



Please ask for Rachel Appleyard
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The Chair and Members of Cabinet

6 July 2020

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 14 JULY 2020 at 10.30 am, the agenda for which is set out below.

This meeting will be held virtually via Microsoft Teams software, for which members of the Cabinet and others in attendance will receive an invitation. Members of the public will be able to access the meeting online by following the link [here](#).

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 5 - 8)

To approve as a correct record the Minutes of the Cabinet meeting held on 23 June, 2020.

4. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

5. Delegation Report (Pages 9 - 10)
6. Minutes of the Sheffield City Region Mayoral Combined Authority Board (Pages 11 - 18)

To note the Minutes of the meeting of the Sheffield City Region Mayoral Combined Authority Board held 1 June, 2020.

Items Recommended to Cabinet via Cabinet Members

Deputy Leader

7. Month 2 Budget Monitoring 2020/21 & Updated Medium Term Financial Plan (Pages 19 - 38)

Cabinet Member for Economic Growth

8. Community Infrastructure Levy (CIL) Expenditure (Pages 39 - 60)
9. Chesterfield Borough Local Plan (Pages 61 - 396)

Cabinet Member for Governance

10. A Review of the Code of Corporate Governance and the Annual Governance Statement (Pages 397 - 494)
11. COVID-19 - Business and Planning Act 2020 (Pages 495 - 500)
12. Exclusion of the Public

To move “That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.”

Part 2 (Non Public Information)

Deputy Leader

13. Chesterfield Football Club - request for loan assistance (Pages 501 - 548)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Sandy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

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CABINET

Tuesday, 23rd June, 2020

Present:-

Councillor P Gilby (Chair)

Councillors Serjeant
Blank
T Gilby
Ludlow

Councillors Holmes
J Innes
Mannion-Brunt
Sarvent

Non-voting Members D Collins

*Matters dealt with under the Delegation Scheme

141 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

142 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

143 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 9 June, 2020 be approved as a correct record and signed by the Chair.

144 **FORWARD PLAN**

The Forward Plan for the four month period July to October, 2020 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

145 **ANNUAL PERFORMANCE REPORT - COUNCIL PLAN DELIVERY PLAN 2019 -2020**

The Assistant Director – Policy and Communications submitted a report informing members of the progress that the Council had made against the milestones and measures identified in the 2019/20 Delivery Plan.

The Council Plan defines the Council’s key priorities, objectives and commitments over the four-year period 2019 to 2023 and the Delivery Plan set out the milestones and measures that needed to be achieved during the financial year 2019/20.

A detailed summary of the progress made was attached at Appendix A of the officer’s report.

***RESOLVED –**

That the Council’s progress in delivering the Council Plan Delivery Plan for the financial year 2019/20 be noted.

REASON FOR DECISION

To raise awareness of key outcomes and outputs against the Council Plan commitments and to challenge performance.

146 **EQUALITY AND DIVERSITY ANNUAL REPORT 2019/20**

The Policy Officer presented the Equality and Diversity Annual Report for the financial year 2019/20 to update members on Council improvements and achievements relating to equality and diversity matters.

The Annual Report had been developed in consultation with the Equality and Diversity Forum and included a summary of the equality impact assessments undertaken during 2019/20 with regards Council policies, strategies and plans, and progress updates on the Council’s work in promoting equality and diversity both within the Council and with our communities.

The report also advised that, following the Government’s formal adoption of the International Holocaust Remembrance Alliance’s working definition

of Antisemitism, all local authorities in England had been asked to formally adopt the working definition.

***RESOLVED –**

That it be recommended to Full Council that:

1. The Equality and Diversity Annual Report for the financial year 2019/20 be supported.
2. The Equality and Diversity Annual Report 2019/20 be published on the Council's website and circulated to partners.
3. The International Holocaust Remembrance Alliance working definition of Antisemitism be formally adopted by the Council.

REASON FOR DECISIONS

To provide the community and relevant organisations with an update of the Council's work in promoting equality and diversity both within the Council and with our communities.

147 UPDATE ON CIVIC ARRANGEMENTS 2020 - 2022

The Senior Democratic and Scrutiny Officer submitted a report outlining proposals for the remainder of the civic year 2020/21 and for 2021/22.

As a result of the restrictions arising from the Covid-19 pandemic, the Chief Executive, in consultation with the Mayor, had postponed the Annual Business Meeting and Annual Council Meeting. The Government had also introduced new regulations in April 2020 which allowed appointments made at annual meetings to continue until such time as the council was able to consider the matter.

To mitigate the negative impact that the restrictions would have on the 2020/21 and 2021/22 Mayoral terms, the report sought approval for a transition period whereby the current Mayor, Councillor Gordon Simmons would continue to serve as Mayor for a further 6 months until October 2020, with the Mayor Elect, Councillor Glenys Falconer then proposed for election as Mayor of the Borough for the period from October 2020 to May 2022.

The report also outlined proposals for a delay to the associated civic events to enable them to be delivered in a fitting manner following the lifting of Covid-19 restrictions.

***RESOLVED –**

1. That it be recommended to Full Council that Councillor Glenys Falconer be invited to become Mayor of the Borough for the period from October 2020 to May 2022.
2. That it be recommended to Full Council that Councillor Tony Rogers be invited to become Deputy Mayor of the Borough for the period from October 2020 to May 2022.
3. That it be noted that the Annual Council Meeting will be held on 21 October 2020, followed by a drinks' reception at the Town Hall, subject to Government restrictions in response to Covid-19.
4. That it be noted that the Annual Civic Service and Parade, and the Mayoral Dinner, will be delayed until May 2021.

REASON FOR DECISIONS

To enable the Council to revise and confirm the civic arrangements for 2020 to 2022 in light of the Covid-19 pandemic.

CABINET MEETING

14 July 2020

DELEGATION REPORT

DECISIONS TAKEN BY LEAD MEMBERS

Cabinet Member for Business Transformation

Decision Record No.	Subject	Delegation Reference	Date of Decision
47/19/20	Application for Discretionary Rate Relief - Fareshare and Rural Action Derbyshire (feeding Derbyshire)	CB210L	23 June 2020
<p>Decision</p> <p>That discretionary rate relief be granted at the rate of 20% to Fareshare and Rural Action Derbyshire (feeding Derbyshire) for the period beginning 1 April 2020 until they vacate the premises.</p>			
<p>Reason for Decision</p> <p>Application determined against the agreed criteria and the provisions of the Local Government Finance Act 1988. The premises are being used by charitable organisations on a temporary basis to provide provisions to local people who have to isolate as a result of the COVID-19 pandemic.</p>			

Cabinet Member for Housing

Decision Record No.	Subject	Delegation Reference	Date of Decision
48/19/20	Application for Discretionary Disabled Facilities Loan Assistance	HO000L	25 June 2020
<p>Decision</p> <p>That the discretionary Disabled Facilities Loan Assistance be approved for the reasons set out in the officer's report.</p>			
<p>Reason for Decision</p> <p>To enable a severely disabled person to continue living independently and safely in his own home.</p>			

SCR - MAYORAL COMBINED AUTHORITY BOARD

MINUTES OF THE MEETING HELD ON:

MONDAY, 1 JUNE 2020 AT 11.00 AM

VIRTUAL MEETING



Present:

Mayor Dan Jarvis MBE (Chair)	SCR Mayoral Combined Authority
Councillor Chris Read (Vice-Chair)	Rotherham MBC
Councillor Julie Dore	Sheffield City Council
Mayor Ros Jones CBE	Doncaster MBC
Councillor Sir Steve Houghton CBE	Barnsley MBC
Councillor Tricia Gilby	Chesterfield BC
James Muir	Chair of LEP Board
Councillor Alex Dale (Reserve)	NE Derbyshire DC
Councillor Chris Furness (Reserve)	Derbyshire Dales DC

Officers in Attendance:

Dr Dave Smith	Chief Executive	SCR Executive Team
Dr Ruth Adams	Deputy Chief Executive	SCR Executive Team
Noel O'Neill	Chief Finance Officer/S73	Sheffield City Region
Steve Davenport	Principal Solicitor & Monitoring Officer	SCR Executive Team
Mark Lynam	Director of Transport, Housing and Infrastructure	SCR Executive Team

In Attendance

Craig Tyler (Minute Taker)

Apologies:

Councillor Simon Greaves	Bassetlaw DC
Councillor Steve Fritchley	Bolsover DC

1 Welcome and Apologies

Members' apologies were noted as above.

2 **Announcements**

The Mayor invited the Monitoring Officer to inform the meeting of the appropriate legalities and practicalities associate with the convening of a remote Authority meeting (as made permissible by the Coronavirus Act 2020).

The Mayor informed the meeting that this continues to be a challenging time for our local communities, people and businesses.

It was reported that since the previous meeting, the SCR has received additional money from Government to keep public transport services running in South Yorkshire and that this relates to the opportunities afforded our active travel ambitions.

It was noted the Mayor has established an Economic Recovery Group which has brought together a wide-ranging set of institutions and stakeholders, the expertise of whom will help guide the development of strategies to help the region to recover from the pandemic.

The Mayor noted he has engaged with the Government on particular issues facing our businesses and communities, including the issue of protecting workers' rights and ensuring that social distancing guidelines are in place for warehouse and distribution staff in South Yorkshire. This has involved strong and close working with the Trades Unions.

The Mayor thanked businesses from across the region for the efforts they have made to respond to our call for help making and supplying PPE and medical supplies that are so vital for our local health and care services.

Finally, the Mayor thanked all public servants for the way they have responded to this crisis including front line staff and those who are leading the Local Resilience Forum work.

3 **Urgent Items**

None.

4 **Items to be Considered in the Absence of Public and Press**

RESOLVED, that item 20 (Submission of the Mass Transit Business Case to DfT) be considered in the absence of the public and press).

5 **Voting Rights for Non-constituent Members**

It was agreed that voting rights may not be conferred on the non-Constituent Members in respect of items 16 and 20 as these concern the Constituent area only.

6 **Declarations of Interest by individual Members in relation to any item of business on the agenda**

Mayor Jarvis, Cllr Houghton and Mayor Jones declared non-pecuniary interests

in the matters to be considered at item 16 by virtue of being representative of / Leaders of the respective sponsoring Authorities for the schemes seeking LGF funding.

7 Reports from and questions by members

None.

8 Receipt of Petitions

None.

9 Public Questions

None.

10 Decisions taken under Urgency Provisions

A report was received to provide confirmation of the decisions taken by urgency provision as defined within the Combined Authority Constitution (Part 5A, Paragraph 16).

It was reported that further to the cancellation of the Combined Authority meeting 23rd March and the offer of a grant from the DfT for Supertram support, this provision was invoked due to the need to take urgent decisions. The following urgent decisions were taken:

Group Finance Director: Following a full recruitment process an urgent decision was required regarding the appointment of Gareth Sutton as Group Finance Director as it was not feasible to wait until the next MCA meeting to make the job offer.

Transforming Cities Fund Grant: An urgent decision was required regarding the acceptance of the Transforming Cities Fund grant. The grant needed to be accepted prior to the date of the next MCA meeting as not accepting the grant could have resulted in losing the funding.

Supertram: Acceptance of operational revenue support grant for Supertram for a 12 week period from 17th March arising as a result of the impacts of Covid 19. An urgent decision was required as the grant needed to be accepted prior to the date of the next MCA meeting. Not accepting the grant could have resulted in losing the funding.

RESOLVED, that the decisions taken under the urgency provisions within the Combined Authority Constitution (Part 5A, Paragraph 16) due to the cancellation of the Combined Authority meeting 23rd March 2020 and the Grant offer to support Supertram operations made by the Department of Transport (DfT) 7th May 2020 are noted

11 Minutes of the meeting held on

RESOLVED, that the minutes of the previous meeting held on 15th April are

agreed to be an accurate record.

12 **2020/21 Proposed MCA/LEP Revenue Budget**

A report was received to set out the proposed 2020/21 MCA/LEP Revenue Budget, noting this has been finalised following consultation with key stakeholders and LEP Board on 5th March 2020.

It was noted the proposed budget has been developed in line with the Medium-Term Financial Strategy agreed by the MCA in November 2019 and is based upon the going concern principle and the known funding sources for 2020/21.

Members were asked to recall the context of developing the strategy was a £1m reduction in Enterprise Zone receipts because of the LEP Review, and for which it was noted that early consideration at MCA Board and management review of operational structures has helped address this gap.

The report explained how that, and other matters, have been incorporated into 2020/21 Budget proposal.

It was noted the budget does not include any allowance for monies which may be devolved to the SCR/MCA in 2020/21 and that should this process be completed by summer 2020 and monies devolved, a revised 2020/21 budget report will be produced and brought back to the LEP and the MCA in Autumn 2020 for approval as part of developing a new robust 5-year financial strategy.

RESOLVED, that the MCA approves the revenue budget for 2020/21 as set out in Appendix 1 to the report.

13 **Treasury Management Strategy 2020/21**

A report was received to set out the proposed Annual Treasury Management Strategy and Investment Strategy for the financial year 2020/21.

It was noted the intention is that the SCR Audit and Standards Committee will be used as a forum explore strategic options, prior to these options being presented to the MCA for ratification.

RESOLVED, that the MCA:

1. Approves the annual Treasury Management Strategy
2. Approves the annual investment strategy set out in Appendix 1 of the annual treasury management strategy and grants delegated authority to the Group Director of Finance to develop it further by investigating options for diversification in consultation with the MCA's external advisors and Audit and Standards Committee
3. Approves the capital expenditure estimates and associated prudential indicators set out in Appendix 2 of the annual treasury management strategy
4. Approves the borrowing strategy set out in Appendix 3 of the annual Treasury Management Strategy

5. Approves the minimum revenue provision policy set out in Appendix 4 of the annual Treasury Management Strategy
Grants delegated authority to the Group Director of Finance in consultation with Chief Executive to provide a financial guarantee in favour of the SCR Financial Interventions Holding Company.

14 MCA/LEP Revenue and Capital Outturn 2019/20

A report was received to provide the final revenue and capital outturn position before audit for the Sheffield City Region Group for 2019/20.

The report considered each element of the Group's outturn position and highlighted key issues in respect of the MCA / LEP revenue position, revenue programme activity, South Yorkshire transport revenue position and capital programme expenditure 2019/20.

Cllr Dore sought additional clarity regarding the Health Led Employment Trial which was referenced as 'overspent'. It was confirmed this is just a presentational issue and that as all funding for the initiative comes from central government it is an no cost to the SCR.

RESOLVED, that the MCA:

1. Notes the revenue outturn positions of SCR and SYPTE
2. Notes the outturn of Capital programme and approve the carry forwards identified in paragraph 2.5 of the report

Notes the risks addressed by the creation of provisions and earmarked reserves and approves the actions taken.

15 Grant Acceptance and LGF 2020/21 Position

A report was received to request approval to accept the LGF Grant and DIT KAM programme grant for 2020/21 and HMG Emergency Active Travel Funding and seeks delegated authority be given to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to enter into legal agreements for the schemes.

The meeting was also asked to consider a late request to approve acceptance of the second tramway revenue support grant to support an extended period of operation through to 3rd August 2020.

This report set out the 2020/21 LGF programme activity, noting this is the final year of the current six-year LGF programme.

It was noted a letter has been received from government stating only two thirds of the annual grant will be received up front, the remainder to be payable following a review of every LEP area in respect of their plans for the remaining programme.

RESOLVED, that the MCA:

1. Approves acceptance of the Local Growth Fund grant allocation for

- 2020/21, to deliver the programme outlined in Appendix A to this report.
2. Approves acceptance of the Department of International Trade (DIT) continuation funding for Key Account Management (KAM) revenue programme for 2020/21.
 3. Approves acceptance of HMG Emergency Active Travel Funding
 4. Delegates authority to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to accept the grants of £43.37m plus the allocation for Active Travel, subject to their acceptance of the terms of the agreements when these are received.

Approves acceptance of the second tramway revenue support grant to support an extended period of operation through to 3rd August 2020.

16 **LGF Programme Approvals**

In line with the agreed Assurance Framework, a report was presented to seek the approval of change requests for six projects and to seek delegated authority to the Head of Paid Service in consultation with the S73 and Monitoring Officer to enter into legal agreements for the schemes.

RESOLVED, that the MCA:

1. Approves a project change request from the DN7 Unity project to re-profile £751,800 of expenditure from 2019/20 into 2020/21, to agree an extension to works completion from August 2020 to December 2020 and re-profile of outputs and outcomes in accordance with the revised timescales.
2. Approves a project change request from the Digital Media Centre 2 to re-profile £106,596 of expenditure from 2019/20 into 2020/21, to agree an extension to works completion from March 2020 to June 2020 and a re-profile of outputs and outcomes in accordance with the revised timescales.
3. Approves a project change request from the Strategic Testing Tools project to re-profile £190,196 of expenditure from 2019/20 into 2020/21.
4. Approves a project change request from M1 J36 Phase 1 Hoyland to re-profile £2,621,858 of expenditure from 2019/20 into 2020/21, agree a reduction in the total grant value of £610,009 and a revision of outputs and outcomes in accordance with the revised reprofile.
5. Approves a project change request from M1 J37 Phase 2 - Claycliffe to re-profile £1,376,858 of expenditure from 2019/20 into 2020/21 and the revision of conditions to enable entry into contract.
6. Approves a project change request for the Doncaster Sheffield Airport Car Park Extension Loan to extend the works completion date from April 2020 to January 2021.

Gives delegated authority to the Head of Paid of Service, in consultation with the Section 73 Officer and Monitoring Officer, to enter into legal arrangements for the schemes covered in the above recommendations.

17 **Active Travel Implementation Plan**

Members welcomed the SCR Active Travel Commissioner Dame Sarah Storey.

Dame Sarah expressed her delight at having the opportunity to introduce the

draft Implementation Plan and duly provided Members with information regarding the processes used to inform the Plan's development and how it is envisaged the Plan will now be taken forward for the betterment of the SCR's active travel offer for residents and businesses. Dame Sarah suggested the speed at which the Plan had been developed was a direct consequence of the SCR Leaders' ambitions for active travel.

It was noted government now consider the SCR Active Travel Implementation Plan to be the Local Cycling and Walking Implementation Plan (LCWIP).

Cllr Gilby welcomed the acknowledgement in the Plan that active travellers move in significant numbers between the SCR's Constituent and non-Constituent areas.

Members welcomed what was described as a phenomenal amount of work achieved over such a short period of time and commented on what needs to be implemented as soon as possible to meet the active travel challenges and opportunities of the covid crisis.

It was requested mechanisms be put in place as soon as possible to ensure funding reaches the Local Authorities for on-the-ground spend as soon as possible.

RESOLVED, that the MCA endorses the Active Travel Implementation Plan.

18 **Assurance Framework**

A report was received to remind Members that each year the Sheffield City Region (LEP and MCA) is required to update and publish its Assurance Framework to ensure that robust, transparent and effective governance arrangements are in place.

It was reported the draft Assurance Framework 2020 has been further revised to incorporate the additional requirements in readiness for devolution.

It was noted the paper also seeks endorsement of the draft Assurance Framework so that it can be submitted to Government for approval as part of the devolution readiness conditions.

It was noted the Assurance Framework has been written in a manner which recognises the role of the non-Constituent Authorities where appropriate, as defined by the SCR MCA Order.

Independent review of thematic Boards part of consideration of the MCA constitution overall and in abeyance pending further discussions

Members discussed the remit of the Overview and Scrutiny Committee (OSC) in respect of LEP Board and thematic Board activities. It was affirmed the OSC does have oversight over all SCR activities and noted the OSC has access to the published agendas, reports and minutes of all Board meetings. Consideration was given to other potential actions that might be introduced to enhance OSC oversight.

RESOLVED, that the MCA:

1. Notes the key amendments to the Assurance Framework including the early release of funding to aid capital scheme development.
2. Endorses the updated Assurance Framework set out at Appendix 1, pending any amendments required by the MCA and gives consent for it to be submitted to Government for approval.

Gives delegation to the SCR Chief Executive in consultation with the Mayor, to agree any final changes required by Government for them to approve and sign-off the SCR Assurance Framework.

19 **Decisions & Delegated Authority Report**

The decisions and delegated authority report was provided for information.

RESOLVED, that the MCA notes the decisions and delegations made.

20 **Submission of Mass Transit Outline Business Case to DfT**

A report was received to recommend the submission of the Mass Transit Business Case to DfT.

RESOLVED, that the MCA:

1. Approves the submission of the Mass Transit Outline Business Case to the DfT as a bid for funding for the renewal works on the basis that the previously agreed principles for progressing the scheme remain in place.

Notes that, as the principles for how the local contribution would be identified, the intention is that there will be no impact to the local tax-payer or district budgets emanating from developing the final business case, the capital build or future operating costs arising from the scheme.

I, the undersigned, confirm that this is a true and accurate record of the meeting.

Signed

Name

Position

Date

For publication

Month 2 Budget Monitoring 2020/21 & Updated Medium Term Financial Plan

Meeting:	Council Cabinet
Date:	15 th July 2020 14 th July 2020
Cabinet Portfolio	Deputy Leader
Report by:	Interim Chief Finance Officer

For publication

- 1.0 **Purpose of report**
- 1.1 To provide the Council with an update on the budget position at the end of month 2, covering:
 - General Fund Revenue Budget
 - General Fund Capital Programme
 - Housing Revenue Account
- 1.2 To meet the requirement set out in the Financial Procedure Rules to provide the Council with regular updates on the Council's financial position.
- 1.3 To report on the impact of Covid19 on the medium term financial plan.

2.0 Recommendations

- 2.1 To note the general fund revenue budget financial performance in the first two months of the financial year and the new medium-term financial plan (Sections 4 and 5).
- 2.2 To approve the changes to the medium-term financial plan outlined in Sections 4 and 5.
- 2.3 To approve the updated capital programme outlined in section 6.
- 2.4 To approve the financing of the capital programme outlined in paragraph 6.3.
- 2.5 To note the position on HRA budgets (Section 7).

3.0 Background

- 3.1 The Council approved the original budget for 2020/21 on 26th February 2020. The Band 'D' Council Tax was set at £169.89. The forecast budget for 2020/21 was a surplus of £16k.
- 3.2 The impact of Covid19 has meant that in the first few months of the year, officer time has been focussed on maintaining council services and assisting the wider community. This has led to an increase in spend over and above budgeted levels particularly around rough sleeping, homelessness, waste recycling and ICT solutions to enable home working. It has also limited progress on our ability to deliver savings for both this year and the remaining years of the medium-term financial plan.
- 3.3 At the same time, a number of key revenue streams have dried up as members of the public have been unable to utilise our sports centres, venues and car parks.
- 3.4 This has inevitably had an adverse impact on the budget forecast for 2020/21 and a full assessment of the scale of the

impact has recently been completed based on the information available to us at the present time. The situation will need to be closely monitored as the impact of the pandemic becomes more widely understood and continues over time.

4.0 Current Year's Budget

4.1 We started the year with a forecast surplus of **£16k**. At the end of month 2, known variances in relation to the impact of Covid19 have produced an anticipated deficit forecast at year end of **£3.246m**. A revised General Fund Summary for 2020/21 can be found at appendix A. A summary of the key variances is provided in the table below:

2020/21 UPDATED BUDGET FORECAST		
	(£000)	(£000)
Surplus Forecast at the start of the year		(16)
<u>Covid19 Impact: -</u>		
Sports Centres	2,340	
Car Parking	1,269	
Venues	362	
OSD Surplus	331	
Town Centre	303	
Business Rates Pooling	300	
Covid19 Expenditure - Homelessness & PPE	241	
Industrial/Commercial Rents	148	
Commercial Waste	124	
Investment Income	98	
Catering	98	
Spirepride Surplus	90	
Bad Debts Provision	75	
Legal & Land Charges Income	42	5,821
<u>Covid19 Related Grants: -</u>		
MHCLG Covid19 Grant	(1,097)	
CJRS (Furlough Grant April to June)	(500)	(1,597)
<u>Agreed Savings & Additional Expenditure: -</u>		
Gas & Electricity	(140)	
Contribution to Business Rates Reserve	(440)	
Other Income	(107)	
Expenditure Savings – Budget Challenge	(92)	

Contribution to Vehicle & Plant Reserve	(50)	
Domestic Waste Contract	(65)	
Bank Charges	(52)	
Crematorium Surplus	(47)	
Pay Award (2.75% not 2.5%)	31	(962)
Updated Deficit Forecast		3,246

4.2 Changes to Approved Budgets

4.2.1 The council's response to the pandemic has required additional spend over and above approved budgets in a number of areas, for example on homelessness, waste recycling and personal protective equipment. ICT digital improvements have been brought forward in the programme to enable members and staff to work from home and increased cleaning requirements for public conveniences will create an additional spending pressure. This increase in costs has been built into the revised estimates for 2020/21. Any further costs identified as the council's response to the pandemic continues and transitions into the recovery phase will be reported to Cabinet and Council in future budget monitoring reports.

4.2.2 The enforced closure of the sports centres, venues and car parks has had a significant impact on the financial position. Based on our predictions so far, we are anticipating a fall in income of 70% (£2,617,640) at the sports centres, 49% (£1,287,880) from car parking and 49% (£1,021,600) from venues. Whilst we have minimised costs by applying for financial assistance from the government's furloughing scheme, the impact of Covid19 on these three service areas has increased the deficit by £4,741,040.

4.2.3 The impact of the pandemic on the wider economy has also had a significant impact on our rental income from industrial, commercial and retail properties which are evidencing higher void levels, and similarly rental income from our markets and

the Market Hall. We have also experienced a fall in income from our commercial waste service.

4.2.4 The 'Everyone In' and 'Keeping Everyone In' initiatives to reduce homelessness and rough sleeping has also created additional cost pressures due to the grant funding received not covering the additional expenditure incurred in its entirety.

4.2.5 The original budget for 2020/21 included a surplus from the Operational Services Division (OSD) of £331k which is transferred to the General Fund in line with the council's financial strategy. OSD were unable to carry out any work other than emergency repairs/voids during lockdown and coupled with the new working requirements to ensure that tenants and staff remain safe it will be more difficult for the service to generate a surplus this year. An officer working group has been created with the objective of recovering the original surplus forecast.

4.2.6 Because of the serious impact of the pandemic on our financial position, a review of budgets has been carried out. A number of one-off savings in non-essential areas have been identified and these reductions have been included in the revised estimates for 2020/21. Work continues to identify further savings.

4.3 Government Assistance

4.3.1 The Government has provided local authorities with £3.2 billion in financial assistance to date. This came in two tranches of £1.6bn each. In the first tranche most of the funding went to upper tier authorities. Our allocation was £59,414. The second tranche was distributed on a population basis and we received £1,037,544.

4.3.2 It is expected that a further allocation of funding will be made available. We have not yet received formal notification of this, but it is not expected to fully cover the losses incurred.

4.3.3 The Joint Cabinet & Employment & General Committee recently approved a proposal to submit a claim to the Government's furlough scheme for staff in sports centres, venues, OSD, car parking and catering. This grant income has been included in the revised estimates.

4.4 Officers are already working to identify and recommend ways in which to reduce the £3.246m forecast deficit in 2020/21. The size of the deficit will ultimately be defined by the value of any further allocations of Government Covid19 grant support. Every effort will then be made to identify further reductions in expenditure and to raise new income. Any shortfall would ultimately have to be met from reserves, which would reduce the council's resilience to meet future funding challenges.

4.5 Provisions and Reserves

4.5.1 Officers are carrying out an early review of current balances on earmarked reserves and provisions together with a review of 2020/21 contributions to reserves to identify potential savings.

5.0 Medium Term Outlook

5.1 The impact of the pandemic is expected to have a detrimental effect on the medium-term financial plan particularly in 2021/22. Due to the accounting arrangements around council tax and business rates income, the consequences of any reduction in collection rates in the current financial year will not be felt until the following financial year.

Collection rates for council tax at the end of May are 19.4% compared to 20.6% at the same time last year. This represents a reduction of £631k for the first two months of 2020/21. If this rate of loss of income were to continue for the full year, the shortfall would be £3.16m, 10% of which would accrue to

Chesterfield. However, the level of collection rates may deteriorate further.

For business rates, the collection rate is 16% compared to 17.6% last year. The number of customers who have a balance to pay but who have not yet made a payment is 553 and the value of overdue instalments stands at £1.55m at the end of May. Chesterfield receives 40% of any business rate income received and lost income relating to 2020/21 would impact the 2021/22 budget position.

A review of the council's position on recovery action for arrears may reverse this trend to some extent. The situation is being closely monitored and we will report further as the impact of the pandemic on the economy becomes clearer.

- 5.2 The medium-term financial plan approved at Council on 26th February 2020 evidenced a more challenging outlook from 2021/22 onwards with annual forecast deficits of at least £700k.

In response to this position, Council approved an action plan to eliminate the forecast deficits over the life of the medium-term financial plan. These were to be developed by officers and approved by members during 2020/21 in order that savings could be realised for the start of 2021/22, placing the medium-term financial plan on a path to a balanced position through 2024/25.

However, the impact of Covid19 has meant that in the first few months of this year, officer time has been focussed on maintaining council services. Unless attention can be given to achievement of the action plan between now and the end of the financial year, members will be faced with difficult decisions ahead of the 2021/22 budget setting process.

5.3 The table below compares the latest medium-term financial plan with that approved on 26th February 2020:

	Budget Forecasts				
	2020/21 £'000	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
February 2020 budget Deficit / (Surplus)	(16)	723	767	827	742
Increase / (Decrease) Month 2	3.262	349	242	288	141
Latest Forecasted Deficit / (Surplus) Quarter 2	3.246	1,072	1,009	1,115	883
Transformation Projects - Savings to be Achieved	17	374	605	795	983
Latest Savings Requirement	3,263	1,446	1,614	1,910	1,866

6.0 General Fund Capital Programme

6.1 **Capital Receipts** - To date, £513k of capital receipts have been received during 2020/21. The original forecast for the year was £2.3m and included the first payment in respect of the council's land at Linacre. The current forecast of capital receipts for the year is £1.1m following the re-profiling of receipts from 2019/20. Due to the current Covid-19 situation, the first payment in respect of the land at Linacre is now expected in 2021/22. Further capital receipts need to be identified by the Council beyond 2021/22 when the 'pipeline' declines, otherwise the Council's borrowing will have to increase over time to fund further capital projects, putting more pressure on General Fund deficits.

6.2 **General Fund Capital Spend** –the original capital budget for 2020/21 was £20.3m, the revised position now stands at £19.9m (see appendix B for details). This includes £2.4m in respect of slippage from the 2019/20 capital programme. The other major differences in the capital programme are:

- Inclusion of additional Revitalising the Heart of Chesterfield expenditure (£650k), to be funded from a grant from D2N2 LEP;
- Reprofiled of expenditure into 2021/22 for schemes including Waterside Basin Square Development, Northern Gateway and Revitalising the Heart of Chesterfield;

6.3 Net Capital Financing – The original 2020/21 capital programme assumed a break even position and was approved by Council on 26th February 2020. Total borrowing of £14.2m is required in 2020/21 and £200k in 2021/22. The re-profiling of expenditure into 2021/22 has had a favourable impact on the General Fund Minimum Revenue Provision (MRP) for 2021/22, which has reduced from £682k to £364k. An updated capital programme will be reported to members in October 2020.

7.0 Housing Revenue Account (HRA)

7.1 Housing Revenue - Rent Arrears have increased in the first two months of the financial year due to the impact of Covid19. By the year-end it is forecast that rent arrears could be as high as £4.6m, compared with £1.8m at the end of 2019/20. As a result, the bad debts provision has been increased by £605,000 in the revised budget for 2020/21, to give a total bad debts provision of just under £2.2m (48% of the estimated arrears).

The main areas of spend such as employees, premises and supplies and services are on target, except for Housing Repairs, where the impact of Covid19 has reduced repair work to just jobs of an urgent nature for the first 2 months of the year. Consequently, there is an underspend of £781k up to the end of May. It is anticipated that OSD will be able to catch up with external and voids works once safe systems of working have been agreed, meaning that the budget for this work will be fully spent by the year-end. However, on internal works such as plastering it is estimated that there will be an underspend of £497k by the year-end.

- 7.2 **Housing Capital Programme** - At the end of month 2 there was very little spend on the HRA Capital Programme. This was due to contractors withdrawing, safeguarding and furloughing their workforces in response to Covid19.

However, following the drawing up of procedures for safe working by the various contractors, a number of capital projects restarted on site in early June, including the Brockwell Court and Manor Drive new build schemes. It is also planned to use additional contractors to pull in the work not undertaken during April and May. Therefore, it is currently planned to spend the whole of the capital programme budget of £25.9m by the end of the financial year.

- 7.3 **HRA Business Plan** - The 30 Year HRA Business Plan will be updated to reflect the impact of Covid19 and other changes and will be presented to a future meeting of Cabinet for consideration. However, it is thought that there will be minimal impact on the "bottom line" as the increase in the bad debts provision has been largely offset by the forecast underspend on the repairs budget.

8.0 Risk Management

- 8.1 Budget forecasting, particularly over the medium term, and in the current climate is not an exact science. Officers are doing their best to forecast future expenditures and income streams but the final outcomes could be very different e.g. a second Covid19 wave, further Government grants, pay awards, investment returns, etc. A full budget risk assessment will be included in future budget monitoring reports and the draft budget setting reports later in the financial year.

9.0 Legal Considerations

- 9.1 There is a legal requirement for the Council to set a balanced budget before the start of each financial year and for the Chief Finance Officer to report on the robustness of the estimates and the adequacy of the reserves. Clearly, further, detailed work is required to minimise the impact of the pandemic on this year's financial position and to enable us to set a balanced budget for 2021/22 in February 2021.

10.0 Equality & Environmental Considerations

- 10.1 Individual equality and environmental impact assessments are not required for the budget process. These are included as part of the decision making process for specific spending options.

11.0 Conclusions

- 11.1 The Covid19 pandemic has had a seriously detrimental effect on the budget position for 2020/21 and future financial years. The current forecast deficit for the year is £3,245,679. Further funding is expected from central government but allocations are still to be announced. Given that Councils have a legal duty to balance their budgets, the Local Government Association continue to lobby government for further funding and flexibilities on behalf of all councils to provide financial certainty and sufficient additional funding to cover all costs and lost income from fees and charges and local taxation and thereby avoid the need for in-year savings and reductions to services.
- 11.2 Officers are continuing to review their respective budgets as more and more council facilities and services are restored, and work will continue to identify and agree further savings in 2020/21 to reduce the in-year deficit to a position which will require minimal recourse to the use of reserves.
- 11.3 The council is legally obliged to set a balanced budget and any remaining deficit in this year must be met from the

implementation of in-year service efficiency measures and/or the use of reserves to meet the shortfall. The use of reserves will have an adverse impact on our financial standing going forward and impact on our ability to fund service developments in future years and is therefore an option of last resort.

- 11.4 The outlook for future years is also impacted. The ability to deliver the agreed in-year action plan to achieve savings to address predicted deficit forecasts in future financial years is at risk as officers prioritise the council's continuing response to the pandemic. Further revenue pressures are also expected as a result of the pandemic undermining the council's ability to deliver a balanced medium-term financial plan.
- 11.5 Further reports will be brought to Cabinet and Council to update members through the current financial year.

12.0 Recommendations

- 12.1 To note the general fund revenue budget financial performance in the first two months of the financial year and the new medium-term financial plan (Sections 4 and 5).
- 12.2 To approve the changes to the medium-term financial plan outlined in Sections 4 and 5.
- 12.4 To approve the updated capital programme outlined in section 6.
- 12.4 To approve the financing of the capital programme outlined in paragraph 6.3.
- 12.5 To note the position on HRA budgets (Section 7).

13.0 Reasons for recommendations

- 13.1 To actively manage the Council's finances in the current financial year and forecast forward the emerging budget position to future financial years.

Decision information

Key decision number	959
Wards affected	All
Links to Council Plan priorities	All

Document information

Report author	Contact number/email
Helen Fox	Ext. 7273
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
Appendices to the report	
Appendix A	General Fund Summary 2020/21
Appendix B	Revised Capital Programme 2020/21

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GENERAL FUND REVENUE ESTIMATES SUMMARY

	2020/21	
	Original	Revised
	£	£
Leader of the Council	33,640	38,950
Deputy Leader of the Council	1,191,120	1,176,790
Cabinet Member for Economic Growth	(620,810)	(487,330)
Cabinet Member for Town Centre and Visitor Economy	453,890	2,344,060
Cabinet Member for Health and Wellbeing	7,753,690	10,147,100
Cabinet Member for Housing (GF)	1,054,190	1,167,390
Cabinet Member for Governance	2,748,330	2,917,060
Cabinet Member for Business Transformation	3,043,670	3,128,970
Portfolios Total	15,657,720	20,432,990
Spirepride surplus	(640,050)	(554,240)
OSD surplus	(331,000)	0
Commercial Income 2018/19	0	0
Building Cleaning Surplus	0	0
Holiday pay	0	0
Crematorium surplus	(275,000)	(322,180)
ICT Digital Innovation Savings Target	(231,537)	(231,537)
ICT Digital Innovation Savings Achieved	214,160	214,160
Pension Costs - 2020 Revaluation	145,000	145,000
Pay Award (2.75%)	0	30,805
Electricity Inflation	0	0
Historical Leisure VAT Claim	0	0
Staff vacancy / attendance allowance	(200,000)	(200,000)
Total Service Expenditure	14,339,293	19,514,998
Interest & capital charges	(3,319,778)	(3,243,197)
Contrib to/(from) Digital Innovation Reserve	(294,317)	(294,317)
Contrib to/(from) Service Improve't Reserve	(8,500)	(8,500)
Contrib to/(from) Revenue Risk Reserve	(42,710)	(42,710)
Contrib to/(from) Earmarked Reserves	(150,000)	(301,500)
Contrib to/(from) Crematorium General Reserve	0	0
Contribution to Vehicle & Plant Fund	106,000	56,000
Bad debt provision	25,000	100,000

GENERAL FUND REVENUE ESTIMATES SUMMARY

	2020/21	
	Original	Revised
	£	£
Covid19 Grant	0	(1,096,958)
Coronavirus Job Retention Scheme (April to June)	0	(499,811)
Other income	(49,000)	(176,231)
Surplus/(deficit) - savings target	16,022	(3,245,679)
NET EXPENDITURE	10,622,010	10,762,095

Total Savings Target	(1,355)	(3,263,056)
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GENERAL FUND REVENUE ESTIMATES SUMMARY

	2020/21	
	Original	Revised
	£	£

Financed By:		
RSG	441,530	441,530
Business Rates Baseline	3,373,521	3,373,521
Settlement Funding	3,815,051	3,815,051
Retained Business Rates Growth	1,379,717	1,379,717
Business Rates pooling	300,000	0
NNDR Fund Surplus/(Deficit)	440,085	440,085
Contrib (to)/from Business Rate Reserve	(440,085)	0
Council tax support grants to parishes	(19,841)	(19,841)
Council Tax Fund Surplus/(Deficit)	94,470	94,470
New Homes Bonus	95,039	95,039
Council Tax (taxbase x tax below)	4,957,574	4,957,574
TOTAL FINANCING	10,622,010	10,762,095

Council Tax Income:		
Taxbase Growth		
Taxbase Estimate	29,181.08	29,181.08
Tax increase	0	0
Band 'D' Tax	169.89	169.89
Yield =- taxbase x Band 'D'	4,957,574	4,957,574

BR Growth Retention:		
Growth rate		
CBC 40% share of income (18/19 50% share of income)	15,123,477	15,123,477
Less tariff	(11,465,704)	(11,465,704)
Add s31 grant re SBRR	1,919,090	1,919,090
Add s31 grant re other reliefs	0	0
Gross income before levy	5,576,863	5,576,863
Less Baseline Funding	(3,373,521)	(3,373,521)
Growth	2,203,342	2,203,342
Levy (NB 50% on nndr3 not nndr 1)	(1,101,671)	(1,101,671)
S31 Grant - Switch to CPI Adj		
Adjs to Levy & Tariff	(459,547)	(459,547)
Levy Account surplus		

GENERAL FUND REVENUE ESTIMATES SUMMARY

	2020/21	
	Original	Revised
	£	£
Retained BR re renewable energy	52,395	52,395
Grant re Multiplier Cap	685,199	685,199
Business Rates Baseline Reset Adjustment (Growth)	0	0
BR Growth Retained above Baseline	1,379,717	1,379,717
Add Baseline Funding	3,373,521	3,373,521
Total BR Income Retained	4,753,238	4,753,238

GENERAL FUND CAPITAL PROGRAMME 2020/21

Code	CAPITAL EXPENDITURE	20/21	Revised June 20/21	21/22	22/23
		£'000	£'000	£'000	£'000
8295	Home Repairs Assistance	275	150	400	275
8292	Disabled Facilities Grants	2,000	1,000	2,200	475
	Town Hall Alterations Phase 2 Preliminary Works		8		
8968	Waterside Office Space	7,761	6,478	1,225	
8959	Northern Gateway - Saltergate MSCP		99		
8973	Northern Gateway - Public Realm	709	601	431	
8974	Northern Gateway - Enterprise Centre	3,956	4,471	497	
8989	Chester Street Play Area		47		
	Stand Road Bowls Pavilion		70		
	Relocation of Bowls Club Car Park Whitebanks Close		28		
8981	Beetwell Street Car Park		10		
8991	IT Project	1,124	1,354	26	276
8971	Tatpton Terrace Flood Resilience Work		35		
	Revitalising the Heart of Chesterfield - Public Realm	1,300	594	306	
	Revitalising the Heart of Chesterfield - Town Centre		575	575	
8995	Calow Lane Industrial Units	367	367		
	Underpinning Tapton House	50	50		
	Waste Contract Vehicles	1,635	1,635		
8678	HS2 Station Masterplan	1,100	2,068	250	
	Car Parking Machines		240		
	Total Expenditure	20,277	19,880	5,910	1,026

	CAPITAL FINANCING	20/21	Revised June 20/21	21/22	22/23
		£'000	£'000	£'000	£'000
	Borrowing - Saltergate				
	Borrowing - general	13,600	14,206	197	
	Grants & Contributions - see below	4,325	4,525	3,381	750
	Capital Receipts	2,332	1,066	2,332	2,451
	Flood Reserve		16		
	S106 Reserve				
	IT Reserve				
	Vehicle and Plant Reserve		47		
	Home Repairs Reserve (Repaid Improvement Grants)				
	IT Transfer to Revenue : Capital Receipts Flexibility	-480	-480		
	Repay Prudential Borrowing - Town Hall Restack				
	Total resources available in year	19,777	19,380	5,910	3,201
	Less total expenditure in year	20,277	19,880	5,910	1,026
	Net in-year surplus / (deficit)	-500	-500	0	2,175
	Surplus / (deficit) b/f from prev yr	500	500	0	0
	Cum surplus / (deficit) c/f	0	0	0	2,175

	CAPITAL GRANTS ETC (Accruals Basis)	20/21	Revised June 20/21	21/22	22/23
		£'000	£'000	£'000	£'000
	Flood Risk Management Grant - EA		21		
	Disabled Facilities Grants (BCF / Derbys PCT)	2,265	1,150	2,600	750
	Home Repairs Assistance Grants (FILT / SSE)	10	0	0	0
	Revitalising the Heart of Chesterfield - Business Rate Growth Grant	950	519	531	
	Revitalising the Heart of Chesterfield - D2N2 Grant		650		
	Stand Road Bowls Pavilion - DCC		30		
	Stand Road Bowls Pavilion - Sport England		40		
	Whitecotes Playing Field - Viridor				
	Whitecotes Playing Field - Friends of Whitecotes				

Grant to CWL Basin Square Infrastructure - SCRIF				
Northern Gateway (Refurb of Saltergate MSCP) - SCRIF				
HS2 Station Masterplan - D2N2 Grant	1,100	2,068	250	
Chester Street Play Area - Viridor		45		
Chester Street Play Area - Friends of Monkey Park		2		
Grants Total	4,325	4,525	3,381	750

For publication

Community Infrastructure Levy (CIL) –

CIL Expenditure 2019

Meeting:	Cabinet
Date:	14 July 2020
Cabinet portfolio:	Economic Growth
Report by:	Strategic Planning and Key Sites Manager

1.0 **Purpose of report**

- 1.1 To set out the progress on managing the Chesterfield Community Infrastructure Levy (CIL)
- 1.2 To seek Cabinet approval for funding awards for the strategic element of CIL expenditure from the bids received in 2019
- 1.3 To seek Cabinet approval to set up the CIL Neighbourhood Fund for non-parish areas of the Borough.

2.0 **Recommendations**

- 2.1 That Cabinet notes the progress on receipts from the CIL.
- 2.2 That Cabinet approves the awards for the expansion of Poolsbrook Primary Academy as the strategic CIL funding for 2019, in line with the assessment set out in Appendix 3 in this report.

2.3 That Cabinet approves the recommendation for managing expenditure of the neighbourhood portion in non-parish areas of the borough.

3.0 **Background**

3.1 CIL is a mechanism to allow local planning authorities to raise funds from new development, in order to contribute to the cost of infrastructure projects that are, or will be, needed to support new development.

3.2 CIL took effect in Chesterfield Borough on 1st April 2016. The current charging year, 2020/21 is the fifth financial year in which CIL has been charged and in which CIL payments were collected.

CIL Receipts

3.3 CIL income will build up over time but early contributions have been dependent on the development programmes for individual CIL-liable developments. Full details of CIL income and expenditure for 2018/19 (charging year 3) are set out in the CIL Annual Report published in December 2019. <https://www.chesterfield.gov.uk/media/1022829/cil-annual-report-2018-19-summary.pdf>. In summary, at the end of the 2018/19 (charging year 3) monitoring period around £900,000 had been received, leaving around £740,000 available for strategic expenditure. The amount of CIL collected now allows for bids for CIL expenditure to be considered and funding awards confirmed.

4.0 **CIL Expenditure**

4.1 The CIL Regulations set out the overall breakdown for how monies collected from the CIL are to be distributed. This is illustrated in the table below.

Purpose of Funding	% Allocated
Strategic/core CIL infrastructure	80% - Remaining CIL receipts collected for the financial year
Neighbourhood portion	15% of CIL collected (capped at £100 per dwelling)
Administration – (Costs of administrating receipt and expenditure of CIL)	5% of all receipts

4.2 This report addresses each of these areas in 3 sections:

- Strategic/Core Infrastructure
- Local Infrastructure / Neighbourhood funding
- Administration Expenses

Strategic/Core infrastructure

4.3 The purpose of CIL is to help to provide the infrastructure needed to support the development of the Borough. CIL receipts (excluding the neighbourhood element and administration fees) are held in a centralised pot and will be used to fund the delivery of strategic infrastructure across the Borough.

