there be a deliverable supply of housing for at least five years upon plan adoption? Does the Plan strike the right balance between providing sufficient sites for genuine, early choice and competition for the housing market, including smaller sites, whilst maintaining focus on larger, strategic brownfield and regeneration sites?

6.7 Noting Appendix 3 of the Housing Topic Paper, what intelligence from developers or key assumptions have been applied to inform the housing trajectory in the Housing Topic Paper? In particular: (i) any necessary master-planning; (ii) timeframes for the grant of detailed planning permissions; (iii) timelines for the discharge of conditions; (iv) lead-in times for developers to be on-site including infrastructure contingencies; (v) number of outlets per site; and (vi) annual completions per outlet.
6.8 Are any main modifications necessary for soundness to update the housing trajectory and provide accompanying text which clearly explains the key components of the trajectory and how a deliverable land supply is to be calculated (for example: approaches to dealing with any shortfalls and past-delivery, projections for windfall, and any allowances for non-implementation)?

6.9 The Local Plan housing supply has no reliance on windfall sites. Is that a justified approach in light of the evidence at Appendix 4 of the Housing Topic Paper (June 2019)?

6.10 The Housing Topic Paper identifies the Council’s preference for dealing with any shortfall in housing delivery to date would be to recover performance over the plan period (the Liverpool method). Would this be a justified and effective approach?

6.11 What would be the implications for housing land supply were the plan period extended to provide a 15-year strategic policy framework on plan adoption? The Council’s Soundness Assessment (document KSD13) states at page 6 that there is additional delivery on strategic sites for the final 2 years of the plan period to take it to 15 years from adoption (2020) as required by the NPPF.

6.12 Paragraph 3.8 of the Plan sets out that the Council will take action if monitoring is unable to demonstrate a supply of deliverable housing sites’. What would this action entail? Is it clearly presented in the monitoring and review framework (document KSD10)?

**Matter 7 – Development Management Policies**

*Issue 1: protect and enhancing the natural and historic environments [Policies LP14, LP15, LP17, LP19, LP20, LP22 and LP23]*

The cited individual policies should be clear, justified and consistent with national policy and effective. The following questions are guided by these principles.

7.1 To accord with the NPPF, should the opening sentence of Policy LP14 also ensure that that flood risk is not increased elsewhere and should criterion b) seek to reduce flood risk?

7.2 What is the purpose of the reference to ‘or water resources’ within criterion a) of Policy LP14? Under ‘Improving the drainage network’, what is meant by ‘make space for water across the whole borough’?

7.3 Policy LP14 seeks to incorporate Sustainable Drainage Systems into all relevant development, unless it can be demonstrated that this is not appropriate in a specific location. What is meant by ‘relevant
development’? Is this requirement clear, justified and in accordance with the NPPF?

7.4 Policy LP14 requires development to meet the optional Building Regulation water standard of 110 litres per occupier per day. What evidence does the Council have to support this requirement? Would this requirement be based on clear local need and consideration of viability in accordance with guidance on water efficiency standards set out in the PPG?

7.5 Is it reasonable and necessary for Policy LP14 to require development to demonstrate that water is available to support it?

7.6 Paragraph 7.2 of the Plan identifies an Air Quality Management Area (AQMA) at Church Street Brimington, and that an Air Quality Action Plan is being drafted. Has the Council any updates in this respect? What are the likely consequences of the Action Plan for the Local Plan?

7.7 Policy LP15 requires all developments to have an acceptable impact on the amenity of users or adjoining occupiers, taking into a number of factors, which includes reference to tranquillity and appearance (Inspectors’ emphasis). The word ‘or’ implies that development need only have an acceptable impact on either users or adjoining occupiers and not both; is this the intention? Are references to ‘tranquillity’ and ‘appearance’ clear? Would references to ‘disturbance’ and ‘outlook’ be more precise?

7.8 Would reference within Policy LP15 to ‘not normally’ permitting development that would make any AQMA ‘materially worse’ offer sufficient protection for air quality and accord with paragraph 181 of the NPPF?

7.9 Policy LP15 would require all development on the best and most versatile agricultural land to include realistic proposals for the protection and use of soil resources in line with ‘accepted best practice’. In the interests of clarity, should the best practice document envisaged be identified?

7.10 Would Policy LP15 criterion a) relating to soil and agricultural land quality be consistent with Policy LP2 criterion b)? Is Policy LP15 criterion c) justified and in accordance with NPPF footnote 53?

7.11 To ensure effectiveness and clarity, under Unstable and Contaminated Land, is the reference in Policy LP15 criterion b) to ‘any full and reserved matters planning applications’ necessary? For example, a phase II study and strategy could be submitted at outline stage or could be required by a planning condition.

