Chesterfield Local Plan Examination

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

16th September 2019

Matter 5 – Proposed Site Allocations –

Housing Sites and Strategic Sites
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?

The Five Year Housing Supply position Paper is provided alongside these responses. The housing supply statements will be redacted where appropriate and made available 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?

Defining the built up area would make the policy clearer and more effective. The council will prepare a possible modification for consideration.

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?

This paragraph is largely superfluous due to the operation of paragraph 11(d) of the NPPF and a modification will be suggested removing it from the policy.

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.

The council considers all housing allocations apart from H3 to be soundly based, viable and deliverable as set out within KSD23. The council will seek to remove H3 as an allocation owing to concerns raised by Historic England as to the impact on the setting of the listed building (which would reduce the site size below the threshold used for allocations). An updated trajectory will be provided as discussed in response to question
6.3 and 6.8. The Council will provide an update on the planning status of the sites and amend the trajectory and Table 4 accordingly.

**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?**

The details of the housing allocations presented in Table 4 of the Local Plan are not fully consistent with the Site Allocation Conclusion Summaries. A table has been created to explain the variances and determine which figures should be recorded within Table 4. A modification is proposed to update the figures within the table and to clarify where the entire site capacity is not expected to come forward within the plan period.

<table>
<thead>
<tr>
<th>Site Ref &amp; Name</th>
<th>Variance</th>
<th>Explanation</th>
<th>Figures to be Used (Site Size in Ha)</th>
</tr>
</thead>
</table>
| H4 – Heaton Court | The allocation summary sets the capacity at 15 rather than 12. | This is the result of a change in expected capacity from the CBC build programme. The site now has permission for 10 dwellings and should be amended accordingly. | Capacity – 10  
Size – 0.34 |
| H5 – Pondhouse Farm, Troughbrook Road | The allocation summary sets the capacity at 20 rather than 12. | The LAA figure is based on a landowner assessment of capacity. It is envisaged that only the brownfield element of the site would be developable, hence the need to specify a lower capacity within the local plan. | Capacity – 12  
Size – 1.10 |
| H6 – Miller Avenue, Mastin Moor | The allocation summary site size is 0.41 Ha rather than 1.5. | 0.41 Ha is the correct site size (as calculated from the Policies Map polygon). | Capacity – 14  
Size – 0.41 |
| H9 – Former White Bank Sports Centre, White Bank Close | The allocation summary sets the capacity at 5 rather than 15. | The capacity should be amended to 9 in line with planning permission CHE/19/00156/FUL. | Capacity – 9  
Size – 0.56 |
| H14 – Swaddale Avenue, Tapton | The allocation summary sets the capacity at 21 rather than 25. | The LAA was updated to a figure of 21 dwellings is based on an indicative site layout drawing (associated with CHE/16/00092/OUT) which demonstrates a potential engineering solution to the site specific constraints. | Capacity – 21  
Size – 0.88 |
| H17 – Poultry Farm, Manor Road, Brimington | The allocation summary sets the capacity at 31 rather than 27. | The capacity should be updated in line with planning permission CHE/18/00436/REM (26 dwellings). | Capacity – 26  
Size – 0.87 |
<table>
<thead>
<tr>
<th>Ref.</th>
<th>Location</th>
<th>Description</th>
<th>Actions</th>
<th>Result</th>
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| H18  | Commerce Centre, Canal Wharf, Chesterfield | The allocation summary sets the capacity at 31 rather than 30. | The LAA has been updated to reflect the capacity in the outline permission. Capacity should be amended to 38 to reflect CHE/18/00725/REM. | Capacity – 38  
Size – 0.72 |
Size – 0.86 |
| H26  | Land adjacent Rectory Road, Duckmanton | The allocation summary sets the capacity at 55 rather than 35. | The LAA was updated to a figure of 35 dwellings based on an indicative site layout drawing (associated with CHE/15/00085/OUT). The capacity should now be updated in line with CHE/18/00768/REM (33 dwellings). | Capacity – 33  
Size – 2.02 |
| H31  | Varley Park, Poolsbrook | There are inconsistencies with the LP allocation table and LAA summary. Two sites are allocated to H31 (LAA 225 and 326). | The site area is 6.16 Ha on the policies map which reflects a planning permission for a wider site area than the component LAA sites (225 & 326). The capacity of the allocation should be updated to reflect the site’s planning permission. | Capacity – 175  
Size – 6.16 |
| H32  | Bent Lane, Staveley | The allocation summary site size is 5.27 Ha rather than 7.26. | Site area changed and potential housing capacity updated on basis of flood risk. Areas in Food Risk Zones 2 & 3 and areas of high surface water flood risk have been removed on basis of Environment Agency comments. | Capacity – 140  
Size – 5.27 |
| H35  | Land South of Worksop Road and East and West of Bolsover Road, Mastin Moor | There are inconsistencies with the LP allocation table and LAA summary. Three sites are allocated to H35 (LAA 242, 243 and 279). | The site area in the allocation table should be changed to reflect all of the constituent parts of H35. The individual site capacities in the LAA summary are based on a calculation of capacity (30 dph at 70%). The allocation capacity should be reflective of the amount tested through the Core Strategy (400 dwellings). A planning application has been made for 650 dwellings (awaiting decision). | Capacity – 400  
Size – 52.01 |
| H36  | Land at Inkersall Road | There are inconsistencies with the LP allocation table and LAA summary. Two sites are allocated to H36 (LAA 401 and 30). | The total site area is 22.78 Ha on the policies map which reflects a planning permission for a wider site area than the component LAA sites (401 & 30). The capacity of both LAA sites is 400. | Capacity – 400  
Size – 22.78 |
| SS3  | Chesterfield Waterside Strategic Site | There are inconsistencies with the housing potential in the LAA summary (1550) and the Local Plan capacity (1000). | The LAA summary is reflective of the outline planning permission (CHE/09/00662/OUT). The capacity should be updated according to the permission however it may be appropriate to record that 1050 dwellings are expected to come forward within the plan period (as per the developer forecast). | Capacity – 1050 /1550  
Size – 23.17 |
SS5 – Staveley Works Strategic Site