4.4 When the Chesterfield CIL charging scheme was introduced, the Regulation 123 Infrastructure List set out the types of infrastructure on which CIL revenue would be spent. The infrastructure list (reproduced at Appendix 2) provided clarity on what CIL might be spent on and ensured that there was no duplication between CIL and S106 agreements in funding the

same infrastructure projects, a requirement of the CIL Regulations at that time.

- 4.5 The amendments to the CIL Regulations which took effect on 1st September 2019 deleted Regulation 123 Lists and replaced them with Infrastructure Funding Statements (IFS). However, the first IFS is not due to be published until December 2020.
- 4.6 There does not appear to be any evidence to suggest an immediate need to review priorities as set out in Regulation 123 List. Therefore, the original CIL expenditure priorities identified on the Regulation 123 list remain valid at least until they have been reviewed through the publication of first IFS December 2020.
- 4.7 The annual IFS will set out details about receipts from both CIL and planning obligations and anticipated expenditure. The intention is to provide clarity and transparency to local communities and developers on the infrastructure and expenditure and in aligning this to planned development. The Statements will also offer an opportunity to re-assess CIL expenditure priorities in the light of any change in circumstances or evidence since the original Regulation 123 list was first published.
- 4.8 In advance of this, the Infrastructure Delivery Plan (IDP) has been updated in support of the emerging draft Local Plan (which has now received a positive Inspectors' Report following its Examination in Public and is considered elsewhere on this agenda). The IDP identifies the essential strategic and local infrastructure which will be required at different times over the duration of the plan period to deliver the Plan strategy. It sets out what infrastructure will be needed and when, who will deliver it and how it will be funded. The IDP will continue to be updated as the future programme develops.

4.9 The IDP has identified major infrastructure items that will be critical to unlocking key sites. In relation to the Staveley and Rother Valley Corridor Strategic Site for example, school capacity has been identified as an obstacle to the development of a new community in this strategic location and it will therefore be necessary to address this through the provision of a new school as part of the wider regeneration proposals. Strategic transport infrastructure, particularly in the form of a new link road/regeneration route, is also required in order to improve accessibility. Work is continuing with the County Council (as education authority and highways authority), the landowners, and other key partners to identify the options for funding and delivery of critical infrastructure.

5.0 Apportioning Strategic/Core CIL Income

5.1 The CIL Expenditure Strategy approved by Cabinet in July 2018, (<https://www.chesterfield.gov.uk/media/759153/cil-expenditure-strategy.pdf>) sets out the process which will be followed to identify specific items of infrastructure upon which CIL revenue will be spent in order to support growth and development across the Borough. The Strategy establishes the key foundations for prioritising CIL expenditure and balancing competing infrastructure requirements, anchored by the Local Plan strategy in order to deliver critical infrastructure necessary to unlock strategic sites, and support positive development in Regeneration Priority Areas.

The CIL Approval Body

5.2 Originally, in considering the CIL Expenditure Strategy and how collected receipts from the CIL should be allocated to infrastructure projects, the Finance and Performance Board at its meeting on 21st March 2018 was of the view that the portfolio holder in conjunction with Leader would represent the most appropriate arrangement for the CIL Approval Body to approve bids for strategic CIL funding. This was designed as the

most efficient arrangement and the most effective use of cabinet time. The Board also agreed that in addition to the formal annual CIL report required by the CIL Regulations, more frequent reports to cabinet would be appropriate in order to achieve necessary scrutiny.

- 5.3 However, this arrangement was proposed when it was originally anticipated that recommendations for CIL expenditure could take place several times a year. Subsequently, the CIL expenditure process has been finalised and it has now been established that funding bids and awards would take place only once a year on an annual cycle, on the basis of the new Infrastructure Funding Statement (IFS). As the first IFS is not due to be published until December 2020, it is therefore most appropriate to review this arrangement, and for Cabinet to act as the CIL approval body in the interim.

CIL Expenditure – The 2019 Funding Round

- 5.4 Bids for funding for the 2019 CIL expenditure round were invited in Spring 2019 from stakeholders who were identified as being in a position to submit projects which would qualify for strategic expenditure.
- 5.5 5 bids were received from 3 parties. These were:
- Derbyshire County Council (Education) – proposal to expand Poolsbrook Primary Academy to provide additional capacity generated by planned housing growth
 - Chesterfield Borough Council (Leisure) - 3 proposals to upgrade existing play areas
 - Don Catchment Rivers Trust – proposal for Natural Flood Management measures at Grassmoor Country Park
- In addition, an outline expression of interest has been received from Chesterfield Canal Trust for a potential longer term bid beyond 2019.

- 5.6 These bids for CIL funding have been assessed in accordance with the procedure set out in the CIL Expenditure Strategy. A summary of the assessment and officer recommendations is provided at Appendix 3.
- 5.7 The assessment has been undertaken on the basis of the tests set out in the CIL regulations and National Planning Guidance.
- It must be spent on 'the provision, improvement, replacement, operation or maintenance of infrastructure'
 - It can be used to increase the capacity of existing infrastructure or to repair failing infrastructure if that is necessary to support new development.
 - It cannot be used to fund solutions to existing problems or on repairs to existing infrastructure in an area that has not/is not expected to experience growth.
- 5.8 The CIL Expenditure Strategy acknowledges the need to balance short term and long-term priorities. It recognises the inevitable pressure to seek to utilise CIL funding for purposes which are not central to provision of infrastructure to support growth and development. However, this would risk undermining the long-term development strategy for the Borough and ultimately the ongoing credibility of the CIL charging scheme, to which developers contribute in the expectation that available funds will support growth and mitigate the impacts of development. To assist in the assessment process and to ensure the protection of CIL to meet longer term ambitions, the table therefore indicates the proportion of available CIL income which would be utilised under the bids received. This confirms that the recommendation on CIL expenditure for 2019 would retain around 40% of available strategic CIL income for future years.

Total CIL income Received (at Y3 year end)	£924,784	
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Available strategic CIL income) (80%) (at Y3 year end)	£739,827	
Total value of bids received for strategic CIL funding	£598,796	80.9% of available strategic CIL income
Total value of officer recommended funding awards for strategic CIL funding (See Appendix 3)	£450,000	60.8% of available strategic CIL income
Total Remaining balance of strategic CIL fund if officer recommendations for strategic CIL expenditure are accepted	£289,827	

Future years' expenditure

- 5.9 Approval by cabinet of funding awards for the 2019 round of CIL expenditure would then enable the process to commence for the 2020 round and funding awards to be made before the year end.
- 5.10 In future years, the proposed annual funding cycle is set out below:

DECEMBER	Publication of Infrastructure Funding Statement, (including statement of infrastructure projects or types of infrastructure will be, or may be, wholly or partly funded by CIL)
JANUARY	Invitations to bid for funding
MARCH - APRIL	Assessment of bids received; Recommendations to Cabinet
MAY-JUNE	Decisions on strategic CIL funding awards by CIL Approval Body

JUNE	Announcement of funding awards
SEPTEMBER - NOVEMBER	Monitoring and reporting of income and expenditure; preparation of Infrastructure Funding Statement, including CIL income and progress on CIL expenditure, and review of long term CIL strategy
DECEMBER	Publication of Infrastructure Funding Statement

Local Infrastructure / Neighbourhood Funding – The Neighbourhood Portion

5.11 The Community Infrastructure Levy Regulations (Regulation 59A) place a duty on charging authorities to allocate at least 15% (up to a cap of £100 per existing council tax dwelling) of CIL receipts to spend on priorities that should be agreed with the local community in areas where development is taking place. This is known as the neighbourhood portion.

Parished Areas

5.12 The 2010 Regulations require charging authorities to pass the 15% of CIL receipts directly to parish councils where the chargeable development has taken place. Parishes can contribute towards strategic projects but are ultimately autonomous in taking spending decisions. Due CIL receipts continue to be passed on to Staveley Town Council and Brimington Parish Council where chargeable developments has taken place in their areas. Over the first three charging years (2016-2019) £8,179.05 has been passed on to Staveley Town Council, £907.50 to Brimington Parish Council.

Non-Parished Areas

- 5.13 The extent of the parishes however does not cover the majority of the urban area of Chesterfield Borough. This creates a gap in the coverage for the neighbourhood portion in the Borough where there are no parishes or town councils to oversee its expenditure. Parishes and Wards are listed in Appendix 2.

Expenditure of Neighbourhood Portion in Non-Parished Areas

- 5.14 Communities without a parish or town council will still benefit from the neighbourhood portion of CIL receipts. Where the chargeable development takes place in an area where there is no parish council, the charging authority retains the levy receipts but must spend the neighbourhood portion on, or to support, infrastructure in the area where the chargeable development takes place. Funds from the neighbourhood portion can be used for a wider range of spending than is the case with the strategic portion. Around £130,000 is available to spend in non-parished wards from the first three CIL charging years (2016-19).
- 5.15 There is no prescribed process for agreeing how the neighbourhood portion should be spent, but guidance suggests that charging authorities should use existing community engagement processes, proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates. Rather than establishing any completely new structure, it is proposed to use the Health and Wellbeing Partnership as the platform to manage the neighbourhood portion in non-parished areas of the Borough. This would involve a bi-annual invitation for local communities to bid for available funding for local infrastructure projects. This would build on the experience of managing the Council's previous Community Chest programme.

5.16 Cabinet is now invited to endorse this recommendation for managing expenditure of the neighbourhood portion in non-parish areas of the borough. This will allow the process to be commenced later in 2020, co-ordinated by the Assistant Director for Health & Wellbeing.

Administrative expenses

6.1 Whilst the overwhelming majority of revenue from the levy is directed towards infrastructure provision, the CIL Regulations recognise that there are costs associated with operating CIL and allow charging authorities to spend up to 5% of total levy receipts on administrative expenses. Administrative expenses associated with the levy include the costs of the functions required to establish and run a levy charging scheme.

6.2 The 5% for administrative expenses is included in the budget each year to offset the costs of officer time on CIL.

7.0. Next steps:

- (i) Allocate strategic CIL funding for 2019/20, in line with the recommendations in this report.
- (ii) Continue to update and further develop priorities for strategic expenditure through the Infrastructure Delivery Plan in support of the Local Plan, and working closely with delivery partners, particularly the County Council, D2N2 and SCR and other strategic infrastructure providers.
- (iii) Continue to engage with Staveley Town Council and Brimington Parish Council and for the neighbourhood element (15%) of CIL expenditure in the parished areas of the Borough, in line with CIL Regulations.
- (iv) Commence the process for expenditure of the Neighbourhood Portion in non-parished areas through the

new Community Fund, to be managed through the Health & Wellbeing Partnership in line with the recommendation in this report.

- (v) Continue monitoring of CIL and S.106 agreements in preparation for publication of first annual Infrastructure Funding Statement by 31st December 2020.
- (vi) Update to council delegations to reflect arrangements for approval of CIL strategic expenditure (this will be the subject of a future report).
- (vii) Set out proposals for a review of the Chesterfield CIL charging scheme, for future consideration by Cabinet.

8.0 Financial considerations

- 8.1 The financial ramifications of introducing a CIL were originally reported to Cabinet when the CIL charging scheme was established, and in subsequent reports. Importantly, CIL regulations permit charging authorities to finance initial set-up and ongoing administration costs from up to 5 per cent of CIL receipts. Therefore, over time, it should be possible to recover the costs of preparing the CIL evidence base and Charging Schedule (including examination costs) and other on-going administration or staffing costs.
- 8.2 CIL will provide funds to protect enhance and promote the Borough's existing green infrastructure assets.

9.0 Legal Implications

- 9.1 Management and expenditure of CIL income has been assessed in accordance with the The Community Infrastructure Levy Regulations 2010 (as amended) and the National Planning Practice Guidance (NPPG).

10.0 Risk Management

10.1 This work concerns the implementation of statutory and good practice performance requirements. All relevant documents and reports have to be published and available for public scrutiny.

Description of the risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Expenditure is not approved – infrastructure is not in place to support housing growth	Med	Low	The potential projects have been assessed in accordance with the relevant regulations and guidance	Low	Low
Expenditure is approved but not delivered on site – infrastructure is not in place to support housing growth	Low	Low	Finance is not released to party delivering structure until evidence is in place of provision	Low	Low

11.0 Equalities Impact Assessment

11.1 An EIA was undertaken at the time that CIL was introduced. The proposed expenditure sits within the range of purposes that were considered at the time.

12.0 Recommendations

- 12.1 That Cabinet notes the progress on receipts from the Community Infrastructure Levy (CIL).
- 12.2 That Cabinet approves the awards for the expansion of Poolsbrook Primary Academy as the strategic CIL funding for 2019, in line with the assessment set out in Appendix 3 in this report.
- 12.3 That Cabinet approves the recommendation for managing expenditure of the neighbourhood portion in non-parish areas of the borough.

13.0 Reasons for recommendations

- 13.1 To ensure that CIL expenditure takes place in accordance with the CIL Expenditure Strategy to ensure that CIL investment supports planned growth and sustainable development and Chesterfield's continued vitality.

Decision information

Key decision number	957
Wards affected	ALL

Document information

Report author	Contact number/email
Rick Long - Infrastructure Planning Officer	01246 345792 Rick.long@chesterfield.gov.uk
Appendices to the report	
Appendix 1	Parish and Non-Parish Areas
Appendix 2	Community Infrastructure Levy: Regulation 123 List
Appendix 3	Summary of CIL bids received - 2019; Assessments and recommendations

Appendix 1: Parish and non-parish areas

Parish areas

Chesterfield has 2 parish areas which cover the following Wards:

Staveley Town Council:

Barrow Hill & New Whittington (part)
Lowgates & Woodthorpe
Middlecroft & Poolsbrook
Hollingwood & Inkersall

Brimington Parish Council:

Brimington North
Brimington South (part)

Non-Parished Areas

The non-parished areas of Chesterfield Borough cover the following Wards:

Barrow Hill & New Whittington (part)
Brimington South (part)
Brockwell,
Dunston
Hasland
Holmebrook
Linacre
Loundsley Green
Moor
Old Whittington
Rother
St Helens
St Leonards
Walton
West

Appendix 2: Community Infrastructure Levy: Regulation 123 List

REGULATION 123 INFRASTRUCTURE LIST
Infrastructure Type or Project
Strategic Green Infrastructure
<ul style="list-style-type: none"> • Public Open Space and/or play provision and/or improvements* • Sports and Playing Pitches* • Restoration of Chesterfield Canal • Access improvement to Green Wedges and Strategic Gaps • Biodiversity and habitat enhancement including tree planting*
Transport Infrastructure
<ul style="list-style-type: none"> • Improvements to A61 Chesterfield Inner Relief Road Junctions* • Chesterfield Staveley Regeneration Route • Hollis Lane Link Road • Implementation of Chesterfield Strategic Cycling Network* • Measures to improve walking, cycling and public transport provision within*: <ul style="list-style-type: none"> i. The A61 Corridor ii. The A619 Chatsworth Road iii. The A619 corridor through Brimington and Staveley iv. Access to Chesterfield Railway Station v. The proposed Strategic Cycle Network
Other Infrastructure
<ul style="list-style-type: none"> • Strategic Flood Defences and alleviation measures*
Education Provision
<ul style="list-style-type: none"> • Provision of additional pupil capacity in existing schools and contributions to a new school or schools to address shortfalls in capacity arising from new housing growth

*Excluding Site Specific measures arising as a result of specific development proposals, subject to statutory tests set out under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), which stipulates the following:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

- a) necessary to make the development acceptable in planning terms*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

**Appendix 3: Summary of CIL bids received - 2019;
Assessments and recommendations**

Applicant	Project	Value of bid (£)	Assessment of bid and Recommendation
DCC Education	Poolsbrook Primary Academy expansion	450,000	<p>Essential to support delivery of 175 houses in a RPA. Development due to commence during 2019</p> <p>Recommendation: Approve funding</p>
CBC Leisure	Princess Street Play Area	45,000	<p>Unclear how proposed site has have been prioritised; Further evidence needed as to how proposal would support new development; Insufficient evidence provided to demonstrate that proposal is not seeking to rectify a pre-existing deficiency</p> <p>Recommendation: Do not approve CIL funding, but invite applicant to resubmit for 2020 funding round, supported by additional information demonstrating clear relationship between proposed infrastructure project and planned development.</p>

CBC Leisure	Chester Street Play Area	50,000	<p>Unclear how proposed site has have been prioritised; Further evidence required to demonstrate that proposal is not seeking to rectify a pre-existing deficiency</p> <p>Recommendation: Do not approve CIL funding, but invite applicant to resubmit for 2020 funding round, supported by additional information demonstrating clear relationship between proposed infrastructure project and planned development</p>
CBC Leisure	Pearsons Recreation Ground	50,000	<p>Unclear how proposed site has have been prioritised; Further evidence required to demonstrate that proposal is not seeking to rectify a pre-existing deficiency.</p> <p>Recommendation: Do not approve CIL funding, but invite applicant to resubmit for 2020 funding round, supported by additional information demonstrating clear relationship between proposed infrastructure project and planned development.</p>

Don Catchment Rivers Trust	<p>Natural Flood Management (NFM) measures at Grassmoor Country Park (Phase 1).</p> <p>Infrastructure in form of earth buds and wet areas designed to slow amount & rate of water entering river systems upstream of Chesterfield</p>	3796	<p>Grassmoor Country Park located in catchment of Spital Brook a confluence with Rother in Chesterfield close to Chesterfield Waterside and where Hipper also discharges into Rother. This area is very prone to flooding;</p> <p>Bid presented as phase 1 (survey & analysis) pursuant to a phase 2 (infrastructure provision). However, costs of phase 2 not specified in detail.</p> <p>Outline estimate of projected costs for delivery of natural flood management measures outlined in application is £50,000 +/- 20%, but dependent on outcome of feasibility study and opportunities/limitations this presents.</p> <p>Recommendation: Do not approve CIL funding, but invite applicant to resubmit bid for 2020 funding round, supported by additional information demonstrating full project costs and clearer relationship between proposed infrastructure project and planned development in Chesterfield.</p>
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Chesterfield Canal Trust	Restoration of C'field Canal in Staveley. to CBC south of Renishaw	0	<p>No detailed costings at present. Greater clarity expected by April 2020. Total cost expected to be c. £2/3 million. Therefore no bid for CIL funding in 2019.</p> <p>Recommendation: Include in forward plan</p>
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For publication

Chesterfield Borough Local Plan 2018-2035 (EG000)

Meeting:	1.Council 2.Cabinet
Date:	1. 15 July 2020 2. 14 July 2020
Cabinet portfolio:	Economic Growth
Report by:	Strategic Planning and Key Sites Manager

1.0 Purpose of report

- 1.1 To report the findings of the Inspectors' Report into the Examination in Public of the new Chesterfield Local Plan.
- 1.2 To seek approval to adopt the Chesterfield Borough Local Plan (as recommended to be modified by the Inspectors' Report) as the Council's Development Plan for the borough [Regs].

2.0 Recommendations

- 2.1 That the Inspectors' Report attached at appendix B to this report is noted.
- 2.2 That the Local Plan 2018-2035 attached at appendix A, incorporating the modifications recommended by the Planning Inspectors' Report is adopted by the Council to meet

the requirement of Section 38 of the Planning and Compulsory Purchase Act 2004.

- 2.3 That the Council delegates authority to the Strategic Planning and Key Sites Manager, in consultation with the Cabinet Member for Economic Growth to make any minor changes (including formatting and images) necessary to make the Local Plan (that do not materially affect the Plan) and associated documents ready for printing and uploading to the council website.
- 2.4 That the Council delegates authority to the Strategic Planning and Key Sites Manager, in consultation with the Cabinet Member for Economic Growth to make necessary changes to any Supplementary Planning Documents and informal Planning Guidance currently used by the Council to make appropriate reference to the new Local Plan.

3.0 **Background**

- 3.1 Every Local Planning Authority is required, under the Planning and Compulsory Purchase Act 2004, to prepare a Local Plan for their area that addresses priorities for development and use of land. The plan must be based on robust evidence and be in accordance with the National Planning Policy Framework (NPPF).
- 3.2 The borough's previous Local Plan consisted of the Chesterfield Borough Local Plan Core Strategy (adopted July 2013) and the saved policies of the Replacement Chesterfield Borough Local Plan (adopted June 2006). The plan is now over five years old and pre-dated the most recent NPPF.
- 3.3 The Local Plan 2018-2035 will fully replace both the Core Strategy and the Replacement Chesterfield Borough Local Plan. It has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

3.4 In order to be adopted, a Local Plan must be found 'Sound' through an independent Examination in Public, held by a Planning Inspector/s appointed by the Secretary of State. These 'Tests of Soundness' are as follows.

Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3.5 The council consulted on a draft of the plan in January and February of 2017 and undertook a further consultation on potential Gypsy and Traveller Sites in January 2018. The representations received through these consultations were taken into account in preparing the Submission Local Plan. This was then subject to formal consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for six weeks starting in January 2019. The Submission Local Plan, and the representations received during the consultation, were then submitted to the Secretary of State on 28th June 2019, who appointed two

Independent Planning Inspectors to undertake the Examination in Public of the Local Plan.

- 3.6 Hearing sessions were held by the Inspectors between 15th October and 6th November 2019, attended by a number of interested parties. Following these hearing sessions, the Inspectors identified a number of areas where changes ('Main Modifications') were necessary to make the plan 'Sound' and asked the Council to prepare these modifications, to be agreed with the Inspectors. The Council's Cabinet approved these Main Modifications at its meeting on 25th February 2020 and they were then subject to a six-week period of consultation. Following this consultation period, the Modifications and all representations received were passed to the Planning Inspectorate for consideration in preparing their report on the Examination.
- 3.7 The Inspectors' Report (appendix B) was received by the Council on 27th May 2020. It concluded that "the Chesterfield Borough Local Plan provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it". The report is accompanied by a schedule of the recommended Main Modifications (appendix C). The Inspectors' Report and Schedule of Modifications have been published as required by the Local Planning Regulations (which requires the report be published as soon as practicable after receipt).

4.0 **Main Modifications**

- 4.1 The full Main Modifications are set out in appendix C. However, the key areas in which the modifications alter the Submission Local Plan previously approved by the Council are as follows:

- *Extend the plan period to from 2018-2033 to 2018-2035, to accord with NPPF requirements for a minimum 15-year period from adoption;*
- *Increase employment land minimum requirement from 44 hectares to 50 hectares to align with extended plan period;*
- *Change the housing requirement to be based on the new Local Housing Need (LHN) methodology, resulting in a reduced annual minimum need of 240 dwellings per annum over the extended plan period (resulting in an overall reduction in the minimum requirement from 4374 to 4080 homes over the plan period 2018-2035)*
- *Policies LP1 Spatial Strategy & LP2 “Principles for Location of Development” – change from emphasis from walking distance to centres, to more emphasis on walking access to a range of key services (Employment centres, Primary schools, Secondary schools, Further Education institutions, GPs, Hospitals, Food stores, Town Centres) and removal of the proposed 800m threshold walking distance to centres;*
- *Policy LP4 Flexibility in Delivery of Housing – refinement*
- *of policy wording regarding development on unallocated sites outside the built-up area, and identifying the extent of the ‘built up area’ on the Policies Map;*
- *Table 4 Housing Allocations – H3 Manor House Farm, H22 Lister Car Sales and H24 Barker Lane have been removed as they are no longer available for development;*
- *Policy LP5 Range of Housing – change in affordable housing requirements from ‘up to 20%’ to a sliding scale in line with the already agreed Community Infrastructure Ley (CIL) Zones. Additional text to clarify the circumstances where 25% the higher ‘adaptable and accessible housing technical standard’ will be required. Additional text clarifying the circumstances where housing for older people will be supported;*
- *Policy LP15 A Healthy Environment – inclusion of reference to cumulative impact on air quality;*
- *Policy LP16 Green Infrastructure – inclusion of reference to protecting and enhancing access to multiuser trails;*

- *LP21 Design – Percent for Art removed as a requirement for development (although the policy will still seek to ‘encourage’ provision of public art) to align with the new CIL Regulations;*
- *Policy LP23 Influencing the Demand for Travel – additional text regarding cycle parking, and a commitment to prepare a Supplementary Planning Document (SPD) on planning for walking and cycling within new development;*
- *Policy RP1 Regeneration Priority Areas - Reduction of expected housing numbers in Duckmanton from 400 to 275 due to landscape constraints. Increase of expected housing numbers in Mastin Moor from 400 to 670 to reflect evidence presented by landowner. Increase in housing numbers in Poolsbrook from 100 to 175 to reflect the planning permission now being implemented;*

5.0 **The New Local Plan**

5.1 A version of the new Local Plan, incorporating the recommended changes, is attached at appendix A.

5.2 The Local Plan will cover the period up to 2035 and sets out the overall strategy for the pattern, scale and quality of development and makes sufficient provision for:

- Housing, employment, retail, leisure and other commercial development
- Infrastructure
- Community facilities
- Conservation and enhancement of the natural, built and historic environment, and planning measures to address climate change.

5.3 In total the plan makes provision for at least :

- 4080 new homes
- 50ha of employment land
- 7736 sqm of new retail space (3444sqm comparison and 4292sqm convenience)

6.0 **Adoption**

- 6.1 The Inspectors' report itself is not legally binding (the Council is not obliged to adopt the Plan), but under the Planning and Compulsory Act 2004 (section 23(3)), if the Inspector recommends Modifications to make the Plan Sound it can only adopt the plan with all those modifications (and any other 'additional' modifications that do not materially affect the policies set out in the Plan).
- 6.2 Upon adoption of the New Plan, the Local Plan Core Strategy (2013) and the Replacement Chesterfield Local Plan (2006) would be superceded and would cease to have any relevance to decisions on planning applications.
- 6.3 The Local Planning Regulations require that 'as soon as reasonable practicable' following adoption, the Council publish the new Local Plan, an Adoption Statement, the Sustainability Report and details of where and when the Local Plan can be inspected.

7.0 **Human resources/people management implications**

- 7.1 There are no HR implications arising specifically from this report.

8.0 **Financial implications**

- 8.1 The Planning Inspectorate charged £75,485.86 for undertaking the examination. This cost has been met from the existing Local Plan reserve set aside for the specific purposes. The total cost of the examination.

9.0 **Legal and data protection implications**

9.1 The Local Plan has been prepared and consulted on in line with the requirements of the Town and Country Planning (Local Planning) Regulations 2012, the National Planning Policy Framework, the National Planning Policy Practice Guidance and the council's own Statement of Community Involvement.

9.2 Representations to the plan received during the consultation period were dealt with according to the GDPR.

10.0 **Consultation**

10.1 The Local Plan has been subject to consultation throughout its preparation. Consultation has been carried out in accordance with the Council's own Communications and Engagement Strategy and Statement of Community Involvement (SCI), and the requirements of the Town and Country Planning (Local Planning) Regulations 2012, the National Planning Policy Framework, the National Planning Policy Practice Guidance.

11.0 **Risk management**

11.1 This work concerns the implementation of statutory and good practice performance requirements. All relevant documents and reports have to be published and available for public scrutiny.

Description of the risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Legal Challenge to the Plan	High	Low	The Plan has been prepared in accordance with the relevant regulations and guidance	Low	Low

The Plan is not adopted in accordance with the report	High	Low	The Plan is adopted	Low	Low
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12.0 **Equalities Impact Assessment (EIA)**

12.1 An Equality Impact Assessment of the Local Plan was undertaken at Submission stage and this has been updated to reflect the Modifications.

13.0 **Sustainability Appraisal**

13.1 The Local Plan has been subject to ongoing Sustainability Appraisal. A summary Statement will be published alongside the Local Plan.

14.0 **Alternative Options and Reasons for Rejection**

14.1 Under the provisions of the Planning and Compulsory Act 2004 (section 23(3)), the only alternative option legally available to the Council at this stage is to decide not to adopt the Local Plan in its entirety. It is not possible to adopt the Plan in part or only with some of the recommended modifications.

14.2 The Examination in Public is now closed. Should the Council choose not to adopt the Local Plan it would be necessary to re-write the Plan and recommence the consultation and examination process. This would involved a delay of some years (the current Plan has taken three years from publication of the first draft to this point) and significant additional expense (see 'Financial Implications' above).

14.3 In the meantime, the Council would be reliant on the existing Core Strategy and RCBLP. Both Plans significantly pre-date the latest National Planning Policy Framework, are based on largely out of date evidence and do not make sufficient development allocations to meet the required housing need. As demonstrated in the recent appeal against the refusal of planning permission for housing at Northmoor View, Brimington, the existing Local Plan documents are increasingly at risk of successful challenge on the basis of being considered out of date. Not adopting a new plan will also reduce the Council's likelihood of being able to demonstrate a minimum of five years supply of deliverable housing sites. In both cases, the 'presumption in favour of sustainable development' set out in the NPPF applies and the Council's ability to resist unwanted development would be significantly reduced.

14.4 For these reasons, the alternative option has been rejected

15.0 **Recommendations**

15.1 That the Inspectors' Report attached at appendix B to this report is noted.

15.2 That the Local Plan 2018-2035 attached at appendix A, incorporating the modifications recommended by the Planning Inspectors' Report is adopted by the Council to meet the requirement of Section 38 of the Planning and Compulsory Purchase Act 2004.

15.3 That the Council delegates authority to the Strategic Planning and Key Sites Manager, in consultation with the Cabinet Member for Economic Growth to make any minor changes (including formatting and images) necessary to make the Local Plan (that do not materially affect the Plan) and associated documents ready for printing and uploading to the council website.

15.4 That the Council delegates authority to the Strategic Planning and Key Sites Manager, in consultation with the Cabinet Member for Economic Growth to make necessary changes to any Supplementary Planning Documents and informal Planning Guidance currently used by the Council to make appropriate reference to the new Local Plan.

16.0 **Reasons for recommendations**

17.0 To meet the council's duties under the Planning and Compulsory Purchase Act 2004.

Decision information

Key decision number	958
Wards affected	All
Links to Council Plan priorities	All

Document information

Report author	Contact number/email
Alan Morey	01246 959707
Appendices to the report	
Appendix A	Chesterfield Borough Local Plan 2018-2035
Appendix B	Report on the Examination of the Chesterfield Borough Local Plan
Appendix C	Schedule of Main Modifications

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CHESTERFIELD
BOROUGH COUNCIL

Chesterfield Borough Local Plan

Adopted July 2020

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Introduction

What is a Local Plan?

Every Local Planning Authority is expected to have a Local Plan for its area. The Local Plan sets out a vision and framework for the development of the area covering housing, the economy, community facilities and infrastructure – as well as providing a basis for safeguarding the environment, adapting to climate change and securing good design¹.

Planning Law also requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Alongside the Chesterfield Borough Local Plan, there are also the emerging Minerals and Waste Local Plans being jointly prepared by Derbyshire County Council and Derby City Council, which will be a relevant consideration in the assessment and determination of some development proposals in the area.

Why and how has it been prepared?

National planning policy, set out in the National Planning Policy Framework (NPPF), requires councils to prepare long-term development plans for their area. The Town and Country Planning (Local Planning) (England) Regulations 2012 prescribe processes that the council must follow when preparing the Local Plan. The council consulted on a Draft Local Plan (January/February 2017), with a further consultation (January/February 2018) on Gypsy and Traveller sites.

Representations made in respect of these earlier consultations were considered alongside updated evidence in preparing the Submission Draft.

The Local Plan underwent a Regulation 19 consultation in early 2019, which was the final public consultation before the Local Plan was submitted to the Planning Inspectorate for examination. The examination Hearings were held in October and November 2019.

A range of evidence has been commissioned or undertaken by the council to underpin the Local Plan and this can be viewed on the council's website. The preparation of the draft plan has also been informed by the following:

- Sustainability Appraisal
- Habitat Regulations Assessment
- Equalities Impact Assessment
- Health Impact Assessment

¹ <http://planningguidance.communities.gov.uk/blog/guidance/local-plans/local-plans-key-issues/>

What is in it?

The plan contains **Development Management** policies, which will apply to all developments or developments of a particular type (for example policies about design or housing).

It also includes **Site Allocations** which are set out on an accompanying **Policies Map**. These are policies that only apply in specific locations in the borough, and include sites for new housing or economic development as well as areas to be safeguarded for their environmental, leisure or social benefits.

1. Vision and Strategic Objectives

VISION

- 1.1. Our approach to the Local Plan Vision is based on the Council's Vision for Chesterfield Borough and is supported by a fuller, descriptive Spatial Strategy to provide clarity and detail.

Local Plan Vision:

A thriving Borough, where everyone has access to the jobs, training and support they need.

A clean, green and attractive Borough, where our open spaces and built heritage are valued.

A healthy and safe Borough, where the community is free from the fear of crime.

A place where everyone has fair access to a decent and affordable home.

An inclusive Borough, where everyone feels valued and has equal and fair access to local services.

We want Chesterfield Borough to be a thriving Borough, where everyone has access to the jobs, training and support they need where...

- 1.2. Former industrial land in the Staveley and Rother Valley Corridor, south of Chatsworth Road, in the A61 Corridor and at Markham Vale, is put to the best use.
- 1.3. There will be 50 ha of land provided between 2018 and 2035 for new high-quality employment development so that together with existing employment areas, a range of jobs and training opportunities are easily accessible to those who need them. All this new development will be in areas with an established industrial character or areas of regeneration specifically designated for mixed use. Economic activity and employment opportunities are focussed where the

regeneration benefits can be maximised, particularly in the Staveley and Rother Valley Corridor and along the A61 Corridor where there is significant need for work and training. High employment density uses such as offices are located in the most accessible locations near to town and district centres.

- 1.4. The borough has a strong economic role within the Sheffield City Region, and the infrastructure needed to support business growth is secured. The development of Markham Vale as part of the Sheffield City Region Enterprise Zone is supported. A range of education and employment opportunities create and retain skilled residents to support economic prosperity. The role of Chesterfield College in providing quality training and education is recognised and encouraged. Regeneration and development projects boost the local economy through encouraging the use of local labour and local supply chains.
- 1.5. Retail, employment, leisure and community activity is focussed in the town and district centres. The vitality of existing centres and of Chesterfield Market remains of paramount importance. Chesterfield Town Centre acts as the focus for retail, economic, cultural and leisure activity across the north east Derbyshire sub-region, whilst Staveley Town Centre provides a focus for activity in the north east of the borough. District and Local Centres build on their own, distinct character while ensuring residents have easy access to services meeting their day to day needs. These centres are sustainable places for the provision of community and cultural facilities and the council will encourage their location and development there. Voluntary organisations are key partners for the council in achieving and maintaining this ambition.
- 1.6. The visitor economy is strong, complementing the role of Chesterfield as a sub-regional centre and a destination both in its own right and in relation to the Peak District and internationally significant attractions such as Chatsworth, Sherwood Forest, Bolsover Castle and Hardwick Hall. The Peak Resort proposal is delivered and provides many jobs locally, as well as providing visitor accommodation and leisure facilities. Other locally important attractions such as the Barrow Hill Roundhouse Railway Centre, Chesterfield Canal, Chesterfield Market, Staveley Hall and Chesterfield Museum are enhanced and promoted. The town is recognised for the variety of its cultural offer and its wide selection of places to eat. The borough has a range of accommodation including value for money bed and breakfasts, luxury hotels, budget hotels and environmentally sustainable caravan and camping sites. Overall, the number of visitors choosing to stay in the borough, whether for business or leisure, increases.

We want Chesterfield Borough to be a clean, green and attractive Borough, where our open spaces and heritage are valued, where...

- 1.7. There continues to be a Green Belt around the north, west and south west of the borough and all key green wedges between the settlements of Brimington, Staveley and Chesterfield are safeguarded. Green Wedges and Strategic Gaps between villages and between distinct parts of the urban areas are also maintained. Green Belt, Green Wedges and Strategic Gaps function as an integral part of the borough's green infrastructure.

- 1.8. Green spaces and open land are enhanced and connected to provide and link high quality and diverse habitats for wildlife and important spaces for sport, recreation, leisure and healthy living. Everyone in the borough can access a variety of green spaces, including local play areas, informal recreational space and larger sports facilities, properly looked after with long term maintenance and management.
- 1.9. River and canal corridors are recognised and protected as major assets and enhanced, and opened up where possible to create routes for sustainable travel, tourist attractions, recreation areas and wildlife corridors. Links are made between key water corridors, including the Pools Brook / Doe Lea and the Chesterfield Canal following the restoration of the canal to a navigable state along all its length in the borough.
- 1.10. Maximum use is made of Sustainable Drainage Systems (SuDs) so that new development is less at risk from risk of flooding and does not exacerbate flooding problems in existing developed areas both within the borough and downstream. SuDs and the management of floodplains present positive habitat opportunities and contribute to the wider network of green infrastructure. Action is taken to lessen the risk of breach at places along the river Rother on Derby Road, Clayton Street, and the Slitting Mill Farm area. All developments pay due regard to flood risk from all sources, including surface water run-off, whether the risk bears on the development itself or might affect other places. Careful and innovative design solutions enable some development to take place in key brownfield sites deemed at risk of flooding.
- 1.11. Our buildings and spaces are designed to adapt to climate change, minimise energy use and planting is used to promote urban cooling. All new development contributes to reducing greenhouse gas emissions through design measures that lower the energy used. Proposals for renewable and low carbon energy generation are supported. Good physical planning, high standards of design and proper management of the public realm are essential features of a sustainable urban environment.
- 1.12. The borough's overall contribution to climate change is reduced through tree planting in areas of poorer biodiversity where it would not adversely affect the landscape character or habitat availability for ground-nesting birds and other wildlife.
- 1.13. Food growing opportunities are maximised, and land for growing food, especially within and adjoining residential areas in allotments and community gardens and the best and most versatile agricultural land, is safeguarded. Waste generation is reduced, and the energy efficiency of existing buildings, particularly housing, is improved to reduce both fuel poverty and greenhouse gas emissions. Minerals resources are protected from unnecessary sterilization, and consideration is given to prior extraction of mineral resources.
- 1.14. Heritage assets, including locally important buildings are protected and enhanced, retaining the features that make our communities distinctive, and

enabling people to engage with the local character and heritage of our built environment on a day to day basis.

- 1.15. Different landscape characteristics, such as the gently undulating farmland, coalfield villages, well-wooded and species-rich areas along the eastern fringe, and ecologically important riverside meadows, are recognised as important features, influencing the design and layout of all new development.

We want Chesterfield Borough to be a healthy and safe Borough, where the community is free from the fear of crime, where...

- 1.16. People feel safe, whether in their homes or out and about. Future environments are designed to minimise opportunities for crime and anti-social behaviour. Where possible improvements are made to safety features in areas where crime rates are relatively high, particularly in Chesterfield Town Centre, Grangewood, St Augustines, Birdholme, Boythorpe, Staveley Town Centre, Poolsbrook, Barrow Hill, Netherthorpe, Duckmanton, Middlecroft, Newbold Moor and Whittington Moor.
- 1.17. Opportunities for anti-social behaviour in new developments are minimised, especially in the hot spots of Chesterfield Town Centre, Dunston, Moor and St Helens Ward, and Holmebrook and Rother Ward, paying attention to the Chesterfield Community Safety Partnership and Safer Neighbourhoods Team Local Priorities.
- 1.18. People are protected from the harmful effects of development, whether they are the legacy of mining hazards, flooding, traffic risks for pedestrians and cyclists, or pollution of any kind.
- 1.19. Everyone has the opportunity to have a healthier lifestyle, through improved walking and cycling routes, parks and access to nature, and locating facilities such as sports centres and fresh food shops in accessible locations.

We want Chesterfield Borough to be a place where everyone has fair access to a decent and affordable home, where...

- 1.20. Sites are made available for at least 4080 homes between 2018 and 2035 to meet the Objectively Assessed Need (OAN), the majority of which are located within easy walking and cycling reach of the existing district and town centres. Some new housing development will be directed to areas suffering from deprivation to aid the regeneration of these communities. Some of this housing will need to be in well-designed, sensitive urban extensions on greenfield sites. Local centres and community facilities there will need to be improved. In addition, some housing is also concentrated around 'Local Service Centres'.
- 1.21. Everyone has the opportunity of a decent, affordable and accessible home. People who need specialist accommodation, such as warden-aided housing, will be able to access it in locations that are suitable and well served by community facilities and public transport.

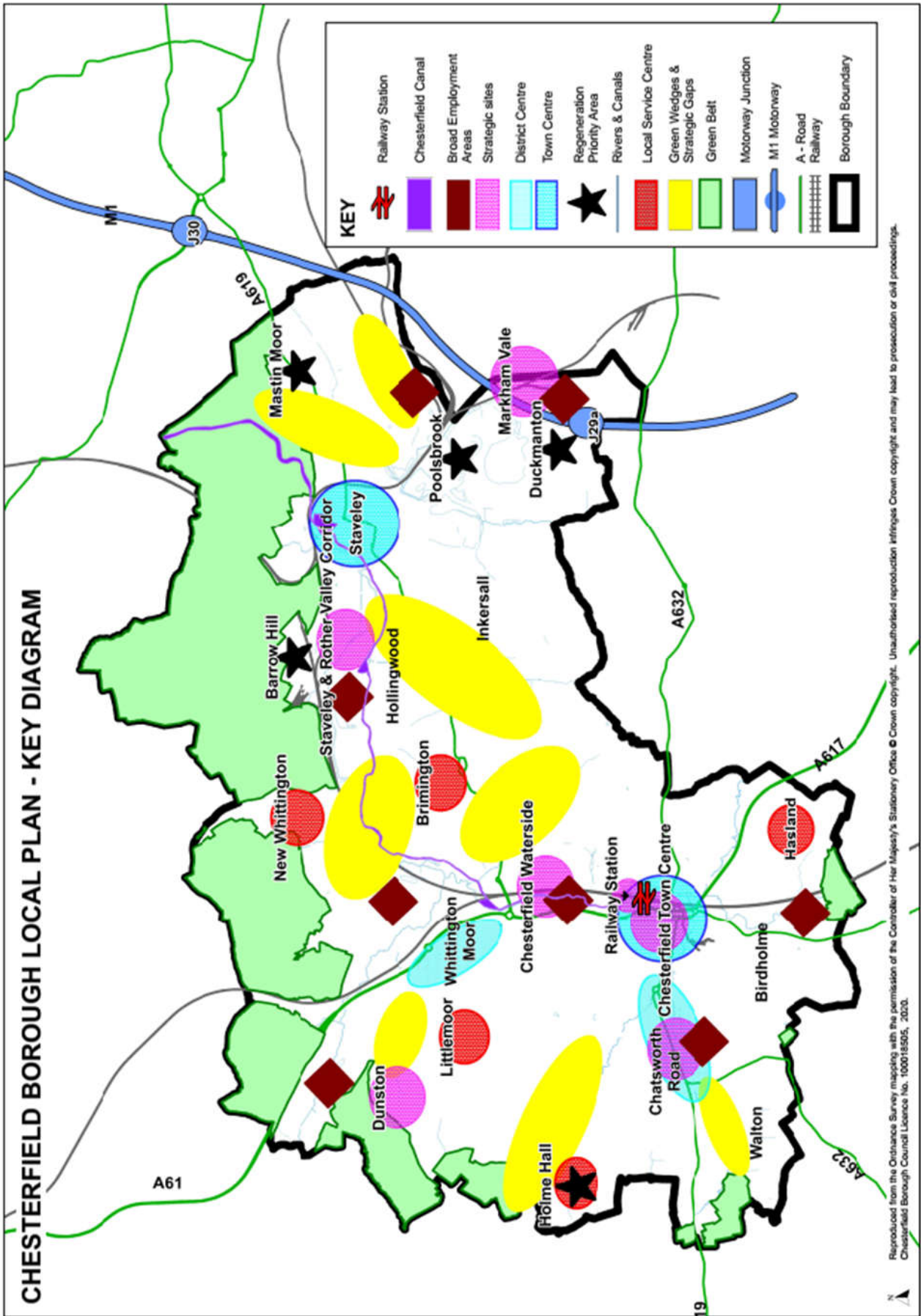
We want Chesterfield Borough to be an inclusive Borough, where everyone feels valued and has equal and fair access to local services where...

- 1.22. Deprivation in key areas is addressed by focussing regeneration and new development in those places and improving accessibility to employment opportunities.
- 1.23. Opportunities for walking, cycling and use of public transport are prioritised and maximised, to encourage healthy lifestyles, reduce the rate of increase in traffic congestion and minimise any worsening of air quality. New forms of sustainable transport are encouraged. Networks of walking and cycling routes are extended and well maintained. Appropriate levels of car parking are provided to meet the residual demand, and most new public car parking takes the form of park and ride or park and walk schemes.
- 1.24. Development is located to minimise the need to travel and designed to prioritise walking, cycling and public transport. Opportunities to make links between different modes of transport are maximised to achieve a seamless network of public transport, walking and cycling routes throughout and beyond the borough. This will include making links to wider local and national walking and cycling networks including the Trans Pennine Trail, Cuckoo Way and, via a new link to the Avenue development site in North East Derbyshire, the five pits trail and national cycle network route 67.
- 1.25. There is appropriate transport infrastructure to serve new development in Staveley and Rother Valley Corridor and the east of the borough, and to relieve congestion on the A619. The adverse impacts of additional traffic on M1 Junctions 29, 29a and 30 are minimised by working with Highways England and other authorities in the M1 corridor. There is a town centre loop road to take traffic away from St Mary's Gate and improve the accessibility of the railway station, and a rail freight head at Markham Vale to encourage freight off the roads and onto the railways. Railway infrastructure such as the track bed between Seymour Junction and the Clowne Linear Park in Bolsover is safeguarded, for future use as a rail transport route and as a walking and cycling route in the meantime. Land is safeguarded for future passenger rail halts at Barrow Hill and at Markham Vale. Extensions to existing greenways and new routes are secured, in particular to connect Chesterfield town centre with the north of the borough and Dronfield.
- 1.26. Everyone has access to social infrastructure, including community, leisure, religious, education and health facilities including local shops, public houses and places of worship.

STRATEGIC OBJECTIVES

The Strategic Objectives are focussed on delivering the vision.