7.12 Is it appropriate and justified that bullet point 1 of Policy LP17 refers to the protection, enhancement and management of ‘species’ rather than specifying that it applies to protected and priority species?
7.13 In relation to land at Staveley Basin, the last paragraph of Policy LP19 sets out that planning permission will be granted for development that delivers a number of requirements (Inspectors’ emphasis). As other consideration may also be applicable, would it be more appropriate to set out that the policy will support development that delivers these requirements? Who would be responsible for delivering the master plan for this site?

7.14 Similar to the point above, Policy LP20 sets out that ‘Planning permission will be granted for proposals that result in the removal or enhancement of existing weirs...’ (Inspectors’ emphasis). As other consideration may also be applicable, would it be more appropriate to set out that the policy will support development that delivers this?

7.15 Paragraph 7.28 sets out the ecological and wildlife importance of rivers. Does Policy LP20 as written appropriately recognise this?

7.16 Paragraph 8.17 of the LP sets out that the Council is preparing a Local List of Heritage Assets which is expected to be in place by 2017. Are there any updates on this matter? If a local list has been produced, has it been consulted upon and is it intended that it will accord with paragraph 188 of the NPPF and the approach suggested in PPG paragraphs 006 Reference ID: 18a-006-20140306 and 041 Reference ID: 18a-041-20140306? Would this list include important archaeological sites as referred to at criterion e) of Policy LP22?

7.17 Would Policy LP22 be effective and consistent with national policy? In particular and with reference to paragraphs 193-196 of the NPPF, should Policy LP22 set out that great weight is afforded to the conservation of assets, and detail the assessment required when substantial or less than substantial harm to the significance of designated heritage asset occurs? Is the approach of Policy LP22 to non-designated heritage assets (including the requirement set for any justified replacement development) justified and consistent with national policy?

7.18 Is the last paragraph within Policy LP22 regarding the justified loss of heritage assets consistent with national policy?

7.19 Criterion g) of Policy LP22: is it justified that it applies to all development proposals within the Town Centre Historic Core? For example, would it apply to a proposed change of use? Criterion f) of Policy LP22 refers to a number of places: what planning status do each of these have?

7.20 Is Policy LP23 consistent with national policy? In particular, are the requirements of providing certain improvements and highway network optimisation as set in Policy LP23 criteria c) and d) early in the build out periods of new development justified, reasonable, based on viability considerations, and consistent with national policy, including paragraphs
55 and 56 of the NPPF relating to the tests for planning conditions and obligations? Would criteria e) requiring highway capacity enhancements to deal with residual car demand and the paragraph below starting with ‘the impacts of any remaining traffic growth expected shall be mitigated and..’ be consistent with NPPF paragraphs 108c) and 109)?

7.21 Are Policy LP23 and Appendix C justified, considerate of viability and consistent with national policy in its requirement that all residential proposals with off street parking provision dedicated to individual properties should include provision for charging electrical vehicles on each property? Is this aspect of the policy as written clear in what type of proposals it would apply to? For example, would it apply to an extension to an existing residential property?

7.22 Policy LP23 criterion a): what is meant by ‘intensive travel planning’?

7.23 Should Policy LP23 set out requirements for bicycle parking?

**Issue 2: Whether the Plan will provide appropriate measures to enhance design and construction quality, including open space provision [Policies LP18 and LP21]**

Are the above cited policies clear, justified and consistent with national policy and will they be effective? In particular:

7.24 Paragraph 7.17 of the Plan states that the Parks and Open Space Strategy is under review with a new assessment and strategy being prepared for adoption in 2019. Has the Council any updates in this respect?

7.25 Is the Chesterfield Parks and Open Spaces Strategy and Playing Pitch and Outdoors Strategy underpinning Policy LP18 robust and up to date in the context of paragraph 96 of the NPPF?

7.26 Should the Plan define what comprises an ‘open space’ or cross refer to the definition set out in the NPPF?

7.27 Does Policy LP18 criteria iii) and iv) accord with NPPF paragraph 97?

7.28 Is Policy LP18 clear in that it will not require development to make provision for existing deficits in open space provision?

7.29 Are the 2018 open space assessment and study documents (examination documents EV4 and EV5) ‘draft’ or are they now finalised?

7.30 The Draft Open Space Standards Paper 2019 (examination document EV4) at table 3.4.3 recommends quantity standards, adjusted to avoid double counting in certain typologies. Appendix B of the Plan does not adopt all of these recommended standards. Why is this?
7.31 Criterion a) of Policy LP21 seeks to promote innovative forms: does this requirement accord with national policy? Would it prevent development that would not have an innovative form from coming forward?