There are inconsistencies with the LP allocation table and LAA summary. Three sites are allocated under SS5 (LAA 310, 311 and 312).

The total capacity for the site (as shown in the LAA summaries) is 1,499 which is based on landowner assessment. The trajectory shows an anticipated 100 dwellings coming forward within the last two years of the plan period (2032-2034), whereas a figure of 150 has been used in Table 4. The area of the entire strategic sites is 187.49 Ha as shown on the Policies Map.

Capacity – 100 / 1,499
Size – 187.49

SS6 – Dunston Strategic Site

There are inconsistencies with the LP allocation table and LAA summary. Three sites are allocated under SS6 (LAA 293, 294 and 295). There are two entries for SS6 in Table 4.

The developer stated capacity totals 850 for the three sites shown in the LAA summaries and the total allocated site size is 43.6 Ha. Policy SS6 specifies that approximately 800 dwellings are expected to come forward from the whole strategic site. Table 4 should be amended to make it clear that the site has been split into the permissioned and allocated area.

Permission (REM)
Capacity – 299
Size – 15.81

Remainder of Site
Capacity – 500
Size – 27.79

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)?

The Council will look at Table 4 and Policy RP1 to see if clarity can be improved through modifications in relation to Housing Sites within Regeneration Priority Areas.

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?

Table 4 provides sufficient detail on the type of development (residential) and will appropriately convey the scale when the capacity figures are updated in accordance with the amendments noted in question 5.5. An amendment to introduce a trajectory column would be helpful in identifying sites where the entire capacity is not expected to come forward during the plan period. The anticipated rate of delivery will be made apparent by the Trajectory to be included as a modification to the Local Plan. It would
also be useful to make reference to the development locality and ensure addressing consistency.