- 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.
- S2:** Provide sites for at least 4080 homes to be built between 2018 and 2035 to meet the housing requirement for Chesterfield borough.
- S3:** Support the growth, vitality and viability of Chesterfield and Staveley town centres and the borough's district and local centres.
- 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.
- S5:** Deliver significant amounts of affordable and adaptable housing to meet identified needs.
- S6:** Provide at least 50 ha of new employment land between 2018 and 2035.
- S7:** Promote a net gain in biodiversity and protect and improve the borough's key green infrastructure assets and landscape character.
- S8:** Ensure that new development is designed to a high standard that promotes architectural quality, energy efficiency, protects and enhances the borough's historic environment, and reflects local distinctiveness.
- 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.
- S10:** Ensure that all development is supported by appropriate and inclusive infrastructure provision.
- S11:** Maintain and enhance the Green Belt.
- S12:** Restore the Chesterfield Canal to a navigable state along all its length within the borough.
- S13:** Enhance the health and wellbeing of the borough's residents.



2. Spatial Strategy

SPATIAL STRATEGY

Regeneration Priority Areas

- 2.1. Regeneration including new development can address the needs of communities experiencing deprivation. The Regeneration Priority Areas (RPAs) reflect multiple deprivation and spatial concentrations of deprivation, expressed by the national Index of Multiple Deprivation (IMD) data. Other parts of the borough are ranked higher than some of the RPAs in some individual indices, but the identification of the RPAs also reflects other spatial issues such as concentrations of social housing stock, proximity to major new employment development at Markham Vale, and dwindling local services and facilities.

Housing Growth

- 2.2. The Local Housing Need (LHN) methodology set out in the NPPF indicates a minimum housing need of 240 new dwellings per annum. No further adjustments to this figure are required to account for unmet need in neighbouring areas or other demographic or economic factors.
- 2.3. Between 2018-2035, this equates to a minimum housing requirement of 4080 new dwellings (240 dwellings per year).

Economic Growth

- 2.4. The Council has undertaken an update of the [Employment Land Requirements](#) for the Local Plan period. This takes account of a demographically derived assessment of employment need; employment growth forecasts; past take-up rates; and local knowledge of the functioning of Chesterfield's commercial property market to identify a future land requirement.
- 2.5. This work concludes that 44 hectares of employment land are required between 2018-2033, split into B1 5.2 ha, B2 – 21 ha and B8 – 17.6 ha. This equates to a minimum of 50ha across the Local Plan period of 2018 to 2035. Chesterfield needs to be able to offer an appropriate range of employment sites, in terms of quantity, size and location. The quality of site provision is key, and the best employment sites must be protected.

Table 1: Employment Land Requirement

Employment Land Type	Requirement (Hectares)
B1	5.9 ha
B2	23.8 ha
B8	19.9 ha
Total Requirement (2018-2035)	50 ha

Green Belt

- 2.6. The openness and permanence of the Green Belt is of great importance. It contains urban development, prevents the coalescence of settlements, protects the countryside, preserves the setting and character of historic towns such as Chesterfield, and aids urban regeneration by encouraging the use of previously developed urban land. The underlying principles and policies for protecting the Green Belt are set out in the National Planning Policy Framework.
- 2.7. The Green Belt is a highly valued part of the borough's green infrastructure, and as such the council will seek opportunities to provide access, outdoor sport and recreation for the benefit of the community.
- 2.8. As there is sufficient land outside the Green Belt to meet the borough's housing and employment land needs, it is not necessary to review the Green Belt at this time. The council has, however, agreed to a joint methodology as part of Sheffield City Region which would guide a review if and when this occurs. There is no current plan or timeframe to review the Green Belt, but the Council is committed to working with partners on a strategic review in the future.
- 2.9. It is not proposed to delete any areas of land from the Green Belt, except where minor adjustments are necessary to reflect current anomalies e.g. garden extensions.

Green Wedges and Strategic Gaps

- 2.10. Strategic gaps give distinct identity to different areas, prevent neighbouring settlements from merging into one another, and maintain open space. Green Wedges provide access to the countryside from urban areas. The boundaries are based on an independent assessment of the character of the proposed Green Wedge or Strategic Gap and its contribution to; the setting and identity of the borough and its urban areas; landscape character, habitat and biodiversity; access to countryside and recreation; the ability to connect areas

of green infrastructure; and the impact that development would have on the function of the Green Wedge or Strategic Gap.

CLP1 Spatial Strategy

The overall approach to growth will be to concentrate new development within walking distance of a range of Key Services as set out in policy CLP2, and to focus on areas that need regenerating, including the ‘place shaping’ areas set out in policies SS1 to SS6 and Regeneration Priority Areas.

Regeneration Priority Areas

The council will maximise regeneration benefits to existing communities offered by development opportunities in the following areas:

- Eastern Villages– Barrow Hill, Duckmanton, Mastin Moor, Poolsbrook
- Holme Hall
- Staveley and Rother Valley Corridor

Housing Growth

The council will make provision for the delivery of a minimum Objectively Assessed Need (OAN) of 240 new dwellings per year, (4,080 dwellings over the period 2018 to 2035). New housing development will be in line with the strategy of ‘Concentration and Regeneration’.

Economic Growth

To maintain economic growth and quality of provision, the council will make provision for 50 hectares of new employment land (B1, B2 and B8 uses) over the period 2018 to 2035. The key areas for employment land are at the already committed Markham Vale development, and at Staveley and Rother Valley Corridor. Policy CLP6 and the Policies Map set out broad locations for employment uses.

Green Belt

The existing Green Belt will be maintained and enhanced.

Strategic Gaps and Green Wedges

Strategic gaps give distinct identity to different areas, prevent neighbouring settlements from merging into one another, and maintain open space. Green Wedges provide access to the countryside from urban areas. The open character of Strategic Gaps will be protected from development between:

- Brimington and Tapton (SG1)
- Ringwood and Hollingwood (SG2)
- Lowgates / Netherthorpe and Woodthorpe / Mastin Moor (SG3)
- Woodthorpe and Markham Vale (SG4)
- Old Whittington and New Whittington (SG5)
- Brimington North (SG6)

Green Wedges provide access to the countryside from urban areas. Green Wedges will be protected from development at:

- Walton River Hipper Corridor (GW1)
- Holme Hall and Newbold Green (GW2)
- Dunston and Sheepbridge (GW3)

The boundaries of Strategic Gaps and Green Wedges are identified on the Policies Map.

PRINCIPLES FOR LOCATION OF DEVELOPMENT

- 2.11. There are certain principles and criteria that will apply to all development within the borough. These development management considerations are fundamental to the successful delivery of the other Local Plan policies. They are also intended to protect sensitive or vulnerable users and adjoining occupiers (whether proposed or existing), and to do this the borough council will take into account the character and use of development proposals and their settings.
- 2.12. The Local Plan's spatial strategy aims to support and encourage walking, cycling and the use of public transport by locating new development within reasonable walking distance of a range of key services. The Local Plan's spatial strategy also recognises the importance of convenient access on foot to key services for those on low incomes, including the health benefits of walkable neighbourhoods. The concept of a walkable neighbourhood is set out in the Council's supplementary planning document: 'Successful Places'.
- 2.13. National Travel Survey data² continues to show walking as being the second highest mode of transport after private vehicles but only for short distances (i.e. 76% of walking trips being under 1 mile/1.6km), whilst people on low incomes are more likely to depend on walking to get around³.

¹ Table 3.2 on page 49 Guidelines for Journeys on Foot (Institution of Highways and Transportation) and Paragraph 3.30 on page 48 of Guidelines for Journeys on Foot (Institution of Highways and Transportation)

² National Travel Survey: England 2014 (DfT)

³ Paragraph 16 Making the Connections: Final Report on Transport and Social Exclusion (ODPM 2003)

2.14. What constitutes a reasonable walking distance is set out in various relevant guidance¹ including the Council's adopted residential design guide supplementary planning document: 'Successful Places'. When seeking to apply the spatial strategy and principles for the location of development the Council will have regard to the concept of a walkable neighbourhood and the walking distances described in its SPD: Successful Places. Regard will also be had to the likely effect of factors such as location, topography, weather, pedestrian facilities, trip purpose and cultural factors. There are also qualitative considerations which will be taken into account, including (but not exclusively):

- Topography;
- Lighting;
- quality of surface;
- provision of off road pathways;
- safety, including isolated pathways, extent of overlooking, lighting, traffic, pedestrian crossings
- accessibility, including dropped curbs.

CLP2 Principles for Location of Development

Planning applications for developments that are not allocated the Local Plan, will be supported according to the extent to which the proposals meet the following requirements which are set out in order of priority:

- a) deliver the council's Spatial Strategy (policy CLP1);**
- b) are on previously developed land that is not of high environmental value;**
- c) deliver wider regeneration and sustainability benefits to the area;**
- d) maximise opportunities through their location for walking access to a range of key services⁴ via safe, lit, convenient walking routes;**
- e) maximise opportunities through their location for cycling and the use of public transport to access a range of key services;**
- f) utilise existing capacity in social infrastructure (Policy CLP10) or are of sufficient scale to provide additional capacity, either on site or through contributions to off-site improvements;**
- g) ensure the long term protection of safeguarded Minerals Related**

⁴ DfT Accessibility Indicators:

- Employment centres
- Primary schools
- Secondary schools
- Further Education institutions
- GPs
- Hospitals
- Food stores
- Town Centres

- Infrastructure as identified in the Derbyshire and Derby Minerals Local Plan and shown on the Policies Map;
- h) are not on the best and most versatile agricultural land;

Exceptions to the council's Spatial Strategy will be considered where development proposals can clearly demonstrate that the proposed use:

- i. needs to be in a specific location in order to serve a defined local catchment or need, to access specific resources or facilities (including transport connections) or to make functional links to other, existing uses; or
- ii. is required to regenerate sites and locations that could not otherwise be addressed or to support existing community facilities that otherwise would be at risk of closure.

3. Homes and Housing

FLEXIBILITY IN DELIVERY OF HOUSING

- 3.1. To meet the housing needs of a growing population and a growing economy, a total of at least 4080 net new dwellings must be built in Chesterfield Borough between 2018 and 2035. This is derived from the Local Housing Need methodology derived housing requirement of 240 dwellings per annum. This strategic housing requirement is not a ceiling, and may be exceeded provided that it is sustainable, it can be supported by existing or new infrastructure and it meets the objectives and policies in the Local Plan.
- 3.2. The distribution of housing within the borough is guided by the approach set out in policies CLP1 and CLP2. It is also be guided by the assessment of suitable developable and deliverable housing sites as set out in the borough council's Land Availability Assessment. Specific sites for developments of 5 or more dwellings are allocated in the Local Plan.
- 3.3. Well over 60% of new development in the borough has been delivered on previously developed land or through re-use of buildings in the form of conversions. The priority for development will be to continue delivering and regenerating brownfield land. In the borough a minimum of 60% completions on brownfield land will continue to be sought, with the aim being for the redevelopment of the major previously developed sites including Waterside and Staveley Works. However, it is acknowledged that large greenfield sites as extensions to the urban area will also have a role to play in delivering the borough's strategic housing requirement on an annual basis.
- 3.4. In order to provide some flexibility for choice and the aspirations of the LEPS, and to account for potential lapses in sites or sites delivering less than the assumed housing figures, the plan allocates more sites than the minimum needed to meet the OAN.
- 3.5. The housing supply for the plan period consists of the housing allocations set out in Table 4, combined with committed planning permissions that do not have an allocation (either because they are below the size threshold for allocation or were substantially under construction at the time of writing).

ing Supply 2018-2035

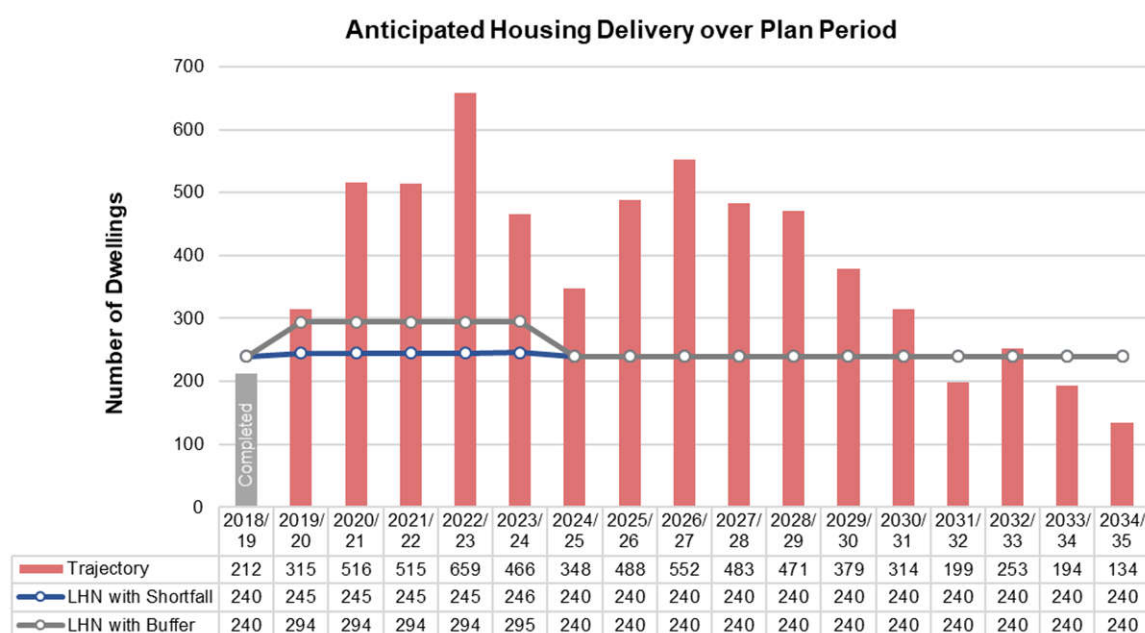
2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Sum of Total
15	45	58	224	219	165	272	305	298	305	240	175	60	60	60	0	2251
114	129	95	32	25	30	30	18	0	0	0	0	0	0	0	0	536
4	71	12	70	79	52	62	16	2	0	0	0	0	0	0	0	338
91	92	76	22	0	0	0	0	0	0	0	0	0	0	0	0	402
0	0	0	0	0	15	30	30	25	0	0	0	0	0	0	0	100
0	50	207	207	37	55	55	55	55	55	55	55	55	59	50	50	1100
0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	50	150
79	50	50	75	74	50	50	50	50	50	50	50	50	50	0	0	799
36	96	0	0	0	0	0	0	0	0	0	0	0	0	0	0	189
-24	-37	-17	-5	-3	-3	-3	-2	0	0	0	0	0	0	0	0	-94
0	0	34	34	34	34	34	34	34	34	34	34	34	34	34	34	476
315	516	515	659	466	348	488	552	483	471	379	314	199	253	194	134	6,497

3.6. The Local Plan must demonstrate a deliverable supply of housing sites sufficient for five years with a minimum buffer of 5% (20% in the case of evidence of persistent under-delivery via the Housing Delivery Test). As of 1st April 2019, there was an existing shortfall of 28 dwellings, to be resolved within the first five years. Monitoring indicates that the borough is currently on target to resolve the entirety of this shortfall by 1st April 2020. The council has therefore applied a 20% buffer for under-delivery to the five years from 1st April 2019 (the first four years of the plan based on an adoption date on April 2020). A 10% lapse rate has been applied to commitments.

Table 3: Housing Target and Delivery Forecast

Year	LHN	Actual Completions	LHN + Buffer	Trajectory Forecast
2018/19	240	212	240	212
2019/20	240	N/A	294	315
2020/21	240	N/A	294	516
2021/22	240	N/A	294	515
2022/23	240	N/A	294	659
2023/24	240	N/A	295	466
2024/25	240	N/A	240	38

3.7. From 1st April 2020 the council therefore expects to demonstrate a supply of 2503 new dwellings against a target of 1417 dwellings. Over the whole plan period the council can demonstrate a supply of 6,497 dwellings against a minimum housing requirement of 4,080 between 2018 and 2035. Delivery, including lapse and windfall rates, will continue to be monitored across the plan period and taken into account in future reviews.



- 3.8. The NPPF also requires⁵ that at least 10% of the housing requirement should consist of small sites of no larger than one hectare. Between the commitments and allocations described in this Local Plan, the plan makes provision for approximately 15% of the requirement to come forward on such sites.
- 3.9. The dwellings to be delivered as part of the Staveley and Rother Valley Corridor (policy SS5) have not been included as part of the supply at this stage due to uncertainty about the timing of key infrastructure and the HS2 Infrastructure Maintenance Depot, which may put the majority of housing delivery on this site beyond the plan period. The council and landowners are continuing to work jointly on the regeneration of this key site.
- 3.10. Policy CLP3, 'Flexibility in Delivery of Housing' is intended to ensure a supply of deliverable housing sites sufficient for five years as set out in the NPPF. The policy seeks to meet the aims of the Local Plan's Spatial Strategy, and allows for some uncertainty in the timing of delivery of housing on allocated sites. It sets out the council's position on the development of unallocated sites outside of the built-up area for housing and how this relates to the principles for the location of development set out in policy CLP2. The council will take action if monitoring is unable to demonstrate that the council has a supply of deliverable housing sites sufficient for 5 years (plus 5 or 20%, depending upon delivery rates) due to either under delivery increasing the shortfall requirement or improved delivery resulting in a reduced pool of remaining sites.

CLP3 Flexibility in Delivery of Housing

Planning permission will be granted for residential development on the sites allocated on the Policies Map and as set out in Table 4, provided they accord with other relevant policies of the Local Plan.

Outside of the built-up area (as set out on the Policies Map), and subject to other relevant policies of the Local Plan, new residential development on sites not allocated in Table 4 will only be permitted where:

- a) The development can demonstrate that it would have reasonable access to a range of key services as set out in Policy CLP2; and**
- b) It re-uses redundant or disused buildings and enhances their immediate setting; or**
- c) It is for the sub-division of an existing residential dwelling; or**
- d) It is for the redevelopment of previously developed land in a manner that would not harm the intrinsic positive character of the countryside; or**
- e) It represents the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of the heritage asset; or**

⁵ Para 68(b) National Planning Policy Framework

- f) It meets a specific demonstrable housing need for a rural worker; or
- g) It is of exceptional quality of design quality, in that it:
 - i. is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Table 4: Local Plan Housing Allocations

Reference	Site Address	Anticipated Capacity	Capacity included within LP Trajectory	Site Size (ha)	Related Policy
H2	Catherine Street Garage Court, Bank Street, Chesterfield	12	12	0.25	CLP3
H4	Heaton Court (Former), Meynell Close, Brampton	10	10	0.34	CLP3
H5	Pondhouse Farm, Troughbrook Road, Hollingwood	23	23	1.06	CLP3
H7	Hollythorpe Close (Land off), Hasland	14	14	0.55	CLP3
H8	Chesterfield Road (Land North of), Staveley	14	14	0.32	CLP3
H9	White Bank Close (Land at), Hasland	9	9	0.56	CLP3
H10	Derwent House HOP, Ulverston Road, Newbold	17	17	0.58	CLP3
H11	Sycamore Road (Land at), Hollingwood	18	18	0.72	CLP3
H12	Ashbrook Centre (Former), Cuttholme Road, Loundsley Green	20	20	0.69	CLP3
H13	Elm Street (Land at), Hollingwood	23	23	0.71	CLP3
H14	Swaddale Avenue (Land to the West of), Tapton	21	21	0.88	CLP3
H15	Goldwell Rooms (Former) and 6 Ashgate Road, Chesterfield**	70	70	0.62	CLP3
H16	Red House HOP and Spire Lodge, Sheffield Road, Chesterfield	25	25	0.92	CLP3
H17	Poultry Farm (Former), Manor Road, Brimington	26	26	0.88	CLP3
H19	Ash Glen Nursery (Former), Sheffield Road, Unstone	30	30	1.13	CLP3
H21	Staveley Canal Basin, Eckington Road, Staveley	90	90	2.99	CLP18
H23	Allen and Orr Timber Yard, Saltergate, Chesterfield	39	39	0.86	CLP3
H25	Boat Sales (Former), Sheffield Road, Unstone	50	50	1.29	CLP3
H27	Walton Hospital (Land at), Harehill Road, Walton	60	60	1.50	CLP3
H28	Walton Hospital (Land at), Whitecotes Lane, Walton	90	90	3.14	CLP3
H32	Bent Lane, Staveley	140	140	6.29	CLP3

H36	Inkersall Road (Land at), Inkersall	400	400	22.78	CLP3
	TOTALS	1,201	1,201		
H1	Edale Road Garage Court, Mastin Moor	6	6	0.20	RP1
H6	Miller Avenue, Mastin Moor	14	14	0.41	RP1
H20	Duewell Court (Land at), Station Road, Barrow Hill	35	35	1.43	RP1
H26	Rectory Road (Land adjacent), Duckmanton	33	33	2.03	RP1
H31	Varley Park, Staveley Road, Poolsbrook	175	175	6.16	RP1
H33	Linacre Road, Holme Hall	300	300	14.85	RP1
H34	Tom Lane (Land South of), West of Rectory Road, Duckmanton	275	275	23.39	RP1
H35	Land South of Worksop Road and East and West of Bolsover Road, Mastin Moor	400	650	46.15	RP1
	TOTALS	1,238	1,488		
SS1	Spire Neighbourhood, Chesterfield	100	100	8.62	SS1
H30	Walton Works (Former), Factory Street, Brampton	150	150	3.60	SS2
SS3	Chesterfield Waterside, Brimington Road, Chesterfield	1,550	1,100	23.17	SS3
SS5	Staveley Works, Staveley	1,499	150	187.49	SS5
SS6	Land South of Dunston Road, Dunston*	799	799	43.6	SS6
	TOTALS	4,098	2,299		
	Overall Housing Totals	6,537	4,988		

* Includes area of 15.81 Ha (299 dwellings) with reserved matters permission at the point of plan submission (June 2018).

** To calculate the likely contribution towards housing delivery from a C2 use on the site the Council has followed the advice in paragraph 035 Reference ID: 68-035-20190722 in the NPPG. In doing so the calculation has been made using the method set out in paragraph ID: 63-016a-20190626 of the NPPF i.e. the average number of adults living in households (source: CT0774_2011 Census - Age of Household Reference Person (HRP) by number of adults in household - national to local authority level).

RANGE OF HOUSING

3.11. National planning guidance encourages the creation of sustainable, inclusive and mixed communities. This means delivering a well-integrated mix of decent housing of different types and tenures to support a range of households of different sizes, ages and incomes. Local Development Documents are expected to achieve a broad balance of different households, to translate this into a provision between affordable housing and normal market provision and to address the needs of specific groups such as

disabled and elderly people. Opportunities for self-build schemes will be encouraged.

- 3.12. The Strategic Housing Market Assessment (SHMA) 2017 estimated what type and amount of housing is required in the borough. This includes the need for affordable housing.

Affordable Housing

- 3.13. The 2017 SHMA estimated a small surplus (-44) of affordable housing in Chesterfield over the plan period, driven by a high estimated future level of re-let supply. However, if the affordable housing need is met over 5 year rather than 21 years, then there is a small annual affordable housing need figure of 42 dwellings.
- 3.14. The affordable housing needs evidence does not provide evidence to suggest that overall housing provision needs to be adjusted upwards.
- 3.15. The 2014 SHMA recommended a mix of affordable housing with 90% comprising social and affordable rented homes, and 10% intermediate affordable housing. The 2017 SHMA update recommended that if Councils are required by national planning policy to provide 10% of affordable housing as affordable home ownership, then the analysis would suggest that shared ownership is the most appropriate option.

Adaptable and Accessible Housing

- 3.16. The 2011 Census data identified that a quarter of households in the borough contain older persons. In addition to this, the number of people aged 65 and above in Chesterfield is projected to grow rapidly:

Table 5: Population Growth by Age

Age Group	2012 Population	2036 Population	Increase	% Change
65-74	10,800	14,200	3,400	24%
75-84	6,400	11,100	4,700	42%
85+	2,900	6,600	3,700	56%
All Persons	103,800	110,400	6,600	6%

- 3.17. The SHMA found that 28% of households in Chesterfield borough have support needs, projected to rise to 29.8% in 2031. The SHMA concluded that given the ageing population and higher levels of disability and health problems amongst older people there is a clear need to increase the supply of accessible and adaptable dwellings and wheelchair user dwellings.

Table 6: Estimated Need for Wheelchair Adapted Homes (2014-2035)

Current need	Projected need (2014-35)	Total
166	129	295

- 3.18. As well as the need for specialist housing for older people, the SHMA looked at the needs for registered care and identified potential need of 21 bed spaces per annum for the borough

Housing for Older People

- 3.19. As well as providing a stock of adaptable and accessible properties, there is an identified need for housing for older people.

- 3.20. Derbyshire County Council has published “Housing and accommodation for an ageing population: a strategic vision for Derbyshire to 2035 (DCC 2019)”, this identified a number of key statistics for Chesterfield in relation to housing for older people:

- 3,358 people provide 50 hours of more informal care per week.
- There are 2,028 current service users aged 65 and over in receipt of Adult Care Services.
- 1,494 people over the age of 65 are living with Dementia and this is set to increase to 2,437 by 2035, an increase of 63.1%.
- 13.5% of total households are single persons aged 65 and over living alone, this is 6,318 households.
- 468 care home with nursing beds and 498 care beds are currently available in 29 settings.

- 3.21. Specialist housing for older people comprises four accommodation types:

- Housing for older people: social sector sheltered and age-exclusive housing and private sector leasehold retirement housing. This will include schemes, for rent and for sale, with on-site staff support, those with locality-based support services and schemes with no associated support services. (This includes ‘Age Restricted general market housing’ and ‘Retirement living or sheltered housing’ as defined in national planning guidance:)
- Housing with care: includes extra care schemes, often called ‘assisted living’ in the private sector, with 24/7 care available on-site housing schemes that offer bespoke care services, even if these are not full on-site 24/7 care, across both the social and private sector. (This is as defined in national planning guidance ‘Extra care housing or housing-with-care’)
- Residential care: residential accommodation together with personal care, i.e. a care home (as defined in national planning guidance as ‘Residential care homes’).

- Nursing care: residential accommodation together with nursing care i.e. a care home with nursing (as defined in national planning guidance as 'Nursing homes').

3.22. The 2014 SHMA provided an indication of annual need for Housing for Older People and Housing with Care as 50 dwellings per annum.

Table 7: Projected Need for Specialist Housing for Older People (2014-2035) – 2014 Based SNPP

	Need
Population aged 75+ (2014)	9,447
Population aged 75+ (2035)	15,605
Change in population aged 75+	6,158
Specialist housing need (@ 170 units per 1,000)	1,047
Per annum need (2014-35)	50

3.23. More recently, Derbyshire County Council have estimated the net additional need for older peoples housing up to 2035:

Table 8: Estimated net additional need for older people's housing 2019 to 2035 (Chesterfield)

	Housing for Older People (Units)	Housing with care (Units)
Current Provision	2,798	55
Net Additional Need (Rent) 2035	0	277
Net Additional Need (Sale) 2035	281	59
Total Net Additional Need 2035	281	336

Source: Housing and accommodation for an ageing population: a strategic vision for Derbyshire to 2035

3.24. The DCC estimation of need for older peoples housing over the period 2019 to 2035 averages at 39 dwellings per annum, with a suggested tenure split of 85% rent 15% sale.

3.25. As well as the need for older peoples housing, the SHMA looked at the needs for registered care (Residential Care and Nursing Care) and identified potential need of 21 bed spaces per annum for the borough.

- 3.26. The SHMA figure is in line with the 2019 DCC estimation (Table 8 Housing and accommodation for an ageing population: a strategic vision for Derbyshire to 2035 (DCC 2019)) which averages at 21 bed spaces per annum for Nursing Care but does identify a small surplus of Residential Care bed spaces.

Table 9: Estimated net additional need for Residential and Nursing Care beds to 2035 (Chesterfield):

	Residential Care (Beds)	Nursing Care (Beds)
Current Provision	455	437
Net Additional Need 2035	-65	343

Source: Housing and accommodation for an ageing population: a strategic vision for Derbyshire to 2035

- 3.27. National planning guidance emphasises the need for policy to be viable. Developments should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. The 2018 Viability Study concluded that 25% adaptable and accessible housing and up to 20% affordable housing could be delivered in the borough. The proportion of affordable housing the council will seek to negotiate is based on the Viability Study evidence and the CIL zones. The zones will be reviewed alongside CIL rates when updated viability evidence is available.
- 3.28. Between commencement of the Self Build Register in May 2016 and October 2018, the register contained records amounting to a total of 22 plots for Custom and Self build housing (20 of these as single plots). During the same period (following implementation of CIL), the council has approved CIL part 1 self build exemptions for a total of 15 plots. As of April 1st 2018 the borough also had existing planning permissions for 54 dwellings on plots suitable for a single dwelling. This indicates that at present, those interested in custom and self-build are not facing significant difficulties accessing sites for development.

CLP4 Range of Housing

In order to increase local housing choice, respond to emerging needs and promote the creation of sustainable communities, in new housing developments the council will seek a range of dwelling types and sizes based on the council's most up to date evidence of housing needs and the location and characteristics of the area.

Affordable Housing

On sites totaling 10 or more dwellings (including phases of those sites) affordable housing will be required in line with the charging zones set in the council's most recently adopted CIL Charging Schedule⁶.

CIL Zone	% Affordable Housing Required	Type of affordable housing
Zero	0	n/a
Low	5	10% Affordable Home Ownership
Medium	10	
High	20	90% Affordable Rent

Where a development seeks a lower proportion or different mix of types/tenures, this will only be done through a viability assessment that demonstrates that particular circumstances exist including (but not limited to):

- development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan;
- where further information on infrastructure or site costs is required;
- where particular types of development are proposed which may significantly vary from standard models of development for sale;
- significant economic changes have occurred since the plan was adopted.

Where it is not possible or appropriate to deliver affordable housing on site, a financial contribution will be sought for provision off-site (including for adaptations).

Adaptable and Accessible Housing

The following requirements for adaptable and accessible housing will apply subject to consideration of site suitability, taking account of site-specific factors such as vulnerability to flooding and site topography.

- On sites totalling 10 or more dwellings (including phases of those sites) 25% of dwellings should be built to building regulations standard M4(2) (where a site includes affordable housing this should normally be proportionately split between tenures).
- Where the council has identified evidence of a specific need for a wheelchair accessible standard M4(3) property (for which the council is

⁶ <https://www.chesterfield.gov.uk/planning-and-building-control/planning-permission-and-development-management/community-infrastructure-levy.aspx>

responsible for allocating or nominating a person to live in that dwelling) that is relevant to a site, this will be negotiated with the developer and secured by planning obligation, subject to consideration of viability and suitability.

Where evidence is submitted to demonstrate that step-free access is not viable, there will be no requirement for adaptable and accessible housing (building regulations M4(2) or M4(3)).

Housing for Older People

Proposals for housing for older people will be permitted on the housing sites on Table 4 where they:

- contribute to meeting needs identified in the councils most up to date evidence; and
- have good access to public transport, and
- have good access to health services and facilities.

Registered care facilities will not be expected to provide affordable housing on site or as an off-site contribution.

TRAVELLERS

- 3.29. The Derbyshire Gypsy and Traveller Accommodation Assessment 2014 (GTAA) concluded that Chesterfield Borough has a pitch requirement of 4 over the period 2014 to 2019, with no requirement for the remainder of the plan period. All of this need has been met through planning permissions resulting in a surplus of one pitch.
- 3.30. The government published updated guidance on Planning Policy for Travellers⁷ in 2015. This policy takes ‘travellers’ to mean gypsies and travellers and travelling showpeople. This guidance requires local planning authorities to make a robust assessment of need for sites for travellers and to identify and update annually a supply of sites to meet pitch targets set to meet the need identified.
- 3.31. The council undertook an exercise to identify potential Gypsy and Traveller sites in late 2017 and early 2018. This considered 46 sites and included public consultation on six. At the end of this process it was concluded that none of the sites met the criteria of being available and suitable.
- 3.32. In the event of an unanticipated need for a site arising, the Local Plan sets out a criteria-based approach by which planning applications for Gypsy and Traveller sites can be assessed. When considering proposals, the council will

⁷ <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

take account of the most recent national planning policy for traveller sites including:

- the existing level of local provision and need for sites;
- the availability (or lack) of alternative accommodation for the applicants;
- other personal circumstances of the applicant.

CLP5 Sites for Travellers

Planning permission will be permitted for Traveller pitches where:

- a) the site is not located in the Green Belt;**
- b) there is no unacceptable impact on the function and purpose of Strategic Gaps, Green Wedges or on wildlife sites or other protected green spaces;**
- c) the site is reasonably accessible to community services and facilities;**
- d) the site provides adequate levels of amenity for users;**
- e) the site can be adequately serviced with drinking water and sewerage disposal facilities;**
- f) the site is of sufficient size to accommodate the proposed number of caravans, vehicles and ancillary work areas as appropriate;**
- g) there is satisfactory boundary treatment to ensure privacy and to maintain visual amenities.**

4. Jobs, Centres and Facilities

GROWTH OF BUSINESSES

- 4.1. The government's objective is to proactively drive and support sustainable economic development to deliver business and industrial units, infrastructure and thriving local places. A healthy and active economy is an essential requirement for a sustainable borough and employment is a key factor in ensuring a good quality of life for residents. The borough is an important sub-regional centre for employment and economic activity for northern Derbyshire and parts of South Yorkshire, with a strong history of innovation and industry which continues to this day.
- 4.2. Chesterfield is a member of the 'D2N2' (Derbyshire and Nottinghamshire Local Enterprise Partnership) and a non-constituent member of the Sheffield City Region Mayoral Combined Authority. From April 2020 Chesterfield Borough Council will only be a member of D2N2. Both LEPs have Strategic Economic Plans (SEPs) in place to encourage aspirational levels of economic growth. Both completed in March 2014, the SCR growth plan seeks to create 70,000 new jobs and 6,000 new businesses across the region and the D2N2 plan 55,000 new jobs across the two counties over the next decade. Both SEPs are currently under review.
- 4.3. In July 2017, HS2 Ltd announced that Chesterfield would be served by High Speed Rail Services running to Sheffield (currently one stop per hour in both directions). The council has been working jointly with HS2 Ltd. to contribute to both the SCR and East Midlands HS2 growth plans, including identifying opportunities for growth around the railway station (see policy SS7).
- 4.4. The 2011 census showed that over 52,110 people were employed in Chesterfield, more than half of whom (30,660) were resident in the borough. The level of local employment has been relatively static in recent years with job's growth in public and private sector services off-set by declines in the area's traditional industrial base. As a sub-regional centre, employment in Chesterfield is spread across a range of sectors beyond the 'B' class uses; including retail and leisure. A particularly high proportion are also in the public sector (35.8% of jobs as of 2014) in public administration, education and health, due to the presence of head offices for a borough council, Chesterfield College and the Walton and Chesterfield Royal hospitals.
- 4.5. The locational needs of these employment sectors can differ substantially. Retail and leisure uses will remain predominantly in town, district and local centres (set out in policies CLP8 and CLP9), along with the majority of office use. However, it will remain important to maintain a supply of land suitable for a wide range of business and industrial use (within use classes B1, B2 and B8) in order to promote economic growth and a diverse and vibrant business sector. This flexibility in employment land is essential and will allow the council to welcome opportunities for new models of economic growth, such as

clusters of high-tech businesses, should such opportunities arise.

- 4.6. Business and industrial sites are also likely to be suitable for a range of other employment uses that share similar characteristics, such as industrial processes that do not fit into particular use classes or training uses that have an industrial character (such as training in building trades). Some sites with an employment history may also be better suited to alternative uses now, but in order to maintain a suitable land supply it will be necessary to carefully control the release of existing employment sites for non-employment uses (such as for residential or town centre uses), whilst also allowing sufficient flexibility. The council will consider the requirements for waste management sites in reviews of the scale, distribution and type of employment land allocated in the Local Plan once the Derbyshire Waste Local Plan has been adopted.
- 4.7. Between 2011 and 31st March 2018, monitoring showed 54.9ha of land (net) had been developed for employment purposes.
- 4.8. The 2018 Employment Land Study recommended that Chesterfield Borough should provide approximately 44ha of new land for Business and Industrial use between 2018 and 2033 in order to provide sufficient jobs for the borough's population and wider catchment. This requirement figure has been extended to align with the plan period end date of 2035, which results in a total employment land requirement of 50 ha between 2018 and 2035.
- 4.9. In the 2018/2019 monitoring year 3.38 hectares of employment land was developed, reducing the remaining target (to be developed between 2019-2035) to 46.62 ha. As of April 1st 2019, unimplemented planning permissions for employment land provided a potential supply of 19.2 hectares.
- 4.10. Other undeveloped land within established employment areas allocated on the Policies Map will provide an additional ha 23.4 ha.
- 4.11. The Staveley and Rother Valley Corridor has the potential to deliver additional employment land, in the form of the proposed HS2 Infrastructure Maintenance Depot (IMD). As the land take for the IMD has not been confirmed, but is likely to be significant in comparison to the jobs created (estimated at 250), the contribution of this site has been included in the supply as an equivalent to the same number of jobs delivered by a B8 use, or 4ha, in order to not to appear as a disproportionate element of the supply. Depending on the final land take of the IMD, up to 30ha of additional land may be available. However due to the implementation timetable for HS2 including the need for a larger site during the HS2 construction period, and the need to remediate the site and provide essential infrastructure in the form of the proposed Chesterfield-Staveley Regeneration Route, it is not expected that this sites will contribute significantly to the pool of employment land until beyond the plan period.
- 4.12. Land around Works Road will provide the opportunity to deliver a limited amount of employment floorspace from the Staveley and Rother Valley

Corridor site in the short to medium term, primarily around land adjacent to the Chesterfield Canal.

Table 10: Employment Land Supply

Land Developed within Plan Period	
Land Developed within 2018/19 monitoring year	3.4 ha
Commitments	
Land with planning permission (31/3/19) (excluding Markham Vale)	16.0 ha
Markham Vale	5.2 ha
Waterside	-2.0 ha
Total	19.2 ha
Sites without Planning Permission	
Whitting Valley Road	3.7 ha
Station Road (Wagon Works)	6.3 ha
Former GKN works, Sheepbridge Lane	3.6 ha
Impala Estates (land adjacent Markham Vale)	2.6 ha
Former Boythorpe Works, Goyt Side Road	5.0 ha
Prospect Park (Land at), Dunston	2.5 ha
Staveley Works Corridor	2.0 ha
HS2 IMD*	4.0 ha
Total	29.7 ha
Total Supply within Plan Period	52.3 ha

* Based on an equivalent site area assuming 250 jobs at equivalent to B8 use instead of site size

- 4.13. In order to meet both current and future employment / business requirements, Chesterfield needs to be able to offer an appropriate range of employment sites, in terms of quantity, size and location. There is a need to ensure that the best employment sites are safeguarded for employment use and not lost to other uses such as housing. This is not to preclude the development of mixed uses on former industrial sites so long as appropriate provision is made to meet employment land requirements. The council will restrict the future permitted development rights of uses, including through the use of Article 4 directions where appropriate, to ensure the long-term vitality of key employment sites.
- 4.14. Enabling economic growth is a high priority for the council, evidenced by the inclusion of Markham Vale in the Sheffield City Region Enterprise Zone. Alongside this the 'Destination Chesterfield' place-marketing project is seeing

the council, local employers and businesses work together to promote Chesterfield, strengthen existing businesses and attract new inward investment. The council is committed to ensuring the viable re-development of currently vacant and underused business and industrial land for a range of uses. Delivery of employment sites will be monitored closely, working with the council's Economic Development Unit and taking account of vacancy rates and the frequency of enquires about sites and premises.

CLP6 Economic Growth

Development should deliver sustainable economic growth by supporting existing jobs and businesses and delivering inward investment. Proposals that facilitate a mix of uses will be encouraged.

Planning permission will be granted for new employment developments where they accord with the council's overall spatial strategy as set out below:

- a) B1(a) Office development within and on the edge of existing town and district centres and at developments at Chesterfield Waterside and Markham Vale as set out in policies SS3, SS4 and SS5.**
- b) B1(b&c) Light Industrial in locations within and close to existing town and district centres.**
- c) B1(b&c) and B2 Industrial uses within Established Business Areas (as shown on the Policies Map) and at areas at Markham Vale, the Staveley and Rother Valley Corridor, and the Chatsworth Road Corridor.**
- d) B8 uses at Markham Vale and the Staveley and Rother Valley Corridor.**

In other Established Business Areas, new B8 uses will be permitted where they would not have an unacceptable adverse impact as a result of traffic movements.

Within Established Business Areas (as shown on the Policies Map) other business and industrial uses, not falling within the B1, B2 or B8 classes, and 'B' class uses outside of the criteria set out above will be considered based upon the locational criteria set out in policy CLP2, the suitability of the use for the location and the employment generation of the proposed use when compared to the existing or previous use, and will normally be permitted where they would otherwise not have a significant adverse impact upon the surrounding area.

Where appropriate, conditions will be used to manage the future use of developments, including the restriction of future permitted development rights where these are appropriate to ensuring the viability and vitality of employment areas in the future.

Proposals for farm and rural diversification developments, live/work units and rural businesses will be supported where they are appropriate to the character and scale of the area and otherwise meet the policies of the plan.

Subject to policy CLP2, the redevelopment or change of use of existing business and industrial sites within Established Business Areas (as shown on the Policies Map) for non-employment uses will only be permitted where:

- i. It would not lead to a quantitative and/or qualitative deficiency in the supply of available employment land; and**
- ii. It would not inhibit existing or future business and industrial activity on adjacent sites**

Where appropriate, conditions will be used to manage the use of such developments.

For all major development proposals, the council will seek to negotiate agreements with developers and occupiers covering recruitment, training and procurement to benefit the local economy and supply chain, so as to contribute to the sustainability of the borough and the surrounding area, both during construction and on a long-term basis.

TOURISM AND THE VISITOR ECONOMY

- 4.15. Tourism is important to the Chesterfield borough economy. In 2009, tourism brought £117m into the borough's economy and supported 1,836 jobs across a range of sectors (Derbyshire STEAM Model). The Local Plan seeks to maximise the potential of the major regeneration areas, particularly Waterside and the Staveley and Rother Valley Corridor. The borough has many attractions, natural, historical and cultural. The Chesterfield Canal restoration is drawing more visitors to the canal and the borough in general. Complementary uses such as slipways/moorings, food and drink uses and small scale accommodation will help boost the canal as a tourist attraction. The borough also boasts a rich railway and industrial heritage including the recently expanded Roundhouse (Barrow Hill Engine Sheds) and historical industrial buildings such as Walton Works and Cannon Mill. This is supplemented by a range of cultural activities, including regular second hand and artisan markets, the annual mediaeval and 1940's market festivals, the Chesterfield Canal festival and a range of other events.
- 4.16. Chesterfield is increasingly acting as a hub for visitors to the Peak District and north Nottinghamshire, providing attractions such as the market and the Crooked Spire, cultural events, evening activity, accommodation and transport links. The Peak Resort leisure and tourism development will provide a significant boost to the borough's tourism offer, with high quality visitor accommodation and unique leisure attractions, and up to 3,000 new jobs. There is also high-quality countryside within the borough, and there are opportunities for agricultural diversification to create quiet recreation and small scale sensitively designed visitor attractions and accommodation.

Visitor Accommodation

- 4.17. The Casa hotel now provides the borough's first four_star provision, and there are planning permissions for further provision at the Peak Resort and Chesterfield Waterside. Within the town centre, the former Co-op department store has been converted to provide a new Premier Inn. The approach to locating visitor accommodation in existing centres and close to Chesterfield railway station is appropriate in most cases. However, there needs to be a range of visitor accommodation available in the borough, including types of accommodation that cannot necessarily be located in existing centres or close to the train station, such as country hotels, holiday cottages, camping accommodation and small scale accommodation such as bed and breakfasts. All forms of visitor accommodation can play a role in establishing Chesterfield Borough as a destination.
- 4.18. The borough council will work collaboratively with partners to promote and secure sustainable tourism development. A more diverse and higher quality tourism offer will be encouraged that seeks to expand the tourism season, increase the number of people visiting, provide local job opportunities and help to regenerate the economy. Growth in tourism must be sustainable and

not harm the historic, natural and cultural assets on which it is based.

CLP7 Tourism and the Visitor Economy

The Council will promote and enhance tourism development in the borough where it is:

- a) located in areas that can accommodate additional visitor numbers without detriment to the environment or the vitality of existing centres;
- b) appropriate to the local environment and context;
- c) contributes to sustainable economic growth and the delivery of the Local Plan;
- d) in locations that are well connected to other tourist destinations and amenities, particularly by public transport, walking and cycling.

In particular, proposals for tourism development will be encouraged where they are related to:

- i. enhancing the offer of existing centres;
- ii. the restoration and enhancement of Chesterfield Canal;
- iii. supporting delivery of the Peak Resort scheme;
- iv. railway and industrial heritage;
- v. connections with the Peak District National Park;
- vi. rural diversification;
- vii. opportunities to encourage physical activity;
- viii. enhancing and improving access to the Green Belt, Green Wedges and Strategic Gaps.

VITALITY AND VIABILITY OF CENTRES

4.19. Town, district and local centres lie at the heart of local communities and their primary role is to provide shopping and community services. These are critical to the future prosperity, quality of life and sustainability of the borough. A key aim of the Local Plan is to promote the vitality and viability of the borough's town, district and local centres. The borough council will achieve this by focusing new economic growth and development of the main town centre uses including retailing, leisure, entertainment, offices, arts, culture, tourism facilities, towards existing centres. The outcomes of this focus will:

- encourage variety, choice and quality of retail provision in the town centres and other district and local centres;
- support healthy, competitive and successful town centre provision;
- enhance town, district and local centre environments as a focus for community and civic activity.

Town and District Centres

- 4.20. Chesterfield is the largest town in Derbyshire. As well as a focus for shopping and service provision and a focus of economic activity within the borough, it is also a significant sub-regional centre for the wider North Derbyshire and South Yorkshire area. In 2015 the borough council adopted an updated non-statutory masterplan for Chesterfield town centre, emphasizing its future development and management. Chesterfield town centre will be the main location for new shopping development in the borough. The town's 800 year old market tradition will continue to be a central part of shopping and visitor activity. Chesterfield town centre should continue as the hub for cultural, civic and commercial office activity within the borough. There will also be scope for the adjustment of the town centre boundary to incorporate further commercial, retail and office development, principally in the Northern Gateway area which is identified for future expansion of Chesterfield town centre (see policy SS1).
- 4.21. Staveley town centre and the Chatsworth Road and Whittington Moor district centres meet the day to day needs of their local catchment and week to week needs of many people outside the local catchment. Each of the centres serves a primary local, convenience function for the surrounding residential areas, as well as providing significant specialist comparison retail. All three centres have a reasonable range of local shopping facilities including major food stores in Staveley and Chatsworth Road and smaller food stores in Whittington Moor. They include a number of service uses which complement the retail uses. The aim is to preserve and enhance the vitality of these centres.
- 4.22. Staveley town centre will have an increasingly important role as a centre in terms of supporting further growth within the Staveley and Rother Valley Corridor and the eastern villages of Poolsbrook, Barrow Hill, Mastin Moor and Duckmanton.

