Chesterfield Local Plan Examination

Chesterfield Borough Council Response to
Inspectors’ Matters, Issues and Questions

16th September 2019

Matter 2 - Securing a sustainable pattern of development
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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?

Yes. The 13 strategic objectives are soundly based and reflect key issues, including those key sustainability issues as set out in Table 3.1 of SD3 that are based on an analysis of baseline information. The table below demonstrates how the Strategic objectives relate to the topics considered in the SA Framework.

<table>
<thead>
<tr>
<th>Strategic Objective</th>
<th>Key Sustainability Issue Topic</th>
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<tbody>
<tr>
<td>S1 Minimise greenhouse gas emissions in line with Government targets, increase the use of renewable energy and help the borough adapt to the effects of climate change.</td>
<td>Transport and Accessibility Water Climate Change Material Assets</td>
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<tr>
<td>S2 Provide sites for at least 4374 homes to be built between 2018 and 2033 to meet the housing requirement for Chesterfield borough</td>
<td>Population and Community</td>
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<tr>
<td>S3 Support the growth, vitality and viability of Chesterfield and Staveley town centres and the borough’s district and local centres.</td>
<td>Population and Community</td>
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<tr>
<td>S4 Adopt the approach to flood risk set out by the Government in allocating land for development, so that risk of flooding at existing and new properties is reduced.</td>
<td>Water</td>
</tr>
<tr>
<td>S5 Deliver significant amounts of affordable and adaptable housing to meet identified needs.</td>
<td>Population and Community</td>
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<tr>
<td>S6 Provide 44 ha of new employment land between 2018 and 2033</td>
<td>Population and Community</td>
</tr>
<tr>
<td>S7 Promote a net gain in biodiversity and protect and improve the borough’s key green infrastructure assets and landscape character</td>
<td>Biodiversity and Green Infrastructure Health and Wellbeing Landscape Land use, Geology and Soil</td>
</tr>
<tr>
<td>S8 Ensure that new development is designed to a high standard that promotes architectural quality, energy efficiency, protects and enhances the boroughs historic environment, and reflects local distinctiveness.</td>
<td>Water Climate Change Cultural Heritage Material Assets</td>
</tr>
<tr>
<td>S9 Tackle traffic congestion, improve air quality, secure strategic improvements to the transport system in the borough and enable healthier and more sustainable transport choices.</td>
<td>Health and Wellbeing Transport and Accessibility Air Quality</td>
</tr>
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<td>S10 Ensure that all development is supported by appropriate and inclusive infrastructure provision.</td>
<td>Transport and Accessibility</td>
</tr>
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</table>
Table 5.1 of SD3 sets out the results of a compatibility assessment between the SA objectives and the vision and strategic objectives in the Plan. None of the Local Plan objectives have been assessed as being incompatible with all of the SA objectives whilst compatibilities have been identified against each SA objective.

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?

Yes, the council has demonstrated that the strategy will deliver the required levels of housing and employment growth, whilst addressing the most pressing regeneration sites and issues in the borough in accordance with paragraphs 117 and 118 of the NPPF. The focus on concentrating development within walking distance of centres is in accordance with NPPF paragraphs 102 and 103.

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).

Yes. As noted in response to questions under Matter 1, the strategy of growth in the east of the borough has been subject to extensive consultation and joint evidence base as part of the Core Strategy, and subsequently during preparation of the new Local Plan. The RPAs were reviewed as part of the preparation of the Draft Local Plan following the release of new data on multiple deprivation. The 2015 Indices of Multiple Deprivation data (EV2) confirmed that the existing RPAs remained appropriate. Derbyshire County Council commented that the ‘continued identification of Regeneration Priority Areas is fully supported’ (see paragraph 1.2 of the representation from Derbyshire County Council. The Council acknowledge that the representation from DCC was late and
therefore not duly submitted. The comments are a repeat of those made at the 2017 Draft Local Plan stage and are considered to be relevant).

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?

Manual for Streets 2 refers to a preferred walking distance of 800m for walkable neighbourhoods (paragraph 4.4.1 on page 45). As part of the LAA process the council mapped an 800 metre threshold around centres (the map has been submitted along with this response for clarity). This showed that the majority of the borough’s built up area was within an 800m threshold of the centre (although it should be acknowledged that the map did not take account of the suitability of specific routes or features that may reduce the attractiveness of walking such as physical barriers or topography).

It is recognised that there is a risk that incorporating the threshold into policy could result in otherwise sustainable previously developed sites within the urban area not being favoured. The council would be prepared to consider modifications to policies LP1 and LP2 that removed the specific reference to 800m and replaced it with reference to creating walkable neighbourhoods which would be more in line with the NPPF paragraphs 91, 102 and 103).