Some of the allocated sites have multiple land ownerships and site related issues. Where this is the case a strategic site policy has been created (e.g. SS3, SS5, SS6). The council acknowledges that there are a small number of sites that have specific constraints and/or are of a large scale where further detail could be beneficial, and will seek to prepare main modifications to add clarity to the following housing allocations:

Staveley Canal Basin: The site is referred to in policy LP19. This link should be made apparent within Table 4 and the text and LP19 should reference the housing allocation number and be expanded to refer to the associated heritage constraints.

Land at Inkersall Road: Table 4 should acknowledge that this is a large site however it has no significant constraints that would result in the need for a strategic site policy and a single agent is responsible for the entire site.

Walton Works: - Table 4 should acknowledge the link to policy SS2 and the SS2 policy should be amended to reference the housing allocation and any particular heritage constraints.

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?

The allocations are considered to be soundly based, viable and deliverable. The housing trajectory is informed by correspondence with landowners and developers. The Council received site statements for SS3, SS5 and SS6 (as noted in Appendix 3 of the Housing Topic paper TP1). Redacted copies will be made available. In addition, both SS3 and SS4 have full planning permissions and are under construction.

A Statement of Common Ground is currently being finalised between the council and William Davis in relation to SS6 Land at Dunston (part of which is under construction) and will be submitted to the Inspectors when signed off.
An amended version of the trajectory is to be submitted (see question 6.3) which will reflect any recent planning permission and the latest information from site owners.

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?

The master plan underwent public consultation and was approved as the council’s strategy for the town centre, but does not have formal status as a planning document. On this basis it can be given weight as a material consideration when determining planning applications, but it does not have the weight of an SPD, AAP or other DPD.

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?

The Council will prepare a modification to amend Policy SS1 along the lines suggested by the Inspectors.

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?

The replacement of car parking within the Spire Neighbourhood would be the only requirement for permission over and above requirements arising from policies of the plan that would normally relate to the location and type of development. The area of the Spire Neighbourhood includes significant areas of council run surface car parking, which would need to be replaced to ensure the functioning of the town centre. It is noted that the final line of the policy could be interpreted other than as intended (which
is that only parking lost to the development would need to be re-provided) and that this would benefit from clearer wording.

**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?**

The Infrastructure Strategy & Delivery Plan indicates the scope of infrastructure required to support development set out in the policy. Critical infrastructure required to support Policy SS1 primarily relates to highways improvements which are costed and programmed through the ongoing A61Growth Corridor project, currently being delivered by Derbyshire County Council through D2N2. Other published cost estimates represent the best available information forthcoming from infrastructure providers at the time of publication. However ongoing engagement with infrastructure stakeholders will continue to take place to clarify infrastructure delivery for non-critical infrastructure.

**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?**

"Alongside modifications set out in response to issues 4.29 and 4.31, SS1 criterion i) would be consistent with Policy LP9.

Whilst the references to LP9 and LP10 provide useful signposting, they are not necessary to the operation of the policy and could be deleted.

**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?**

This paragraph could be usefully clarified to make it obvious that this refers to a specific development proposal that the council was in discussion with Wilson Bowden to progress. The council has continued to progress the Northern Gateway as a regeneration area and has recently completed replacement of the multi-storey car park and has commenced development on an innovation centre on part of the site. A modification to set out the latest position will be put forward for consideration.

**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?**
The diagram on page 92 is an inset map to be considered part of the Policies Map. A modification will be prepared to make this clear.

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)?**

Transport and highway requirements are set out in Appendix 1 of the Infrastructure Strategy & Delivery Plan. Published cost estimates represent the best available information forthcoming from infrastructure providers at the current time, although ongoing partnership working with the County Council as highways authority will continue. For this site the specific issues relate to improvements to the Hipper Valley Cycle Trail and the adoption of a short section of Dock Walk.

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’?**

It is recognised that this wording is unclear and introduces a potential conflict with the wording of policy LP7 relating to locations for office and light industrial development and that this would benefit from revised wording.