Local Service Centres

- 4.23. 'Local Service Centres' at Brimington, Hasland, Holme Hall, Littlemoor and New Whittington serve wide communities with provision of a range of retail, service and community facilities and good public transport links to the town centre and other locations. The priority is to preserve the health of these centres, enhance them and retain and expand the current range of facilities. To do this, the strategy is to focus development in and around the centres and to take other land use, promotional and other improvement measures to increase economic and community activity and to improve the attractiveness of these centres. Such measures can include environmental improvements, community safety improvements, transport enhancements, parking initiatives, rate relief on units and accessibility improvements.

Local Centres

- 4.24. Local centres offer a smaller range of facilities and serve a smaller catchment than a District or Local Service Centre but play an important role in meeting

the day-to-day shopping needs for the community, particularly the less mobile and elderly. Local centres often add to the character of neighbourhoods, giving them a focal point and enhancing sustainability by being easily accessible to people's homes by walking or cycling.

- 4.25. Typically, local centres include a range of small shops of a local nature such as a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette.
- 4.26. The borough contains a large number of local centres that vary in size and form, from purpose-built centres within housing developments, single linear streets and parades of shops through to more sprawling and/or scattered layouts.

New Local Centres

- 4.27. New local centres will be required in settlements or areas being earmarked for significant growth over the plan period which do not have any significant groupings of current provision. These are at Chesterfield Waterside, Dunston Grange, Mastin Moor and Staveley and Rother Valley Corridor.

Small Shops

- 4.28. Small convenience shops outside of centres provide a vital day to day resource for residents of the borough, allowing for small scale, 'top-up' and 'out of hours' shopping within walking distance of home. These opportunities are particularly important for those with mobility issues or outside a reasonable walking distance of an existing centre. There has been significant growth in small shops recently, with the major supermarkets now investing in 'local' convenience retail stores. The council generally supports the creation of new small shops within residential areas provided they would not harm the amenity of local residents or the vitality and viability of existing centres, and support the retention of existing small shops where their loss would lead to a gap in provision.

Retail Parks

- 4.29. The borough currently contains four identified retail parks. These provide retail opportunities that are more difficult to accommodate within existing centres due to the nature of the goods sold or the scale of floorspace. Chesterfield benefits from these parks being well-related to existing town and district centres, with the potential to create linked trips. Footfall surveys of Chesterfield Town Centre in particular have demonstrated strong walking connections between Ravenside and Lordsmill Street retail parks, and Chesterfield Town Centre.

Table 11: Hierarchy of Centres

Type of Centre	Location
Sub-Regional Town Centre	Chesterfield Town Centre
Small Town Centres and District Centres	Chatsworth Road Whittington Moor Staveley Town Centre
Local Service Centres	Brimington Hasland Holme Hall Littlemoor New Whittington
Local Centres	Abercrombie Birdholme Derby Road North Duckmanton Dunston Grange (new) Grangewood Hollingwood Inkersall Green Loundsley Green Lowgates East Mastin Moor (new) Newbold Old Whittington Sheffield Road Station Lane Staveley and Rother Valley Corridor (new) Storrs Road Walton Waterside (new)
Out of Centre Retail Locations	
Retail Parks	Lordsmill Street Ravenside Retail Park Sheffield Road Wheatbridge Road
Out of Centre Foodstores	Sainsburys, Rother Way Tesco, Lockoford Lane Aldi, Sheffield Road Morrisons, Chatsworth Road

Retail Floorspace Needs

- 4.30. The National Planning Policy Framework states that local authorities should quantify the need for additional retail development and then identify locations for such development by applying a sequential approach which prioritises town centre locations. The council supports this approach as a means of ensuring the vitality and vibrancy of its centres.
- 4.31. A joint Retail Study for Bolsover, Chesterfield and North East Derbyshire⁸ was published in April 2018. This modelled future retail expenditure growth for the borough up to 2033 and the potential implications for new floorspace:

Table 12: Retail Floorspace Needs

Year	Floorspace Capacity (sq. m net)			
	Convenience		Comparison	
	Minimum	Maximum	Minimum	Maximum
2021	1,300	1,800	-500	-800
2026	1,600	2,300	4,400	7,000
2031	1,800	2,600	10,300	16,100
2033	1,900	2,800	12,700	19,900

Convenience Retail

- 4.32. The requirement for additional convenience retail is expected to be met from existing commitments and new allocations consisting of:

⁸ Chesterfield Borough, Bolsover District and North East Derbyshire District Retail and Centres Study, April 2018

Table 13: Convenience Retail Supply

Commitments		
Site	Net Floorspace	Planning Status
Lidl, Former Perry's Ford Garage, Chatsworth Road	1140 sq. m	Full planning permission, completed August 2019 (CHE/17/00209/FUL).
Lidl extension, Sheffield Road, Whittington Moor	352 sq. m	Full planning permission granted (CHE/16/00477/FUL).
Former Walton Works, Factory Street, Walton	1300 sq. m	Full application awaiting decision (CHE/15/00832/FUL).
Broad Locations (2021-2033)		
Site	Anticipated Floorspace	Planning Status
Staveley Works Corridor – to serve in Lagoon Character Area	Up to 1500 sq. m: A single foodstore in new local centre not to exceed 1000 sq. m (net) No units in Lagoon Character Area to exceed 280 sq. m (net)	Allocation day to day needs: SS5

- 4.33. Although the commitments indicate a degree of oversupply, it should be noted that they include some provision (in the Staveley and Rother Valley Corridor) that will be delivered later in the plan period or partially beyond.
- 4.34. The commitments should not prevent proposals for additional floorspace being considered where it would improve accessibility to local shopping facilities or would extend choice or quality. The potential impact of such proposals would be considered in the light of the retail impact thresholds set out in policy CLP9, below.

Comparison Retail

- 4.35. The retail capacity study indicated no need for additional convenience floorspace in the short term (up to 2021), although acknowledges that this should not exclude granting planning permission for new developments that improve choice and quality. In the longer term, up to 2033, it identifies a wide range of potential floorspace scenarios. The retail sector (and comparison retail in particular) is likely to face continuing uncertainties from new forms of trading and online sales. For this reason, the Local Plan identifies specific provision in the form of commitments for the first five years only, and broad locations for the remainder of the plan period.

Table 14: Comparison Retail Supply

Commitments		
Site	Net Floorspace	Planning Status
Lidl, Former Perry's Ford Garage, Chatsworth Road	285 sq. m	Full planning permission, completed August 2019 (CHE/17/00209/FUL).
Former Fire Station, Sheffield Road, Whittington Moor	538 sq. m	Full planning permission, granted August 2019 (CHE/19/00157/FUL).
Former Walton Works, Factory Street, Walton	2621 sq. m	Full application awaiting decision (CHE/15/00832/FUL).
Broad Locations (2021-2033)		
Site	Anticipated Floorspace	Planning Status
Staveley Works Corridor – limited to serve day to day needs	Up to 1500 sq. m in new local centre.	Allocation: SS5
Chesterfield Town Centre, Northern Gateway – safeguarded for expansion of the Town Centre	-	Allocation: SS1
Chesterfield Town Centre Railway Terrace - limited and in association with the Station	-	Allocation: SS7

- 4.36. It is also anticipated that additional floorspace is likely to come forward from the installation of mezzanine floors within existing retail units, including the former Toys r Us unit at Spire Walk.
- 4.37. These findings will need to be considered alongside the 2010 CACI study entitled 'Chesterfield's Retail Offer' which examined the make-up and extent of the borough's existing and potential retail catchment and how in particular Chesterfield town's offer may change to maximise its market share.
- 4.38. The 2018 Retail Study made recommendation regarding Primary Shopping Areas and Primary and Secondary frontages. It does not recommend the inclusion of Primary or Secondary frontages for Staveley Town Centre or the District and Local Centres. For Chesterfield Town Centre the Local Plan identifies a Primary Shopping Area (PSA) but, in line with the study's recommendations, does not include further frontage policies.

CLP8 Vitality and Viability of Centres

Role of centres

The council will support the role of the town, district, local service centres and local centres in providing shops and local services in safe, accessible and sustainable locations. New development within centres shown on the Policies Map should make a positive contribution to the centre's viability and vitality, and be of an appropriate scale.

To ensure the vibrancy, inclusiveness and economic activity of the borough's centres, main town centre uses including health, leisure, entertainment, community facilities, sports, offices, art, food and drink, cultural and tourism facilities will be supported.

Within centres and Chesterfield Town Centre Primary Shopping Area (PSA) planning permission will normally be granted for A1 retail uses. For main town centre uses other than A1 retail, consideration will be given to the extent to which proposals accord with criteria a) to e) below:

- a) have a positive impact on vitality and/or viability;
- b) provide active ground floor uses;
- c) cater for a wide public through diversity of leisure and cultural attractions and events;
- d) contribute to an appropriate mix of licensed premises; and
- e) contribute to efforts to tackle vacant, under-used and derelict buildings within centres, particularly in historic buildings.

Within Secondary shopping areas of Chesterfield Town Centre planning permission will normally be granted for any main town centre uses.

Residential uses (C3) will be permitted at first floor level and above (with the exception of suitable provision for access) and on appropriate redevelopment sites where it would not undermine the vitality of the centre.

The Council will support the temporary occupation of empty buildings and cleared sites by creative industries and cultural and community organisations where they contribute to regeneration and enhance the character of the area.

Proposals for comprehensive redevelopment of a centre or part of a centre will be considered where the proposals can demonstrate the community benefits of redevelopment and justify any loss of retail facilities. The provision of new local centres may be considered where a need arises.

CLP9 Retail

Across the borough, a sequential approach will be used to assess sites for retail and other town centre uses, to focus such development on town, district, local service centres and local centres to meet the requirements of national planning policy.

Impact assessments will be required to accompany planning applications for new retail and leisure proposals that fall outside of Chesterfield Town Centre, Staveley Town Centre, District Centres, Local and Local Service Centres, in accordance with the locally set thresholds below:

Uses	Location	Threshold
Retail and Leisure	Within 500m of Chesterfield Town Centre	500 sq. m or above (gross internal floorspace)
	Within 500m of Staveley Town Centre and District Centres	280 sq. m or above (gross internal floorspace)
	Within 500m of Local and Local Service Centres	200 sq. m or above (gross internal floorspace)
	All other locations (not within Town, District or Local Centres)	500 sq. m or above (gross internal floorspace)

Specific forms of retail use outside Use Class A1 that require large premises such as showrooms, trade counters and wholesale premises, will normally be permitted in the identified retail parks and may be permitted in other edge or out of centre locations if, due to reasons such as scale and servicing, the use would be unsuitable within a centre. In such cases, conditions will be applied where appropriate to define permissible changes of use and the range and type of goods or services sold.

Individual small shops designed to serve local day to day needs will normally be permitted outside defined centres (as shown on the Policies Map) subject to consideration of the impact test thresholds set out above.

Applications for development that would result in the loss of isolated local shops will be considered under CLP10 Social Infrastructure.

SOCIAL INFRASTRUCTURE

- 4.39. The provision of community, leisure, cultural, religious, education and health facilities including local shops, public houses and places of worship, is essential to the quality of life of the borough's residents. Such facilities are considered to be vital social infrastructure, and places benefit when the people who live there have a sense of local identity and actively participate in community life. The council recognises the importance of the third sector to the life of the borough and wishes to support their work. Where opportunities arise, the council will work with the third sector to explore opportunities for involvement in regeneration and development and identifying opportunities for new provision. For reasons of sustainability, equality and diversity, it is important that good quality services and facilities are available locally. Not least of these reasons is reducing the need to travel which leads to environmental benefits as well as contributing to improving health and wellbeing.
- 4.40. The provision and enhancement of social infrastructure assets and their location within town, district and local service centres are to be encouraged across the borough. The extent of existing provision has been identified in the Community Infrastructure Study 2009 and it is important that facilities and services are provided in the most effective and accessible way. In areas that are not well served, existing social infrastructure assets must be protected and enhanced wherever practical, since their loss can have a major impact on communities.
- 4.41. The Community Infrastructure Study found that in general the borough has a good coverage of community facilities, ward by ward, and relatively good accessibility by public transport. Chesterfield faces a number of key issues. It contains some of the most deprived areas of Derbyshire, with many residents having poor health. Residents in the north east part of the borough have the longest travel times to get to key facilities. In the west of the borough, Walton Ward has limited provision. This area does however benefit from facilities in neighbouring wards and has access to good public transport links and high levels of car ownership. Improving the health of the borough is about more than access to medical treatment and services. It is about lifestyle, including routine exercise and fitness for all ages and interests. It is also about living in a safe environment and feeling part of an inclusive community.
- 4.42. Another key issue for the borough is how to improve the ability of its residents to access skills, training and education, particularly amongst young and long-term unemployed people. To ensure convenient and equal access to educational facilities, any expansion of education and skills provision should be accompanied by the access to public transport or other travel modes to achieve a good match between new development and education and skills provision.
- 4.43. Although some local schools within the borough have spare capacity and can take the extra pupils who will be living in new housing development, public

resources for education are limited. It is important to make best use of this existing capacity. A number of schools across the borough are oversubscribed. In addition, where schools have spare capacity their facilities may be in need of upgrading.

CLP10 Social Infrastructure

Location of new development

Social infrastructure facilities will be permitted in and on the edge of the town, district and local service centres where they are accessible by public transport, walking and cycling, unless they are meeting a specific local need. Opportunities to deliver new or enhanced provision as part of new developments will be maximised, depending on the capacity and suitability of existing services.

Co-location of facilities

The co-location and multi-use of facilities will be encouraged. Where proposals involve the provision of new or expanded social infrastructure facilities, they should be well related to existing centres and settlements and public transport infrastructure, and should provide high standards of accessibility for all sectors of the community.

Improvement of existing facilities

The quality, functionality and accessibility of existing social infrastructure facilities will be improved at sites including Chesterfield Royal Hospital, Walton Hospital and Chesterfield College, so as to allow for their future expansion. Masterplans will be required to accompany proposals to ensure the sustainable and co-ordinated development of the hospital and college sites.

The amalgamation and loss of facilities

Development will not be acceptable where it includes the change of use, amalgamation of uses or redevelopment of existing local community or recreational facilities, if it would result in the loss of a facility which is required to meet a local need or contributes to the network of facilities throughout the borough unless:

- a) there is an equivalent facility available in the locality or an equally accessible one is made available prior to the commencement of redevelopment to serve the same need; and
- b) it can be demonstrated through a viability assessment that the current use is economically unviable and all reasonable efforts have been made to let or sell the unit for the current use over a continuous 12 month period that includes advertisement for let or sale at a realistic price.



5. Infrastructure Delivery

- 5.1. Most new development will have an impact on infrastructure capacity in the Borough, and so will need to make contributions to the delivery of new or enhanced infrastructure. This should be in proportion to the scale of development and the impact it causes. The definition of infrastructure is wide although most commonly thought of in terms of physical infrastructure (such as new roads and flood mitigation, electronic communications networks, including telecommunications and high speed broadband; green infrastructure (such as parks, greenways and allotments), and social infrastructure (including schools and health facilities). Although Minerals and Waste Local Plans are County Council responsibilities, it is recognised that minerals and waste management facilities are important in supporting the growth of the local economy.
- 5.2. The appropriate mechanism for delivering infrastructure will vary between developments, but on-site infrastructure that primarily meets the need of the occupants of new development (e.g. landscaping, amenity open space, road access) will normally be dealt with via planning conditions or a Section 106 agreement. Other more strategic infrastructure requirements will be met via the Community Infrastructure Levy (CIL). The Council's Infrastructure Study & Delivery Plan sets out the Borough's strategic infrastructure requirements over the Local Plan period. The Delivery Plan is shown in Appendix A. The CIL charging schedule took effect in Chesterfield on 1st April 2016. It sets out the types of eligible development and the rates which will be applied in each charging zone.
- 5.3. The Council will work co-operatively and jointly with partners to ensure delivery of the infrastructure required to enable development and improve existing facilities. Key partners include Derbyshire County Council as the Waste Disposal, Education and Highways Authority, Highways England, private sector partners, the Environment Agency, utility companies and other public sector organisations.
- 5.4. As Infrastructure requirements are likely to change over time, the Infrastructure Study & Delivery Plan will be updated and reviewed regularly. It provided the starting point for Council to identify its priorities for the Community Infrastructure Levy. Whilst over time the Community Infrastructure Levy may provide significant contributions to infrastructure delivery, the Levy is intended to fill the funding gaps that remain once existing sources of funding have been taken into account. Core public funding will continue to bear the main burden of infrastructure funding. To ensure efficient and effective negotiation, applicants are advised to engage with the Council and its partners in pre-application discussions to provide clarity over assessments of infrastructure requirements in advance of applications being submitted.
- 5.5. The Council is committed to ensuring the viability and deliverability of schemes.

CLP11 Infrastructure Delivery

Developer contributions will be used to mitigate the impact of new development and ensure that appropriate infrastructure is in place to support growth. The Borough Council will normally require that on-site infrastructure requirements are met via planning conditions or a Section 106 agreement. Developers will be required to demonstrate that the necessary infrastructure (green, social and physical) will be in place in advance of, or can be provided in tandem with, new development, and where appropriate arrangements are in place for its subsequent maintenance.

Where the provision of infrastructure is considered to be a strategic need then development, if liable, will be required to contribute via the Community Infrastructure Levy (CIL).

All infrastructure requirements will be co-ordinated and delivered in partnership with other authorities and agencies.

Where new development would result in the loss of existing essential infrastructure, appropriate replacement provision should be provided as part of the new development proposals.

6. A Changing Climate

RENEWABLE ENERGY

- 6.1. One of the major issues facing the Borough Council and our partners is climate change; how best to adapt to the changes that are inevitable and how best to minimise our contribution to global warming. Reducing our carbon footprint and being more resilient to changing climate conditions is a critical thread running through the whole Local Plan. In 2019, the government set a target that will require the UK to bring all greenhouse gas emissions to net zero by 2050. Net zero signifies that any emissions would be balanced by schemes to offset an equivalent amount of greenhouse gases from the atmosphere, such as tree planting or using technologies such as carbon capture and storage.

The borough council has signed the Nottingham Declaration on Climate Change which pledges to address the causes of climate change and prepare for the associated impacts. The council also declared a climate change Emergency in July 2019 and is currently developing a climate change action plan. Minimising carbon emissions associated with growth within the authority area is key to improving the resilience of the borough to climate change. This section, and policies in other sections of the Plan such as those relating to Design and Travel and Transport, are aimed at both reducing CO₂ emissions and helping the Borough adapt to a changing climate.

Renewable and Low Carbon Energy

- 6.2. The government has a target to generate 15% of the UK's energy needs by 2020 (comprising 30% in electricity, 12% in heat, and 10% in transport). The Chesterfield Borough Renewable and Low Carbon Energy Study (2010) identified areas in the Borough where there is potential for different forms of renewable and low carbon energy generation. The Study concluded that the wind speeds across the borough were relatively low, that the wind resource was highly constrained due to borough's urban nature, offering few opportunities for delivering large scale turbines. Areas suitable for district heating are within Chesterfield town centre and on large development sites.

CLP12 Renewable Energy

The Council will support proposals for renewable energy generation particularly where they have wider social, economic and environmental benefits, provided that the direct and cumulative adverse impacts of the proposals on the following assets are acceptable, or can be made so:

- a) the historic environment including heritage assets and their setting;
- b) natural landscape and townscape character;

- c) nature conservation;
- d) amenity – in particular through noise, dust, odour, and traffic generation.

Proposals will be expected to

- i. reduce impact on the character and appearance of the open countryside by locating distribution lines below ground where possible;
- ii. include provision to reinstate the site if the equipment is no longer in use or has been decommissioned;
- iii. incorporate measures to enhance biodiversity.

Wind Energy

Proposals for wind energy development will be supported where they:

- 1) are within an area defined as being suitable for wind energy development within an adopted Neighbourhood Plan; and
- 2) are able to demonstrate, following public consultation, that all material planning impacts identified by affected local communities have been adequately addressed; and
- 3) meet criteria a) to d) above.

In addition to meeting criteria 1. to 3. above, where wind energy development located within the Green Belt would constitute inappropriate development, planning permission will not be granted unless very special circumstances (as set out in the NPPF) can be demonstrated.

Renewable Heat

New developments will connect to or be designed for future connection to community heating networks where appropriate. Where no district heating scheme exists or is proposed in the proximity of a major new development, the potential for developing a new scheme on the site should be explored and pursued where feasible. Priority sites for district heating include Staveley and Rother Valley Corridor, Town Centre Northern Gateway, and South of Chatsworth Road.

Hydro Power

Developments along the river and canal corridors (watercourses) will be expected to investigate the feasibility of using small scale hydro power. Pre-application advice from the Environment Agency is advised.

SUSTAINABLE MANAGEMENT OF THE WATER CYCLE

- 6.3. Flooding is a natural hazard which causes immeasurable stress to the people affected and can have serious economic impacts. Recent flood events in the borough have emphasised the possible extent and impact of flooding that can occur. Over the last century, pressures for development have resulted in widespread development within floodplains, particularly in areas like Chesterfield borough which have a history of industrial development alongside rivers. This has increased the risk of flooding and caused problems not only in the area developed on, but also in areas further downstream.
- 6.4. Consequently, every effort should be made to ensure development only takes place in areas with the lowest probability of flooding, or constructed safely where it has been demonstrated that this is not possible. Development should not increase the risk of flooding to either the proposed site itself or to third parties. The borough council has in place a Strategic Flood Risk Assessment (2009) and will also have the Chesterfield Integrated Model to allow it to make more informed judgements about potential development sites in the Local Plan. Strategic decisions can therefore be made on where development is most appropriate in relation to flood risk. However, as the SFRA represents only a snapshot in time, development proposals should always be considered against the best available flood risk information, such as the EA's Flood Map for Planning and flood risk modelling.
- 6.6. A key objective of the Spatial Strategy is to focus development within existing urban areas or on large brownfield sites, particularly in Chesterfield town and Staveley, however, a number of these sites fall within areas of flood risk. In order for the key objectives of the Spatial Strategy to be delivered flood mitigation measures will be required. The need for regeneration may be an overriding reason to allow development in areas at risk of flooding where it can be demonstrated that the level of flood risk can be managed or reduced through measures such as improved water management or the separation of more vulnerable uses horizontally onto parts of the site at low flood risk, or vertically above less vulnerable or flood compatible uses. In all cases the council will work closely with the Environment Agency in considering development proposals, and will seek to ensure satisfactory emergency planning, as well as safe access and egress during a flood event.
- 6.7. Derbyshire County Council is the lead local flood authority which is responsible for managing local flood risk across Derbyshire. It published a Flood Risk Management Strategy in 2015. The council has contributed to an Environment Agency commissioned project called the Chesterfield Flood Risk Investigation involving comprehensive flood modelling of the River Rother and its tributaries. When completed the Chesterfield Flood Risk Investigation will provide the best available flooding information for Chesterfield and will test options for flood alleviation works to better protect the town from the devastating impacts of flooding. The Chesterfield Flood Risk Investigation will be used alongside all other sources as a combined evidence base to inform decision making and future Local Plan reviews.

- 6.8. Tackling flooding means more than just defending against floods. It means understanding the complex causes of flooding and taking co-ordinated action. Given that hard surfacing resulting from development (including roofs) reduces the ability of the land to absorb and/or store water, it is important that Sustainable Drainage Systems (SuDS) and other methods are utilised for water management. This will include grey water recycling, rainwater harvesting, green roofs, permeable paving, infiltration areas and soakaways. Ultimately, developers are required to move towards an integrated approach, managing the runoff from new developments to hold back rainfall from reaching the drainage and river systems too quickly.
- 6.9. The council's approach to water management complements the work of the Environment Agency as set out in the River Basin Management Plan for the Humber River Basin District. In particular, the Local Plan has an important role in the key actions of promoting water efficiency, SuDS, the re-use of water and the value of green infrastructure. The Borough Council will specifically require major development proposals to demonstrate SuDS will be put in place and that there are clear arrangements for on-going maintenance over the development's lifetime, unless SuDS are otherwise demonstrated to be inappropriate. On smaller development the Borough Council considers that SuDS are desirable and encourages their use by developers. Drainage schemes should be appropriate and adequate for developments and should not increase flood risk to land and property either upstream or downstream of the development site.

CLP13 Managing the Water Cycle

Flood Risk

The council will require flood risk to be managed for all development commensurate with the scale and impact of the proposed development so that developments are made safe for their lifetime without increasing flood risk elsewhere.

Development proposals and site allocations will:

- a) be directed to locations with the lowest probability of flooding as required by the flood risk sequential test;
- b) be directed to locations with the lowest impact on water resources;
- c) be assessed for their contribution to reducing overall flood risk, taking into account climate change.

Within areas of functional floodplain, development is expected to preserve or enhance the contribution of the area to water management / reducing flood risk.

Outside flood zone 1, the redevelopment of previously developed land for

uses not allocated in this Local Plan land will be permitted where proposals can demonstrate that:

- i. the development will deliver the economic, social and environmental regeneration of the borough that outweighs the risk of flooding and reduces flood risk overall;
- ii. the safety of the development and users from flooding can be achieved and, as a minimum, there will be no increase in on- or off-site flood risk demonstrated through a site-specific flood risk assessment;
- iii. the proposed uses are compatible with the level of flood risk, and;
- iv. a sequential approach to the location of uses has been taken within the site itself, including matching the vulnerability of uses to the risk of flooding.

Improving the drainage network

The council will seek opportunities to increase the capacity of the floodplain safely, make space for water across the whole borough, and to remove problems from the drainage network, particularly in connection with new development.

Sustainable Drainage Systems (SuDS) and clear arrangements for their on-going maintenance over the lifetime of the development should be incorporated into all major development, unless it can be demonstrated that this is not appropriate in a specific location. The council will seek the maximum possible reduction in surface water run-off rates based on the SFRA or most recent national guidance.

Protecting the Water Environment

Development proposals will be expected to demonstrate that water is available to support the development proposed and that they will meet the optional Building Regulation water efficiency standard of 110 litres per occupier per day.

7. Environmental Quality

A HEALTHY ENVIRONMENT

- 7.1. Ensuring a safe and healthy environment is a challenge, taking into account areas of poor air quality and areas of unstable and contaminated land (which are often a legacy of mining and industrial development). Directing new development to these areas is essential to aid regeneration, but due regard must be paid to ensuring the safety and health of users and occupiers.
- 7.2. At the time of writing, the Borough has declared one Air Quality Management Area (AQMA) at Church Street in Brimington (which came into force on 1st September 2015). An Air Quality Action Plan was published for consultation in February 2020.
- 7.3. Soil is a finite resource that fulfils many important functions and ecosystem services. Soil acts as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that soil resources are appropriately protected and used sustainably.
- 7.4. When sites containing 'best and most versatile' agricultural land are developed, current accepted best practice should be followed to better protect the soil resource. The Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (DEFRA 2009) currently provides best practice guidance.

CLP14 A Healthy Environment

The quality of the environment will be recognised at all levels of the planning and development process with the aim of protecting and enhancing environmental quality.

All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight and glare and other environmental impacts).

Air Quality

Where appropriate, development proposals will include an assessment of impact on air quality and incorporate measures to avoid or mitigate increases in air pollution and minimise the exposure of people to poor air quality. Development that would make the air quality in a declared Air Quality Management Area (AQMA) materially worse either in isolation or cumulatively when considered in combination with other planned development, will not be permitted.

New development will have regard to the measures set out in any Air Quality Action Plan.

Water Contamination

Development proposals will be expected to contribute positively to the water environment and its ecology, and should not adversely affect surface or ground water quality, in line with the requirements of the Water Framework Directive.

Where any such risk exists, developments must include measures to reduce or avoid water contamination and safeguard groundwater supply.

Soil and Agricultural Land Quality

Development of "best and most versatile" agricultural land will only be permitted where it can be demonstrated that:

- a) the need for the development clearly outweighs the need to protect such land in the long term; and
- b) other sustainability considerations suggest that the use of the higher quality agricultural land is preferable to the use of poorer quality agricultural land; or
- c) in the case of temporary/potentially reversible development (for example, minerals), that the land would be reinstated to its pre-working quality.

The Council will require all applications for major development on such land to include realistic proposals to demonstrate that soil resources will be protected and used sustainably, in line with accepted best practice.

Unstable and Contaminated Land

Proposals for development on land that is, or is suspected of being, contaminated or unstable will only be permitted if mitigation and/or remediation are feasible to make the land fit for the proposed use and shall include:

- a) a phase I land contamination report, including where necessary a land stability risk assessment with the planning application; and
- b) a phase II land contamination report where the phase I report (a) indicates it is necessary, and
- c) a strategy for any necessary mitigation and/or remediation and final validation.

A programme of mitigation, remediation and validation must be agreed before the implementation of any planning permission on contaminated and/or unstable land. The requirement to undertake this programme will be secured using planning conditions.

GREEN INFRASTRUCTURE, BIODIVERSITY and GEODIVERSITY

- 7.5. Green infrastructure is a strategic rural and urban network of multi-functional green and blue space, and the connections between them. It supports natural and ecological processes and is integral to the health, quality of life and economic success of sustainable communities. The green infrastructure network refers to a wide variety of public and privately owned ‘green assets’ such as parks, open spaces, Green Belt, farmland, open countryside, woodlands, wildlife sites, allotments, private gardens, greenways (multi-user trails) and river/canal corridors. It also includes any adopted Local Green Spaces.
- 7.6. Whilst thought of as an urban area, almost half of Chesterfield borough is relatively undeveloped land containing green infrastructure assets, many of which are firmly established and are key elements of the borough’s identity, for example, the Chesterfield Canal corridor and Poolsbrook Country Park.
- 7.7. Green infrastructure offers a range of direct and indirect benefits which are termed ecosystem services. These include:
- improved resilience to climate change;
 - enhanced quality of place;
 - benefits to physical and mental health and wellbeing;
 - sustained economic growth and investment;
 - opportunities for local food production;
 - enhanced landscape character and setting of heritage assets.

Investment in green infrastructure via tourism, recreation and biodiversity improvements provides economic and health benefits for a borough that is still in the process of economically restructuring away from a legacy of heavy industry.

- 7.8. The council will aim to maintain and improve the green infrastructure network in the borough on a landscape scale, by protecting, enhancing, creating, linking, and managing multifunctional greenspace within and around the urban area and settlements. This will ensure that everyone has access to high quality natural and semi-natural habitats, open space and sport and recreation facilities, whilst providing resilience to the impacts of climate change. Whilst individual elements of the green infrastructure network can serve a useful purpose without being connected, connectivity between different green infrastructure assets can help maximise the benefits that they generate. Well-connected green infrastructure assets create a network that allows and encourages the movement of people and wildlife, helping to maximise the ecosystem service provided whilst supporting adaptation and resilience to a changing climate, such as potentially dramatic increases in rainfall.

- 7.9. Regarding landscape, *The Landscape Character of Derbyshire* document sets out the types of landscape present in the borough, highlighting its qualities and sensitivities.
- 7.10. The main components of green infrastructure in the borough were initially identified in the Chesterfield Borough Council Green Infrastructure Study (2009). Further studies have built on the initial study including a green Wedge and Strategic Gap Indicative Assessment (2011), its subsequent review in 2016 and an updated Greenprint. Work has also been carried out with the Local Nature Partnership and Derbyshire Wildlife Trust to update information on the ecological network. The updated Greenprint for Chesterfield maps out the current extent and nature of the identified green infrastructure network.

Green Wedges and Strategic Gaps

- 7.11. The Spatial Strategy (CLP1) sets out the locations of a series of [Green Wedges and Strategic Gaps](#). These are areas of generally open land that help to shape the urban form of the borough and provide relief and access to open countryside.
- 7.12. The purpose of the Green Wedges is to:
- maintain open areas between parts of settlements within the urban area of Chesterfield to prevent them from merging;
 - provide a 'Green Lung', penetrating from open countryside into an urban area;
 - support recreational purposes which allow access from urban areas to the countryside and, where appropriate, contains informal and formal outdoor recreational facilities;
 - maintain the existing or influence the form and direction of urban development.
- 7.13. The purpose of the Strategic Gaps is to:
- maintain open land between neighbouring settlements to prevent merging (perceptual and physical) and protect the setting and separate identity of settlements;
 - support the appreciation and wider perceptual benefits of open countryside;
 - maintain existing or influence form and direction of settlements.

CLP15 Green Infrastructure

Chesterfield borough's green infrastructure network will be recognised at all levels of the planning and development process with the aim of protecting enhancing, linking and managing the network, and creating new green infrastructure where necessary. Development proposals should demonstrate that they will not adversely affect, or result in the loss of, green

infrastructure, unless suitable mitigation measures or compensatory provision are provided.

Development proposals should, where relevant:

- a) not conflict with the aim and purposes of the Green Belt (as set out in the NPPF); and
- b) not harm the character and function of the Green Wedges and Strategic Gaps; and
- c) enhance connectivity between, and public access to, green infrastructure; and
- d) (i) protect and enhance access to the multi-user trails network as shown on the Policies Map; and
(ii) increase the opportunities for cycling, walking and horse riding; and
- e) enhance the multi-functionality of the Borough's formal and informal parks and open spaces; and
- f) protect or enhance Landscape Character; and
- g) increase tree cover in suitable locations in the borough to enhance landscape character, amenity and air quality; and
- h) where new green infrastructure is proposed, there must be clear funding and delivery mechanisms in place for its long-term management and maintenance, prior to the development commencing.

Where necessary and appropriate development will be expected to make a contribution through planning obligations or CIL towards the establishment, enhancement and on-going management of green infrastructure by contributing to the development of a strategic green infrastructure network within Chesterfield Borough.

Biodiversity, Geodiversity and the Ecological Network

- 7.14. Under the National Environment and Rural Communities Act 2006, all public bodies have a statutory duty to promote and enhance biodiversity. The Borough Council has adopted *A Greenprint for Chesterfield*, the Council's action plan for conserving and strengthening biodiversity. The Council has updated the Greenprint to take account of the most recent Lowland Derbyshire Local Biodiversity Action Plan (LDBAP) and in doing so has identified components of the ecological network at a landscape scale, including corridors and stepping stones that link sites, and opportunities for restoration and enhancement.
- 7.15. The council will aim to ensure that where net measurable gains in biodiversity are made, they make for a more coherent ecological network, minimising or reversing habitat fragmentation. Such an approach should provide opportunities for protected and priority species to respond and adapt positively

to current and future negative pressures on their numbers, range and distribution. Where development of a site is unavoidable, mitigation unfeasible and compensatory measures are necessary, the Council will consider proposals for off-setting. Biodiversity offsets are conservation activities that are designed to give biodiversity benefits to compensate for losses, ensuring that when a development damages nature (and this damage cannot be avoided or mitigated), new nature sites will be created.

- 7.16. The Chesterfield Greenprint aims to increase the tree cover in the borough for the benefit of both people and wildlife as well as improve both landscape and air quality. Increased tree and woodland planting will help the borough to respond to climate change, provide an urban cooling effect, mitigate against some forms of air pollution, provide flood alleviation and enhance biodiversity. It can also improve levels of amenity, outdoor activity levels and health and well-being.

CLP16 Biodiversity, Geodiversity and the Ecological Network

The council will expect development proposals to:

- protect, enhance and contribute to the management of the borough's ecological network of habitats, protected and priority species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a local wildlife site or priority habitat; and
- avoid or minimise adverse impacts on biodiversity and geodiversity; and
- provide a net measurable gain in biodiversity.

This should be secured using planning conditions and obligations by:

- i) the provision of new, restored and enhanced habitats and links between habitats that make a positive contribution to the coherence of ecological networks; and
- ii) promoting the recovery of protected species and species identified as a priority in the Local Biodiversity Action Plan (or subsequent equivalent evidence); and
- iii) the retention of existing features of ecological value.

If significant harm to biodiversity resulting from a development cannot be avoided, or through conditions or planning contributions adequately mitigated, or, as a last resort, compensated for (including off-setting), then planning permission will be refused.

Sites of International and National Importance

Where a site of designated international importance would be adversely

affected (either individually or cumulatively) by a development within the Borough, permission will be refused unless it has been demonstrated that there are no other alternatives, or there are imperative reasons of overriding public interest, and that compensatory measures will be provided to ensure the overall coherence of the network of sites is protected.

Where the impact of a development (either individually or cumulatively) within the Borough, on a site of designated national importance (such as SSSIs) would be adverse, permission will be refused unless the benefits of the development would demonstrably outweigh both the impacts that it is likely to have on the features of the site that make it of national importance and any broader impacts, and a suitable compensation/off-setting strategy has been secured with planning conditions or obligations.

Sites of Local Importance

Development proposals resulting in the loss or deterioration (including fragmentation) of sites of local importance (such as Local Wildlife Sites and priority habitats) will not normally be permitted, unless the need for, and public benefits of, the development in that location demonstrably outweigh the loss or harm and a suitable compensation/off-setting strategy has been secured with planning conditions or obligations.

Irreplaceable Habitats

Development proposals resulting in the loss or deterioration (including fragmentation) of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons and the need for, and public benefits of, the development in that location demonstrably outweigh the loss or harm, and a suitable compensation/off-setting strategy has been secured with planning conditions or obligations.

The Council will require the submission with planning applications of ecological surveys and assessments of the biodiversity, ecological and geological value of sites, where this is clearly justified, including as set out in a local list of validation requirements. This includes where development could have a significant impact on biodiversity, geodiversity and the ecological network. The surveys and assessments should be proportionate to the nature and scale of proposed development and its likely impact on biodiversity, geodiversity and the ecological network.

OPEN SPACES, PLAY PROVISION AND OUTDOOR SPORTS FACILITIES

7.17. Open space, play provision and sports facilities are important elements of both green infrastructure and social infrastructure, enabling healthy lifestyles

and positive community relationships. Open Space for the purposes of the Plan is taken to mean all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

- 7.18. In 2014 the Council adopted the Chesterfield Parks and Open Spaces Strategy (2015-2024) and the Chesterfield Playing Pitch and Outdoor Sports Strategy. These Strategies considered supply and demand for open space, sport and recreation facilities and play provision and includes an assessment of the quantity, quality and accessibility of different types of open space within the borough. A new assessment of Open Space and Play Provision was published by the council in 2019, with a new strategy being prepared for adoption in 2020.
- 7.19. The Local Plan strategy for public open space is to seek to ensure that everyone has access to a network of multifunctional public open spaces. It will aim to ensure that the network is accessible and of sufficient quality and size to meet a diverse range of needs within the Borough including people's health and well-being and other ecosystem services. The emphasis will be on maintaining and improving the capacity, accessibility and quality of the network of public open space in the Borough with a view to increasing activity levels, health and well-being, and improving the ecological network. Investment will also be required to meet the open space needs of a growing population. This will be achieved through financial contributions from development to improve the capacity, accessibility and quality of the existing open space network; and if necessary, the provision of new open space.
- 7.20. The new Parks and Open Spaces Strategy will set clear priorities for addressing open space need arising from new developments and these should be applied in decision making on new development. It will also acknowledge the increasing financial constraints on the council to maintain existing open spaces and the aim of requiring developers to ensure private management and maintenance of new public open space where provided within developments.
- 7.21. When considering new residential development or development that affects existing open space, the council will have regard to the locally adopted accessibility, quantitative and qualitative standards and thresholds for public open space that are set out in the most recent Parks and Open Spaces Assessment or Strategy or any subsequent Supplementary Planning Document. New open spaces should be designed to ensure that they will promote activity and are multi-functional, taking into consideration local character, accessibility, inclusivity, community safety and links to the green infrastructure network.

Built Sports Facilities

- 7.22. The council will seek to improve the quality of, and access to sports facilities and ensure that residential development provides an appropriate amount of new sports facilities.
- 7.23. The council adopted the Chesterfield Playing Pitch and Outdoor Sports Strategy in 2014 following a public consultation. The Playing Pitch and Outdoor Sports Strategy is to be updated and currently requires the protection of the majority of sites but not all, with a need to reconfigure provision to better fit local need. The council also compiled and adopted a Sports Facilities Strategy in 2014 that aims for high quality sporting infrastructure which meets the needs of residents at all levels and promotes participation and physical activity across the borough. Specifically the Strategy looked at sports halls, swimming pools and artificial grass pitches and is focused on providing facilities for the most popular activities and which have the highest participation rate across the borough. The main conclusions of the Sports Facilities Strategy are that existing public swimming pools, sports halls and artificial grass pitches are to be protected up to 2028 with a need for a new full size '4G' artificial grass pitch within the Borough.

Allotments

- 7.24. There are 33 allotments sites in the Borough (accounting for over 41ha). The adopted allotment strategy 2012-2016 contains an objective to protect all existing sites and identifies areas of deficiency in the wards of Linacre, Loundsley Green, Dunston, Walton, South of Rother, South of Hasland, Hollingwood and Inkersall. The Strategy acknowledges a need for further work in order to consider options for statutory sites that are uncultivated and also to seek to provide additional allotments in areas of need. The Council is committed to reviewing and updating the allotments strategy in-2021 in order to best meet the future need and demand for this type of open space.

CLP17 Open Space, Play Provision, Sports Facilities and Allotments

Where proposed development would result in a need for new open space and outdoor sports facilities and/or exacerbate existing deficiencies in provision, development must contribute to public open space, sports facilities and play provision in accordance with the council's adopted standards as set out in Appendix B of the Local Plan and in line with the following requirements:

- a) on-site in a suitable location taking account of accessibility wherever possible; or
- b) where on site provision is not feasible or suitable, as a financial contribution to the creation of a new facility off-site or the upgrading and improvement of an existing facility, secured by planning

obligation or CIL; or

- c) where new public open space is to be provided on site, as multifunctional, fit for purpose space that supports local communities health and wellbeing and activity levels and the ecological network.

Contributions to off-site provision will be secured through CIL and/or S106 agreements as appropriate.

On-site provision will be incorporated into development proposals with suitable management and maintenance arrangements secured through S106 agreements.

Planning permission will not be granted for development which would have a negative impact on, or result in the loss of, open space, play provision and/or sports facilities unless:

- i. the site is clearly surplus to requirements and the land is not needed or is not suitable to meet a deficiency in a different type of open space provision; or
- ii. equivalent or better alternative open space provision in terms of quantity, quality and accessibility will be provided on a replacement site; or
- iii. the development is for alternative sports and/or recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

CHESTERFIELD CANAL

- 7.25. The Chesterfield Canal is a route of “national strategic significance”. The canal runs for 46 miles from the River Trent to the middle of Chesterfield, linking Nottinghamshire, South Yorkshire and Derbyshire and every yard of the canal can be walked on the towpath known as The Cuckoo Way. The Borough Council is a member of the Chesterfield Canal Partnership, which aims to restore to navigation those remaining disused sections of the canal. Within the borough, the section of the canal between the Staveley Town Basin and the borough boundary to the south of Renishaw is disused and derelict. It is proposed that the canal should be restored on its original line wherever possible. There is a need to protect the character of the Chesterfield Canal and any historic features and structures associated with the canal as well as its immediate setting.
- 7.26. Significant progress has already been made in restoring the canal. Since 1989, 12 miles of the canal have been restored along with 37 locks and 11 bridges, and 2 new marinas have been built. Only 12 miles are now left to restore, including the stretch north of Staveley Basin within Chesterfield

Borough. Since 2013 progress on this section of restoration has been affected by the proposed route of HS2 Phase II, which crossed the line of the canal in a number of locations with both the main route and the access to the proposed Infrastructure Maintenance Depot at Staveley. In July 2016 HS2 published a revised route for this section of Phase II which showed a significant reduction in the impact upon the canal.

- 7.27. Measures will be taken by the Borough Council, working with partners and through development where appropriate to enhance the environment of the canal for the benefit of nature conservation and where appropriate, to further enable public access and recreation (including walking and cycling) that are a positive benefit to healthy communities.
- 7.28. The restoration of the canal will create opportunities for business activities associated with the increased use of the canal corridor for recreation, including waterside developments. These should be accommodated within the urban areas close to the canal wherever possible and within easy walking distance of it. Specifically, there is already provision planned for:
- Chesterfield Waterside: a new canal basin at the southern terminus of the canal has been constructed and outline planning permission is in place to deliver access to this and improvements to the canal and River Rother as part of a major mixed-use scheme (Policy SS3).
 - Staveley and Rother Valley Corridor; an opportunity exists north of the canal adjacent to Works Road for canal related commercial activity as part of the wider regeneration of this corridor (Policy SS5).
 - Staveley Basin; a new canal basin and lock has already been constructed at Hall Lane in Staveley and there is an opportunity for further development in this location to support the canal.

CLP18 Chesterfield Canal

The council will safeguard the route of Chesterfield Canal as shown on the Policies Map. Development which prejudices the existing character of and/or the future potential for the improvement and enhancement of the chesterfield canal, including public access, environment and recreation, will not be permitted.

Proposals for development associated with the recreation and leisure potential of the canal will be permitted close to its route provided that they do not have an adverse impact on habitats, the environment or public health and accord with other relevant policies of the plan.

Where new development, including infrastructure, is proposed adjacent to the canal, it will be required to conserve and enhance the route of the canal, including restoring the canal along its original route wherever possible. New developments should include provision for safe and convenient walking and cycling access to the canal.

On land at Staveley Basin, as shown on the Policies Map, and subject to an approved masterplan for the whole site, the council will support planning applications that assist in the delivery of:

- an events area adjacent to the canal; and
- moorings and facilities for visiting boats; and
- a mix of uses including residential (C3) (as set out in policy CLP3, site H21), food and drink uses (A3 and A5), and/or business and light industrial use (B1(a) and B1(b)).

