Gladman Developments Ltd

Matter 2 Hearing Statement

Chesterfield Local Plan

Examination

Securing a sustainable pattern of development

September 2019
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?

1. In principle, Gladman support the strategic objectives identified specifically S2, S5 and S6 which seeks to deliver a minimum 4374 homes, significant amounts of affordable and adaptable housing to meet identified needs and the provision of 44ha of new employment land. However, Gladman has concerns that the strategic objectives will not be achieved, and these concerns are detailed below.

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. Whilst the principle of the proposed spatial strategy which seeks to concentrate new development within walking distances of centres and the regeneration of areas is a laudable approach, Gladman have very serious concerns that the reliance on such a strategy will not deliver the necessary homes to meet identified needs over the plan period.

3. Indeed, the Council’s evidence base highlights the fact that there is insufficient previously developed land (PDL) available to meet housing needs in full. As such, if the proposed allocations fail to come forward as anticipated then this will leave the Council in a precarious situation in which no further sites are able to come forward unless they are in accordance with Policy LP4 which requires development proposals to be in accordance with a spatial strategy of ‘concentration and regeneration’.

4. In order to ensure the deliverability of the CLP, the Plan must ensure that it allows for flexibility and is supported by an appropriate range of sites in greenfield locations to ensure that there is a flexible and responsive supply of housing land available at all times over the course of the plan period.

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1 See Matter 1 Hearing Statement – Paragraph 1.1.23
5. Notwithstanding the above, Gladman raised a number of matters regarding the principles set by Policy LP3 which include reference to Best and Most Versatile Agricultural Land, PDL and Minerals Infrastructure. These matters have not been raised by the Inspector but Gladman may wish to raise comments on these issues at the Examination in Public.

6. In addition, Gladman have fundamental concerns relating to the requirement that new development should be concentrated to within an inflexible definition of what constitutes ‘walking distance’ to local centres and takes no account of the ability for development to be located within close proximity to key services used by residents or the ability for new development opportunities to provide new services and facilities for existing and future residents. This will be discussed in greater detail below.

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”?

7. Gladman do not consider the proposed Regeneration Priority Areas (RPAs) identified in Policy LP1 are justified in their current form to provide for an appreciable level of growth in these areas to maximise regeneration benefits. The CLP does not seek to allocate specific sites at the RPAs and is instead reliant on designating what appears to be a broad area of search at each RPA to allow for flexibility in securing development with the emphasis on what regeneration benefits can be secured, rather than a site-specific allocation approach. Whilst this degree of flexibility is supported in principle, the reliance on the RPAs without site allocations to deliver significant levels of growth is unsound as there will be uncertainty regarding the level of growth these areas will accommodate (if any). As such, it is recommended that this element of the policy is modified to seek to ‘encourage’ development within RPAs rather than seeking to maximise growth in these areas which may not ever materialise.

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?

8. Gladman do not consider the expectation in Policy LP2 that new residential development is expected to be within 800m walking distance of local district or town centres to be a sound and justified approach.

9. The Inspector’s question is an apt one - much of the existing built-up area and immediate fringes of Chesterfield, Brimington and Staveley (all considered to be sustainable communities) would not meet the 800-metre threshold.

10. The proposed approach results in an onerous requirement and goes beyond the requirements advised in national guidance\(^2\) which highlight that these are only considered to be ‘acceptable walking distances’ and allows for walking distance up to 1200m (elsewhere) and 2000m (commuting/school/sight-seeing). The 800m walking distance referred to only applies to Town Centres and should not be strictly applied to local or district centres which may allow for greater walking distances.

11. Gladman recommend that this policy is modified so that it seeks to ‘encourage’ acceptable walking distances but should also take account of existing and potential services and facilities and the potential for improved public transportation infrastructure in serving development proposals.

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 guidance at PPG paragraph 61-036-20190723?

12. Whilst the PPG paragraph referred to states that there is no need for a plan to directly replicate the wording in paragraph 11 of the NPPF, there is a clear expectation that Plan’s should reflect the presumption in favour of sustainable development which provides for objectively assessed needs and by indicating how the presumption will be applied locally to the relevant circumstances in the borough.

13. Gladman consider that the policy should be modified by setting out a list of criteria relevant to the borough to be included in the policy wording to demonstrate how a localised

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approach will be taken through the development management process to ensure the delivery of sustainable development is achieved over the course of the plan period.
ISSUE 2: IS THE STRATEGIC APPROACH TO GREEN BELT, STRATEGIC GAPS AND GREEN WEDGES SOUNDLY BASED?

[POLICIES LP1 AND LP16]

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?

14. Gladman do not consider the identification of the strategic gaps and green wedges to be consistent with national policy. The policy states that the open character of the Strategic Gaps and Green Wedges will be protected for development in the areas identified.

15. It is Gladman’s view that the identification of Strategic Gaps and Green Wedges unnecessarily limits the availability of land which can be developed in the borough. This would amount to a policy tool that would protect land from development akin to the designation of new Green Belt which the Council considers should not be redrawn as exceptional circumstances do not exist. As such, the implementation of such as policy in its current form prevents any development from coming forward in these locations and fails to take account of paragraph 171 of the Framework which makes clear that plans should distinguish between the hierarchy of international, national and locally designated sites.

16. These locations are well placed to accommodate additional development to meet housing and employment needs. Indeed, Gladman has land interests in Brimington at Land at Newbridge Drive and it is considered that the designation of such a site is unwarranted given the existing natural boundaries provided by the River Rother, Chesterfield Canal and tree lined boundaries, as well as the physical features provided such as the existing railway line located north of the river corridor will help to prevent coalescence from occurring in this location.

2.10 Is the continuation of the principle of strategy 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?

17. Gladman reiterate the concerns above that the strategic gaps and green wedges will inhibit the delivery of sustainable development and limits the choice and availability of deliverable supply of land for development.

18. Gladman do not believe that it is appropriate or justified to continue with the Strategic Gaps and Green Wedges in the manner proposed. The sites were initially identified in a previous era of national policy which took a restrictive stance on development of the countryside and sought to focus development on previous developed land. The aim of this policy designation will act to preclude development to protect the openness of the landscape between settlements. Insufficient guidance in the submission plan is provided to give clarity on what the Council consider would contravene this policy or what forms of development would be acceptable in these locations. The NPPF is clear that only policies that provide a clear indication of how a decision maker should react to a development proposal should be included within the Plan. The continuation of the principle is therefore not considered appropriate. Indeed, the recent appeal decision concerning Land to the north west of Northmoor View Birmingham, allowed on appeal, highlights the fact that development can come forward in such designations which would not result in coalescence.

19. Notwithstanding this, if the policy is to be retained then it must be modified to allow for a balancing exercise to be undertaken which assesses any harm to the visual or functional separation of settlements against the benefits of the proposal rather than seeking to apply a blanket restriction on all forms of development as is currently the case.

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3 PINS Reference: APP/A1015/W/19/3223162