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?**

The Infrastructure Strategy & Delivery Plan indicates the scope of infrastructure required to support development set out in the policy. The IDP does not identify any critical infrastructure requirements to support development in this area. Other identified infrastructure is already beginning to be brought forward, either through developer contributions, (such as upgrading of transport infrastructure through the recently completed Lidl retail development, or through other transport programmes. Work is continuing in partnership with the County Council as transport authority to clarify infrastructure delivery for non-critical transport and green infrastructure.
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?**

A figure is provided in table 4 for the Walton Works site. Inclusion of a housing capacity in the policy would ensure the policy is clear and effective and a suitable modification will be proposed.

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?**

All key infrastructure requirements and developer contributions sought in Appendix A for SS3 have now been delivered (including provision of off-site road improvements, provision of bridge for site access, and preparation of development platforms). Remaining green infrastructure and completion of canal infrastructure is now programmed.

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?**

An update is provided below on planning applications made for the site in the past two years (excluding DOC):

<table>
<thead>
<tr>
<th>Permission</th>
<th>Approval Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHE/19/00116/REM</td>
<td>26/07/2019</td>
<td>Approval of reserved matters for layout, scale, appearance and landscaping of the office building pursuant to (CHE/18/00626/REM 1 for a mixed use development including hotel, multi storey car park, office accommodation and apartments together with ground floor retail and leisure uses within the Basin Square area of the development).</td>
</tr>
<tr>
<td>19/00007/REM</td>
<td>12/06/2019</td>
<td>Approval of reserved matters of appearance, layout and scale, of CHE/18/00083/REM1, for the development of 177 dwellings, public open space and associated infrastructure.</td>
</tr>
<tr>
<td>CHE/18/00626/REM1</td>
<td>17/12/2018</td>
<td>Variation of conditions 31 (highway improvements), 37 (junction improvements Holbeck Close/Brimington Road), 39 (junction improvements Brewery St/Brimington Road), 41 (pedestrian crossing) and 45 (approved plans) of CHE/16/00183/REM1.</td>
</tr>
</tbody>
</table>
It would be appropriate to replace the Illustrative Masterplan on page 98 of the Plan with the most recent masterplan (CWD-BBA-ZO-ZZ-DR-A-01005-P02) which has been updated following the approval of CHE/18/00626/REM1 which sought to vary conditions to omit the canal arm. This will ensure that the plan contains the most accurate and up to date Illustrative Masterplan possible.

The area allocated in the Policies map for SS3 is not affected by the removal of the omission of the canal arm from the site Masterplan and does not need to be amended.

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?

The mix of uses is set out in the masterplan and Design and Access statement accompanying outline planning permission for the site (CHE/09/00662/OUT, as amended) and controlled by planning condition. However it may enhance the accuracy of the policy to refer to the uses permitted on the site under section c) of policy SS3 as requested in representation 63 (1-5 SLP). Paragraph 11.15 should also be updated to remove the reference to the new canal link following the approval of CHE/18/00626/REM1.

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?

The extant permissions for the Strategic Site include conditions requiring development to come forward in accordance with an approved Master Plan. A Master Plan was approved and is in place as part of planning permission CHE/00662/OUT (subject to subsequent permissions for amendments).

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?

Avant homes have now started construction on 173 homes on the site and Chesterfield Waterside Ltd are constructing a new bridge access to the site. The developers and council are also in advanced dialogue with a sub-developer for the first 300 privately rented apartments adjacent to the canal basin and a detailed construction programme
has been provided. The council is in pre-application discussions with the landowner for a further part of the site with capacity for 200 to 300 units.

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.

As it is envisaged that the plan period will be extended to 2035 in order to provide 15 years from date of adoption, a number of dwellings are expected to come forward within the plan period. The Housing Topic Paper Trajectory anticipates that 100 dwellings at Staveley Works will come forward in the latter stages of the plan. When the plan was submitted for consultation the need to extend the plan period was not considered. A modification should be proposed that amends paragraph 3.7 of the Plan to detail the anticipated progress on site SS5 within the plan period.

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?

The Council has long recognised the significant costs associated with de-contamination and remediation. The site is within a nil charging zone for CIL and the viability study (2018) provided an updated assessment on likely costs associated with remediation. Furthermore, the Local Plan delivery trajectory reflects constraints by 'backloading' future housing development to the end of the plan period, to allow time for any necessary regeneration funding to come forward to support site remediation. The HS2 element of the scheme is 'neutral' insofar as the project will cover its own costs.