RIVER CORRIDORS

- 7.29. The rivers and other water features in the Borough provide valuable amenity, wildlife and leisure areas. They are a crucial part of the local ecological network and provide wildlife corridors and stepping stones that link many wildlife sites, open spaces and areas of green infrastructure in the borough, including areas such as Holmebrook Valley Park, Poolsbrook Country Park, Somersall Park, Norbriggs Flash. They also relate to a number of the Green Wedges and Strategic Gaps set out in policy CLP1 and strategic walking and cycling routes such as the Hipper Valley and Holmebrook Valley Trails.
- 7.30. With the decline of heavy industry in Chesterfield and wider North East Derbyshire the water and ecological quality of the borough's rivers has improved considerably.
- 7.31. Although access to rivers is good in many locations in the borough, (including the parks, wildlife sites and trails mentioned above, in other areas it is less so. This includes some areas of high flood risk within the borough where rivers are culverted or canalised under or at the rear of development. There are also a number of weirs in place that limit further ecological enhancements by acting as a barrier to aquatic species.

CLP19 River Corridors

Development which prejudices the existing biodiversity, ecological value and character of and/or the future potential for the improvement and enhancement of the environment and character of the river corridors as shown on the Policies Map, including biodiversity, habitat connectivity, public access and recreation, will not be permitted.

New development proposals on or adjacent to a river corridor should investigate the creation, and management, of ecological buffer strips and corridors to preserve and enhance the biodiversity of the area.

New development proposals on or adjacent to a river corridor should also include provision for safe and convenient walking and cycling access wherever possible.

Proposals for the removal or enhancement of existing weirs to allow for improved fish passage, and for hydroelectric power schemes will be supported subject to the provisions above and other relevant policies of the plan.

8. Design and the Built Environment

DESIGN

- 8.1. A key principle of the Local Plan is to nurture local distinctiveness and good design. Good design is fundamental to sustainable development. Improving our places through raising the quality of the built environment is one of the Local Plan's main challenges. In addition, there is a need to continue to identify, protect and enhance the best of the borough's built and natural environment and the characteristics of its landscape and its communities that make different parts of the borough special. This has to do with the way places are used and managed (such as Chesterfield Market and the area around the Crooked Spire), as well as their physical form.
- 8.2. The quality of the public realm and built environment is an important factor in their identity and sense of place. This is most notable in the historic town centre where many of the borough's shops and civic buildings date from the 18th and 19th centuries and provide a strong sense of place. Areas of uniform or bland development and public realm results from the use of standardised designs and lack of consideration of local character, traditions and distinctive qualities.
- 8.3. Townscape is the character and appearance of spaces and buildings in an identified area of a town. The borough has an important archaeological and built heritage, linked to its industrial and commercial past, which help to define its character. The character of new developments also contributes to the local townscape. In most cases there should not be a conflict between historic character and new development if there is high quality sensitive design. Materials are an important aspect of local distinctiveness and make an essential contribution to the character and appearance of a place. Historically, local coal measures sandstone and brick made of local clay have been used in many of the town's older buildings and these materials are distinctive to our borough. Styles of building and design often show the influence of local industries.
- 8.4. Over the years the borough's industrial heritage has had its effects on the borough's townscape and architecture. Parts of the borough's built environment, for example Hasland and New Whittington, have the character of separate settlements. Landscape character and local distinctiveness are inextricably linked and variations in landscape character across the borough need to be recognised and appropriately responded to in new development and in schemes of management as described in the Landscape Character of Derbyshire (Derbyshire County Council, 4th Edition 2014).
- 8.5. Ensuring that buildings and places are safe is an integral part of design, and should be considered at the earliest stages of the process. The council's adopted SPD 'Designing Out Crime' includes useful guidance.

- 8.6. The priority for the future is to protect the assets that enhance the borough's quality, and improve those elements that detract. In looking to the future of the borough good high quality urban design, landscape design and high quality architecture that respects Chesterfield's heritage whilst promoting innovative forms of development will be essential to the process of regeneration. Vibrant, safe places with a distinct identity are important to the quality of life of all Chesterfield Borough's residents as well-being essential tools for promoting Chesterfield Borough as a destination.
- 8.7. To assist developers in achieving good design, the council has an adopted Residential Design SPD, jointly prepared with North East Derbyshire, Bolsover and Bassetlaw District Councils. Proposals that are considered to be locally significant or strategic will be referred to design review with an appropriate local provider that adheres to the Design Council CABI principles for design review. The council will expect applicants to respond positively to recommendations made. A design review should take place as early as possible in the life of a proposal, preferably at pre-application stage.

Reducing Emissions

- 8.8. The Borough Council is working towards a long-term goal of reducing the Borough's carbon footprint in line with a national target set out in the Climate Change Act 2008. The Act aims to encourage the transition to a low-carbon economy in the UK through unilateral legally binding emissions reduction targets. This means a reduction from 1990 levels of at least 34 percent in greenhouse gas emissions by 2020 and at least 80 percent by 2050. Each carbon budget covers a five-year period. The ⁹fifth, running from 2028-2032, was set in law at the end of June 2016. The council will also work towards the target for bringing all UK greenhouse gas emissions to net zero by 2050. A key component of the government's approach to achieving these targets is the Energy Hierarchy which primarily aims to reduce the need for energy followed by being more energy efficient, then using renewable energy. The Energy Hierarchy is shown in Diagram 6 below.

⁹ <https://www.gov.uk/guidance/carbon-budgets>

Energy Hierarchy



- 8.9. Changes to the Building Regulations in 2013 brought in higher standards for CO₂ emissions, meaning there is now less need for planning policies to include a target percentage of energy to come from renewable sources. The Borough Council also recognises that different energy technologies and CO₂ reduction strategies will suit different parts of the borough and different types of development. In some cases it has better CO₂ savings, and is more cost effective, to improve the building fabric rather than generate a certain percentage of the buildings' energy use from renewable energy technologies.

Adapting to a changing climate

- 8.10. As well as warmer, wetter winters and more intense episodes of rainfall, climate change will bring with it hotter, drier summers, intensification of the urban heat island effect and more occasions of high wind speeds. All these trends have implications for the way we should design and use our buildings and spaces. For example, designing buildings to keep them cool without using power will become very desirable, and conservation of water will be more and more important. Landscape planting may need to use different species and increasing tree cover will bring many benefits. Water is a precious resource and the impacts of climate change will place pressure on the demand for water and its quality. Minimising water use will not only reduce the environmental impacts of climate change but also reduce greenhouse gas emissions associated with water abstraction, treatment, transport, use and disposal.

Percent for Art

- 8.11. The Borough Council considers art to be integral to good quality design. Works of art can make a positive contribution to the built environment by

giving new and refurbished buildings a unique identity. This helps to create a sense of place and adds to the character of the neighbourhood. It can encourage economic development and tourism. By engaging with the local communities the Percent for Art process can promote social inclusion.

- 8.12. The Borough Council has operated a highly successful percent for art policy since 1994. To date over 60 schemes have been completed. There has been considerable community involvement in developing schemes, with artists leading workshops in schools, colleges and with community groups. The borough council will encourage developers to engage an artist at the earliest possible stage in the project to work in collaboration with the architect.
- 8.13. Viability of development is an important consideration for the council. In this respect abnormal site costs would be acknowledged as well as general viability. The inclusion of public art is in addition to, and should not replace, good design. For housing development in particular the council publishes a residential design guide. Developers should not seek to trade off good design and public art when negotiating Section 106 agreements.
- 8.14. The policy is directed at major developments with a value in excess of £1 million, but the Borough Council would also encourage other smaller development schemes to consider including works of art within their developments. The preference is to incorporate art work within the design of the development, although contributions to off-site provision will be considered, particularly where multiple sites may be able to contribute to a scheme.

CLP20 Design

All development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context. The Council will support outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, provided that they complement the character and appearance of their surroundings.

All development will be expected to:

- a) promote good design that positively contributes to the distinctive character of the borough, enriches the quality of existing places and enhances the quality of new places;**
- b) respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials;**
- c) be at a density appropriate to the character of the area whilst not excluding higher densities in and close to designated local, district and**

town centres;

- d) contribute to the vitality of its setting through the arrangement of active frontages, accesses, and functions, including servicing;
- e) ensure that the interface between building plots and streets and also the boundaries of development sites and their surroundings are attractive and take account of the relationship between public and private spaces;
- f) provide appropriate connections both on and off site, including footpath and cycle links to adjoining areas to integrate the development with its surroundings;
- g) provide adequate and safe vehicle access and parking;
- h) provide safe, convenient and attractive environment for pedestrians and cyclists;
- i) preserve or enhance the landscape character and biodiversity assets of the borough;
- j) be designed to be adaptable and accessible for all;
- k) have an acceptable impact on the amenity of users and neighbours;
- l) be designed to be safe and secure and to create environments which reduce the potential for crime;
- m) minimise the impact of light pollution;
- n) be able to withstand any long-term impacts of climate change.

Reducing Emissions

Major development should, as far as is feasible and financially viable minimise CO2 emissions during construction and occupation, and also maximise both the use of and the generation of renewable energy.

Planning applications for major new development should be accompanied by a statement (as part of or in addition to a design and access statement) which sets out how the development would do this in terms of:

- i. following the steps in the energy hierarchy by seeking to use less energy, source energy efficiently, and make use of renewable energy before efficiently using fossil fuels from clean technologies;
- ii. optimising the efficient use of natural resources;
- iii. reducing emissions through orientation and design.

When considering the feasibility and viability of reducing emissions and also use of renewable energy in any major development, the council will take into

account matters such as the development's scale and nature, its operational requirements, any site-specific constraints and also the need to meet other planning policy requirements.

Percent for Art

On major developments, the council will encourage developers to incorporate public art on site into structures and public spaces where reasonable.

HISTORIC ENVIRONMENT

- 8.15. The NPPF requires a positive approach to the conservation and enjoyment of the historic environment. The Borough possesses a rich historic environment with an array of heritage assets. The borough has a variety of nationally recognized heritage assets which as of February 2020 includes 245 Listed Buildings, including 1 Grade I Listed, 17 Grade II* Listed Buildings and a Grade II* Listed Historic Park and Garden at Queen's Park. There are 2 Scheduled Ancient Monuments; (Brampton Barn and Tapton Castle Motte) and 12 Conservation Areas designated. In particular, the borough has a rich Industrial Heritage including the Grade II* listed Walton Works, the only remaining working roundhouse in the UK at Barrow Hill Engine Shed, and the partially restored Chesterfield Canal. A programme of Conservation Area Appraisals and Management Plans has been completed for all of the borough's conservation areas. These will also have an important role to play when decisions are being made on planning applications that impact upon the conservation and/or enhancement of heritage assets and their setting.
- 8.16. Within the Borough there are other locally recognised historic sites, such as the 4 locally important Historic Parks and Gardens at Tapton House and grounds, Ringwood Hall grounds, Tapton Grove and Dunston Hall Deerpark. There are other archaeologically important areas across Chesterfield borough that have been identified in the Historic Environment Record (HER); this includes an area known as the Historic Town Centre Core which encompasses medieval and Roman activity within the historic core of Chesterfield. Where possible, the council will work to preserve and enhance these areas through positive action and management and within the Historic Town Centre Core, development proposals will need to demonstrate careful consideration of archaeological impacts. The council will also continue to co-operate with partners including adjoining authorities on the restoration of Chesterfield Canal.
- 8.17. In addition to the heritage assets which are statutorily nationally designated, the borough has many more non-designated buildings, structures, parks, gardens and views (including cemeteries and open spaces) that are special because of their local historic or architectural interest. These contribute to local heritage and local identity and their importance should be recognised for that reason. The NPPF requires that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to

scheduled monuments, should be considered subject to the same policies as designated heritage assets. The Borough Council has identified 197 non-designated built heritage assets in a local list which specifies the local built heritage assets within the borough that will be afforded protection. The council's Local List of Heritage Assets was adopted in October 2019 and has been developed in consultation and collaboration with partners, local people, landowners, neighbouring authorities and other stakeholders on a rolling basis.

- 8.18. The Council will work with Historic England to support flexible and sensitive solutions to address issues of those heritage assets identified as at risk where this would remove an asset from Historic England's at-risk register or local records of heritage at risk.

CLP21 Historic Environment

In assessing the impact of a proposed development on the significance of a designated heritage asset, the council will give great weight to the conservation of designated heritage assets and their setting and seek to enhance them wherever possible.

In order to ensure that new development conserves or enhances the significance of designated and non-designated heritage assets and their settings, the council will:

- a) apply a presumption against development that would unacceptably detract from views of St Mary's Church (the Crooked Spire) by virtue of its height, location, bulk or design;**
- b) protect the significance of designated heritage assets and their settings including Conservation Areas, Listed Buildings, Scheduled Monuments and Registered Parks and Gardens;**
- c) use Conservation Area Appraisals and associated Management Plans to ensure the conservation or enhancement of the individual character of each of the borough's Conservation Areas;**
- d) identify and, where appropriate, protect important archaeological sites and historic environment features;**
- e) identify and, where appropriate, protect non-designated heritage assets of local significance, set out in and referred to as the Local List;**
- f) enhance the character and setting of Queens Park, Chesterfield Market Place, the Hipper River Valley, Chesterfield Canal and locally important Historic Parks and Gardens.**
- g) within the Town Centre Core and other areas of archaeological significance, require relevant development proposals to demonstrate appropriate consideration of archaeological impact.**

Where a development is likely to result in harm to, or a degree of loss of significance of designated heritage assets and/or their setting, planning applications should be accompanied by evidence that sets out:

- 1. a description of the significance of the affected assets and their setting**

- and an assessment of the nature and degree of impact on this;
2. an evaluation of how harm or loss would be avoided, minimised or mitigated; and
3. a clear and convincing justification for the development and the resulting harm or loss.

Development that would result in substantial harm to or total loss of significance to a designated heritage asset will not be permitted unless:

Either:

- i) it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss;

or all of the following apply:

- ii) the nature of the heritage asset prevents all reasonable uses of the site; and
- iii) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- iv) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- v) the harm or loss is outweighed by the benefit of bringing the site back into use.

The council will consider the use of measures including Article 4 directions and Local Development Orders where they are appropriate to ensure the conservation and enhancement of heritage assets.

The council has a presumption in favour of retaining non-designated heritage assets on the Local List. Development that involves substantial harm or loss of a non-designated heritage asset will be assessed as part of a balanced judgment which considers:

- I. whether or not the asset is structurally unsound and poses a safety risk;
- II. the viability of repairing or maintaining the asset;
- III. whether or not alternative uses have been fully explored;
- IV. whether or not the proposal would have wider social, economic or environmental benefits as part of a masterplanned regeneration scheme.

Where a proposal that involves unavoidable harm or loss of a non-designated heritage asset on the Local List meets the criteria above, the council will seek a replacement development which is of an equivalent standard of design to the non-designated heritage asset and where possible retains the features of the non-designated heritage asset.

In the exceptional circumstances where loss or partial loss of designated or non-designated heritage asset is considered to be justified, the council will

require the developer to have the asset surveyed and recorded by a suitably qualified professional in advance of any alterations, demolition or groundwork.

The surveying and recording will be required to be carried out in a manner proportionate to the importance of the asset and the impact of the development. A report detailing the investigation should be made publicly available and deposited through Derbyshire's Historic Environment Record as a minimum.

9. Travel and Transport

INFLUENCING THE DEMAND FOR TRAVEL

- 9.1. Chesterfield borough is well located on the national transport network, with a main line railway station, three junctions of the M1 motorway close to the east side of the borough and several major roads (notably the A61 and the A619) converging at Chesterfield itself. Whilst this general level of accessibility has advantages, there are also disadvantages when through traffic and local traffic competes to use the road network at peak hours. In particular the road network becomes congested when there are traffic flow problems on the M1, since the A61 acts as an alternative north-south route for many users and several of the routes connecting it to the M1 junctions have very limited capacity. As a result of this congestion a number of areas in the borough suffer from poor air quality, particularly in Brimington where an Air Quality Management Area has been designated.
- 9.2. While congestion is less of an issue in the more rural parts of the borough, such as Barrow Hill, Poolsbrook, Mastin Moor and Duckmanton, there is an issue over access to services, jobs and facilities, worsened by the low levels of car ownership in these villages, where levels of deprivation are higher than average. Public transport however is relatively good, enabling residents to access key facilities by bus in reasonable times.
- 9.3. Improvement of the networks for public transport, walking and cycling will allow a range of smarter travel choices to be made, to reduce reliance on the private car and help towards overcoming congestion and improving air quality on the main routes in and out of Chesterfield; the A61 corridor, Chatsworth Road and the A619 to the east, Derby Road and the A61 to the north.

Walking and Cycling

- 9.4. Ultimately the aim is to reduce congestion and carbon emissions, tackle air pollution and increase accessibility for all the borough's residents. The provision of joined-up strategic walking and cycling networks will assist in meeting this aim. To do so will allow sustainable access to key facilities such as schools, employment areas and the town centre, as well as providing recreational opportunities via greenways and the rights of way network.
- 9.5. The opportunity to walk to essential services and facilities is at the core of the council's spatial strategy, as set out in policy CLP1.
- 9.6. As well as replacing car use for shorter journeys, walking and cycling can also promote healthy lifestyles and provide access to the countryside. Greenways, such as the Trans Pennine Trail which follows the Chesterfield Canal, are particularly important as they provide recreational opportunities and can also help boost tourism in the borough. Derbyshire County Council has identified a

number of existing and potential Greenways in the East Derbyshire Greenways Strategy. Several of these are designated sections of the National Cycle Route network.

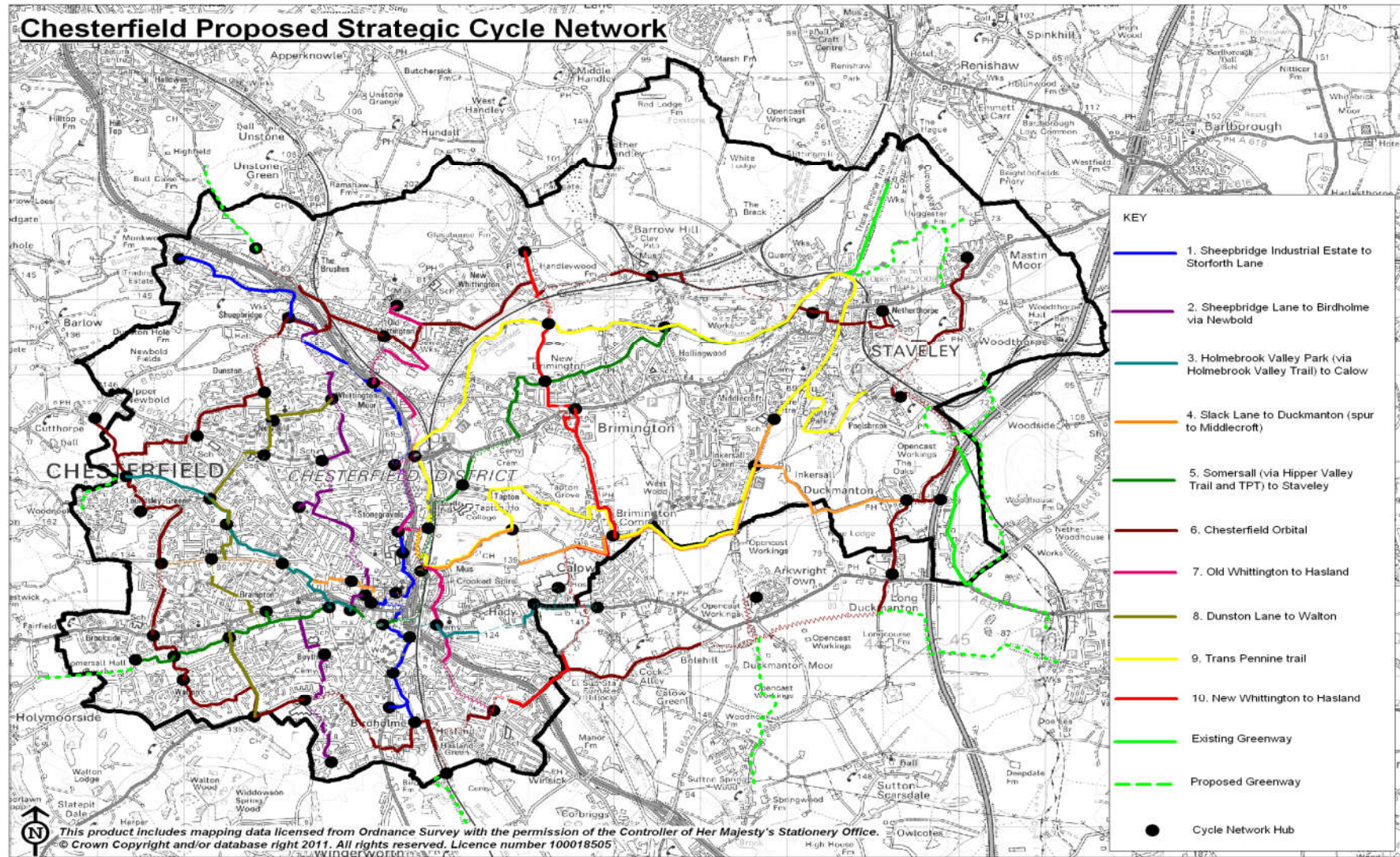
- 9.7. The borough council will work with partners including Derbyshire County Council and Chesterfield Cycle Campaign to improve and expand the network of cycle routes in and beyond the borough and will seek developer contributions through planning obligations and/or CIL towards this where appropriate.
- 9.8. A strategic cycle network for the borough has been drawn up by a partnership of Derbyshire County Council, Chesterfield Cycle Campaign and the borough council. It is officially recognised by both councils and is set out in Policy TF2 of the third Local Transport Plan (LTP). The strategic greenways and multi-user trails are indicated on the council's Policies Map. More information is available by following the link to the LTP at www.chesterfield.gov.uk/evidencebase. The council is working with Derbyshire County Council and local partners to identify and designate a similar network of walking routes, having regard to the Derbyshire County Council Rights of Way Improvement Plan. Both networks will be the subject of further work during the Local Plan period to improve, promote and where appropriate, extend them.

Public Transport

- 9.9. Access to the rail network is provided by Chesterfield railway station which is located at the edge of Chesterfield town centre. The capacity and facilities at the station are the responsibility of Network Rail, which has highlighted the following issues (Draft East Midlands Route Utilisation Strategies 2010):
- Total passenger demand in the East Midlands is expected to grow by 28 percent over the next 10 years, particularly the market for rail travel to and from Birmingham (including Chesterfield) with the number of trips increasing by 40 percent over the same time frame.
 - The route between Chesterfield and Birmingham via Derby is one of the major drivers of performance in the East Midlands, the mix of fast and stopping passenger trains and freight services presents a major performance challenge.
- 9.10. Chesterfield has excellent access by rail to most parts of Britain. The railway station has seen growth in patronage of 3-5% year on year. Many service levels and facilities have been improved over the last 10 years so that Chesterfield now has two trains per hour to London, a minimum hourly service on the Cross Country network, and direct links to Derby, Sheffield, Nottingham Leeds and Manchester as well as good local connections.

Strategic Cycle Network

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- 9.11. The proposed route of HS2 phase 2B mainline (Birmingham to Leeds) passes through the borough. As of July 2017 it was also confirmed that the revised route to serve Sheffield would result in at least one service each way per hour stopping in Chesterfield Railway Station using 'Classic Compatible' Services, with the potential of further expansion of the route from Sheffield to re-join the line to Leeds in conjunction with the 'Norther Powerhouse' transport proposals. An Infrastructure Maintenance Depot (IMD) to serve phase 2B is also planned for the Staveley and Rother Valley Corridor site. Services are expected to operate from 2035-40.
- 9.12. Bus services are generally good across the borough, with the vast majority of residents able to access key services such as GPs by public transport and/or walking in 30 minutes or under. Although there is no single bus interchange in the borough, there are a number of locations that have multiple route stops and have a similar function to an interchange, such as New Beetwell Street in Chesterfield Town Centre and Market Street/High Street in Staveley Town Centre. In addition to local services, the borough also has Chesterfield Coach Station which provides services to towns and cities throughout England, including Manchester, and East Midlands airport and the London airports.

Influencing the demand for travel

- 9.13. First and foremost, in tandem with other Local Plan themes, development will be located so that the need to travel is reduced. This policy seeks to ensure that travel behaviour is influenced through the design of developments, so that peoples' travel needs can be met by the use of a range of transport choices other than the private car. The way that the network is managed will be crucial to the success of this intention, requiring close working with a range of partners, above all the local highway authority, Derbyshire County Council. The council will have regard to the Local Transport Plan, particularly the detailed policy statements in Appendix A, when considering development proposals. In terms of influencing sustainable travel choices, the council will work with Derbyshire County Council to implement Smarter Choices techniques where appropriate, according to priorities outlined in the LTP.

CLP22 Influencing the Demand for Travel

To reduce congestion, improve environmental quality and encourage more active and healthy lifestyles, the Council will seek to maximise walking, cycling and the use of public transport through the location and design of development and parking provision. Priority will be given to measures to encourage more sustainable travel choices.

To secure this aim, the council will expect development proposals to demonstrate the following in order of priority:

- a) site specific and area wide travel demand management (measures to**

reduce travel by private car and incentives to use walking, cycling and public transport for appropriate journeys including travel planning);

- b) improvements to walking and cycling facilities and public transport services that are provided early in the build out period of new developments and that are sufficient to encourage sustainable modes of transport;
- c) optimisation of the existing highway network to prioritise walking, cycling and public transport such as measures to prioritise the needs of pedestrians above the car and improved or new cycle and bus lanes, provided early in the build out period of new developments; and
- d) mitigation including highway capacity enhancements where the initiatives required under points (a) to (c) above are insufficient to avoid significant impacts from the development on the transport network in terms of capacity and congestion; and
- e) provision of opportunities for charging electric vehicles where appropriate.

Development proposals will not be permitted where they would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The level of vehicle and cycle parking provision appropriate to any individual proposal will take into account the circumstances of the particular scheme, including in particular:

- i. The size of any dwellings proposed.
- ii. The type, mix and use of the development.
- iii. The proximity of facilities such as schools, shops or employment
- iv. The availability of and capacity for safe on-street and public car parking in the area.
- v. Proximity to and availability of public transport and other sustainable transport options.
- vi. The likelihood that any existing on-street parking problems in terms of highway safety, congestion, pedestrian and cyclist accessibility and amenity will be made worse.
- vii. Local car ownership levels.

Cycle parking, where provided as part of new development, should be located to ensure safe, secure and convenient access, with weather protection where possible. The council will prepare an SPD to provide further practical guidance on planning for walking and cycling within new development.

Any necessary mitigation measures should be set out in development proposals, including within Transport Statements, Transport Assessments and Travel Plans where these are required, and secured through conditions and/or legal agreements.

Priority areas for combinations of sustainable transport measures and highways improvements will be:

- the A61 Corridor;
- the A619 Chatsworth Road;
- the A619 corridor through Brimington and Staveley;
- Chesterfield Town Centre;
- access to Chesterfield Railway Station.

For masterplanned or phased developments, provision for the monitoring of traffic impact and mitigation of identified problems will be made through the use of legal agreements.

MAJOR TRANSPORT INFRASTRUCTURE

- 9.15 In accordance with the themes from the spatial vision, one of the aims of the transport policies is to make the best use of the existing road network. New roads do not necessarily address the causes of congestion and they may have damaging environmental impacts. However, limited new road building may be required in particular circumstances to support the borough's regeneration objectives, such as in conjunction with the development of the Staveley and Rother Valley Corridor.
- 9.16 Safeguarding Directions have been made by the Secretary of State for Transport for the route of HS2 (including the location of the Staveley IMD and associate rail access). They are not proposals of the LPA and the routes in question will not be determined through the development plan process. They will be considered in Parliament under hybrid Bill procedures, which will provide appropriate opportunities for petitions to be made to Parliament by those directly affected by the scheme.
- 9.16. A number of major transport routes have been safeguarded in the local plan and identified in the Derbyshire County Local Transport Plan (LTP). The most significant of these is the Chesterfield-Staveley Regeneration Route (CSRR). Derbyshire County Council is currently reviewing this scheme and will be considering alternative options for and alignments of any major new road infrastructure. Proposals for the CSRR will need to identify solutions to safeguard the route and setting of Chesterfield Canal in line with policy CLP18 As of September 2018, Derbyshire County Council had appointed AECOM to prepare the business case for the CSRR, including clarifying costs and design issues suitable for submission of a planning application in 2019. The CSRR is included in a bid for funding via the Housing Infrastructure Fund submitted through Nottinghamshire County Council, which would fund elements of the first phase of the road between Chesterfield Road (A619) and Bilby Lane.
- 9.17. The plan also safeguards the route of the proposed Hollis Lane Link Road between Hollis Lane and Crow Lane. This road would significantly improve accessibility to the railway station from the south and reduce the level of traffic currently travelling through the town centre past the Historic St Mary's Church. This road also forms a key part of the council's proposals for the regeneration of the station area (policy SS7) in connection with the arrival of HS2 rail services, and for the implementation of the town centre masterplan. Detailed design work is currently being prepared by AECOM on behalf of DCC, to be provided via the Local Growth Fund (LGF) funded A61 Corridor project.

CLP23 Major Transport Infrastructure

The council will safeguard land for major new transport infrastructure as shown on the Policies Map, including:

- **Chesterfield-Staveley Regeneration Route (CSRR) between Rother Way**

on the A619 and Bilby Lane, and within the area of the Staveley and Rother Valley Corridor (as set out in Policy SS5).

- Staveley Northern Loop Road Phase 2.
- Hollis Lane Link Road between Hollis Lane and Crow Lane.

Proposals for the CSRR and Staveley Northern Loop Road will be required to conserve and enhance the route of Chesterfield Canal and the Trans Pennine Trail and make provision for safe and convenient walking and cycling access to these routes.

10. Regeneration Priority Areas

10.1. Regeneration, including new development, can address the needs of communities experiencing deprivation. The RPAs reflect multiple deprivation and spatial concentrations of deprivation, expressed by the national IMD data. Other parts of the Borough are ranked higher than some of the RPAs in some individual indices, but the identification of the RPAs also reflects other spatial issues such as concentrations of social housing stock, proximity to major new employment development at Markham Vale, and dwindling local services and facilities. The Council will engage meaningfully and actively with local communities and other stakeholders to ensure that deprivation is minimised. New development can help provide jobs and homes for local people, improve the environment and introduce new and potentially more active households to a deprived area. The Borough Council will seek to ensure that regeneration addresses the needs of households experiencing deprivation by:

- Rebalancing the housing market.
- Negotiating local labour agreements as part of major development schemes.
- Ensuring that new development contributes to the enhancement of the area.
- Seeking new facilities and improvements to existing facilities for the benefit of the local community.
- Adding value by drawing in public subsidy where possible.
- Working in partnership with the local community and external organisations to help achieve non-planning measures.

10.2. RPAs are key areas for growth as set out in the Spatial Strategy and are identified on the Policies Map. They are: Barrow Hill, Duckmanton, Holme Hall, Mastin Moor, and Poolsbrook.

10.3. Rather than allocating specific sites at the RPAs, the Council considers that designating a broad area at each RPA allows for more flexibility in securing development, with the emphasis on what regeneration benefits can be secured, rather than a specific site allocation approach. All the sites that make up the broad areas are assessed to the same level of detail as all other housing sites.

Barrow Hill

10.4. Barrow Hill is a small community to the north of the Borough, formerly closely associated with employment at the Staveley Works complex. Although its nineteenth century heritage is still visible in some attractive buildings, many of which are within a Conservation Area, and at the unique, working railway roundhouse, the village itself now is challenged with deprivation and high

unemployment. Barrow Hill is within the top 10% of most deprived areas in England in terms of multiple deprivation, income, income affecting children, employment, education skills and training and health and disability. It has only a limited range of community facilities and is some distance from the services to be found in Staveley town centre to the south. It is therefore dependent on public transport to reach the town centre and destinations like the secondary schools at Middlecroft and Netherthorpe.

- 10.5. The Barrow Hill Conservation Area provides an example of surviving mid-nineteenth century company housing and is an important record of the historical development of the village. There are also a number of listed buildings within the settlement, and non-listed assets including St Andrews Church, one of the earliest collaborations of Raymond Unwin and Richard Barry Parker, leading figures in the Arts and Crafts movement.
- 10.6. Barrow Hill Roundhouse is the only remaining functioning railway roundhouse in the country. As well as being a popular visitor attraction, with a range of events during the year (including steam days, concerts and the 'Rail Ale' festival), it is also a centre for rail related employment, training and business activity, providing research and rolling stock maintenance. The potential exists to develop this activity further in the future, particularly the possible links with HS2 and the proposed Infrastructure Maintenance Depot which will be located close by on the former Staveley Works site.
- 10.7. The settlement has a high proportion of public sector housing, particularly within the 'London Boroughs' estate, parts of which suffer from poor environmental quality. In 2014 Chesterfield Borough Council's Housing Services appointed landscape architects to develop and manage a £4 million programme of environmental improvements at the London Boroughs Estate at Barrow Hill. The proposals were approved by the council in March 2015 and planning permission was granted for the works in October 2016.

Duckmanton

- 10.8. Duckmanton is located within the eastern part of the Borough close to the boundary of North East Derbyshire (to the south) and the M1 (to the east). Whilst the settlement's history goes back to the medieval period (it is recorded in the Domesday book), the village is now primarily associated with the local coal mining industry and was constructed to house local miners, mainly those working at Markham Vale Colliery which closed in 1992.
- 10.9. As a result of the decline of the mining industry and associated businesses, the village and surrounding area suffered from economic decline. This has meant reduced economic opportunities, a rise in social deprivation and in some instances, environmental degradation. Duckmanton is within the top 10% of most deprived areas in England in terms of income, income affecting children, employment, education skills and training and health and disability. However, Duckmanton remains socially cohesive, is located in attractive countryside, has good transport links and has improving employment opportunities due to the re-development at Markham Vale.

10.10. Consequently, there are opportunities for sustainable regeneration in the form of new housing and associated infrastructure and services.

Holme Hall

10.11. Holme Hall is based around a large housing estate built in the 1970s. The estate is a mixture of owner occupied and council owned properties. Holme Hall has a strong local centre which is identified as a Local Service Centre. Outside of the local centre there is also a primary school (Holme Hall Primary School) and a public house (The Holmebrook Tavern).

10.12. Development at Holme Hall would support the vitality and viability of both the centre and the services and facilities they offer. Holme Hall is within the top 10% of most deprived areas in England in terms of multiple deprivation, income, income affecting children and older people, employment, and health and disability.

10.13. In Holme Hall itself there are few employment opportunities, however, regular bus services give good access to other parts of the borough where jobs are located. There is a good footpath and cycle network, the estate having easy access on to Holmebrook Valley Park and Trail which is a greenway into Chesterfield Town Centre suitable for both walkers and cyclists.

10.14. To the south of the Holme Hall Local Service Centre is Ashgate Plantation, a designated Local Wildlife Site. Additionally, Holme Hall has one of the borough's largest green infrastructure assets, Holmebrook Valley Park on its doorstep.

Mastin Moor

10.15. Mastin Moor flourished when employment was available locally in the coal mines. The last of these local mines, Markham Colliery and the nearby Bolsover Colliery, eventually closed in 1993. Since then Mastin Moor has faced difficulties in respect of deprivation and high unemployment, and services have dwindled, although it is relatively well-served by public transport. Mastin Moor is characterised by social housing, with most homes being of one size and tenure, resulting in social imbalance and housing stock that does not meet the diverse needs of local people. Mastin Moor is within the top 20% of most deprived areas in England in terms of multiple deprivation, income, income affecting children and older people, employment, education skills and training and health and disability.

10.16. To the south of Mastin Moor the significant Markham Vale employment development has taken shape, around the new motorway junction 29A built specifically to serve it. 2018 saw 1,600 jobs maintained at the development across the whole 200-acre site.

10.17. Mastin Moor village has two convenience stores (one of which includes a Post Office), Mastin Moor Miners Welfare, a fast food takeaway (Chinese), a

Community Garden and a children's play area. Two local primary schools (Norbriggs Primary and Woodthorpe CofE Primary) serve the village. Pharmacy and GP facilities are beyond the lower walk threshold, and currently residents in Mastin Moor use the GP surgery at Barlborough in Bolsover district, or at Staveley.

- 10.18. Local public transport serving Mastin Moor is reasonable, with two regular Stagecoach services running two buses per hour and one per hour on Sundays. There is a reasonable footpath network, but the area is relatively isolated in terms of the strategic cycle network.
- 10.19. In the early 1900's there was a pumping engine in the vicinity of Pump House Farm. This was associated with a tramway running to Seymour Colliery. There is some archaeological potential relating to early post-medieval buildings on Woodthorpe Road and buried archaeology of medieval date associated with the medieval hamlet/demesne of Woodthorpe. There is low potential of hitherto unknown archaeology anywhere in the non-opencast areas. The area that has been subject to opencast coal extraction is unlikely to retain any archaeological potential.
- 10.20. The closest area identified at being at risk of flooding is Flash Local Nature Reserve to the west of Mastin Moor. There is also an area susceptible to surface flooding along the well vegetated stream corridor running between the fields in a generally east-west orientation towards Norbriggs. This watercourse has historically caused flooding during heavy rain in the vicinity of Norbriggs Primary School.
- 10.21. Land to the north of Mastin Moor is Green Belt. Land to the west of Mastin Moor and Woodthorpe consists of Netherthorpe and Norbriggs Flash Nature Reserves.

Poolsbrook

- 10.22. Poolsbrook is a former mining village on the eastern side of the Borough near Staveley.
- 10.23. The village of Poolsbrook was built by Staveley Coal and Iron Company towards the end of the 19th Century to provide housing for workers employed at the nearby Speedwell and the later Ireland Collieries.
- 10.24. The area has a number of challenges facing it, including reduced economic opportunities and associated deprivation mainly as a result of the decline in the mining industry and associated trades. Poolsbrook is within the top 10% of most deprived areas in England in terms of multiple deprivation, income, employment, education skills and training and health and disability.
- 10.25. Whilst there has been an economic decline, Poolsbrook remains socially cohesive. It is located in attractive countryside, has good transport links, and improving employment opportunities as a result of development at Markham Vale to the south.

10.26. In terms of services, the village currently has a convenience store, a Primary School and a Miner's Welfare. One of the main challenges for Poolsbrook is ensuring that these facilities can be maintained. Development at Poolsbrook would help support these and could bring about enhancement of some existing facilities and the provision of new facilities where there is a demonstrated need.

RP1 Regeneration Priority Areas

Within the RPA boundary as shown on the Policies Map, for major developments the Council will expect a masterplanned approach to deliver sustainable high quality residential development, respecting the constraints of the area and sensitive to the adjoining open countryside and existing residential communities.

Masterplans are expected to investigate the potential to, and support projects that, improve the quality of the area and the existing housing stock through refurbishment and/or redevelopment.

Within the RPA boundaries as shown on the Policies Map, the council will grant planning permission for development which supports regeneration and where it would:

- a) extend the type, tenure and quality of housing; and**
- b) deliver environmental and biodiversity benefits; and**
- c) support or enhance existing services and community facilities;**
- d) provide recruitment, training and procurement to benefit the local economy (via a Local Labour Agreement in line with Policy CLP6), with the priority being to maximise training and employment opportunities for existing residents of the RPA within which the development is located; and**
- e) increase trees and tree groups to enhance landscape character; and**
- 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.**

Within the Barrow Hill Regeneration Priority Area, development is expected to:

- i. deliver a minimum of 35 new homes on site H20; and**
- ii. promote design that positively contributes to the surrounding area and conserves or enhances heritage assets including Barrow Hill Conservation Area; and**
- iii. support the activities of Barrow Hill Roundhouse as a visitor attraction and centre for employment; and**
- iv. provide safe and convenient walking and cycling connections to New Whittington heritage assets at Chesterfield Canal and the Staveley and Rother Valley Corridor.**

Within the Duckmanton Regeneration Priority Area, development is expected to:

- i. deliver a minimum of 310 new homes on sites H26 and H34; and**
- ii. provide safe and convenient walking and cycling access to job opportunities at Markham Vale; and**
- iii. provide safe and convenient walking and cycling connections to Poolsbrook and Poolsbrook Country Park; and**
- iv. promote design that positively contributes to the surrounding area, and conserves or enhances the significance of heritage assets including Poplar Farmhouse, Duckmanton Model Village and Long Duckmanton; and**
- v. deliver highway and pedestrian improvements at Tom Lane and Duckmanton Road.**

Within the Holme Hall Regeneration Priority Area, development is expected to:

- i. deliver a minimum of 300 new homes on site H33 in line with the adopted masterplan; and**
- ii. provide safe and convenient walking and cycling connections to Linacre Road, Wardgate Way (Local Service Centre) and the Holmebrook Valley Park and Trail; and**
- iii. provide an appropriate buffer and boundary treatment to minimise and mitigate any adverse impacts upon the Ashgate Plantation Local Wildlife Site.**

Within the Mastin Moor Regeneration Priority Area, development is expected to:

- i. deliver up to 670 new homes on sites H1, H6 and H35; and**
- ii. provide safe and convenient walking and cycling access to job opportunities at Markham Vale, the community garden and Norbriggs and Woodthorpe Primary Schools; and**
- iii. provide a new Local Centre with additional community facilities and the opportunity for provision of health facilities; and**
- iv. provide safe and convenient walking and cycling connections to the surrounding rights of way network, including connections to The Cuckoo Way and Chesterfield Canal; and**
- v. promote design that positively contributes to the surrounding area, and conserves or enhances the significance of heritage assets including the former pumping engine and tramway; and**
- vi. deliver a new and/or improved pedestrian and cycle crossing over the A619 ; and**
- vii. protect and enhance the setting of and access to the community garden; and**
- viii. minimise visual impact on the ridgelines along Worksop Road and Woodthorpe Road; and**
- ix. provide a defined edge of development and a clear break to prevent continued coalescence and extension of ribbon development along Worksop Road; and**

- x. maintain the distinct identities and settings of Mastin Moor and Woodthorpe through the use of landscaping and open space.

Within the Poolsbrook Regeneration Priority Area, development is expected to:

- i. deliver a minimum of 175 new homes on site H31; and
- ii. provide safe and convenient walking and cycling access to job opportunities at Markham Vale; and
- iii. provide safe and convenient walking and cycling connections to the surrounding rights of way network, including connections to Duckmanton and Poolsbrook Country Park; and
- iv. promote design that positively contributes to the surrounding area and conserves or enhances the significance of heritage assets including the surviving buildings of the Model Village.

11. Strategic Sites & Locations

CHESTERFIELD TOWN CENTRE

- 11.1. Chesterfield Town Centre is well known for its parish church of St Mary and All Saints ('The Crooked Spire'), and for its historic Market Square and Market Hall, which attract visitors from far afield. It is also a vibrant sub regional centre for shopping, services, and employment with a very active night-time economy. The town centre also acts as a major hub for transport services, with bus services serving much of North East Derbyshire and the Peak District, a modern Coach Station serving national services and direct main line rail access to destinations including London, Birmingham, Manchester and Edinburgh. The historic core of the town was recently enhanced through a Townscape Heritage Initiative (THI) programme and the restoration of the town's historic, listed Market hall.
- 11.2. Chesterfield town has a catchment covering a total population of 1.6 million people. As well as a strong offer from multiple retailers, Chesterfield town centre has a unique independent retail offer, complemented by a thriving, regular market. Despite a challenging economic climate, the town centre offer has remained strong, with vacancy rates not rising above the national average since the economic downturn in 2008. Although the collapse of regional and national chains resulted in some large, high profile vacancies, including BHS and the East Midlands Co-Operative department stores, both these units are now either back in use, with the latter being redeveloped for a hotel and food and drink uses. Other town centre units have also seen swift turnover of vacancies, in many cases to a wider range of town centre uses including residential (especially at upper floors) and food and drink uses.

11.3. The council's latest retail capacity study¹⁰ does indicate reduced demand for floorspace in the short term, but suggests potential for longer term growth, and a need to concentrate on improving the range and quality of the offer.

11.4. In 2015, the borough council approved an updated Town Centre Masterplan for Chesterfield. Whilst not having formal status as a Development Plan Document or SPD, the masterplan sets out a long-term vision for Chesterfield Town Centre and is a material consideration in determining planning applications within the town centre. The Masterplan's vision is for the town centre to be:

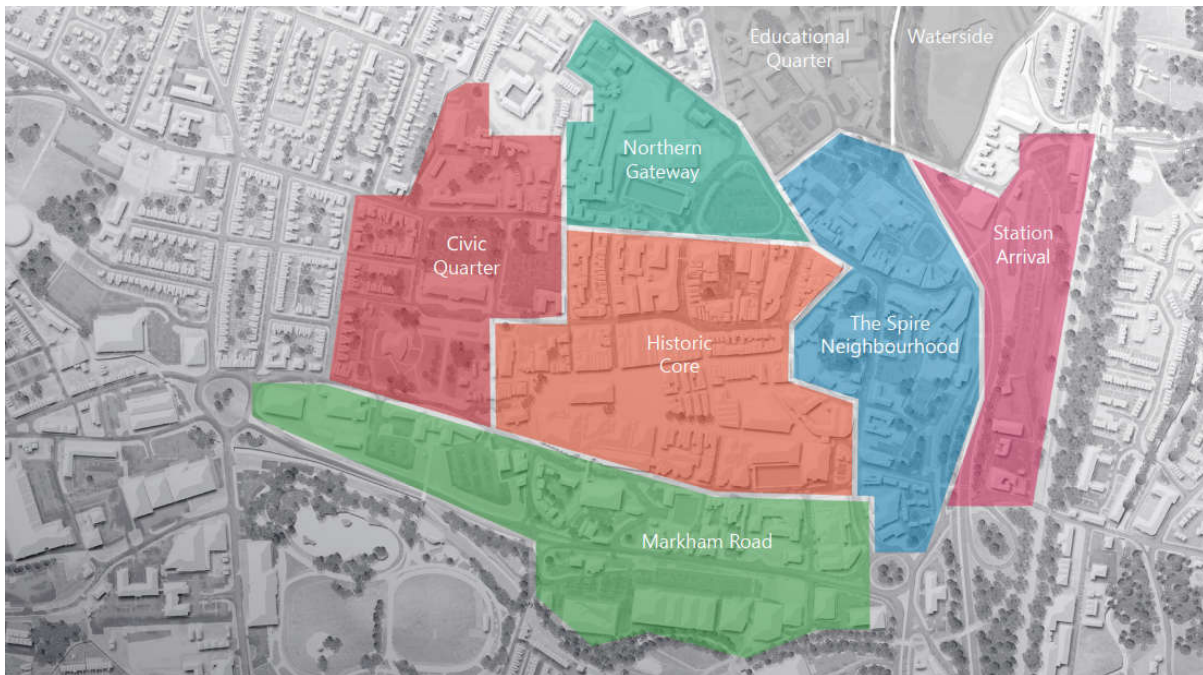
“...recognised as a distinctive historic market town, with a thriving centre built around the market squares, national and independent retailers and leisure operators. The town will embrace the opportunities created by new technology and be a popular place to live and visit, with an economy based on employers attracted by great access, beautiful environments and a specialised well qualified workforce.”