7.32 Policy LP21 criterion c) refers to ‘centres’, what is meant by this?

7.33 Is the requirement within Policy LP21 for development to provide a statement that covers the matters detailed at criteria i)-iv) justified and consistent with national policy?

7.34 Would the Percent for Art requirement within Policy LP21 be justified and consistent with national policy, in particular paragraph 56 of the NPPF? Is the reference to ‘value’ in this section clear? For example this could comprise cost, sale or land value. Is the threshold of £1 million and proportion of 1% justified and reasonable?


7.35 Is this policy clear, justified and consistent with national policy and will it be effective?

Matter 8 – Infrastructure Policies, Viability and monitoring the Plan

Issue 1: Whether the Plan makes adequate provision for infrastructure to support sustainable growth and provision and protection of community facilities [Policies LP11, LP12, LP16, LP24 and Appendix A]

8.1 LP11 criterion b) refers to all reasonable efforts to let or sell the unit for the current use over a 12-month period. This type of policy requirement often includes the need the marketing exercise to be continuous, in this case over a 12-month period, that includes advertisement for let or sale at a realistic price. Similar guidance to this is provided in PPG Paragraph: 001 Reference ID: 66-001-20190722. Would inclusion of these additional details assist in ensuring that the policy is effective?

8.2 Policy LP16 criterion a) requires that where appropriate development should not harm the character or function of the Green Belt; is this terminology consistent with the NPPF? Moreover, does the Council intend to define what development comprises inappropriate development in the Green Belt? If not, should the policy cross reference to the Green Belt requirements set by the NPPF?

8.3 Is the expectation that development will make a contribution through obligations towards the establishment, enhancement and on-going management of green infrastructure justified and consistent with national policy?
8.4 Policy LP16 seeks to protect “Local Green Spaces”. Are these Local Green Spaces of the status envisaged by NPPF paras 99-101? Are there any existing or proposed Local Green Spaces in the Borough?

8.5 Is it appropriate and justified that Policy LP16 criterion a) treats the Green Belt, Green Wedge and Strategic Gaps on an equal basis?

8.6 The last sentence of Policy LP16 states that ‘the Council will require with planning applications the submission of ecological surveys and assessments of the biodiversity and geological value of sites proportionate to the nature and scale of the development’. A similar requirement is set out in the last sentence of Policy LP17. Is the intention of these policies that all development proposals would have to provide this information? If so, is this justified and in accordance with PPG Paragraph: 018 Reference ID: 8-018-20190721? If not, are these aspects of the policies justified and effective?

8.7 Are there any updates in relation to the detailed design work being prepared for the proposed Hollis Lane Link Road as cited in Paragraph 9.17?

8.8 With reference to the Infrastructure Study & Delivery Plan – 2019 (document KSD6), is the Plan based on a sound assessment of existing infrastructure capacity and future infrastructure requirements to ensure the plan’s growth would be sustainable? The Study and Delivery Plan post-dates the pre-submission plan that was consulted on. Accordingly, does it generate a need for any main modifications to ensure the Plan is justified and effective?

8.9 What are the critical infrastructure inter-dependencies necessary to ensure sustainable growth over the plan period? Is the Infrastructure Study & Delivery Plan’s categorization of ‘critical’, ‘necessary’ and ‘complementary’ infrastructure justified? How does it relate to the Derbyshire Infrastructure Investment Plan and the Sheffield City Region Infrastructure Investment Plan (SCRIIP)?

8.10 Are those infrastructure elements identified as ‘critical’ (must be delivered for sustainable growth to avoid severe adverse impacts) justified? Is there a reasonable prospect of funding and/or land resources to enable ‘critical’ infrastructure to be in place in a timely fashion to support growth? Is the study justified in highlighting that there are no significant infrastructure ‘show stoppers’ to the delivery of the plan’s growth proposals?

8.11 The DTC Statement (KSD5) references the Derbyshire Infrastructure Plan (DIP) led by Derbyshire County Council in response to Core Strategy 2013 but states that further testing (transport modelling) will be needed for growth proposed in this Local Plan. Does the Plan appropriately reflect known strategic priority transport projects (committed and identified)? Is the plan based on an adequate understanding of the transport impacts of
the proposals in the Plan or is additional work (modelling) required to understand the transport (and associated air quality) impacts on the networks arising from the plan’s proposals?

8.12 Does the 2011/2012 Transport Study remain a justified baseline for this Local Plan? Is it appropriate that updated strategic transport modelling outputs for North Derbyshire will not be available until 2020?