The £50,000 clean-up costs were based on a historic assessment. More detailed assessments have now been prepared to support submitted outline planning applications for the site. These suggest that the costs in the viability study are likely to be high estimates and the actual costs will be lower. The conclusions of this further work are that the site would be viable in terms of direct site costs, including remediation, but that the landowners, developers and public bodies would need to concentrate on securing public funding for infrastructure that has a benefit wider than the immediate site, including the CSRR and Primary School provision.
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))?**

The viability assessment of the plan allowed for the impact of policies on adaptable and accessible housing (costs of £600 per unit). The council does not specify in detail that type of EV charging required, allowing developers to deliver this as effectively cost neutral for in plot solutions. Percent for art was not specifically tested but is dealt with on a viability basis site by site.

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?**

The Local Plan recognises the significant infrastructure constraints on delivery through policy SS5. However funding for the CSRR is instead being sought through the Large Local Majors programme, funding for new primary school capacity will be sought through CIL and developer contributions, whilst upgrading of Staveley WWTW is programmed by Yorkshire Water (see response to Q.8.17)

Viability work undertaken by the developers to support planning applications indicates that comprehensive development across the site can be delivered and provide a more robust assessment of costs.

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?**

The Local Plan recognises the significant infrastructure constraints on the number and timing of houses which can be delivered through policy SS5. For this reason, the Plan is conservative in the delivery trajectory, anticipating that any significant housing numbers will only be delivered towards the end of the plan period.

Yes, the CSRR does represent 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?**
The CSRR no longer forms part of the HIF bid. Derbyshire County Council has made an application to Midlands Connect for inclusion of the route in its programme of Large Local Major schemes for the 2025 period, as set out in the Transport Statement of Common Ground (SCG2). This application has now passed the initial gateway assessment and is moving on to Full Business Case stage.

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

AECOM has been appointed by DCC to prepare a full business case for the CSRR and a full design suitable for submission as a planning application in 2020.

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

Outline planning applications have been submitted for the Works Road and Lagoon Character areas. These are supported by extensive studies of ground contamination and these have informed illustrative site layouts. There is no indication at present that these would result in reduced capacity of the site overall.

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?

Mitigation for air pollution for the SS5 policy area would be delivered through implementation of the Chesterfield-Staveley Regeneration Route, which would largely remove the need for non-local traffic to use the centre of Brimington currently declared as an AQMA. The implications of this for site viability and deliverability are covered further in response to question 5.29.

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 re-worded for clarity?

These sections could be re-worded 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?

The Character Areas were identified through the masterplanning work previously undertaken as part of the preparation of an Area Action Plan for the site, and largely
reflect land ownerships and physical boundaries on the site (the Hall Lane, the River Rother and the former Settling Lagoons). These could be identified on a map.

The site layout plan on page 107 is illustrative only. This could be clarified and an updated layout plan be provided based on current planning applications.

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

Agree that Policy SS5 criterion ii) should refer to ‘traffic associated with the proposed development’ to 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?**

The size of provision in this character area has been limited to ensure that small scale provision does not conflict with the viability of making provision at Works Road, a more preferable location that would also improve provision for the nearby settlement of Barrow Hill.

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?**

The wording could be amended to make it clear that the 30ha refers to both, but that this land is safeguarded rather than ‘developed’ as it is likely to extend beyond the plan period due to the uncertainty over the final form of the IMD.

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?**

The Land to the West of Dunston Lane received outline permission for 300 dwellings in March 2016 (CHE/16/00016/OUT). Since then a reserved matters application for 99 dwellings has been approved (CHE/17/00351/REM) along with a reserved matters application for 200 dwellings (CHE/18/00805/REM). As of the 31st of March 2019 21 dwellings had been completed on the site under permission CHE/17/00351/REM and 68 units were under construction. The remainder of the SS6 allocation does not have any planning permission at present. The representation from William Davis states an intention to submit an outline application for Phase 2 of the development within 2020/2021 and includes a concept Masterplan. The provided masterplan has a larger
spatial extent than the allocation shown on the Policies Map (SD2) and this issue will be addressed via a statement of common ground with William Davis.