11.5. The Masterplan acknowledges the role of the centre in providing office accommodation and identifies the potential for new investment in this sector, which largely relies on older, smaller premises. The Masterplan also recommends moving through traffic out of the town centre in order to create a more attractive environment generally and around the 'Crooked Spire' in particular.

11.6. The Masterplan identifies seven character areas:

- Northern Gateway
- Civic Quarter
- Markham Road
- Historic Core
- The Spire Neighbourhood
- Station Arrival
- Educational Quarter

¹⁰ [Chesterfield Borough, Bolsover District and North East Derbyshire District Retail and Centres Study Retail and Centres Study April 2018](#)



Chesterfield Town Centre Strategic Development Framework (May 2015)

- 11.7. As a result of changes to the retail market generally and the large foodstore sector in particular, the council has chosen not to progress the retail led scheme previously proposed by Wilson Bowden within the Northern Gateway area. The Northern Gateway has instead been progressed through replacing the aging Saltergate Multi Storey Car Park and building a new enterprise centre at Holywell Cross (construction of which is expected to start in early 2020). The site still presents the key opportunity for any further physical expansion of the retail offer of Chesterfield Town Centre.
- 11.8. In bringing these sites forwards for development the council will use a combination of masterplans, site-specific planning briefs, SPD's and Outline Planning Applications, with reference to other relevant policies of the Plan including CLP2, CLP8 and CLP21.

SS1 Chesterfield Town Centre

Subject to other relevant policies of the plan, the council will support planning applications that contribute towards:

- a) protecting and enhancing the centre's sub-regional and local role in providing housing, employment, services, leisure, cultural venues and retail;
- b) supporting the objectives of Chesterfield Town Centre Masterplan;
- c) economic development and community safety by providing a diverse range of uses including retail, office, community facilities, leisure and food and drink uses;
- d) conserving and enhancing the historic character of the centre and the role of the Historic Market and Market Hall;

- e) improving accessibility between the centre and surrounding areas, including Chesterfield Railway Station, Waterside, Queen's Park, Chesterfield College and Ravenside Retail park;
- f) enhancing walking, cycling and public transport provision;
- g) maintaining the overall level of provision of public car parking; new off-street car parking will usually only be permitted when justified through a transport assessment or travel plan;
- h) reducing through traffic.
- i) enhancing the range and quality of residential uses within Chesterfield town centre;
- j) undertaking appropriate assessment, evaluation and, if necessary, recording of archaeological remains within the Town Centre Historic Core (as set out on the Policies Map).

Outside of the Town Centre Primary and Secondary Shopping Areas, as shown on the Policies Map and set out in policy CLP8, planning permission will not normally be granted for new retail uses (A1) other than small shops as set out in policy CLP9. Planning permission will normally be granted for other main town centre uses, including B1(a) offices, health and education uses subject to the other policies of this plan.

Northern Gateway

Land between Newbold Road/Holywell Street and Saltergate, as shown on the Policies Map, will be safeguarded for the future expansion of Chesterfield Town Centre.

Within this area, planning permission will only be granted for proposals that enhance and support the centre's sub regional role in providing housing, employment, services, leisure and retail and where they can demonstrate that they would not prejudice the future development of the site.

Spire Neighbourhood

Proposals will be supported for new residential development on land to the east of St Mary's Gate and to the west of the A61 and to the north of Holywell Street and south of Brewery Street, subject to other relevant policies of the plan. Where development within this area results in the loss of public car parking, the effect of this on the viability of Chesterfield Town Centre should be assessed, and if necessary compensatory parking provided elsewhere within or closely related to Chesterfield Town Centre.

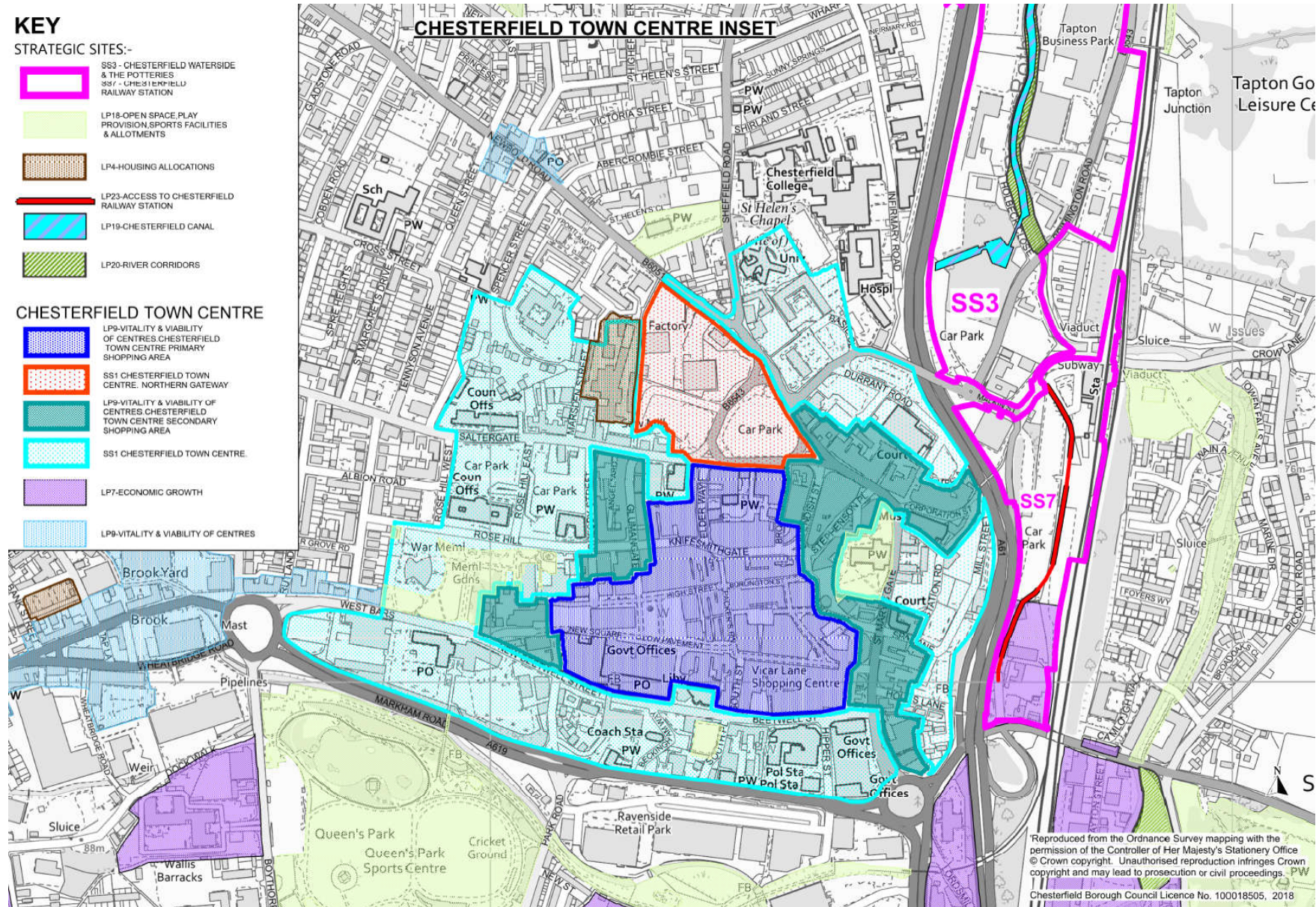
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STRATEGIC SITES:-

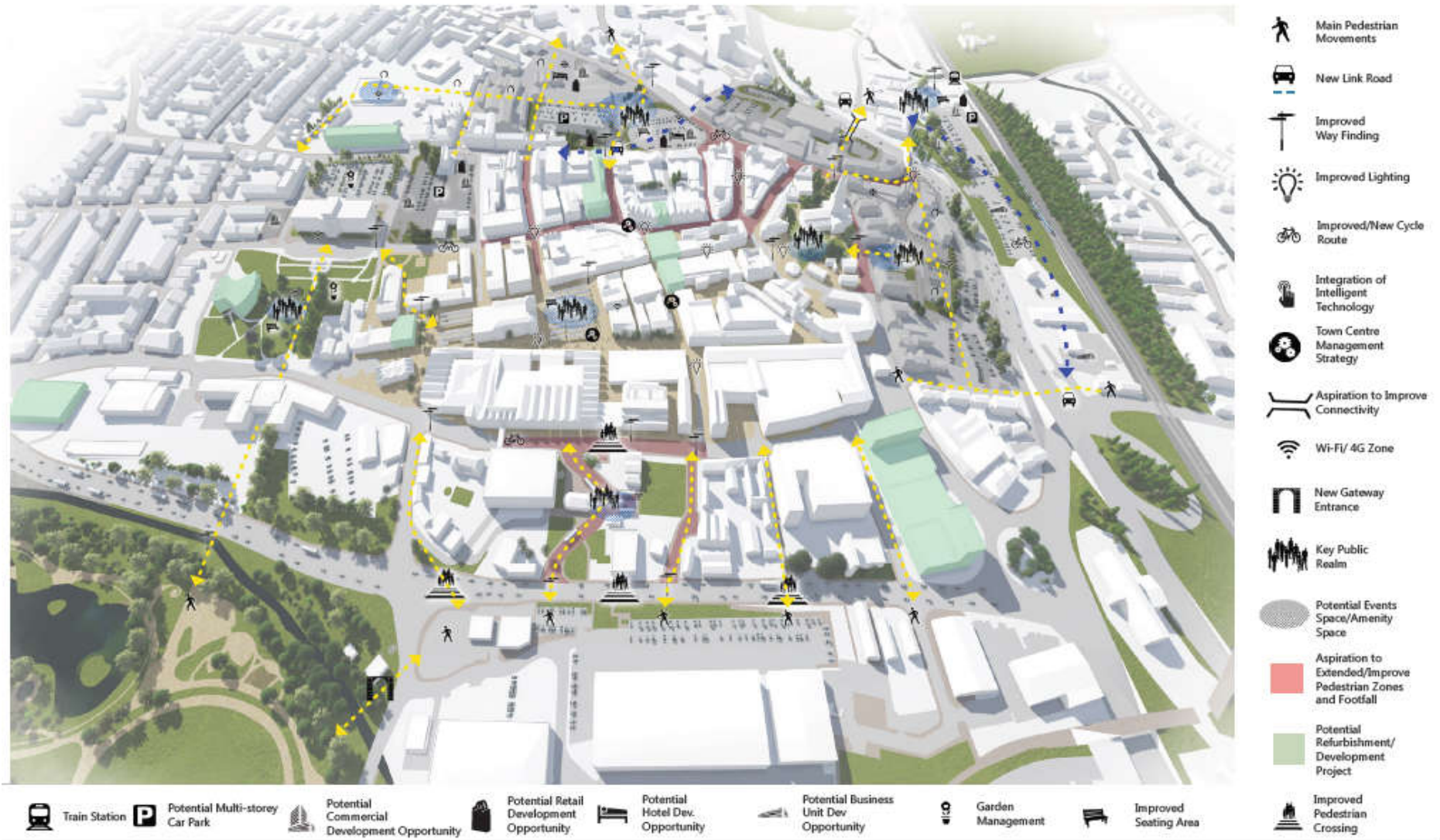
-  SS3 - CHESTERFIELD WATERSIDE & THE POTTERIES
SS7 - CHESTERFIELD RAILWAY STATION
-  LP18-OPEN SPACE PLAY PROVISION, SPORTS FACILITIES & ALLOTMENTS
-  LP4-HOUSING ALLOCATIONS
-  LP23-ACCESS TO CHESTERFIELD RAILWAY STATION
-  LP19-CHESTERFIELD CANAL
-  LP20-RIVER CORRIDORS

CHESTERFIELD TOWN CENTRE

-  LP9-VITALITY & VIABILITY OF CENTRES CHESTERFIELD TOWN CENTRE PRIMARY SHOPPING AREA
-  SS1 CHESTERFIELD TOWN CENTRE, NORTHERN GATEWAY
-  LP9-VITALITY & VIABILITY OF CENTRES CHESTERFIELD TOWN CENTRE SECONDARY SHOPPING AREA
-  SS1 CHESTERFIELD TOWN CENTRE
-  LP7-ECONOMIC GROWTH
-  LP9-VITALITY & VIABILITY OF CENTRES



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Chesterfield Town Centre Illustrative Masterplan 2015 – Overall Strategy (Aspinall Verdi and WCEC Group Ltd)

CHATSWORTH ROAD CORRIDOR

- 11.9. The Chatsworth Road Corridor stretches westwards from Chesterfield town centre along the A619 from the West Bars roundabout to Morrison's supermarket; forming the main route from Chesterfield town centre to the Peak District. At the area's heart is the Chatsworth Road district centre, whilst to the south lies a corridor of former industrial land containing a mixture of active, under-utilised and vacant sites along the line of the River Hipper. The corridor also contains a variety of small employment premises and residential areas, mixed in with other uses.
- 11.10. The district centre that runs along the frontage of Chatsworth Road is undergoing a renaissance; with a variety of new uses giving it renewed vigour. Further development within the district centre should nurture and harness this. Parking within the district centre is an issue and can add to levels of congestion in the area. Improved areas of car parking will be required to meet needs of the additional numbers of people living and using the facilities within the centre. The aspiration is that the former industrial land south of Chatsworth Road will integrate and provide strong links with both the district centre and surrounding communities. This will provide a new variety of uses that include cafes, restaurants, independent shops and creative businesses creating a mixed, sustainable community for all to enjoy.
- 11.11. In September 2005, a masterplan for the land to the south of Chatsworth Road was adopted by the council. This guides future development of the former industrial area and provides a starting point for redevelopment proposals. This land presents a range of opportunities to regenerate an under-used area for a mix of new, high quality development, including potential for a prestigious residential setting using the Grade II* listed Walton Works building, new employment opportunities and enhancement of the River Hipper as a wildlife corridor and walking and cycling route. The masterplan also seeks to tackle the risk of flooding from the River Hipper, which has historically been a problem in this area, and to build on the successful east-west Hipper Valley cycle trail by improving north-south walking and cycling connections across the area.
- 11.12. As a main transport route, Chatsworth Road suffers from high levels of traffic and associated air quality issues. Available transport evidence identifies that Chatsworth Road also has a problem with severance. The existing and potential mix of uses also makes it an attractive and sustainable location to live and work, however, development in this area should emphasise access to sustainable transport and integration with the opportunities and services of the district centre, by reducing the need to travel by car.
- 11.13. Within the wider context of the Chatsworth Road Corridor the Chesterfield Town Centre Masterplan was adopted in October 2009. The masterplan identifies the importance of West Bars located at the eastern end of Chatsworth Road. West Bars is acknowledged as a key gateway site to both Chatsworth Road and the Peak District and to Chesterfield town centre.

SS2 Chatsworth Road Corridor

Development proposals will be supported where they contribute towards:

- a) the vitality and viability of Chatsworth Road district centre;
- b) improving the West Bars gateway to Chesterfield town centre;
- c) strengthening the links between the land south of Chatsworth Road with the Chatsworth Road district centre and surrounding communities;
- d) providing a new variety of uses that will create a mixed, sustainable community;
- e) the improvement of identified transport and highway issues;
- f) the enhancement of walking, cycling and public transport provision.

Within the defined district centre, proposals for development will be considered in accordance with policy CLP8. Outside the district centre development will be focussed on new housing and compatible uses.

Within the regeneration area south of Chatsworth Road a comprehensive scheme providing a mix of uses will be supported in accordance with the adopted masterplan, including: employment generating uses on land at the former Boythorpe Works (in accordance with policy CLP6), open space and housing. The site of Walton Works (including the re-use of the Grade II* listed building) shall be for housing-led mixed use development (in accordance with policy CLP3, Site H30). Development proposals for the Griffin Mill and Wheatbridge Mills area should include the re-use of the Grade II listed Cannon Mill. To ensure that development within the regeneration area south of Chatsworth Road provides a mixed, integrated, sustainable community within the Chatsworth Road Corridor, developments must demonstrate that they have:

- i. taken a comprehensive approach to flood risk management;
- ii. incorporated the Hipper Valley walking and cycle route and improved north-south walking and cycling links;
- iii. integrated the site into a network of green spaces, such as Walton Dam, Somersall Park and the Walton river corridor green wedge, connected by the River Hipper and footpaths and cycleways;
- iv. considered the impact upon heritage assets and their setting and identified any means of mitigation and/or enhancement through submission of a Heritage Impact Assessment.

CHESTERFIELD WATERSIDE AND THE POTTERIES

11.14. The Chesterfield Waterside area is a corridor of land centered on the River Rother and Chesterfield Canal, which are important components of Chesterfield's green infrastructure and ecological network. Historically the area contained a range of employment uses, some of which are now vacant or underused.

11.15. Outline planning permission was granted in 2011 for the comprehensive redevelopment of the Chesterfield Waterside area for:

- up to 1550 new dwellings (C3);
- up to 30,000sqm of new office space (B1(a));
- retail, financial and professional services, and food and drink uses (A1 to A5);
- doctors surgery and creche (D1); two hotels (C1); health and fitness (D2); nursing home (C2);
- a new canal basin, and open space including linear and eco parks;
- two multi-storey car parks;
- a section 106 agreement covering community infrastructure, open space, public art, community safety, affordable housing, and an extensive travel plan.

11.16. Development of the site has commenced. As of February 2020, 19 affordable homes have been completed on Brimington Road and the canal Basin has been constructed. Work has also commenced on 173 homes within the 'Park' character area. Site preparation works have been undertaken on the first phase of Basin Square in anticipation of receiving final reserved matters for a hotel, MSCP, offices and over 300 apartments (reserved matters having already been granted for siting, layout and scale of development). Pre-application discussions are also underway for phases of housing on the 'Island' and 'Station Place' character areas. Planning permission is also in place for a replacement road bridge over the River Rother and works to restore the Rother to a navigable state for leisure vessels.

SS3 Chesterfield Waterside and the Potteries

Within the Chesterfield Waterside area as set out on the Policies Map, the council will support development proposals that contribute towards:

- a) creating jobs in office, industry, retail, tourism and education;**
- b) restoring Chesterfield Canal and the River Rother to navigation and creating a new canal terminus;**
- c) achieving a mix of uses including residential (up to 1550 new homes), office (up to 30,000 sqm), employment, leisure, health and fitness, hotels, creche, doctor's surgery and nursing home;**
- d) improving access to the site including enhancing the footpath and cycle**

network through the site and making links to the wider Trans Pennine Trail and Chesterfield Railway Station;

- e) a high quality urban environment including eco-park and green infrastructure corridor;
- f) managing flood risk.

Land within the Chesterfield Waterside area will be comprehensively redeveloped in accordance with an approved masterplan, including provision of a new Local Centre located adjacent to the existing canal basin.

Planning applications submitted for development outside of the existing outline planning permission, but which otherwise deliver the objectives of the approved masterplan, will be expected to contribute towards the overall delivery of the infrastructure required for comprehensive development, secured through a section 106 agreement.



Chesterfield Waterside Illustrative Masterplan (Source: Bond Bryan/Chesterfield Waterside)

MARKHAM VALE

11.17. Markham Vale is a 127.3 hectare employment site which straddles the three local planning Authorities in north eastern Derbyshire on the site of the former Markham Colliery. Two thirds of the site is located in the south east of the borough. The site's regeneration is a key part of the area's response to the loss of the mining industry, providing a strategic site serving a sub-regional area, with the potential to create up to 2,000 jobs. In 2012, Markham Vale was declared a part of the Sheffield City Region Enterprise Zone, which seeks to encourage growth in the advanced manufacturing sector within the M1 corridor in North Derbyshire and South Yorkshire through tax allowances and business rates relief.

11.18. Outline planning permission was granted for the scheme in 2005 (and amended in 2010) establishing the principal objectives for this area, setting out that the development must incorporate the following elements:

- a new junction on the M1 (now constructed as J29a);
- provision of the Staveley Loop Road (the first phase of which, from J29a to Hall Lane at Staveley, is now open);
- provision of public transport connecting to surrounding settlements, to include bus services, a park and ride facility and, where feasible, passenger rail services;
- provision for a rail freight terminal;
- land for B2, B1(b&c) and B8 employment uses;
- limited B1 (a) office use;
- provision for a hotel in the southern part of the site not exceeding 1 hectare in area;
- a design framework for the development, including public art;
- substantial landscaping and tree planting.

11.19. Significant elements of the original permission have now been implemented, although the outline permission will continue to provide the context within which the whole development takes place. Junction 29A of the M1 and the majority of the road infrastructure is complete. The following policy is included in the Local Plan to make the council's intentions for the site clear, and to give a continuing policy context. The policy will also inform decisions on any planning applications for new uses and works or variations to the original outline planning permission that may be proposed in response to changes in economic circumstances, technologies and the emerging needs of business already on, or planning on being on the site.

SS4 Markham Vale

All development within the Markham Vale area must contribute to the role of the area as a strategic employment site of sub-regional importance.

Within the Markham Vale area, as indicated on the Policies Map, planning

permission for works or development not covered by the existing outline planning permission (and any subsequently approved amendments) will only be granted where they can demonstrate that they:

- a) support the principal objectives of the Markham Vale development and the advanced manufacturing sector in particular; and
- b) support job creation; and
- c) meet the needs of businesses on the site; and
- d) minimise any adverse impact on the local and national highways network; and
- e) make appropriate provision for walking and cycling access to development in accordance with policy CLP22;
- f) have no unacceptable impacts upon heritage assets, their settings and key views outside of the Borough at Bolsover Castle and Sutton Scarsdale Hall, through submission of a Heritage Impact Assessment where appropriate; and
- g) accord with the approved design framework for the site; and
- h) meet the requirements of other relevant policies in the plan.

STAVELEY AND ROTHER VALLEY CORRIDOR

- 11.20. The Staveley and Rother Valley Corridor is the largest regeneration opportunity within Chesterfield Borough (covering approximately 150 ha) and its regeneration is a key aspiration for the council as a whole. As such, it has major implications in terms of its ability to deliver new housing, employment and an improved environment, although this must be balanced with the impact of development on the transport network, existing community infrastructure and the wider landscape.
- 11.21. The corridor lies in the north east of the Borough, to the north of the settlements of Staveley and Brimington. The site consists of mostly vacant former industrial land. Historically this was a site of heavy industry that provided the focus, and much of the employment for, the communities of Barrow Hill, Hollingwood and Staveley. Employment on the site has declined over a number of decades, leaving left the Clocktower and Devonshire Business Centres on Works Road as the only active employment uses within the site. The area has in the past been subject to a range of uses, including foundries, chemical works and areas of opencast coal mining and landfill. All of these have left a difficult legacy of contaminated land and problematic ground conditions. The decline of manufacturing on the site has also left a legacy of economic and social problems in the surrounding settlements. In particular Barrow Hill, which as well as having relied heavily on the site for jobs, has become physically isolated by vacant and derelict land.
- 11.22. Although economic activity on the site is much reduced, the corridor is in an excellent location. The quality of the wider environment and landscape is high, being located in the valley of the River Rother (which runs through the site), with open countryside close by and the restored Chesterfield Canal also running though the site, including the home of Chesterfield Canal Trust at Hollingwood Hub. The potential for creating links between the site and surrounding areas is strong, with a number of connecting footpaths (including the long-distance Trans Pennine Trail/Cuckoo Way, which provides off-road cycle and pedestrian access to Chesterfield Town Centre), although some are currently unattractive. Vehicle access into the site is restricted at present, with the central parts served by Works Road, which has limited width in parts and is constrained by low rail bridges. The site is split in half by the River Rother and, although a connecting bridge exists, it is currently closed. The construction of a new Loop Road around Staveley as part of the Markham Vale development, provides direct access to Junction 29a of the M1, and has significantly improved vehicle access at the eastern end.
- 11.23. The presence of the River Rother means that parts of the site are identified by the Environment Agency as being at high flood risk. Although parts of the site undoubtedly flood, further investigation has demonstrated that a significant proportion of this risk is as a result of poor drainage rather than fluvial flooding, which could be addressed on site. Survey work carried out on parts of the site by landowners also indicates that contamination and ground

conditions vary greatly across the site and that significant parts are suitable for development with appropriate remediation.

- 11.24. The scale of the whole site and its location provide a unique opportunity in the Borough for a large-scale regeneration that can tackle both the physical and environmental issues of the site. It can do this while also addressing some of the economic and social issues of the surrounding area, in particular the isolation of Barrow Hill. Public consultation on four development options, over the summer of 2009, demonstrated support for the principle of regenerating this key brownfield site and for doing so through a mix of uses. The consultation also demonstrated the importance of preserving and enhancing the character of the landscape and features such as Chesterfield Canal in particular. Further consultation was carried out through the preparation of the Core Strategy in the lead up to its adoption in 2013, leading to the preparation of a preferred option. Rather than pursuing the proposals through an Area Action Plan, the Borough Council has taken the decision to work closely with landowners and other key stakeholders in masterplanning the area to set the strategic framework for subsequent planning applications.
- 11.25. The complexity and size of the area inevitably means that regeneration will be a long-term project, with distinct phases. It will need to be carried out in a comprehensive and coordinated manner, involving a range of parties and bodies. The council is working with landowners and HS2 to achieve the regeneration of this site. It should be noted that whilst development should occur within the context a comprehensive masterplan, this should not prevent the phased development of individual parcels of land from being brought forward in a timely manner.
- 11.26. The development potential of this site is directly linked to proposals for a Chesterfield to Staveley Regeneration Route (CSRR). This long-standing highway proposal was intended to follow the line of the then disused Chesterfield Canal, providing a link between the M1 and Chesterfield that avoids Staveley and Brimington. The rebirth of the Chesterfield Canal and the regeneration of the Staveley and Rother Valley Corridor now provide an opportunity to review this route and consider its value and potential alternatives.
- 11.27. The proposed CSRR has been identified as a key infrastructure project in Derbyshire County Council's Local Transport Plan and the Sheffield City Region Infrastructure Investment Plan (SCRIIP) and work is underway on its the detailed design.
- 11.28. A full business case for the CSRR and design leading to a planning application is currently being prepared by AECOM on behalf of Derbyshire County Council. The CSRR is also currently the subject of a bid to the Large Local Majors Transport Programme. If this bid is successful, this could see the first phases of the CSRR, from Rother Way to Bilby Lane, completed by the mid 2020's.

11.29. The site is identified as the preferred location for an Infrastructure Maintenance Depot (IMD) as part of the proposals for the eastern leg of HS2 phase 2b. A safeguarding direction for the IMD has been published and a revised boundary was consulted on by HS2 in July 2018. Work undertaken by Chesterfield Borough, Derbyshire County and Chatsworth Settlement Trust in response to this demonstrated that the IMD proposal could be accommodated as part of regeneration proposals with minor changes to the proposed layout, although the revised layout present difficulties in terms of delivering an element of employment land within the corridor. The borough council, Derbyshire County Council and the landowners continue to work closely with HS2 to ensure that the corridor can deliver new jobs and the Chesterfield-Steveley Regeneration Route. The proposed IMD is located in the eastern most portion of the site, which is likely to be brought forwards as part of a later phase of development due to more complex ground conditions and ownership arrangements.

11.30. Given the remediation work required on the former St Gobain pipelines site and settling pond, and the need to deliver key infrastructure, development on the Steveley and Rother Valley Corridor site is likely to occur in phases. It will not be possible to fully design the Hall Lane end of the site until the final form of the HS2 IMD is known, upon submission of the Hybrid Bill for HS2 phase 2. As such, the housing and employment land proposed within the corridor are not included until late on in the Local Plan's Housing and Employment land trajectories. However, if the council is successful in securing the Large Local Majors funding bid, this would not prevent housing coming forward at an earlier date and would be reflected in a future Local Plan review.

SS5 Steveley and Rother Valley Corridor

The borough council will support the comprehensive redevelopment of the Steveley and Rother Valley Corridor to create a sustainable urban extension in a landscape setting through a masterplanned approach.

The overall objectives of the masterplan will be to:

- a) deliver approximately 1500 new dwellings through a range of new housing opportunities focused on the centre and western end of the corridor;**
- b) create employment opportunities focused on the Hall Lane end of the corridor and around Works Road;**
- c) deliver the section of the Chesterfield to Steveley Regeneration Route between Bilby Lane and Hall lane, connected to the route safeguarded under policy CLP23 and the existing Steveley Northern Loop Road Phase 1;**
- d) accommodate an Infrastructure Maintenance Dept to serve the eastern leg of HS2;**
- e) provide a new local centre to serve both the development itself and adjacent communities of Barrow Hill and Hollingwood;**
- f) make provision for a new primary school to serve the development;**
- g) develop a sustainable community including on-site energy generation**

- where possible and practicable;
- h) enhance the quality of and access to the landscape and green infrastructure, particularly the Chesterfield Canal and River Rother waterways;
- i) deliver access and transport improvements, emphasising sustainable transport;
- j) improve water management on site, including new wetland habitat associated with the River Rother;
- k) provide for the remediation and re-use of contaminated and unstable land where possible and practicable;
- l) conserve and enhance the quality of the historic environment, taking account of designated and non-designated heritage assets and their setting, within and closely related to the site;
- m) secure a structured approach to delivery of infrastructure to ensure it is delivered in a timely fashion to support new residential and employment communities and limit the need to travel off-site to access services;
- n) establish a network of open mosaic grassland habitats through the site to maintain and enhance brownfield biodiversity.

Development proposals for individual land parcels/phases must be brought forward as part of a comprehensive masterplan for the area and must demonstrate how they will deliver these objectives where appropriate.

Planning applications for development within this area will be expected to demonstrate how they have addressed these objectives.

Planning applications submitted for specific character areas and/or phases of development will be expected to contribute appropriately towards the overall delivery of the infrastructure required for comprehensive development, secured through a section 106 agreement.

Planning applications specifically for the Works Road and Lagoon Character Areas will be expected to include information demonstrating:

- i. a joint masterplan as part of a Design and Access Statement and evidence of how the application addresses this masterplan and the delivery of critical infrastructure; and
- ii. a Transport Assessment based on modelling of the overall impact of development and a Travel Plan setting out how the impact of traffic associated with the proposed development will be managed; and
- iii. a phasing plan setting out the approach to delivery of critical infrastructure, including transport and community infrastructure.

WORKS ROAD CHARACTER AREA

Planning permission will be granted for a mixed use development including:

- a new Local Centre on Works Road (use classes A1 to A5 and other Main

Town Centre uses, to include a single foodstore of no more than 1000 sqm);

- residential (C3);
- up to 10 ha of employment space (B1, including B1(a) offices);
- canal-related commercial activity including food and drink uses (A3 and A4) and employment (B1), including provision for moorings, in the location of the former canal wharf to the east of Hollingwood Lock;
- retention of the Clocktower building;
- a site for a new Primary School;
- flood mitigation measures for the River Rother/Works Road bridge.

THE LAGOON CHARACTER AREA

Planning permission will be granted for a residential led development including:

- residential (C3);
- retail (A1) to serve day to day needs, with no single unit to exceed 280 sqm net sales area;
- extension of the Bluebank Pools Local Nature Reserve (to the west of Bilby Lane within the land allocated on the Policies Map);
- restoration of the former settling pond as public open space;
- an enhanced landscape buffer between the site and Chesterfield Canal.

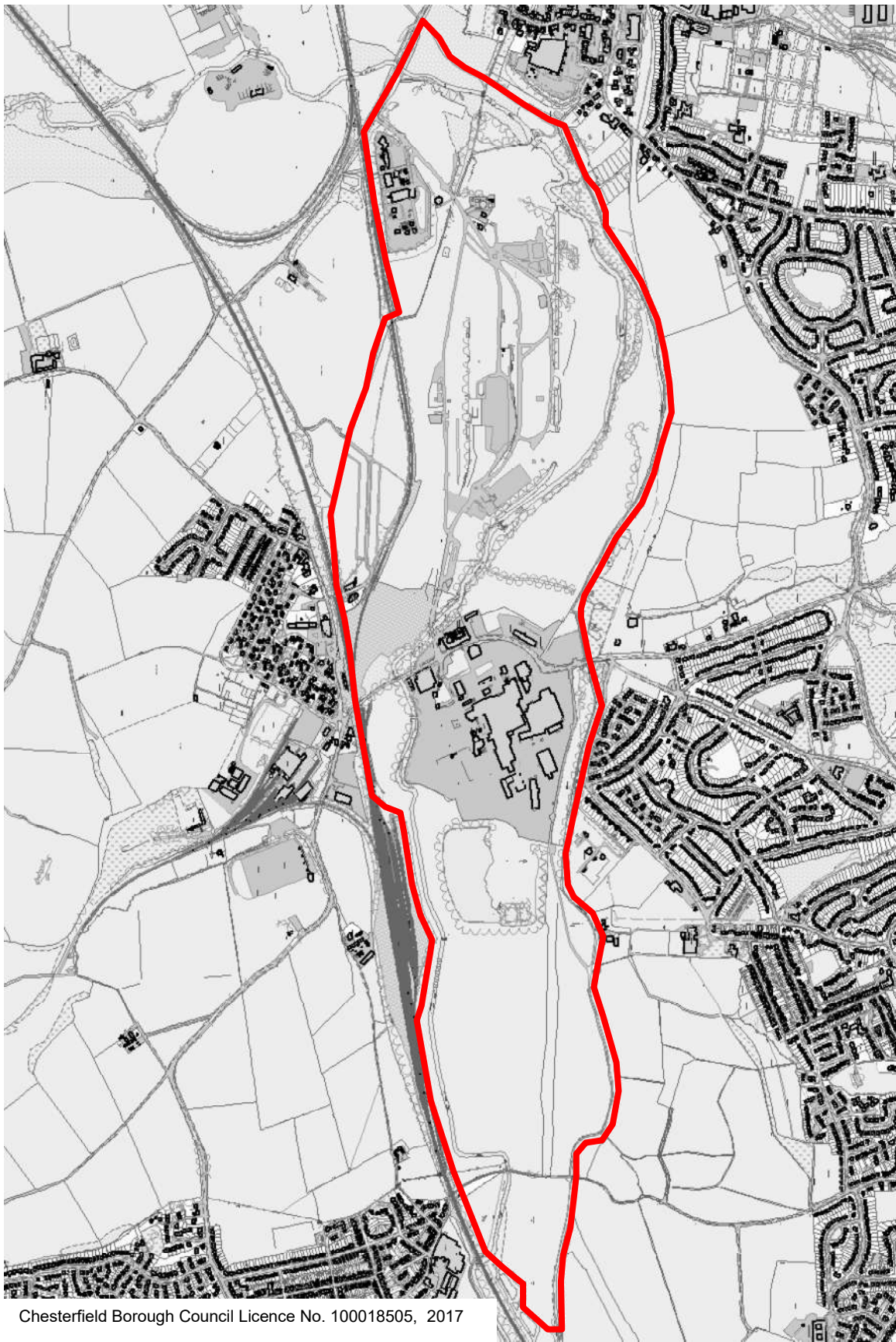
HALL LANE CHARACTER AREA – KEY OBJECTIVES

Planning permission will be granted for an employment led development including:

- proposals for the HS2 IMD;
- development of Approximately 30ha of Employment generating development within use classes B1, B2 and B8, subject to HS2 finalising the extent of the proposed IMD (this development is expected to extend beyond the plan period, following implementation of the HS2 IMD);
- housing (C3) led development for western end of the Character Area and ancillary uses where it is well-related to the existing settlement of Barrow Hill and Works Road;
- the improvement of walking and cycling connections between Barrow Hill and Staveley Town Centre;
- new wetland habitat in the south of the character area associated with the River Rother.

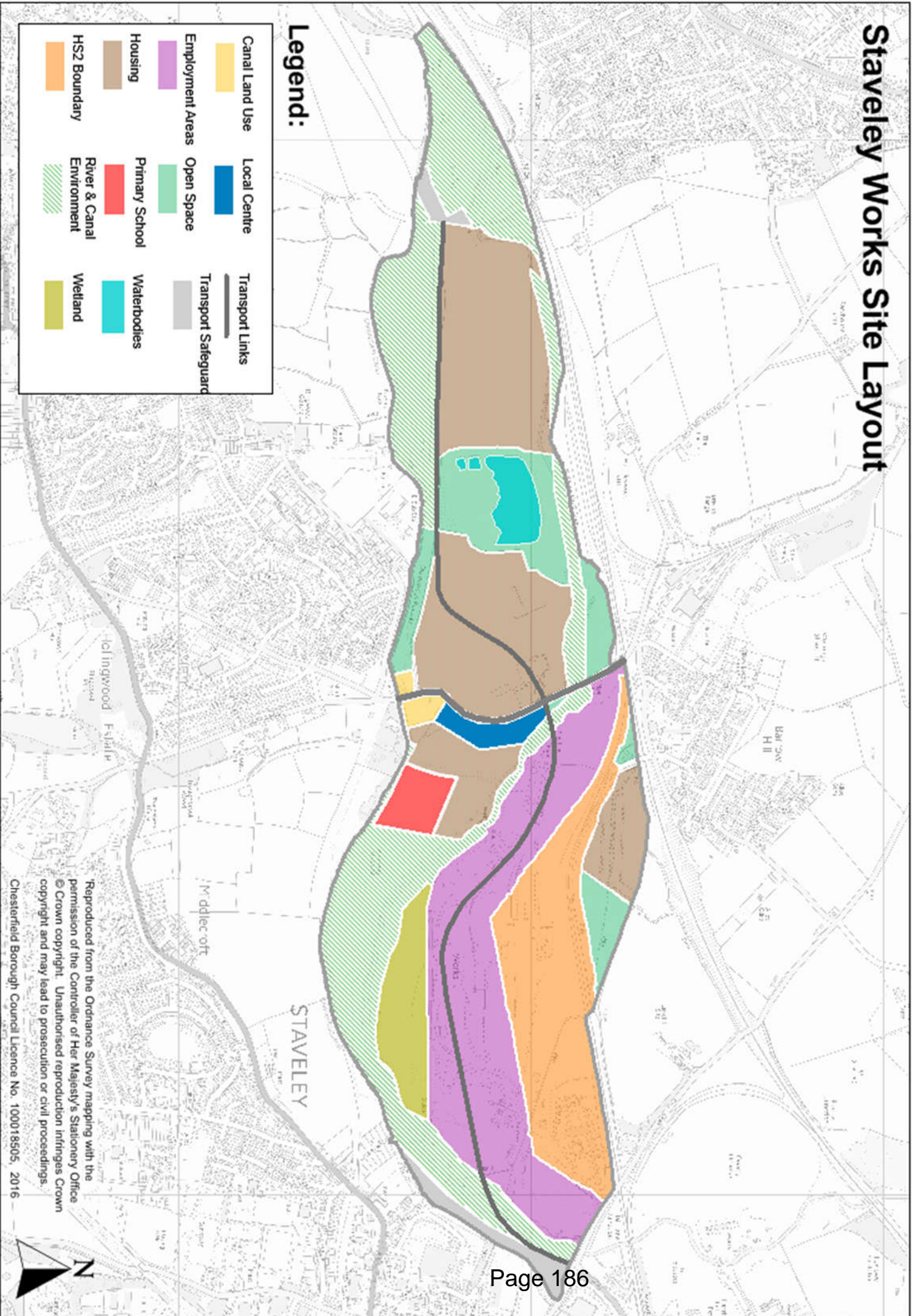
11.31. The Staveley and Rother Valley Corridor indicative diagram and strategic site area are shown on the following maps.

Staveley and Rother Valley Corridor Strategic Site Area















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Staveley Works Site Layout



Legend:

 Canal Land Use	 Local Centre	 Transport Links
 Employment Areas	 Open Space	 Transport Safeguard
 Housing	 Primary School	 Waterbodies
 HS2 Boundary	 River & Canal Environment	 Wetland

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LAND NORTH OF DUNSTON

- 11.32. Land to the north of Dunston and south of the Green Belt forms a strategic opportunity for housing delivery across the plan period. However due to the potential scale of development and landscape sensitivity it is essential that any development be carefully planned through a masterplan to ensure that the necessary infrastructure is delivered in a timely manner to ensure a sustainable community where residents have access on foot to day to day shops, services and leisure space, and where development is integrated into the landscape and surrounding areas in a sensitive manner.
- 11.33. At the time of writing reserved matters planning permission is in place for 299 dwellings on land to the west of Dunston Lane (following the submission of outline application: CHE/16/00016/OUT). This forms the first phase of development with access to existing services in Dunston and at Littlemoor Local Centre. Later phases will need to make provision for a new local centre and to reserve a site for a new one form entry primary school, in the event that existing provision is not sufficient for later phases.
- 11.34. The area is sensitive in terms of landscape. The ridge line at the north west boundary is particularly sensitive and will require early implementation of a carefully designed landscaping treatment to minimise the impact of residential development on the landscape and ridgeline. The part of the site to the far west will also be retained and improved for open space and habitat, and includes the opportunity to re-instate a former Cricket Ground to active use.

SS6 Land at Dunston

Planning permission will be granted for residential development for approximately 500 dwellings on land north of Dunston and south east of Dunston Road as allocated on the Policies Map and as set out in Table 4 (site reference SS6). Development should be carried out in accordance with a masterplan to be agreed with the Local Planning Authority prior to development that demonstrates:

- i. acceptable access arrangements from Dunston Road and Dunston Lane;
- ii. appropriate provision for walking and cycling within the site.
- iii. appropriate transport mitigation to ensure an acceptable impact on the highway network for all users;
- iv. appropriate mitigation to minimise any adverse impacts to the significance of affected heritage assets, including their settings.
- v. provision of a new local centre to serve development;
- vi. provision of a site reserved for a new one form entry primary school (to be retained until such time as required or evidence can be provided of a lack of need);
- vii. a scheme of green infrastructure including landscaping, open space, play and sports provision including re-instatement of the former cricket pitch, and early implementation of a landscaping and planting scheme

- viii. along Dunston Road;
a phasing plan for development phases and the provision of infrastructure.

CHESTERFIELD RAILWAY STATION AND STATION ARRIVAL

- 11.35. Chesterfield Railway Station is the first point of arrival or last point of departure for approximately 1.78 million passengers¹¹., with usage growing by 3 - 5% per year. Over a million people live within a half hour drive time of the Station¹² (AECOM research 2017). Currently three Train Operating Companies (East Midlands Trains, Northern Trains and the Cross Country franchise) call at the Station and it is the 6th busiest station in the East Midlands, with direct services available to London, Birmingham, Liverpool, the West Country and the North East and Scotland. The announcement in July 2017 that HS2 services to Sheffield will stop at the station when they commence in 2033 (subsequently revised as from 2035) creates the potential for further growth in services and investment.
- 11.36. At present the Station area is currently characterised by under-utilised land which is predominantly used for surface car parking, and poor connections to the town, wider borough and region.
- 11.37. Corporation Street and the footbridge over the A61 are currently the main pedestrian route into the town centre and, whilst this underwent a significant scheme of ERDF funded improvements to landscaping and public art, it remains a weak link between two key locations. Vehicle access also remains poor with limited access by public bus and car access from the north only.
- 11.38. The area around Chesterfield Railway Station was identified in the Town Centre masterplan (May 2015) as a key character area for regeneration projects, and the route of a link road between Hollis Lane and Crow Lane has been reserved in the Local Plan since 2006. The Council has worked in partnership with both the East Midlands (EM) HS2 Growth Strategy Board and the Sheffield City Region Growth Programme Boards to generate an understanding of the future needs of the station area. There is an agreement with the Department for Transport and MHCLG that the work on Chesterfield and the northern Derbyshire HS2 Growth Zone will be supported by both LEPs. In the period November 2016 – to June 2017 work was undertaken using HS2 Growth Fund support from D2N2 LEP to examine how the Station and its access could be improved, alongside Derbyshire County Council and AECOM. In July 2017, A Concept Vision Document was published, and incorporated into the EM HS2 Growth Strategy “World Class - Locally Driven.”

¹¹ (Estimates of Station Usage for 2016-17, ORR)

¹² AECOM research 2017

- 11.39. SCR has provided funding for further research and development of the Masterplan and its refinement, currently being prepared by Cushman & Wakefield, Arup and Whittham Cox Architects. Consultation on the masterplan for the railway station area is expected to be undertaken in early 2020. This is likely to take the form of an overall concept masterplan and a more focused planning framework identifying appropriate uses, amounts of development and infrastructure requirements. Funding for the Hollis Lane Link Road has been set aside as part of the wider LGF funded A61 Corridor Project and a planning application for the first phase of the road has been approved.
- 11.40. Key assets in the Station Masterplan area require Safeguarding. A new road alignment joining Crow Lane and Hollis Lane will improve access to the station from the south (and reduce traffic through Chesterfield Town Centre, see policies SS1 and CLP23). There is also a need to ensure adequate land is safeguarded to allow for the development of an improved pedestrian bridge over the A61 to Corporation Street. The bridge would ideally be a statement piece of architecture and has been termed “Platform 4”: arrival to the Town Centre. Options are being explored for: an improved station forecourt, multi-story car parks (to release development land), improved bus, taxi and cycling access, limited leisure and retail use, connected to station users and an area of public realm.
- 11.41. It is also critical that any development of this site also co-ordinate with proposals for Chesterfield Waterside (Local Plan policy SS3) and improvements to the town centre, specifically the Spire Neighbourhood (Local Plan policy SS1).

SS7 Chesterfield Railway Station

Within land between Hollis Lane and Crow Lane, as shown on the Policies Map, the council will prepare an approved masterplan/development framework to maximise the regeneration benefits of future HS2 services and conventional rail services utilising the station. Within this area, and in accordance with the approved masterplan, the council will support development based on the extent to which it delivers:

- a) improved access to Chesterfield Railway Station by all modes of transport including improved forecourt arrangements;**
- b) modernisation of Station facilities and electrification of the Midland Main Line though it;**
- c) a new link road between Hollis Lane and Crow Lane and related road alignments;**
- d) improvements to the A61 Corporation Street footbridge, including its replacement with a new bridge;**
- e) mixed use development to include residential dwellings (C3), commercial office space (B1), car parking;**
- f) limited retail and leisure uses (A1 to A5 and D1 and D2) in association with the Station;**
- g) pedestrian and cycle links to Chesterfield Waterside and Chesterfield**

Town Centre;

- h) essential infrastructure required to deliver the improvements set out in the approved masterplan;**
- i) appropriate assessment, evaluation and, if necessary, recording of archaeological remains;**
- j) improved inclusive accessibility to Chesterfield Railway Station and within the masterplan/development framework area.**

Planning Permission will not be granted for development that would prevent the delivery of the above improvements.