8.13 Does work undertaken since the 2012 Joint Cumulative Transport Study provide sufficient assurance on transport infrastructure and capacity both within the Borough and in adjoining authorities (notably the A616/A619 Treble Bob roundabout) to support growth in the short-medium term? Is this reflected in the statements of common ground with Derbyshire County Council highways and the North Derbyshire M1/Treble Bob roundabout parties?

8.14 The evidence indicates the need for capacity improvements at Junction 30 of the M1 (off-slips in the AM and PM peaks) being a shared issue for various Local Plans. The statement of common ground with Highways England advises that the impacts from the emerging new Chesterfield Borough Local Plan on the M1 are less certain at this stage but will be subject to future transport evidence base work which will be shared with Highways England, Derbyshire County Council and neighbouring authorities as they develop. Is this a justified and effective approach? Is growth in Chesterfield expected to provide a proportional contribution to any junction 30 improvement scheme? Is this appropriately reflected in infrastructure planning for Chesterfield?

8.15 What are the outcomes of the A61 Growth Corridor Strategy and has it yielded funding or project delivery to support the Plan’s proposals? Is there any update on the implementation of >£16million funding for site enabling/capacity improvements along the A61 (SOCG with DCC Highways), the Hollis Lane Link Road, the Whittingham Moor roundabout improvements and key cycle network improvements along the A61?

8.16 The Infrastructure Delivery Plan 2019 identifies the CSRR as critical infrastructure but with a degree of overlap (superseding) with the proposed Northern Loop Road – Phase 2. Can this be clarified – does the Northern Loop Road Phase 2 remain a valid scheme to include in Policy LP24?

8.17 Is there a reasonable prospect of longer-term capacity being secured at Staveley Waste Water Treatment Works to support strategic growth in this Plan? Does capacity at Staveley WWTW inhibit early significant delivery at Staveley and Rother Valley SS5 site and does it affect delivery trajectories at other sites recognising the Infrastructure Study refers to a 1000 dwelling headroom at the works, possibly shared with growth in other authorities?

8.18 Is Policy LP12 a sound approach to securing infrastructure delivery through contributions from development where mitigation is required?
8.19 What is the reasonable extent of any funding gap for infrastructure that is critical or necessary to enable the plan’s proposals to be delivered?

**Issue 2: Sustainable Transport**

8.20 Is the Plan’s approach to HS2 justified? Has consultation on an HS2 informed masterplan for the station area been undertaken or is programmed?

8.21 Does the Plan provide a clear, effective and soundly based strategy to promote sustainable transportation, manage the demand for travel and provide transport infrastructure which is appropriate to the Borough?

8.22 Is Policy LP23 justified, effective and consistent with national policy?

8.23 Is the Plan justified in not identifying or safeguarding former railway land for future use a rail infrastructure and/or as walking and cycling trails? Is there cross-boundary consistency on proposed multi-user trails, particularly in the Markham Vale area? Are such trails protected and supported by Policy LP16? Do existing and proposed trails need to be identified and protected on the Policies Map?

**Issue 3: Plan-wide viability**

8.24 Taking account of the evidence in the Whole Plan Viability Assessment 2018 (WPVA) (document KSD7), would the requirements of the policies of the Plan put the viability of its implementation at serious risk?

8.25 Is the viability study justified in identifying the four value areas?

8.26 Has the assessment of viability made reasonable assumptions on the following:
   (i) threshold land values
   (ii) site typologies tested
   (iii) build costs for the Borough and allowances for economies of scale on larger sites;
   (iv) the cost of optional technical standards including adaptable and accessible dwellings (Policy LP5) and water consumption (Policy LP14)
   (v) the ability of major developments to support a PerCent for Art (Policy LP21)
   (vi) cost of electric vehicle charging points on qualifying developments (Policy LP23)
8.27 Does the WPVA strike the right balance for this Plan, based on the evidence, in moderating affordable housing (up to 20% in Policy LP5) to improve viability for CIL contributions?

8.28 Does the evidence in the WPVA show that, in line with NPPF paragraph 57, the significant majority of allocations in the Plan are viable with an up to 20% affordable housing contribution, CIL and likely site-specific planning obligations thus significantly reducing the need for costly and potentially protracted individual site appraisals at the planning application stage?

**Issue 4: Monitoring**

8.29 Does the Plan contain an adequate framework for monitoring the implementation of its policies? Could document KSD10 (Monitoring and Review Framework) be included as part of the plan through a main modification?

8.30 The Sustainability Appraisal sets out a number of monitoring mechanisms and indicators which could be used to assess environmental effects of the Plan through the Annual Monitoring Report process. Is this reflected in the monitoring framework in KSD10?