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?

The Statement of Common Ground on highways notes that there is potentially an anticipated need for the developer at Dunston to commission additional work to demonstrate the potential impacts from additional development and how such impact can be mitigated. The SoCG is clear in the agreement that in the north west of the borough, the authorities are content that the development impacts can be adequately assessed on a case-by-case basis through Transportation Assessment. A Statement of Common Ground is currently being finalised between the council and William Davis in relation to SS6 Land at Dunston (part of which is under construction) and will be submitted to the Inspectors when signed off. Requirements for securing necessary transport mitigation are included in policy LP23, however the council would be willing to consider a main modification to policy SS6 to include criteria on 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?

The Council will prepare a modification to Policy SS6 to reflect the suggestion by the Inspectors concerning the acceptability of access arrangements.

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

The Council will prepare a modification to Policy SS6 to reflect the suggestion by the Inspectors concerning a requirement for the consideration of nearby heritage assets.

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?
No, the total costs would not impede the delivery of the site. The council will seek to provide some cost estimates for infrastructure (in consultation with Derbyshire County Council and the developer) which could be included in the SoCG currently being finalised between the council and the site developer.

**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?**

Yes, this is the masterplan referred to in policy SS7. Publication of, and consultation on the plan, is now expected to take place in late 2019 following further refinement and assessment of the proposals. The council is also examining which elements of the masterplan could be incorporated into an SPD to be published and adopted following adoption of the Local Plan.

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?**

Criterion a) to h) will be revised for clarity.

Yes, this is the masterplan referred to in policy SS7. Publication of, and consultation on the plan, is now expected to take place in late 2019 following further refinement and assessment of the proposals. The council is also examining which elements of the masterplan could be incorporated into an SPD to be published and adopted following adoption of the Local Plan.

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

The council believes archaeological considerations are sufficiently covered by policy LP22 and access by LP21 and LP23

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?**

HS2 related costs are included within the overall HS2 masterplan and determined by the HS2 delivery programme. Non-HS2 elements are included within the A61 growth
corridor strategy, for which LGF has been secured and is being delivered through D2N2, co-ordinated by DCC but with CBC as a delivery partner.

**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?*

Yes, the Council view Policy RP1 as sound and deliverable.

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

The impacts of the significant development within the RPA's will be mitigated through other policies in the Plan, including Policies LP12, LP14, LP15, LP16, LP18, LP21 and LP23. Such developments will be masterplanned to ensure that appropriate mitigation is provided where necessary.

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.*

The Council will look at Table 4 and Policy RP1 to see if clarity can be improved through modifications in relation to Housing Sites within Regeneration Priority Areas. The capacity figures are being checked and updated and will be presented in a revised trajectory and revised Table 4 as a main modification.

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?*

Yes. The figure of 400 is accurate and appropriate based on the evidence supporting the Local Plan.

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?*
No. In addition, consultation responses received in response to the current application for 650 dwellings at Mastin Moor from both Derbyshire County Council and Highways England have not identified a need for any additional highways infrastructure other than measures immediately related to the development that can be secured by conditions and/or planning obligations through the normal development control process.

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?**

The Council will prepare a modification to clarify that the Council will require a master planned approach to be taken to major development.

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

The Council will prepare a modification to ensure cross-referencing.

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?**

The housing numbers for the RPAs are based on tested level of development for each area that the council consider will be of a scale which will be able to deliver regeneration benefits. In this sense they could be considered as minimum figures. They are not based on capacity of the RPA site areas, which are deliberately drawn so as to provide flexibility to allow the maximum regeneration benefit to be delivered as part of a masterplan.

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?**

The council are happy to consider a modification to RP1 to add an additional criteria (f) Have an acceptable impact on the wider highway network (taking account of cumulative effects of other developments within the RPAs) and provide any necessary mitigation