NEIGHBOURHOOD PLANS

11.42. The Localism Act of 2011 introduced a new right for communities to shape their local areas. Neighbourhood Plans are an opportunity for local people to actively and positively help to make their local area a great place to live and work. The borough council will support community groups and bodies such as Town and Parish Councils who wish to prepare a plan, provided that it is done in accordance with the regulations.

SS8 Neighbourhood Plans

Where the views of a community are expressed in a Neighbourhood Plan they will be taken into account in the planning system provided that the plan:

- has been adopted by Chesterfield Borough Council; and
- is in conformity with the strategic policies of the Local Plan; and
- can be regularly updated if necessary.

Appendix A: Infrastructure Delivery Plan

NB: This IDP is an evolving document which will be updated as more knowledge is obtained about infrastructure costs, funding and delivery.

TRANSPORT

Key Local Plan Policy	Implementation	Critical/ Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP1, CLP23	Local Plan identifies corridor to be reserved.	Critical for delivery of SRVC strategic site, and other Local Plan sites.	<ul style="list-style-type: none"> Chesterfield Borough Council. Homes & Communities Agency. Derbyshire County Council. Sheffield City Region. D2N2. 	<p>Chesterfield- Staveley Regeneration Route;</p> <p>5.7km single carriageway.</p>	<p>£93 m;</p> <p>(Staveley Spur estimated at £4,635,760) (2017).</p>	<p>Included in priority list of road schemes by Midlands Connect, with request for £79 million;</p> <p>£14 million local contribution: Regeneration agencies; Private sector; CIL;</p> <p>£2 million funding set aside for construction of Northern Loop Road no longer required (see below) would form DCC financial contribution.</p>	<p>Medium term: 2020 – 2026.</p>
CLP1, CLP23	Dependent on provision of Chesterfield – Staveley Regeneration Route)	Scheme likely to be superseded by provision of Chesterfield – Staveley Regeneration Route (see above).	<ul style="list-style-type: none"> Chesterfield Borough Council. Derbyshire County Council. Sheffield City Region. 	<p>Northern Loop Road Phase 2*</p> <p>(*N.B. scheme likely to be superseded by provision of Chesterfield –</p>	<p>£6.5 m (DCC, 2016).</p>	<p>Regeneration agencies/SCR ; developer contributions.</p>	<p>Medium term: 2020 – 2026.*</p>

			<ul style="list-style-type: none"> • D2N2. 	Staveley Regeneration Route (see above)).			
CLP22, CLP23, SS7	Local Plan identifies transport scheme.	Critical for delivery of Local Plan sites along the A61.	<ul style="list-style-type: none"> • Chesterfield Borough Council. • Derbyshire County Council. • NEDDC. • D2N2. 	A61 Growth Corridor improvements, including Whittington Moor Roundabout improvements; 21 st Century Transport Corridor: A61 Sheepbridge Lane/ Broombank Road junction improvement, A61/St Augustines Road junction improvement, and technological solutions, including bus real time information, urban traffic management system, car park guidance system, variable message signs; and Standard Gauge for Sustainable	£6.711 m (design and costs being prepared by DCC).	<p>Approved D2N2 Local Growth Fund allocations:</p> <p>21st Century Transport Corridor £3.0 million;</p> <p>Standard Gauge for Sustainable Travel £1.689 million</p> <p>£1.172 million local contribution: private sector; CIL;</p> <p>DCC local contribution to Whittington Moor Roundabout improvements £0.850m.</p>	Short term (to 2021).

				Travel: new with upgraded pedestrian/cycle routes.			
SS1	Local Plan identifies transport scheme.	Critical for delivery of Town Centre Local Plan sites, and HS2.	<ul style="list-style-type: none"> • Chesterfield Borough Council. • Derbyshire County Council. • Sheffield City Region. • D2N2. 	<p>A61 Growth Corridor: Chesterfield Station Masterplan;</p> <p>Hollis Lane Link Road;</p> <p>Lordsmill Roundabout remodelling (linked to A61).</p>	£4.760 m (phase 1); (Design and associated costs being prepared by DCC).	<p>Provisional D2N2 (LGF) allocation £3.808 million; Sheffield City Region; CIL;</p> <p>HS2 (in connection with proposed Chesterfield HS2 station).</p>	Medium term: 2020 – 2026.
SS7	Local Plan identifies developer's preferred route; Implementation tied to developer's programme.	Necessary to support HS2 proposals.	HS2 Ltd.	HS2 Station masterplan; & provision of HS2 Infrastructure Maintenance Depot at Staveley.	Costs associated with overall HS2 programme, /A61 Growth Corridor (LGF).	HS2 Ltd.	Medium to Long term.
CLP22, CLP7, CLP15, SS1, SS2, SS7	Local Plan identifies opportunities linked to walking & cycling strategies.	Necessary to support new development where gaps in services are identified.	<ul style="list-style-type: none"> • Derbyshire County Council. • Private providers. 	Improvement of walking and cycling routes, identified on Key Cycle Network / Local Cycle Network, including delivery of Standard Gauge for Sustainable	<p>A61 improvements included in overall projects cost for D2N2 LGF.</p> <p>Costs of individual projects developed</p>	DCC and developer contributions / CIL.	Throughout plan period.

				<p>Travel (A61 Growth Corridor improvements-see above).</p> <ul style="list-style-type: none"> Whittington Moor to Sheepbridge cycle route. A61 Hornsbridge roundabout to Storforth Lane cycle route upgrade Wayfinding strategy. 	through detailed design.		
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FLOOD MITIGATION

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS5	Staveley and Rother Valley Corridor masterplanning and working with landowners.	Critical for delivery of SRVC strategic site.	<ul style="list-style-type: none"> Chesterfield Borough Council. Derbyshire County Council. Environment Agency. 	Flood mitigation & defence works associated with regeneration of former Staveley works site	Overall costs: £7 m <i>Source: Options Report, Taylor Young (2010).</i>	Developer contributions.	Medium-term: 2020 – 2026.
SS2	South of Chatsworth Road	Necessary to support new development.	<ul style="list-style-type: none"> Chesterfield Borough Council. 	Chatsworth Road Corridor Bridge works	£ 135,204 <i>Source: Arup, 2010.</i>	Environment Agency & Trent RFDC.	Plan period

	Masterplan.		<ul style="list-style-type: none"> • Development industry. • Landowners. • Environment Agency. 	(Hipper Street West, Hipper Street South, Hipper House and Alma St) to mitigate flood risk along the River Hipper.		Included as part of developer costs.	
SS1	Town centre development projects highlighted in Chesterfield Town Centre Masterplan (2015).	Necessary to support new development.	<ul style="list-style-type: none"> • Chesterfield Borough Council. • Derbyshire County Council. • Environment Agency. 	River Hipper Flood Improvement Works – Tin Mill Storage Reservoir.	£6 m.	Environment Agency, SCR, CIL & Developer contributions.	Medium to Long term.
SS1	Town centre development projects highlighted in Chesterfield Town Centre Masterplan (2015).	Necessary to support new development.	<ul style="list-style-type: none"> • Chesterfield Borough Council. • Derbyshire County Council. • Environment Agency. 	River Rother Flood Improvement Works, including Horns Bridge.	Not currently estimated.	Environment Agency, SCR, D2N2, CIL & Developer contributions.	Long term.
SS1	Town centre development projects highlighted in Chesterfield Town Centre Masterplan (2015).	Necessary to support new development.	<ul style="list-style-type: none"> • Yorkshire Water. • Derbyshire County Council. 	Horns Bridge Sewer Flooding.	Not currently estimated.	Yorkshire Water.	Plan period.
CLP23	Co-operation with	Necessary to support new development.	<ul style="list-style-type: none"> • North East Derbyshire 	Flood mitigation measures	Not currently estimated.	Environment Agency, SCR,	Plan period.

	neighbouring authorities.		District Council. <ul style="list-style-type: none"> • Development industry. • Landowners. • Environment Agency. 	beyond Chesterfield Borough administrative boundary; including upper Hipper Valley.		D2N2, CIL & developer contributions.	
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WATER

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS5		Critical for delivery of planned housing numbers at SRVC strategic site.	<ul style="list-style-type: none"> • Yorkshire Water. 	Increased capacity required at Staveley Waste Water Works.	Not currently estimated.	Developer contributions + utility providers' capital programmes.	Long-term: 2026 – 2031.

EDUCATION

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
RP1	Development proposals at Poolsbrook/DCC.	Critical for delivery of permitted housing numbers.	<ul style="list-style-type: none"> • DCC. • Academy chain. 	Expansion of Poolsbrook Primary School.	£450,000	<ul style="list-style-type: none"> • CIL 	2020-2021
SS5	Staveley and Rother Valley Corridor masterplanning and working with landowners.	Critical for delivery of planned housing numbers at SRVC strategic site.	<ul style="list-style-type: none"> • Derbyshire County Council. • Chesterfield Borough Council. • Development industry. 	Staveley – new single form entry primary school to support SRVC regeneration.	£5.5m – £6.5m.	<ul style="list-style-type: none"> • CIL. • Derbyshire County Council. • DfES. 	Medium to Long term.
CLP1	Development proposals (allocation on	Necessary to support new development.	<ul style="list-style-type: none"> • Derbyshire County Council. • Chesterfield Borough 	Duckmanton	Funding may be sought if expansion is	<ul style="list-style-type: none"> • CIL • Derbyshire County 	Local Plan period: 2018 –

	land south of Tom Lane, Duckmanton).		<ul style="list-style-type: none"> Council. Development industry. 	Primary School	necessary at the time of development coming forward.	<ul style="list-style-type: none"> Council DfES 	2035
CLP1	Development proposals (Walton Works).	Necessary to support new development.	<ul style="list-style-type: none"> Derbyshire County Council. Chesterfield Borough Council. Development industry. 	William Rhodes Primary and Nursery School	Funding may be sought if expansion is necessary at the time of development coming forward.	<ul style="list-style-type: none"> CIL. Derbyshire County Council. DfES. 	Local Plan period: 2018 – 2035.

HEALTH

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP1	Development proposals.	Necessary to support new development.	<ul style="list-style-type: none"> Chesterfield Borough Council. Care Commissioning Group. 	<p>Brimington GP Surgery and Whittington Medical Centre are approaching capacity.</p> <p>Potential capacity issues also identified Barlborough Medical Practice, and Newbold Surgery (Windermere Road, Newbold).</p>	<p>Only applicable to residential development of 10 dwellings or over. Derbyshire NHS request £512 per dwelling.</p> <p><i>NB: Contributions will depend on the location of proposed development and its</i></p>	Developer contributions.	Local Plan period: 2018 – 2035

						distance from existing surgeries.	
GREEN INFRASTRUCTURE							
Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP15	Borough-wide.	Complementary to maximise the benefits of sustainable growth for local communities, including provision of a green link.	CBC Leisure, DCC, private developers.	Greenways improvements.	Unknown.	CIL + matched funding.	Local Plan period: 2018 – 2035.
DIGITAL INFRASTRUCTURE							
Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP13	Borough-wide.	Complementary to maximise the benefits of sustainable growth.	Broadband Delivery UK; partnership led by Derbyshire County Council and BT.	Continuation of Digital Derbyshire roll out.	£34 m Derbyshire wide.	Funding Committed; supported by Government, D2N2 & European Regional Development Fund.	Years 1-5.
STAVELEY AND ROTHER VALLEY CORRIDOR							
Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS5: Staveley & Rother Valley Corridor	Staveley and Rother Valley Corridor	Critical for delivery of SRVC strategic site.	<ul style="list-style-type: none"> Chesterfield Borough Council. 	Land decontamination and	Overall costs: £60M - £70M <i>Source:</i>	Regeneration agencies and developer	Medium term: 2016–

masterplanning and working with landowners.		<ul style="list-style-type: none"> • Staveley Town Council. • Chatsworth Settlement Trust (landowner). • Saint Gobain (landowner). • Homes & Communities Agency. • Derbyshire County Council. 	remediation.	<i>Options Report, Taylor Young (2010).</i>	contributions ; + HS2.	2020.
	Critical for delivery of SRVC strategic site.		On-site road infrastructure.	Overall costs : <i>see above.</i>	developer contributions/CIL.	Medium term: 2020 – 2026.
	Critical for delivery of SRVC strategic site.		Flood mitigation and defence works.	Overall costs: £7M <i>Source: Options Report, Taylor Young (2010).</i>	Regeneration agencies and developer contributions or CIL.	Medium-term: 2020 – 2026.
	Critical for delivery of SRVC strategic site.		Masterplanned green infrastructure provision (incl proposed greenways).	Not currently estimated.	Included as part of development costs or CIL.	Long-term: 2026 – 2033.
	Critical for delivery of SRVC strategic site.		Potential capacity issues at Springwell Secondary School.	Dependent on local school capacity at the time housing proposals come forward.	CIL; SCR skills agenda.	Long-term: 2026 – 2033.
	Critical for delivery of SRVC strategic site.		New single form entry primary school (<i>evidence from DCC</i>).	Estimated by DCC.	CIL.	Long-term: 2026 – 2033.

CHESTERFIELD WATERSIDE

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS3: Waterside & the Potteries	Waterside Masterplan.	Critical to enabling planned development to come forward.	<ul style="list-style-type: none"> Chesterfield Waterside (public private partnership of CBC, Bolsterstone and Arnold Laver). 	Contributions may be required from CIL to support expansions at primary and/or secondary dependant on capacity at the time of each phase coming forward.			
		Necessary to support new development.		Masterplanned green infrastructure provision.			

CHESTERFIELD CANAL

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP7; CLP21; SS3; SS5 CLP1 & CLP2	Local Plan protects canal corridor as a major asset for sustainable transport, recreation & wildlife.	Complementary to maximise the benefits of sustainable growth for local communities, including provision of a green link.	<ul style="list-style-type: none"> Chesterfield Borough Council. Derbyshire County Council. Chesterfield Canal Partnership. SCR/D2N2. 	Restoration of whole route to a navigable state along whole length in the Borough; Specific transport infrastructure requirements.	£7m (DCC 2016).	<ul style="list-style-type: none"> Developer contributions/ CIL; Chesterfield Canal Partnership. 	Restoration of whole route across Local Plan period: 2018 – 2035.

CHESTERFIELD TOWN CENTRE

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS1: Chesterfield Town Centre	Town centre development projects highlighted in Chesterfield Town Centre Masterplan (2015).	Necessary to support new development.	<ul style="list-style-type: none"> Chesterfield Borough Council. Development industry. Landowners. SCR/D2N2. Derbyshire County Council. 	Enhancement of the town centre walking and cycling network (based on network put forward by Derbyshire County Council, 2010).	No current estimates (costs will vary according to types of infrastructure required for the various routes).	Developer contributions and Local Transport Plan allocations, CIL.	Local Plan period: 2018 – 2035.
		Necessary to support new development.		Health capacity at town centre medical facilities- as	Only applicable to residential development of 10	Developer contributions.	

				<p>identified by NHS Derby & Derbyshire CCG: Hasland Medical Centre; Avenue House Branch; Avenue House Surgery; Chatsworth Road Medical Centre.</p>	<p>dwellings or over. Derbyshire NHS currently request £512 per dwelling</p> <p><i>NB: Contributions will depend on the location of proposed development and its distance from existing surgeries.</i></p>		
				<p>Chesterfield Town Centre Masterplan: <ul style="list-style-type: none"> - Northern Gateway road infrastructure proposals. - West Bars roundabout improvements. - Hollis Lane link road. - Lordsmill Roundabout improvements. </p>	<p>See above.</p>	<p>Developer contributions, CIL, LEP.</p>	

BRIMINGTON PARISH (LOCAL CENTRE)

Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP1	Future masterplanning.	Necessary to support new development.	<ul style="list-style-type: none"> • Chesterfield Borough Council. • Brimington Parish Council. • Development industry. • Derbyshire County Council. 	Foul sewerage provision.	£190,000 <i>Source: Design Services, CBC.</i>	Included as part of developer costs.	Long-term: 2026 – 2033.
CLP1		Necessary to support new development.	<ul style="list-style-type: none"> • NHS Derby and Derbyshire CCG. 	Capacity issues identified at Calow & Brimington Medical Practice (Foljambe Road, Brimington), and Whittington Moor Surgery (Scarsdale Rd, Whittington).	Only applicable to residential development of 10 dwellings or over. Derbyshire NHS currently request £512 per dwelling. <i>NB: Contributions will depend on the location of proposed development and its distance from existing surgeries.</i>	Developer contributions.	

EASTERN VILLAGES (DUCKMANTON & MASTIN MOOR)							
Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP1	Future masterplanning	Necessary to support new development.	<ul style="list-style-type: none"> Chesterfield Borough Council. Development industry. Derbyshire County Council. 	Upgrades to the sewer network likely to be required at both Duckmanton and Mastin Moor (i.e. Bent Lane Sewage Pumping Station & Staveley Wastewater Treatment Works).	Not currently estimated.	Included as part of developer costs.	Long-term: 2026 – 2033.
				Potential capacity issues at Netherthorpe Secondary School & Woodthorpe Primary School.	Dependent on local school capacity at the time housing proposals come forward.	Included as part of developer costs/CIL.	
CLP1			<ul style="list-style-type: none"> NHS Derby and Derbyshire CCG. 	Barlborough Medical Practice is approaching capacity.	Only applicable to residential development of 10 dwellings or over. Derbyshire NHS currently request £512 per dwelling.	Developer contributions.	

					NB: Contributions will depend on the location of proposed development and its distance from existing surgeries.		
CHATSWORTH ROAD CORRIDOR							
Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS2	South of Chatsworth Road Masterplan.	Necessary to support new development.	Chesterfield Borough Council Development industry Landowners Derbyshire County Council (Highways & Education). Environment Agency.	Bridge works (Hipper Street West, Hipper Street South, Hipper House and Alma St) to mitigate flood risk along the River Hipper.	£ 135,204 Source: Arup, 2010.	Environment Agency & Trent RFDC. Included as part of developer costs.	Local Plan period: 2018 – 2035.
		Necessary to support new development.		Enhancement of the walking and cycling network.	Not currently estimated.	Included as part of developer costs.	
		Necessary to support new development.		Development and enhancement of the GI network.	Not currently estimated.	Included as part of developer costs.	
		Necessary to support new development.		Improvement of Dock Walk to an adoptable	Not currently estimated.	Delivered as part of new development to	

				standard, and adopt, incorporating dedicated cycle facilities.		improve site accessibility.	
		Necessary to support new development.		Improvement of Hipper Valley Corridor.	Not currently estimated.	Delivered as part of new development to improve site accessibility.	
		Necessary to support new development.		Improvements to Old Hall junction.	Not currently estimated.	Delivered as part of new development to improve site accessibility.	

STAVELEY TOWN CENTRE

Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
CLP1- CLP20	Staveley Town Centre Masterplan. <i>NB: Whilst not part of the Local Plan programme the masterplan does set out the long-term development options for Staveley Town Centre. These options have not been costed and</i>	Complementary to maximise the benefits of sustainable growth for local communities.	<ul style="list-style-type: none"> Staveley Town Council. Chesterfield Borough Council. Regeneration agencies Development industry. 	Whilst the Staveley Town Centre Masterplan provides a framework for new development in the town, development is mainly focused on public realm improvements. Therefore, development is unlikely have a	There are no cost estimates for proposals in the Staveley Town Centre masterplan.	Regeneration agencies. Developer Contributions or CIL.	Local Plan period: 2018–2035.

	<i>specific delivery arrangements are not yet in place.</i>			significant impact on existing infrastructure capacity			
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Appendix B: Open Space Standards

Quantitative Standards	
Type of Open Space	Hectares of Provision per 1000 people
Allotments	0.39
Amenity Greenspace ¹³	0.68
Natural and Semi-Natural Greenspace	3.00
Parks and Gardens	1.06
Provision for Children and Young People ¹⁴	0.27
Cemeteries and Green Corridors	No standards

Minimum Thresholds for Provision of New Public Open Space		
Type of Open Space	Minimum size of site	
Allotments	0.4 ha (0.025 per plot)	
Amenity greenspace	0.4 ha	
Natural and semi natural	0.4 ha	
Parks and gardens	2 ha	
Play/Young People Provision	Equipped	0.04 ha
	Informal/Casual	0.10 ha

¹³ All amenity greenspaces over 2 hectares in size which host a play site and also all other amenity greenspaces which do not host a play site

¹⁴ All equipped play provision sites including informal amenity greenspaces which host a play site and are below two hectares in size

Accessibility Standards		
Open space type	Accessibility catchment	Equivalent radial distance ¹⁵
Parks & Gardens	15-minute walk time	1,200m
	30-minute drive time to country parks	n/a
Natural & Semi-natural Greenspace	15-minute walk time	1,200m
	30-minute drive time	n/a
Amenity Greenspace	15-minute walk time	1,200m
Play areas & provision for young people	Children's play	15-minute walk time
	Youth provision	15-minute walk time
Allotments	15-minute walk time	1,200m
	15-minute drive time	n/a

¹⁵ Equivalent radial distance calculated on basis of average person walking one mile in 20 minutes.

Appendix C: Superseded Policies

The policies set out in the adopted Local Plan Core Strategy (2011-2031) have all been superseded by the new Chesterfield Borough Local Plan. The table below sets out a schedule of the superseded policies of the current local plan including the saved policies of the Replacement Chesterfield Local Plan (adopted 2006).

Original Policy	Chesterfield Local Plan 2018-2035
Local Plan Core Strategy (2013)	
CS1 - Spatial Strategy	CLP1 – Spatial Strategy
CS2 - Principles for Location of Development	CLP2 – Principles for Location of Development
CS3 - Presumption in favour of Sustainable Development	NO REPLACEMENT
CS4 - Infrastructure Delivery	CLP11 - Infrastructure Delivery
CS5 - Renewable Energy	CLP12 - Renewable Energy
CS6 - Sustainable Design and Construction	CLP20 - Design
CS7 - Management of the Water Cycle	CLP13 – Managing the Water Cycle
CS8 - Environmental Quality	CLP14 – A Healthy Environment
CS9 - Green Infrastructure and Biodiversity	CLP15 – Green Infrastructure CLP16 – Biodiversity, Geodiversity & the Ecological Network CLP17 – Open Space, Play Provision, Sports Facilities & Allotments
CS10 - Flexibility in delivery of Housing	CLP3 - Flexibility in delivery of Housing
CS11 - Range of Housing	CLP4 - Range of Housing
CS12 - Sites for Travellers	CLP5 - Sites for Travellers
CS13 - Economic Growth	CLP6 - Economic Growth
CS14 - Tourism and the Visitor Economy	CLP7 - Tourism and the Visitor Economy
CS15 - Vitality and Viability of Centres	CLP8 - Vitality and Viability of Centres
CS16 - Retail	CLP9 - Retail
CS17 - Social Infrastructure	CLP10 - Social Infrastructure
CS18 - Design	CLP20 - Design
CS19 - Historic Environment	CLP21 - Historic Environment

CS20 - Influencing the Demand for Travel	CLP22 - Influencing the Demand for Travel
CS21 - Major Transport Infrastructure	CLP23 - Major Transport Infrastructure
PS1 - Chesterfield Town Centre	SS1 - Chesterfield Town Centre
PS2 - Chatsworth Road	SS2 - Chatsworth Road Corridor
PS3 - Waterside and the Potteries	SS3 – Chesterfield Waterside & the Potteries
PS4 - Markham Vale	SS4 - Markham Vale
PS5 - Staveley and Rother Valley Corridor	SS5 - Staveley and Rother Valley Corridor
PS6 - Neighbourhood Plans	SS8 - Neighbourhood Plans
Replacement Chesterfield Borough Local Plan	
HSN 1 - Sites for Residential Development	CLP3 - Flexibility in delivery of Housing
EMP 2 - Donkin / UEF site, Derby Road	REDUNDANT POLICY
EMP 5 - Other Sites for Employment Development	CLP6 – Economic Growth
EMP 7 - Development in Existing Business and Industrial Areas	CLP6 - Economic Growth
EMP 11 - Ecodome Proposal	CLP7 - Tourism and the Visitor Economy
EVR 1 - Green Belt	CLP15 – Green Infrastructure
EVR 2 - Development in the Open Countryside and Other Open Land	CLP15 - Green Infrastructure
EVR 9 - Tree and Woodland Planting	CLP15 - Green Infrastructure
EVR 29 - Chesterfield Town Centre Historic Core	CLP21 – Historic Environment
TRS 2 - Transport Schemes Associated with Markham Employment Growth Zone (Markham Vale) and the M1	CLP23 - Major Transport Infrastructure
TRS 3 - Chesterfield – Staveley Regeneration Route	CLP23 - Major Transport Infrastructure
TRS 6 - Whitting Valley Link Road	REDUNDANT POLICY
SHC 1 - Development within existing Town, District and Local Centres	CLP8 - Vitality and Viability of Centres
SHC 2 - Provision of New or Extended Local Centres	CLP8 - Vitality and Viability of Centres
SHC 3 - New Retail Warehousing on Land at Markham Road	REDUNDANT POLICY
POS 1 - Existing Parks and Open Spaces	CLP17 - Open Space, Play Provision, Sports Facilities & Allotments
POS 2 - New Public Open Space	CLP17 - Open Space, Play Provision, Sports Facilities &

POS 4 - Sports Pitches and Playing Fields	Allotments CLP17 - Open Space, Play Provision, Sports Facilities & Allotments
POS 5 - Allotments	CLP15 - Green Infrastructure
CMT 1 - Education Sites	CLP11 - Infrastructure Delivery
CMT 3 - Development of Health and Further Education Provision	REDUNDANT POLICY
New Policies	
	CLP18 – Chesterfield Canal
	CLP19 – River Corridors
	RP1 - Regeneration Priority Areas
	SS6 - Land at Dunston
	SS7 – Chesterfield Railway Station

Appendix D: Monitoring and Review Framework

CLP1 Spatial Strategy & CLP2	Strategic Objectives	Target	Indicator	Frequency	Trigger	Action and Contingencies
CLP1 Housing Growth	S2 S3	4080 dwellings up to 2035.	Net new dwellings built each year as monitored in the AMR. HDT.	Annual.	1. Persistent under delivery as set out in the HDT. 2. Unmet need identified in HMA.	1. Apply 20% buffer to five year supply as set out in the NPPF. 2. Take into account as part of five year plan review.
CLP1 Economic Growth	S3 S6	50 hectares up to 2035.	Net new employment land developed each year as monitored in the AMR.	Annual.	Percentage of delivery across five year period.	Take into account as part of five year plan review.
CCLP1 Green Belt	S11	No net loss of, or inappropriate development on green belt.	Loss of, or inappropriate development on green belt.	As required.	More than one appeal allowed for development on Green Belt on basis of land supply issues.	Review reasons for decision Take into account as part of five year plan review Possible Green Belt Review as part of Local Plan Review.
CLP1 Strategic Gaps / Green Wedges & CLP15	S7	No net loss of, or inappropriate development.	Loss of, or inappropriate development within Strategic Gaps / Green Wedges.	As required.	More than one appeal allowed for development within Strategic Gaps / Green Wedges.	Review reasons for decision Take into account as part of five year plan review.

CLP2 Principles for Location of Development	S1 S9 S10 S13	The location of new residential development to maximise opportunities for walking access to a range of key services. The location of new residential development to maximise opportunities for cycling and the use of public transport to access a range of key services.	The travel times from major residential development to a range of key services by non-car based modes of transport.	As required and through the monitoring of planning permissions.	Majority of new homes within major developments not being within a walkable distance to a range of key services and not being within the lower accessibility threshold times to a range of key services.	Take into account as part of five year plan review.
Policy CLP3	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP3 Flexibility in the delivery of Housing	S2	Maintain five year housing supply of deliverable sites.	Five Year Housing Land Supply. Performance against trajectory	Annual.	Inability to demonstrate five year housing supply.	Application of presumption in favour of sustainable development as required by NPPF when determining planning applications. Take into account as part of five year plan review.
Policy CLP4	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP4 Range of	S5	High – 20%.	Number of	Annual.	Shortfall of 25% of	Discuss with Housing Team

Housing		Medium - 10%. Low - 5% 25% of adaptable and accessible housing.	affordable housing completions (net) Social rented and Intermediate. No. of adaptable and accessible housing completions.		cumulative three year target.	the reasons for performance to and review the affordable housing pipeline. Take into account as part of five year plan review.
Policy CLP5	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP5 Sites for Travellers		Strategic Target met up to 2019.	Net additional pitches granted planning permission. Frequency and size of unauthorised pitches.	Annual.	Submission of a planning application for a travellers site or an unauthorised site within the borough. Receipt of the GTAA review	Review and update evidence in light of need with neighbouring authorities. Take into account as part of five year plan review.
Policy CLP7	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP7 Employment land	S6	50 ha of additional employment land (B1, B2 and B8) between 2018 and 2035.	Net new employment land developed each year as monitored in the AMR. Performance against trajectory (see	Annual.	Percentage of delivery across five year period.	Take into account as part of five year plan review.

Policy CLP7	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP7 Tourism and Visitor Economy	S3 S12	Increase in D2 floorspace.	Total amount of new D2 floorspace.	Annual.	No new D2 floorspace.	Discussions with tourism teams to identify reasons for fall in visitor numbers to the town. Take into account as part of five year plan review.
Policy CLP8	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP8 Viability and Vitality of Centres	S3	Vacancy rate below national and regional average for Town and District Centres.	Total amount of new floor space for town centre uses. Total amount of new floor space for town centre use completed outside of centres or allocated sites. Town and District Centre Health Checks.	Annual.	Persistent increase in vacancy rates.	Consider revision of centre boundaries and/or hierarchy. Review reasons for decision and reevaluate evidence and allocations if necessary. Examine reasons for decline in performance of town and district centre. Long-term, potential to review policies and allocations. Take into account as part of five year plan review.
Policy CLP9	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP9 Retail	S3	No new retail	Total amount	Annual.	Approval of large	Review reasons for

		floorspace (except Small Shops under threshold) outside of existing defined centres or allocated site.	of new floor space for town centre use completed outside of centres or allocated sites.		format retail outside of town centre boundary not allocated in Local Plan.	decision and reevaluate evidence. Take into account as part of five year plan review.
Policy CLP10	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP10 Social Infrastructure	S3 & S13	Maintain appropriate provision of Community Facilities.	Monitor changes of use and Assets of Community Value.	Annual.	Loss of asset of community value.	Take into account as part of five year plan review.
Policy CLP11	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP11 Infrastructure Delivery	S10	Delivery of Strategic Infrastructure highlighted in Infrastructure Delivery Plan.	Delivery in accordance with CIL Expenditure Strategy.	Annual review of S106 and CIL.	Non delivery of infrastructure in expenditure strategy.	Review funding allocations. Take into account as part of five year plan review. Review effectiveness of CIL.
Policy CLP12	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP12 Renewable Energy	S1	No target.	Monitor applications for renewable energy.	Five years.		Take into account as part of five year plan review.
Policy CLP13	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP13	S4	All development	Development	Annual.	More than five	Identify reasons for decision,

Managing the Water Cycle		in line with Environment Agency Advice. All development according with the advice of the Lead Local Flood Authority.	approved contrary to Environment Agency advice. Development approved contrary to Lead Local Flood Authority advice.		applications approved contrary to advice over a rolling five year period.	and if necessary take into account as part of five year plan review.
Policy CLP14	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP14 A Healthy Environment	S9	No new AQMA, Removal of existing AQMA.	Air Quality Monitoring Report. Progress against Air Quality Action Plan Objectives.	Annual.	The designation of an Air Quality Management Area.	Consultation with Environmental Health and DCC to identify mitigation measures to address impacts of air quality. Take into account as part of five year plan review
Policy CLP15	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP15 Green Infrastructure	S7 & S11	No net loss of, or inappropriate development in Green Belt, Green Wedges or Strategic Gaps.	Loss of, or inappropriate development within Strategic Gaps / Green Wedges/Green Belt.	As required.	More than one appeal allowed for development within Strategic Gaps / Green Wedges.	Review reasons for decision. Take into account as part of five year plan review.
Policy CLP16	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP16 Biodiversity,	S7	Net gain in biodiversity.	Monitoring of conditions in	Annual.	Proposed losses and gains of identified	Investigate reasons for loss of habitat.

Geodiversity & the Ecological Network		Increase in tree cover within the Borough.	<p>Planning approvals.</p> <p>Monitoring of gains and losses in identified habitat through planning approvals for the development housing and employment allocations including strategic sites and other major developments.</p> <p>Monitoring of the area of land covered by woodland identified as priority habitat.</p>		habitat.	Take into account as part of five year plan review.
Sites of International & National Importance		Develop a suitable monitoring programme in liaison with neighbouring authorities including the	<ul style="list-style-type: none"> • Post plan adoption changes in the AADT on roads within 200m of the European Sites. 	As per the programme to be agreed between authorities and Natural England.	Increases in traffic and consequential effects on air quality.	Take into account as part of five year plan review.

		PDNP and Natural England in relation to the SAC's and SPA's identified in the SA to help ensure that a likely significant effect on these European sites does not arise unexpectedly.	<ul style="list-style-type: none"> • Post plan changes in rates of atmospheric nitrogen deposition at the European sites. • Ecological condition of qualifying features of each European site; and • Cooperation with neighbouring authorities, including the PDNPA. 			
Policy CLP17	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP17 Open Space, Play provision, Sports facilities & Allotments	S10 S13	No net loss of open space, play provision and sports facilities unless identified as surplus to need.	Loss of open space, play provision and sports facilities where this is not identified as surplus to need.	As required.	Net loss of open space, play provision and sports facilities over a three year period where this is not identified as surplus to need.	Review reasons for decision to release of open space etc. Take into account as part of five year plan review.
Policy CLP18	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP18 Chesterfield	S12	Restoration of the Chesterfield	Remaining length of un-	Annual via CCT annual	No additional restoration of canal in	Discussion with Chesterfield Canal Trust and Derbyshire

Canal		Canal within the borough to a navigable state by 2027.	navigable stretch of Chesterfield Canal in Chesterfield Borough (Chesterfield Canal Trust).	report.	rolling three year period.	County Council to facilitate further restoration work. Review use of CIL funding. Take into account as part of five year plan review.
Policy CLP19	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP19 River Corridors	S7	None.	Number of applications that fall within River Corridors.	Annual.	None.	Take into account as part of five year plan review.
Policy CLP20	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP20 Design	S8	75% of major new residential development to achieve a score of 12 on Building for Life.	Number of major residential developments achieving a score of 12 on Building for Life.	Annual.	Less than 75% of schemes over a two year period achieving a score of 12 on Building for Life.	Discussion with applicants and agents to understand why higher levels of design are not being achieved. Potential to review and update supplementary planning guidance.
Policy CLP21	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP21 Historic Environment	S8	Zero heritage assets on the 'at-risk' register.	Number of heritage assets on the 'at-risk' register.	Annual.	If heritage asset stays on the 'at-risk' register for longer than 12 months Listed building demolished.	The council will seek advice of Historic England in ensuring that there is no negative impact on heritage assets and the wider historic environment. Review reasons for
		Zero Listed	Number of	Annual.		

		Buildings demolished. 100% coverage of up to date conservation area appraisals.	Listed Buildings demolished. Buildings on Local List lost % Percentage of conservation areas with up-to-date character appraisals	Annual.	If below 100%.	demolition. The Council will review its priorities in respect of resourcing work to bring coverage up to the required level.
Policy CLP22	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP22 Influencing the Demand for Travel	S1 S9	Delivery of the Chesterfield Strategic Cycle Network.	Delivery of new cycle network.	Five years from adoption.	No new stretches delivered over a two year period.	Discussion with Derbyshire County Council to ensure and aid delivery of strategic network. Potential source of funding from CIL.
Policy CLP23	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
CLP23 Major Transport Infrastructure	S9	Safeguard land for Major Transport Infrastructure including the scheme for the Chesterfield-	Planning permissions granted in areas safeguarded for major transport infrastructure.	Annual.	If planning permission is granted for development in safeguarded area.	Review reasons and impact for granting of planning permission in safeguarded areas.

		Staveley Regeneration Route.				
Policy RP1	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
RP1 Regeneration Priority Areas	S2 S3	Improvement on IMD ranking.	IMD ranking.	Five years from adoption.	A Decline in IMD Ranking.	Work with local community and external agencies to support regeneration projects. Take into account as part of five year plan review.
Policy SS1	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS1 Chesterfield Town Centre	S2 S3 S6 S8 S9	Vacancy Rate above national average. Improvement in Retails Ranking.	Vacancy Rate. Retail ranking.	Annual. As published.		Discussion with land owners and developers to bring to site(s) forward. Take into account as part of five year plan review.
Policy SS2	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS2 Chatsworth Road Corridor	S2 S3 S4 S6 S9	Regeneration in the area 'Land South of Chatsworth Road' in line with adopted Masterplan.	Dwellings and Floorspace within the Land South of Chatsworth Road Masterplan area. Area of vacant		Buildings remain on 'at risk' register post 2025. Reduction in vacant land less than 50%.	Discussion with landowners and developers to bring to site forward. Consideration to review of masterplan and policy.

Policy SS3	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS3 Chesterfield Waterside and Potteries	S2 S3 S4 S6	Comprehensive redevelopment of area in line with approved masterplan by 2035.	Dwelling and floorspace completions.	Annual.	Delivery below trajectory set out in five year housing supply.	Discussion with land owners and developers to bring to site forward. Provide support when bidding for available funding. Consideration to review of masterplan and policy.
Policy SS4	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS4 Markham Vale	S6	Development of Markham Vale in accordance with permission.	Completed floorspace.	Annual as part of employment land monitoring.	No additional floorspace within a three year period.	Discussion with landowners to discuss barriers to development. Consideration to review of planning permission and policy in Local plan five year review.
Policy SS5	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS5 Staveley and Rother Valley Corridor	S2 S4 S6 S7 S8 S9 S10 S12	Comprehensive redevelopment of area in line with approved masterplan.	Progress with Planning applications.	Quarterly through delivery board.	Lack of progress identified by delivery board.	Discussion with land owners and developers to bring to site forward. Provide support when bidding for available funding. Consideration to review of

Policy SS6	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS6 Land at Dunston	S2 S4 S5 S8 S10	Comprehensive redevelopment of area in line with approved masterplan.	Trajectory set out in SoCG.	Annual through housing supply monitoring.	Delivery falls behind trajectory for three years.	Discussion with land owners and developers to bring site forward. Consideration to review of masterplan and policy as part of local plan five year review.
Policy SS7	Strategic Objective	Target	Indicator		Trigger	Contingencies
SS7 Chesterfield Railway Station	S2 S4 S5 S6 S8 S9 S10	Comprehensive redevelopment of area in line with approved masterplan.	Masterplan in place by end of 2019.	Annual.	Non-commencement of reserved matters planning permissions by end of 2025.	Discussion with land owners and developers to bring site forward. Consideration to review of masterplan and policy.
Policy SS8	Strategic Objective	Target	Indicator		Trigger	Contingencies
SS8 Neighbourhood Plans	All	Timetable and programme of support agreed in response to any formal requests for neighbourhood plans.	Number of Neighbourhood Plans commenced. Number of Neighbourhood Plans approved.	As required, annual after adoption.	A Neighbourhood Plan being approved.	In Local Plan Review incorporate neighbourhood plan proposals if necessary.