The council will be updating its ‘Successful Places’ residential design SPD (as a join project with Bolsover and North East Derbyshire Districts) in the next few months and this provides further guidance on producing walkable neighbourhoods.

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?

The Council agree that the policy can be removed without the Plan being unsound and will prepare a main modification accordingly.

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?

The plan does contain some minor changes to the Green Belt boundaries, to fix anomalies (including those arising from OS positional accuracy updates) and ensure that boundaries are clearly defined by permanent physical features:

- The boundary between Netherthorpe and Mastin Moor, which previously followed the alignment of a County road proposal (that has since been dropped), has been amended to follow the nearest established hedgerows.
- A minor change at Barrow Hill to ensure the boundary follows a property boundary.
- A minor change at Hasland to ensure the boundary follows and established hedgerow forming the curtilage of a property rather than dividing the property.

The plan comfortably meets the required housing need over the plan period without the need for Green Belt changes, and is unlikely to require changes beyond this period.

The council is confident that, other than these minor changes, the boundaries meet the requirements of NPPF paragraph 139 i) to iii).

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?

Yes, the Council consider that the Policies are adequate when applied in combination with those contained in the NPPF.

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?
Yes the Local Plan boundaries will form part of a contiguous and coherent Green Belt. It does not give rise to any soundness issues as the North East Derbyshire Local Plan does not include any green belt releases adjacent to the boundary of Chesterfield Borough.

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?

Yes. The approach to Strategic Gaps and Wedges is considered to follow the guidance in the NPPF (particularly paragraphs 8c, 9, 20d, 170 and 171). The Inspector in recent appeal decision (APP/A1015/W/19/3223162) noted that ‘the general principle of strategic gaps might well be consistent with the aims of the Framework to promote local distinctiveness’.

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?

Yes. The Strategic Gaps and Green Wedges are an integral component of the overall Spatial Strategy. The designations do not inhibit sustainable development as there is sufficient land in sustainable locations close to existing centres and within Regeneration Priority Areas to meet development needs.

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?

Yes. The ARUP report provides a robust and consistent basis/methodology on which to determine the delineation of the strategic gaps and green wedges. The methodology was subject to consultation with Derbyshire County Council Conservation and Landscape. A recent appeal decision referred to the ARUP report as a ‘detailed report whose methodology is complaint with current best practice’ (Appeal Ref: APP/A1015/W/19/3223162)

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?

The demarcation of the submitted Strategic Gap between Brimington and Tapton was required by the council Local Plan Steering Group in response to community objection and development pressure in this location. Planning permission for 150 dwellings has subsequently been granted within part of this area following an appeal against the refusal of permission. The Council expects to put forward a modification showing a revised Strategic Gap in this location.

In addition to the Brimington Strategic Gap, there are also four other locations where the boundary on the submitted plan does not precisely match the 2016 Arup Report:

- **Lowgates, Woodthorpe, Netherthorpe and Mastin Moor Strategic Gap** – A minor change to the northern boundary to avoid overlap with the revised Green Belt and to follow a clear feature on the ground (well established hedgerow).

- **Ringwood and Hollingwood Strategic Gap** – The site now forming part of the Wildgoose Homes housing site (LAA site 259) was excluded from the Gap by Arup on the basis of the existing planning consent. At the time of preparing the submission policies map it was expected that this permission would lapse and the boundary was brought east to Bevan Drive to match land to the north and south. However reserved matters has since been granted for the Wildgoose Homes Development. This is the subject of commentary under Issue 2.13 and a proposed modification is suggested to bring this boundary back to that set out in the Arup report.

- **There is also a minor variation on the western boundary of the Gap to align the boundary with the curtilage of the farm buildings. This is the subject of representations from Chatsworth Settlement Trustees.**

- **Holme Hall and Newbold Green Wedge** – Land north of Loundsley Green Road has been added to create a linking feature between Holmebrook Valley Park and the Ashgate Plantation Local Nature Reserve via the Green Wedge to encourage the linking of habitats.

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?**

The site now forming part of the Wildgoose Homes housing site (LAA site 259) was excluded from the Gap in the 2016 Arup study (EV16) on the basis of the existing planning consent. At the time of preparing the submission policies map it was expected that this permission would lapse and the boundary was brought east to Bevan Drive to match land to the north and south. However reserved matters has since been granted.
for the Wildgoose Homes Development. It would now be appropriate to exclude the
land from the Strategic Gap and a modification will be proposed that restores the
Strategic Gap to the boundary set out in the Arup report.