Appendix E: Indicative Employment Land Delivery Trajectory (as of April 1st 2019)

Reference	Site Name	Assumed Employment Use	Short Term (0-5 Years)	Medium Term (6-10 Years)	Long Term (11-16 Years)
E1	Former GKN works, Sheepbridge Lane	Multiple (B1, B2, B8)	3.6 ha	-	-
E2	Land at Prospect Park, North of Dunston	Multiple (B1, B2, B8)	2.5	-	-
E3	Station Road (Wagon Works), Old Whittington	Multiple (B1, B2, B8)	-	-	6.3 ha
E4	Whitting Valley Road (Land at), Old Whittington	Multiple (B1, B2, B8)	3.74 ha	-	-
E5	Former Boythorpe Works, Goyt Side Road	Multiple (B1, B2, B8)	-	-	5 ha
E6	Impala Estates (land adj. Markham Vale)	B8	2.6 ha	-	-
N/A	Extant Planning Permissions at April 1 st , 2019 (excluding Land Accessed from Farndale Road)	Multiple (B1, B2, B8)	2.41 ha	-	-
N/A	Markham Vale West: Plot 2	Multiple (B2, B8)	1.47 ha	-	-
N/A	Markham Vale East: Plot 5 North	B8	0.75 ha	-	-
N/A	Land Accessed from Farndale Road, Staveley (CHE/13/00675/OUT)	Multiple (B1, B2, B8)	-	10 ha	6.58 ha
N/A	Staveley Works Corridor (area around Works Road, SS5)	Multiple (B1, B2, B8)	-	2 ha	-
N/A	HS2 IMD	B2	-	-	4 ha
	Total		17.07ha	12ha	21.88ha

Total Employment Land included within indicative trajectory: 50.95 ha

Minus anticipated loss at Chesterfield Waterside (-2 ha): 48.95 ha

Appendix F: Indicative Housing Delivery Trajectory (as of April 1st, 2019)

Ref	Site	Type	Planning Status (1st April 2019)	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Total
Local Plan Allocations																					
H1	Edale Road Garage Court, Mastin Moor	Small Allocation	No permission	0	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	0	6
H2	Catherine Street Garage Court, Bank Street, Chesterfield	Small Allocation	No permission	0	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	12
H4	Heaton Court (Former), Meynell Close, Brampton	Small Allocation	Full permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
H5	Pondhouse Farm, Troughbrook Road, Hollingwood	Large Allocation	No permission	0	0	0	15	8	0	0	0	0	0	0	0	0	0	0	0	0	23
H6	Miller Avenue, Mastin Moor	Small Allocation	No permission	0	0	0	0	0	7	7	0	0	0	0	0	0	0	0	0	0	14
H7	Hollythorpe Close (Land off), Hasland	Small Allocation	No permission	0	0	0	0	0	7	7	0	0	0	0	0	0	0	0	0	0	14
H8	Chesterfield Road (Land North of), Staveley	Small Allocation	No permission	0	0	0	0	0	0	0	7	7	0	0	0	0	0	0	0	0	14
H9	White Bank Close (Land at), Hasland	Small Allocation	No permission	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
H10	Derwent House HOP, Ulverston Road, Newbold	Small Allocation	No permission	0	0	0	0	7	10	0	0	0	0	0	0	0	0	0	0	0	17
H11	Sycamore Road (Land at), Hollingwood	Small Allocation	No permission	0	0	0	0	0	0	0	7	11	0	0	0	0	0	0	0	0	18
H12	Ashbrook Centre (Former), Cuttholme	Small Allocation	No permission	0	0	0	0	7	13	0	0	0	0	0	0	0	0	0	0	0	20

	Road, Loundsley Green																				
H13	Elm Street (Land at), Hollingwood	Small Allocation	No permission	0	0	0	0	0	0	0	7	15	1	0	0	0	0	0	0	0	23
H14	Swaddale Avenue (Land to the West of), Tapton	Small Allocation	No permission	0	0	0	0	0	0	0	7	14	0	0	0	0	0	0	0	0	21
H15	Goldwell Rooms (Former) and 6 Ashgate Road, Chesterfield	Small Allocation	Part of site has full permission	0	0	0	0	49	21	0	0	0	0	0	0	0	0	0	0	0	70
H16	Red House HOP and Spire Lodge, Sheffield Road, Chesterfield	Small Allocation	No permission	0	0	0	0	7	15	3	0	0	0	0	0	0	0	0	0	0	25
H17	Poultry Farm (Former), Manor Road, Brimington	Small Allocation	Full permission	0	4	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	26
H19	Ash Glen Nursery (Former), Sheffield Road, Unstone	Large Allocation	No permission	0	0	0	0	0	0	0	7	15	8	0	0	0	0	0	0	0	30
H20	Duewell Court (Land at), Station Road, Barrow Hill	Large Allocation	No permission	0	0	0	0	15	15	5	0	0	0	0	0	0	0	0	0	0	35
H21	Staveley Canal Basin, Eckington Road, Staveley	Large Allocation	No permission	0	0	0	0	15	30	30	15	0	0	0	0	0	0	0	0	0	90
H23	Allen and Orr Timber Yard, Saltergate, Chesterfield	Small Allocation	No permission	0	0	0	0	0	0	0	7	15	15	2	0	0	0	0	0	0	39
H25	Boat Sales (Former), Sheffield Road, Unstone	Large Allocation	Outline permission	0	0	10	20	20	0	0	0	0	0	0	0	0	0	0	0	0	50
H26	Rectory Road (Land adjacent), Duckmanton	Large Allocation	Full permission	0	15	15	3	0	0	0	0	0	0	0	0	0	0	0	0	0	33
H27	Walton Hospital (Land at), Harehill Road, Walton	Large Allocation	No permission	0	0	0	0	48	12	0	0	0	0	0	0	0	0	0	0	0	60
H28	Walton Hospital (Land at), Whitecotes Lane, Walton	Large Allocation	No permission	0	0	0	0	48	42	0	0	0	0	0	0	0	0	0	0	0	90
H30	Walton Works (Former)	Large Allocation	No permission	0	0	0	0	0	0	0	15	30	30	30	30	15	0	0	0	0	150
H31	Varley Park, Staveley Road, Poolsbrook	Large Allocation	Full permission	0	0	20	20	20	20	20	20	20	20	15	0	0	0	0	0	0	175

H32	Bent Lane, Staveley	Large Allocation	No permission	0	0	0	0	0	0	0	30	30	30	50	0	0	0	0	0	0	140
H33	Linacre Road, Holme Hall	Large Allocation	No permission	0	0	0	0	0	0	0	50	50	50	50	50	50	0	0	0	0	300
H34	Tom Lane (Land South of), West of Rectory Road, Duckmanton	Large Allocation	No permission	0	0	0	0	0	0	0	25	50	50	50	50	50	0	0	0	0	275
H35	Land South of Worksop Road and East and West of Bolsover Road, Mastin Moor	Large Allocation	No permission	0	0	0	0	0	50	60	60	60	60	60	60	60	60	60	60	0	650
H36	Inkersall Road (Land at), Inkersall	Large Allocation	No permission	0	0	0	0	50	50	50	50	50	50	50	50	0	0	0	0	0	400
SS1	Spire Neighbourhood, Chesterfield	SS1	No permission	0	0	0	0	0	0	0	15	30	30	25	0	0	0	0	0	0	100
SS3	Chesterfield Waterside, Brimington Road, Chesterfield	SS3	Outline permission Part of site has reserved matters permission	0	0	50	207	207	37	55	55	55	55	55	55	55	55	59	50	50	1100
SS5	Staveley Works, Staveley	SS5	No permission	0	0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	50	150
SS6	Land South of Dunston Lane Road, Dunston	SS6	Part of site has full permission	21	79	50	50	75	74	50	50	50	50	50	50	50	50	50	0	0	799
Commitments																					
CHE/17/00237/OUT	Commerce Centre, Canal Wharf, Chesterfield	Small Permission	Outline Permission	0	8	6	20	0	0	0	0	0	0	0	0	0	0	0	0	0	34
CHE/17/00326/REM	Dunston Road (Land off), Former Cammac Site	Large Permission	Full Permission	0	29	34	39	4	0	0	0	0	0	0	0	0	0	0	0	0	106
CHE/17/00685/REM	Wheeldon Mill, Rother Way, Chesterfield	Large Permission	Full Permission	2	30	30	30	28	0	0	0	0	0	0	0	0	0	0	0	0	120
CHE/15/00614/REM	Former Sheepbridge Sports and Social Club, 202 Newbold Road, Chesterfield	Large Permission	Completed	20	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21
CHE/18/00190/REM	Land at Cranleigh Road, Chesterfield, Derbyshire	Large Permission	Full Permission	3	36	36	0	0	0	0	0	0	0	0	0	0	0	0	0	0	75

CHE/16/00518/FUL	Eyre View, Newbold Road, Newbold	Large Permission	Completed	34	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	40
CHE/15/00838/REM	Ringwood Centre, Victoria Street, Brimington	Large Permission	Full Permission	0	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	12
CHE/18/00768/REM	Land to South of Poplar Farm, Rectory Road, Duckmanton	Large Permission	Full Permission	0	6	15	14	0	0	0	0	0	0	0	0	0	0	0	0	0	35
CHE/17/00798/FUL	Knightsbridge Court, West Bars, Chesterfield	Small Permission	Full Permission	0	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	30
CHE/15/00755/OUT	Land to the West of Bevan Drive Inkersall Derbyshire	Large Permission	Outline Permission	0	0	0	0	0	25	30	30	18	0	0	0	0	0	0	0	0	103
CHE/16/00835/FUL	The Elm Tree Inn, High Street, Staveley	Small Permission	Full Permission	0	7	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	21
CHE/15/00098/FUL	Basil Close, Chesterfield	Small Permission	Full Permission	0	0	0	0	22	0	0	0	0	0	0	0	0	0	0	0	0	22
CHE/15/00464/FUL	Land to the Rear of 79 Sheffield Road, Stonegravels	Small Permission	Full Permission	9	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19
CHE/17/00634/OUT	1 Bridle Road, Woodthorpe, Chesterfield	Small Permission	Full Permission	0	0	7	11	0	0	0	0	0	0	0	0	0	0	0	0	0	18
CHE/15/00835/OUT	Loundsley Green Road (Land West of), Loundsley Green	Large Permission	Full Permission	0	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14
CHE/18/00779/FUL	Chesterfield County Court, St Marys Gate, Chesterfield	Small Permission	Full Permission	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12
CHE/15/00195/FUL	Former Social Club, Saltergate, Chesterfield	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/14/00896/FUL	Littlemoor Shopping Centre, Littlemoor Centre	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/18/00224/REM	Land Surrounding 146 to 152 Hady Lane, Hady Lane, Chesterfield	Large Permission	Full Permission	4	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/18/00144/FUL	Chesterfield Post Office, 1 Market Place, Chesterfield	Small Permission	Full Permission	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/17/00359/FUL	Victoria Hotel, Lowgates, Staveley	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10

CHE/18/00432/FUL	Land Adjacent Trinity Court, Newbold Road, Newbold	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/15/00442/FUL	Poolsbrook Hotel, Staveley Road, Poolsbrook	Small Permission	Completed	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30
CHE/18/00784/FUL	87 New Square, Chesterfield	Small Permission	Full Permission	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
CHE/16/00121/FUL	Land to The West of Keswick Drive, Newbold	Small Permission	Full Permission	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
CHE/17/00757/OUT	Land Used for Storage and Premises, Goyt Side Road	Small Permission	Outline Permission	0	0	7	1	0	0	0	0	0	0	0	0	0	0	0	0	0	8
CHE/16/00023/FUL	Handleywood Farm, Whittington Road, Barrow Hill	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/16/00216/FUL	Jacksons Bakery, New Hall Road	Small Permission	Full Permission	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
CHE/18/00697/OUT	St Marks Vicarage, 15 St Marks Road, Chesterfield	Small Permission	Full Permission	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
CHE/17/00814/OUT	Land at Chester Street, Chesterfield	Small Permission	Outline Permission	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/16/00053/FUL	Apple Trees, Lancaster Road, Newbold	Small Permission	Full Permission	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/17/00375/REM	Hady Miners Welfare Club, Houldsworth Drive, Hady	Small Permission	Full Permission	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/17/00700/REM	Land Adjacent Five Acres, Piccadilly Road	Small Permission	Full Permission	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
CHE/15/00394/FUL	Land at Upper King Street, Chesterfield	Small Permission	Completed	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/14/00392/FUL	Dunston Grange Farm, Dunston Lane, Dunston	Small Permission	Completed	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/17/00756/OUT	Land on Goytside Road Corner, Factory Street, Chesterfield	Small Permission	Outline Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/17/00067/COU	1 Tennyson Avenue, Chesterfield	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5

CHE/12/00286/MA	14A Spital Lane, Chesterfield	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/08/00311/FUL	Land at Wessex Close, Chesterfield	Small Permission	Full Permission	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/18/00024/FUL	Land at Breckland Road, Walton, Derbyshire	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/17/00334/FUL	10B Marsden Street, Chesterfield	Small Permission	Completed	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/17/00263/FUL	Former Saltergate Health Centre, 107 Saltergate, Chesterfield	Small Permission	Completed	33	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	33
CHE/17/00475/FUL	1-3 Knifesmithgate, Chesterfield	Small Permission	Completed	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/16/00436/OUT	325 Ashgate Road, Chesterfield	Small Permission	Outline Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/18/00044/OUT	Ravensdale, 26 Chesterfield Road, Brimington	Small Permission	Outline Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE14/00139/FUL	44-46 Park Road, Chesterfield	Small Permission	Completed	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
Actual / Anticipated Net Completions (Sites of 4 Dwellings or less)				57	36	96	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	189
10% Lapse Rate (Discount on Commitments)				N/A	-24	-37	-17	-5	-3	-3	-3	-2	0	0	0	0	0	0	0	0	-94
Windfall Allowance				N/A	N/A	N/A	34	34	34	34	34	34	34	34	34	34	34	34	34	34	476
Total				212	315	516	515	659	466	348	488	552	483	471	379	314	199	253	194	134	6497

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Report to Chesterfield Borough Council

by **Bryn Bowker MPlan MRTPI** and **David Spencer BA(Hons) DipTP MRTPI**
Inspectors appointed by the Secretary of State

Date: 27 May 2020

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Chesterfield Borough Local Plan

The Plan was submitted for examination on 28 June 2019

The examination hearings were held between 15 October and 6 November 2019

File Ref: PINS/A1015/429/4

Abbreviations used in this report

AA	Appropriate Assessment
AQMA	Air Quality Management Area
CIL	Community Infrastructure Levy
CSRR	Chesterfield Staveley Regeneration Route
DCC	Derbyshire County Council
D2N2	Derbyshire & Nottinghamshire LEP
Dpa	Dwellings per annum
DtC	Duty to Co-operate
GTAA	Gypsy and Traveller Accommodation Assessment
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
HS2	High Speed 2
IDP	Infrastructure Delivery Plan
IMD	Infrastructure Maintenance Depot (HS2)
LAA	Land Availability Assessment
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LHN	Local Housing Need
MM	Main Modification
NPPF	National Planning Policy Framework
OAN	Objectively Assessed Need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RBMP	River Basin Management Plan
SA	Sustainability Appraisal
SAC	Special Areas of Conservation
SCI	Statement of Community Involvement
SCR	Sheffield City Region
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SPA	Special Protection Area
SPD	Supplementary Planning Document
SRVC	Staveley Rother Valley Corridor (Site SS5)
WPVA	Whole Plan Viability Assessment

Non-Technical Summary

This report concludes that the Chesterfield Borough Local Plan provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. Chesterfield Borough Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. In some cases we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- The plan period be extended to 2034/35 to ensure at least a 15-year plan period on adoption;
- To apply the standard method for Local Housing Need so that the objectively assessed need for housing is at least 240 dwellings per annum;
- Include a housing trajectory and explanatory text;
- To provide further clarity that those areas of employment land described as 'sites without planning permission' are positive allocations of land in the Plan and to amend some housing site capacities;
- Alterations to ensure that policies aimed at securing a range of housing and enhancing the quality of the built environment are effective; and
- A number of other modifications to ensure that the plan is effective, justified and consistent with national policy

Introduction

1. This report contains our assessment of the Chesterfield Borough Local Plan (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2019 (NPPF), at paragraph 35, makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Chesterfield Borough Local Plan submitted in June 2019 is the basis for our examination. It is the same document as was published for consultation in January 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) and Habitats Regulation Assessment (HRA) of them. The MM schedule was subject to public consultation for six weeks. We have taken account of the consultation responses in coming to our conclusions in this report and in this light we have made some amendments to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA that has been undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the plan identified as Chesterfield Borough Local Plan Policies Map Pre-Submission Consultation Version – January 2019 as set out in document SD2.
6. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are

some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.

7. These further changes to the policies map were published for consultation alongside the MMs in document MM.008 'Schedule of Policies Map Changes and Accompanying Maps'.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the 'Chesterfield Borough Local Plan Policies Map Pre-Submission Consultation Version – January 2019 and the further changes published alongside the MMs in document MM.008.

Assessment of Duty to Co-operate

9. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council has complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
10. The Council's Duty to Co-operate (DtC) Statement [KSD5] details the strategic matters which have been appropriately identified as being of relevance to the preparation of the Plan. amongst other things these include the scale of new housing and employment provision, the needs of travellers, and infrastructure such as the A61 corridor enhancements. For each strategic matter the statement also comprehensively identifies the organisations with whom the Council has sought to cooperate, the evidence base, actions taken, outcomes and any ongoing co-operation.
11. The administrative geography means that the urban area of Chesterfield is closely bounded by North East Derbyshire District. The Borough's eastern villages and Markham Vale strategic employment site border close to Bolsover District. These three authorities, together with Bassetlaw in Nottinghamshire, form an identifiable Housing Market Area (HMA). A statement of common ground (SoCG), signed by all these authorities and Derbyshire and Nottinghamshire County Councils in May 2018 [SCG1], whilst predating the latest NPPF, nonetheless accords with national policy on maintaining effective cooperation, in particular NPPF paragraph 27.
12. The SOCG at Table 1 outlines the shared evidence base work and how the authorities are working together to secure outcomes on strategic and cross-boundary planning matters. It is clear from the SoCG that no authorities (including Derbyshire Dales who are not part of the HMA) have formally requested Chesterfield to accommodate any of their own development needs and nor has any organisation with which the Council has a duty to engage contended that Chesterfield has not complied with the duty. In respect of potential unmet Gypsy and Traveller accommodation needs from North East Derbyshire, the concurrent examination of the local plan for that area has identified a way forward [document EX.CBC.010] such that there is no duty-to-cooperate issue for Chesterfield at the time of this examination.
13. As set out in Issue 2 below we recommend separately that Chesterfield adopts a lower housing requirement in accordance with the latest standard methodology for local housing need (LHN). We are mindful that on

submission, the Plan was consistent with the Borough's figure for objectively assessed housing need identified in the jointly prepared Strategic Housing Market Assessment (SHMA) for the wider HMA. In recommending the LHN figure, which is only marginally lower than the SHMAs OAN, we are satisfied that this does not create wider issues for positively meeting housing needs across the wider HMA.

14. The issue of improved cooperation to monitor the effects of cumulative growth in North Derbyshire and Sheffield on air quality and its potential effect on the qualifying features of internationally protected sites in the Peaks¹ has been identified by the constituent local authorities in dialogue with Natural England, notwithstanding the separate findings of the Plan's Habitats Regulations Assessment (HRA) [KSD4]. The HMA SoCG at page 18 identifies that all authorities agree to commit to a monitoring programme, an approach endorsed by Natural England. Chesterfield Borough Council is positively coordinating initial efforts to move this forward [document EX.CBC.005].
15. The impacts arising from the scale of growth proposed in the Borough's eastern villages on infrastructure in neighbouring Bolsover District and the need to ensure that cross-boundary infrastructure is consistently identified and protected are matters of soundness, for which some MMs are proposed, rather than issues under the legal Duty. The timing of the separate SoCG between Chesterfield and Bolsover [SCG9] demonstrates that there has been relevant on-going joint working on strategic cross-boundary matters.
16. Notwithstanding the early stage of plan-making in Sheffield City and the evidence of initial representations to Chesterfield Borough Council in 2017, there is no formal request at the time of plan submission for Chesterfield to accommodate any unmet needs from both the city or the wider Sheffield City-Region (SCR)². A draft and unsigned SoCG [SCG7] for the wider SCR does not indicate an absence of maintaining effective cooperation in accordance with the Duty given the record of past dialogue and mechanisms for on-going collaboration presented in the Council's DtC Statement. We are satisfied that there has been good interaction with SCR authorities and Local Enterprise Partnerships (LEPs) given the strong functional economic links and infrastructure interdependencies. There is credible evidence in the draft SoCG [SCG7] that housing need and employment ambitions for the SCR are very likely to be met through the current round of plan-making.
17. In the light of the above we are satisfied that, where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the plan and that the duty to co-operate has therefore been met.

¹ Peak District Dales SAC: South Pennine Moors SAC: and Peak District Moors (South Pennine Moors Phase 1) SPA.

² DtC Statement 2019 [KSD5], Appendix 6.

Assessment of Soundness

Main Issues

18. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified 8 main issues upon which the soundness of the plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the plan period is sound; whether the plan’s spatial strategy, including the extent of proposed Strategic Gaps and Green Wedges is justified and effective; and whether the sites allocated for development in the plan have been selected using a robust and objective process.

Plan Period and Presumption in Favour of Sustainable Development

19. The submitted Plan has a base date of 1 April 2018 and covers the period to 31 March 2033. The plan contains strategic policies as defined in the NPPF and as such should look ahead over a minimum 15 year period from adoption. On this basis it is necessary for consistency with the NPPF (paragraph 22) to extend the plan period by two years to 2034/35.
20. Extending the plan period by two years has consequential implications for the plan’s housing and employment land requirements and these are addressed separately below under Issues 2 and 6 respectively. It is recognised that various aspects of the Plan’s evidence base look ahead only as far as 2033 but by moderately extending plan period the overarching spatial strategy of concentration and regeneration in Policy LP1 remains justified. In any event, the legal requirement to consider the need to review the plan within a five-year period would provide the appropriate opportunity to assess whether the provision for housing and employment, the infrastructure requirements and the available environmental capacity needs to be revisited. Consequently, we recommend **MM3, MM4, MM5** and **MM6** to reflect the required extension to the plan period. These modifications would ensure the plan period is consistent with national policy.
21. In accordance with NPPF paragraph 11, the presumption in favour of sustainable development should be an integral part of plan-making and thus flow through to decision-making. Consequently, there is no requirement for plans to repeat the presumption and so submitted Policy LP3 and supporting text should be removed. We therefore recommend **MM13** for effectiveness and to avoid unnecessary repetition of national policy as advised at NPPF paragraph 16(f).

Spatial Strategy and Key Diagram

22. Geographically the Borough of Chesterfield is relatively compact and comprises the urban areas of the town, the settlements of Staveley, Brimington and Inkersall along the A619 corridor to the east of Chesterfield and the former mining communities (the eastern villages) of Duckmanton, Mastin Moor and Poolsbrook. Genuinely different spatial strategy options are limited such that

Appendix H of the Sustainability Appraisal (SA) report considers 4 options, three of which (variants on degrees of concentration and regeneration) perform broadly similarly and a fourth option of more dispersed growth performs less well against the SA objectives. The SA demonstrates that the spatial strategy to concentrate development within walkable distances of existing centres and to regenerate priority areas including the eastern villages, Holme Hall and key strategic regeneration sites including SS5 Staveley and Rother Valley Corridor (SRVC) site is an appropriate strategy in the context of the social, economic and environmental objectives for the Borough.

23. Some of the strategic sites were previously identified in the 2013 Core Strategy which generates considerations of deliverability. Sites such as SS3 (Waterside) and SS5 (SRVC) are however, critical to the successful place shaping of the Borough by redeveloping high profile derelict and under-utilised brownfield land at locations that can significantly transform circumstances for Chesterfield residents and businesses and positively change perceptions of the Borough. Initial phases of development at the SS3 site are now being implemented and it is important that the plan continues to focus necessary momentum on regenerating these challenging but sustainably located strategic sites.
24. Similarly, that part of the strategy to facilitate development in locations where it can positively affect communities where multiple indices of deprivation are prevalent (the Regeneration Priority Areas (RPAs)), should not be unduly weakened by a more dispersed pattern of growth. The Plan identifies five focused RPAs (four former mining villages and Holme Hall) and it is clear from the baseline evidence in the SA (including the spatial overview at Section 3.2 of SA) that these are appropriate parts of the Borough to focus regeneration, including through additional plan-led development. There is a justified need to diversify housing stock in these areas, address significant unemployment and deprivation issues, increase population to support and sustain local services and in the case of the former mining communities in the eastern villages to align additional housing growth to the strategic employment at nearby Markham Vale. Overall, we find the identification of the RPAs within the spatial strategy as locations where additional development will be promoted (considered in detail separately under Issue 3 below) to be a justified and effective approach.
25. In contrast to the 2013 Core Strategy, which contained a similar strategy of concentration and regeneration (Policy CS1), the plan realistically recognises that a balance must be struck between maintaining effort on key sites whilst also ensuring sufficient land is deliverable to meet development needs, especially in the short term. Accordingly, appreciable areas of greenfield land are proposed for allocation to achieve this and to improve housing markets in those parts of the Borough where new housing can assist regeneration efforts and diversify the housing stock. In this context, an alternative strategy to disperse growth further, including additional greenfield land releases would harmfully dilute the justified continuation of a concentration and regeneration strategy, which is now yielding results with significant benefits for the wider area.
26. The strategy of seeking to accommodate growth within walking distances of centres is, in principle, justified recognising the twin objectives of securing

modal shift and improving public health. In assessing potential allocations in the plan there is little evidence that the Land Availability Assessment (LAA) methodology, as the starting point, has applied the 800 metre (m) walking distance benchmark, with accessibility being determined, with the input of Derbyshire County Council (DCC), on broader measures including general accessibility to services and highway safety. SA does apply an 800m walking threshold on the pool of preferred and reasonable alternative sites and as an element of looking at the sustainability of site options. We find this a reasonable approach in ensuring that proposed allocations are better aligned to the objectives of modal shift and improving public health as part of a planned pattern for sustainable development. Moreover, we are able to come to this view on the basis that the Plan, as subject to SA, identifies sufficient land supply opportunities for housing within the 800m walking distance.

27. Policy LP2 on the principles of the location for development would allow for additional development to come forward where it would maximise opportunities for walking, cycling and the use of public transport. As set out above, the principle of embedding new housing within walkable communities remains a justified approach. The reference to the expectation that further new residential development should be within an 800m walking distance is, however, too prescriptive and would not appropriately reflect qualitative matters (such as gradients, busy roads and the environment of the pathways). Accordingly, the 800m reference should be removed together with the accompanying text at paragraph 2.16 and reference should be made to the Council's Residential Design Supplementary Planning Document (SPD) which provides further guidance on walkable neighbourhoods. **MM11** and **MM12** would do this and we recommend them for effectiveness.
28. To further clarify the broad strategy of the plan in spatial terms, the plan should contain a key diagram. **MM2** would remedy this and we recommended it for consistency with national policy (NPPF paragraph 23).

Strategic Gaps and Green Wedges

29. The plan proposes six strategic gaps and three green wedges, all of which are to be protected from development. Strategic Gaps are primarily a landscape and character designation intended to maintain the identify of individual settlements, avoid coalescence and to support the appreciation and wider perceptual benefits of open countryside. Green Wedges serve to provide access to countryside where it extends into the urban fabric of Chesterfield. Both designations are carried forward from the 2013 Core Strategy and have been reviewed for this plan in the 2016 Ove Arup Study [document EV17].
30. In terms of consistency with national policy, protecting the natural environment is a key strand of achieving sustainable development as set out in paragraph 8c of the NPPF. The NPPF also advises, at paragraph 20d that strategic policies should conserve the natural environment including landscapes and green infrastructure. Paragraph 170 of the NPPF states that planning policies should recognise the intrinsic character and beauty of the countryside. We have also been directed to a recent appeal decision³ in the

³ APP/A1015/W/19/3223162

Borough which considered that the Strategic Gap designation was broadly "consistent with the aims of the Framework to promote local distinctiveness."

31. The methodology for reviewing the delineation of the Strategic Gaps and Green Wedges is logical and consistent, including the various proposals to either remove or add areas from these designations. The Strategic Gaps are not overly extensive, particularly if the objective of being able to appreciate a sense of open countryside between the distinct but closely related communities of Chesterfield, Tapton, Brimington, Inkersall, Staveley and Mastin Moor is to be maintained. In many cases the gaps involve relatively narrow bands of verdant, undulating countryside containing tributary valleys from the River Rother. These gaps provide a strong sense to the setting of these settlements, which are generally to be found on the higher land. This can be appreciated from the various rights of way that are available across the gaps and from the A619 as it passes through these communities. It is therefore justified to provide a particular degree of protection for this part of the Borough. It is also important to note that the ability of the plan to secure a sustainable pattern of development to meet identified needs would not be inhibited by either the proposed Strategic Gap or Green Wedge designations.
32. There are a small number of instances where the Policies Map needs to be amended, including: the Brimington and Tapton gap (SG1) to reflect the recent appeal decision and the latest landscape evidence from the Council [document EX.CBC.017]; the Ringwood and Hollingwood Gap (SG2) to reflect the extant planning permission west of Bevan Drive and to exclude the paddock area at Troughbrook Road as part of the amended H5 allocation; and Loundsley Green Road (GW2) to reflect the area that now has a reserved matters consent for 13 dwellings. It would be a matter for the monitoring of the plan and the latest evidence at the time of any plan review to determine whether the Strategic Gap and Green Wedge boundaries should be further altered.

Site Selection Process

33. The site selection process follows a LAA methodology which has been developed to ensure consistency across the HMA [document KSD14]. Nearly 430 sites have been assessed through the LAA process based on a call for sites in January 2016 and other sources of data. We are satisfied that reasonable efforts have been made to identify potential sources of supply.
34. The LAA methodology follows a two-stage initial filtering process, including a consideration as to whether particular constraints could be mitigated. From the sieving process some 95 sites were identified as being deliverable or developable. The Council has prioritised those deliverable sites that are on previously-developed land, those that are located within Regeneration Priority Areas and those sites that best accord with the strategy of concentration and regeneration. Provided the outcome is an adequate and sustainable deliverable supply of land to meet identified requirements, we consider the Council's approach to the prioritisation of suitable and available sites to be justified and consistent with the sound spatial strategy.
35. There will always be some disagreement around the site selection process but the judgements applied by the Council in assessing the sites have been

reasonable and transparently set out. Site selection can be a finely balanced and multi-layered exercise but the portfolio of sites that have advanced through the LAA stages have been further assessed through SA which has appropriately considered the proposed sites and reasonable alternatives. This is principally presented for housing sites, which is the area of particular concern, at SA Tables 5.6-5.8 and Appendices I and J [document SD3 and updated addendum SD5]. We consider the combined approach of the LAA and SA in demonstrating sustainable and deliverable / developable sites have been selected to be robust and therefore justified.

36. Overall, we are satisfied that the selection of sites has been carried out on an appropriate basis, and that the Council have met the requirements of the LAA methodology and the relevant PPG⁴ chapter.

Conclusion on Issue 1

37. In conclusion, subject to the above-mentioned MMs, the plan period and the plan's spatial strategy and its approach to Strategic Gaps and Green Wedges is justified, effective and consistent with national policy. Furthermore, the sites allocated for development in the plan have been selected using a robust and objective process.

Issue 2 – Whether the plan's housing requirement figure is justified and consistent with national policy.

38. The Plan was submitted for examination after 24 January 2019 and so the starting point for evaluating the minimum number of homes needed is an assessment of local housing need (LHN) using the standard method.
39. As part of the examination the Council has submitted an up-to-date analysis (the Icen report September 2019 (EX.CBC.015)) which sets out the LHN under the standard method and why it can be considered appropriate for Chesterfield. In applying the 2014 household projections and the latest 2018 Office for National Statistics (ONS) data on the workplace affordability ratio, the LHN figure for Chesterfield would be for a minimum of 240 dwellings per annum (dpa). We find the Icen Report to be a robust and objective piece of evidence, reflecting national policy⁵ that using LHN is consistent with the Government's objective of significantly boosting supply.
40. The housing requirement in the submitted plan was informed by the North Derbyshire and Bassetlaw Strategic Housing Market Assessment (SHMA) update of 2017. This indicated a need for at least 265 dpa based on a demographic starting point in the 2014 household projections of 204dpa which was then adjusted to reflect a combination of 10-year migration trends, household formation suppression and to account for vacant dwellings. No adjustments were made for supporting future jobs growth or in response to market signals. The SHMA update predates the NPPF and the approach of using the standard method to assess LHN. In any event, the outputs between LHN and the SHMA are not significantly different in Chesterfield. As such the

⁴ Housing and Economic Land Availability Assessment

⁵ Planning Practice Guidance paragraphs 2a-005-20190220 & 2a-006-20190220

SHMA does not provide a compelling basis for deviating from the expected LHN figure as a starting point for the housing requirement.

41. We are mindful that the PPG states that a housing need figure higher than the standard method can be considered for example where there are particular growth strategies or unmet need from neighbouring authorities or where a recently produced SHMA significantly exceeds output from the standard method (PPG, paragraph 2a-010). Reference has been made to the growth ambition of the SCR LEP to create 70,000 net new jobs over the period 2015-2025. This target predates recent uncertainties around the economy as well as the long-term prospects/timeframe for phase 2b of the High Speed 2 rail project (HS2). It amounts to a doubling in jobs growth against trend figures. The sensitivity testing in the SHMA identifies a significantly higher growth scenario of 330dpa to support the SCR's ambitions. However, we are now at the midpoint of the LEP period and there is limited evidence before us that the 70,000 net jobs target is on track to be delivered or remains appropriate.
42. LEPs are intrinsically very positive and aspirational about jobs growth. Accordingly, we do not consider the reference to "particular growth strategies" in the PPG to mean LEP Strategic Economic Plans per se, as to do so would not properly reflect the exactness or certainty associated with "particular growth strategies" which is emphasised in the examples given in the PPG around transformational growth deals or specific infrastructure investments. In the short to medium term we are satisfied that applying the LHN figure of 240dpa would not inhibit jobs growth necessary to support the local economy. The 240dpa includes a positive adjustment for affordability which as the PPG advises (para 2a-006) is to enable people to live near where they work and to otherwise boost the supply of housing.
43. In respect of unmet need, Figure 3 of the Icen Report provides a useful overview of the HMA and notes that collectively the SHMA identifies a need for 1,184dpa. In comparison the latest LHN figure is 1,015dpa. The Council has provided evidence of ongoing discussion through HMA Local Plan Liaison Meetings that transitioning to LHN is acknowledged provided each constituent authority meets its own needs. We are satisfied that by applying the lower LHN figure of 240dpa in Chesterfield, the wider needs of the HMA would not be harmed. References are made to unmet need from Derbyshire Dales and Sheffield City and this is dealt with in the DtC section above and not repeated here.
44. In considering the LHN figure of 240dpa, compared to the marginally higher SHMA figure of 265dpa, we are particularly drawn to the Icen Report's analysis, at Section 6, that the housing market in Chesterfield is comparatively, to other parts of the HMA, somewhat fragile. This is reflected in recent housing delivery and housing market performance in recent years. Neither new builds nor overall house sales in the Borough have recovered to pre-2008/09 recession levels. There is no evidence that land supply has been constrained in recent years, including the positive release of major unallocated greenfield sites (paragraph 1.17 of the Housing Topic Paper). As such we consider the Icen Report's assessment (paragraphs 6.3-6.6) is reliable in finding that comparatively weak market circumstances are a significant consideration in ensuring that a feasible housing requirement is set for the Borough. Whilst there are positive signals that market activity is picking-up

and key strategic previously developed sites are now coming to fruition, the LHN figure would be a more achievable foundation on which to plan.

45. The LHN figure of 240dpa would be a minimum housing target. There is no persuasive evidence in the SHMA or elsewhere that a separate and higher housing requirement would be necessary either to deliver housing for different groups in the community or to meet the need for affordable housing. This is reaffirmed at Section 7 of the recent Icen Report.
46. Bringing this together, to be consistent with national policy the housing requirement needs to be modified to apply the standard method LHN as the minimum starting point. There is no justification in this case to plan for a higher number of homes than the standard method indicates. The principal consequence of applying the LHN of 240dpa is that the housing requirement for the plan period (to 2035) would need to be amended to 4,080 homes. This is a minimum figure for the plan period 2018-2035. **MM4, MM5, MM7, MM10** and **MM14** would embed and explain the modified housing requirement in the strategic objectives, spatial strategy and strategic housing policy of the plan. We recommend them so that the plan would be justified, and consistent with national policy.

Conclusion on Issue 2

47. In conclusion, subject to the above-mentioned modifications, the plan's housing requirement based on the standard method for LHN and extended to 2035, would be justified and consistent with national planning policy.

Issue 3 – Whether the allocations for housing development in the plan are justified, effective and consistent with national policy.

48. Policy LP4 seeks to ensure the plan makes flexible housing provision and includes a number of housing allocations. The policy also allows for some limited scenarios for additional housing supply outside of the built-up areas within the overall spatial strategy of concentration and regeneration. However, Policy LP4 requires modification to ensure internal consistency with recommended modifications to Policy LP2. Moreover, to ensure clarity for the decision taker, it is also necessary that Policy LP4 is modified to define that the built-up area is set out on the policies map and includes reference to 'rural worker' at criterion (f) for consistency with national policy at paragraph 79(a) of the NPPF. This will also require the Council to geographically define the built-up area on the Policies Map. This was consulted on alongside the proposed main modifications.
49. As paragraph 11(d) of the NPPF sets out the actions that the decision maker should take in the event the Council is unable to demonstrate a five year deliverable supply of housing land it is not necessary to repeat it in Policy LP4. **MM17** would introduce all of the above modifications to Policy LP4 and we recommend it for effectiveness and consistency with national policy.

Housing Allocations

50. Table 4 beneath Policy LP4 identifies housing allocations and associated site areas and capacities. A number of the allocations now benefit from planning

permission. Whilst they remain as allocations for the purposes of Table 4 their updated planning status and delivery profile is reflected in the latest housing trajectory. Additionally, proposed allocations H22 and H24 are no longer available and these sites should be removed from Table 4 accordingly. Some of the figures in the table require modification to ensure accuracy and to reflect the most up to date information and the related policy. **MM18** would set this out, identifying both the overall capacity of the various housing sites and the capacity that would be deliverable or developable within the plan period. We therefore recommend the modification so that the LP is effective, justified and consistent with national policy.

51. We now turn to assess the individual housing allocations to assess whether they are deliverable or developable and whether the estimated capacity is justified. The figures in brackets represent the site capacity as per the submitted plan.

Site H35 Land South of Worksop Road, Mastin Moor (400 dwellings)

52. At 20ha this is one of the larger sized allocations in the plan. Notwithstanding the edge of settlement location, the site is well-related to services and facilities and to the nearby Markham Vale strategic employment site. As submitted the overall density would not represent an efficient or effective use of land at a sustainable location and so would be inconsistent with national policy on this basis and therefore not sound.
53. Outline permission was refused for 650 dwellings at the allocation in October 2019. Notwithstanding this and despite the increased number of dwellings, the reason for refusal does not raise any technical issues or infrastructure issues (including highways related) and relates primarily to policy conflict with the Core Strategy which does not allocate the site for development. The quantum of development tested by the SA was for 600 homes, which is not materially different to the figure associated with the refused application. As such, the evidence, including SA, indicates that the capacity should be amended to a justified and more positively prepared capacity of 650 dwellings.
54. The allocation would secure a new local centre with community facilities and health facilities and would make a substantial contribution to housing need over the plan period. It would also help address deprivation within the Regeneration Priority Area (RPA), rebalance the local housing stock and take advantage of employment opportunities arising at nearby Markham Vale. These factors would outweigh the landscape character effects associated with the allocation. Subject to satisfactory mitigation measures, the evidence does not indicate any significant barriers and the allocation is developable in the plan period. Following the refusal of permission at the site, the Council have sensibly delayed housing contributions anticipated from the allocation until 2023/24. Based on the discussions at the hearing and the technical evidence preparatory work associated with the recent application at the site, this appears to be a reasonable expectation.
55. We therefore recommend as part of **MM18** that the capacity of Site H35 is increased to 650 dwellings so that the plan is justified and effective.

H34 Land South of Tom Lane, Duckmanton (400 dwellings)

56. An outline planning application is pending at the site, wherein the number of dwellings has been reduced to 275 to reflect landscape, topography and urban design considerations based on a more detailed analysis of site conditions and context. This, alongside policy mechanisms within the Plan, would ensure that an appropriate number of houses would be delivered at the site. Consequently, we recommend that Table 4 be modified as part of **MM18** to present a lower capacity of 275 dwellings at Site H34 as being justified and effective.
57. In the absence of any objection from the Highway Authority (DCC), and policy mechanisms available to the Council to secure any necessary highway mitigation, in principle the allocation would not have an unacceptable effect on highway safety or a residual cumulatively severe impact on the road network. Similarly, based on the available evidence and mechanisms available to secure any necessary mitigation, the allocation in principle would be acceptable in terms of flooding, sewerage network capacity and secondary school capacity. The outline application has been pending for some time although based on the hearing discussion the site applicant is working with the Council and DCC. The available evidence indicates that the allocation is developable within the plan period. Indeed, the early stages of construction now underway at nearby allocation H26, confirm that the local market conditions for housing development at Duckmanton appear to be favourable.

H33 Land at Linacre Road, Holme Hall (300 dwellings)

58. This Council owned site is in the latter stages of being sold to a developer, and although it does not have Supplementary Planning Document status, a masterplan that has been subject to community involvement has been adopted by the Council. The allocation would support the vitality and viability of services and facilities at Holme Hall and help address deprivation associated with the RPA. The allocation would increase traffic along Chatsworth Road and Newbold Road but we note the SoCG between the Council and DCC as highway authority. We also note that additional site investigations are to be undertaken to confirm locations of Bell Pits. However, overall, no insurmountable constraints or infrastructure issues are identified and although unlikely to form part of the five year deliverable housing land supply, the site would be developable within the plan period.

H31 Varley Park, Poolsbrook (175 dwellings)

59. The allocation would support the Poolsbrook RPA. Planning permission has been granted for 175 dwellings at the site, 100 of which are anticipated to be delivered within the five-year period. Early preparatory works are underway at the site, and the evidence indicates that the delivery trajectory is realistic.

H36 Land at Inkersall Road (400 dwellings)

60. The Council anticipate that this allocation would deliver housing from 2022/23 onwards, yielding 150 units within the first five years of the plan. The site offers two outlets for future developers and we find the proposed trajectory for delivery at H36 to be reasonable on this basis. A resolution to grant outline planning permission for 400 dwellings subject to a Section 106 agreement was

made whilst the plan was in examination, reaffirming the anticipated delivery timescales. No concerns have been raised by DCC in respect of highway or flood risk matters, with mitigation proposed. The Design and Access Statement and masterplan layout indicates that the loss of good quality agricultural land would be minimised, that pedestrian and cycling access points would be provided and identifies walkable accessibility to services and facilities. A range of technical documents have been produced to support the developability and deliverability of the site (including matters such as transport, landscape effects, built heritage, flooding and land contamination Assessment) and a range of infrastructure is contained within the site boundary.

H30 Former Walton Works (150 dwellings)

61. The allocation would secure the future conservation of the heritage asset by involving enabling works in relation to the Walton Works Mill Building, a Grade II* building considered to be 'at risk'. The site is also located within a conservation area. A planning application involving mixed use development at the site has been pending for some time, with the Council resolved to grant planning permission, subject to the completion of a Section 106 agreement. The Council explained that the applicant is still keen to pursue the scheme. However, we are cognisant of the complexity of such schemes and the time elapsed to date. As such although not deliverable within the next five years, the allocation is considered to be developable over the plan period.

H32 Bent Lane, Staveley (140 dwellings)

62. The site is adjacent to Norbriggs Flash Local Nature Reserve and a functional flood zone. However, the majority of the site is located within Flood Zone 1. The Council seek to dispose of the site in 2020 with flood risk and access constraints to be resolved prior to commencement. Access to the site would also require highway improvements and the full adoption of Bent Lane. No significant constraints have been identified that could not be addressed by suitable mitigation. To reflect surface water flooding constraints at the site and the proximity of the Local Nature Reserve, the net developable area of the allocation has been slightly reduced however it remains sound that the capacity remains as 140 dwellings. We find the trajectory is reasonable in not anticipating any delivery within the next five years but considers the allocation to be developable over the middle part of the plan period starting in 2025/6.

H27 and H28 Land at Walton Hospital (150 dwellings combined)

63. Both sites were allocated in the 2006 Replacement Chesterfield Borough Local Plan and have been the subject of lapsed outline planning permissions. However, Homes England now own the vacant sites and thus have control of their delivery, with the appointed developer required to deliver at pace. The evidence indicates that the sites are deliverable and should be included in the five-year period.

H19 Former Ash Glen Nursery and H25 Former Boat Sales, Sheffield Road, Unstone (78 dwellings combined)

64. Both allocations would comprise the re-use of previously developed land and bring wider regeneration benefits as set out in the Policy LP2. A minor part of

allocation (H25) is within flood zone 3a. However, outline planning permission has been granted at the site and a reserved matters application is pending for 50 dwellings (all affordable) with funding secured from Homes England. Overall, we are satisfied that allocation H25 is deliverable within the five-year period. Allocation H19 has been the subject of pre-application discussions and given the absence of any significant constraints or infrastructure requirements we find the site is developable within the plan period.

H21 Staveley Canal Basin (36 dwellings)

65. A large proportion of the allocation is located within Flood Zone 2, although the Council highlight that the flood map is out of date with flood risk reduced by the canal infrastructure. In addition, we note the Environment Agency have raised no objection to the allocation. The site is owned by Derbyshire County Council who are in the process of producing a Planning Brief, with a mixed-use scheme comprising residential and commercial development envisaged. A revised anticipated capacity of 90 dwellings, all of which would be delivered within the five-year period, is based on the emerging planning brief. No significant constraints or infrastructure requirements have been identified and the allocation would support the wider restoration of Chesterfield Canal, offering facilities for users. With a planning brief in progress and the site access and basin already delivered, the allocation is deliverable within the five-year period as anticipated by the Council, although the capacity should be increased in Table 4 as set out in **MM18**.

H15 Former Goldwell Rooms (25 dwellings)

66. Part of the site benefits from planning permission for a 71-bed care home and planning permission has been granted for the remainder of the site. The site has been subject to a planning brief document, is owned by a developer, and no significant constraints or infrastructure requirements have been identified. We are satisfied the allocation is deliverable within the five-year period as envisaged by the Council. The calculation of 70 dwellings from the allocation is based on the methodology set out in the Planning Practice Guidance⁶ and so the capacity of the allocation in Table 4 should be amended accordingly as per **MM18**.

Strategic Sites (except SS4 Markham Vale – see Issue 6 below)

67. Policies SS1 – SS7 of the Local Plan allocate seven Strategic Sites seeking to deliver a variety of uses, most of which include housing. The soundness of each allocation, together with its contribution to the housing trajectory, is dealt with in turn. Site SS4 which is entirely employment related is considered elsewhere in this report at Issue 6.

Policy SS1 Chesterfield Town Centre (including 100 dwellings)

68. Chesterfield Town Centre serves a large catchment area and Policy SS1 would ensure a coordinated approach to development outside the town centre boundaries allocated by Policy LP9. However, the policy requires revision to clarify that subject to other relevant policies the Council will support planning

⁶ Reference ID: 63-016a-20190626.

applications that contribute to the criteria set out in the policy, including a reference to housing to ensure consistency with the wider ambitions of the policy. This modification is also recommended for clarity in respect of the approach towards retail proposals outside the Chesterfield Town Centre Primary and Secondary Shopping areas, to confirm the status of the map included on page 92, to ensure that the supporting text to the policy is up to date and to include an insert plan to show the location of Spire Neighbourhood. **MM50, MM51 and MM52** would do this and so we recommend them for effectiveness.

69. Spire Neighbourhood is anticipated to accommodate 100 dwellings. This area includes a number of public car parks and a paint merchants use. However, the Council own the majority of the site and the policy would require assessment of any public car parking lost and, if necessary, compensatory provision. However, it is necessary to make this requirement clear to ensure policy effectiveness. **MM52** would do this and we recommend it accordingly. In light of the forthcoming masterplan work and existing use of the area, housing from Spire Neighbourhood is more likely to come forward outside the first five years of the plan. The plan's housing trajectory therefore takes a reasonable approach to profiling the site.

Policy SS2 – Chatsworth Road Corridor

70. This Strategic Site encompasses a district centre, employment premises, residential use, a conservation area, Walton Works (Grade II* listed building) and vacant sites south of Chatsworth Road. The policy would ensure an integrated approach to development within this area. However, as other considerations may apply, **MM53** is necessary to establish that the Council will support development proposals that contribute towards the criteria within the policy. For clarity, this modification would also identify housing allocation H30 (which is within the SS2 area) and the adjacent employment allocation made in Policy LP7. The extent of the SS2 area should also be identified on the policies map to ensure clarity for future applicants and decision takers. Based on Policy LP22 great weight should be afforded to the heritage significance of the Walton Works within the SS2 area.

Policy SS3 Chesterfield Waterside and the Potteries (including 1000 dwellings)

71. This is a high-profile strategic site close to the town centre and railway station. For effectiveness, as other criteria may apply to development, Policy SS3 should be modified to set out the Council will support development proposals rather than stating that planning permission will only be granted for development that meets the listed criteria. Criterion c) also requires modification to ensure that the allocation reflects the existing site consent for up to 1550 dwellings and other uses. For effectiveness the latest approved version of the master plan should be included at page 98 of the plan. We therefore recommend **MM54 and MM62** to achieve these changes.
72. The allocation benefits from outline planning permission. Following this, the site was allocated in the Core Strategy. Time has passed since both of these milestones, however, good progress has been made in bringing the site forward. A number of planning conditions associated with the outline permission have been discharged. In addition, following the approval of a

reserved matters application, Avant Homes are on site undertaking preparatory work for the development of 173 homes. The council have also been in pre-application design discussions regarding reserved matters relating to a development of approximately 314 apartments. Pre-application discussions have also been undertaken for a further part of the site that has capacity for 200 to 300 residential units. Overall the above factors indicate that the allocation will deliver within the five-year period as anticipated by the Council. The wider allocation would be developable over the plan period such that Table 4 of the plan should be revised to show that 1,100 units of the 1,550 site capacity are likely to be built within the plan period, reflecting the latest evidence.

Policy SS5 Staveley and Rother Valley Corridor (150 dwellings)

73. This Strategic Site (approximately 187 ha) seeks to achieve the mixed use regeneration of mostly vacant former industrial land by delivering a variety of uses, including approximately 1,500 dwellings (150 of which within the latter end of the plan period), employment land, a local centre, and wetland habitat. The allocation also seeks to accommodate the Chesterfield to Staveley Regeneration Route (CSRR) and the Infrastructure Maintenance Depot (IMD) in association with HS2. The allocation lies within the vicinity of Barrow Hill where, alongside other communities, the community have been particularly economically and socially affected by the decline of industry that previously occupied the allocation site. A sizeable body of evidence has been developed over the years in association with an Area Action Plan at the site. Although this was not progressed further, the site was subsequently allocated in the CS.
74. The allocation is an opportunity to regenerate previously developed land, address deprivation, and meet long term housing and employment needs. We acknowledge that the allocation is subject to a number of constraints and infrastructure requirements, which include matters relating to contamination, flooding, heritage and biodiversity. Nonetheless two outline planning applications are pending for development at the central and western parts of the allocation. Also based on discussions at the hearing, we are satisfied that viability matters would not preclude the principle of development here.
75. Additionally, with a growing body of evidence for the site, there are no insurmountable constraints or insuperable infrastructure requirements that have been identified by consultees. However, we recognise that the allocation comprises a large area subject to a range of constraints and note matters relating to the CSRR and HS2 need to be progressed. Such circumstances indicate that housing would not be delivered at this site until very late in the plan period, as recognised by the Council in the housing trajectory. At this stage the allocation is considered developable although a future plan review would provide an opportunity to re-appraise the situation should matters progress faster than anticipated.
76. Turning to the policy itself, a number of modifications are required to ensure it is effective and consistent with national policy. Firstly, references under each character area to 'planning permission will be granted for.....' should be revised as the criteria listed are unlikely to be exhaustive. Also, clarity is needed in relation to the requirement for a transport assessment at criterion ii) and the implications of the HS2 IMD at bullet point 2 of the Hall Lane Character Area.

For clarity, it should be indicated that the site layout at page 107 of the plan is for illustrative purposes only. As housing is now expected from the allocation within the plan, modification to the supporting text at paragraph 3.7 of the plan is also required. Alongside delivering other minor revisions to improve clarity, we recommend **MM55** and **MM56** as being necessary for effectiveness and consistency with national policy.

Policy SS6 Land at Dunston (500 dwellings)

77. A large greenfield site to the west of the borough, SS6 has the potential to make a significant contribution to housing supply and support a new local centre to serve the development. Reserved matters applications have been approved for phase 1 of the eastern part of the allocation, which has already delivered a number of homes and which is anticipated to deliver another 199 dwellings within the first five years of the plan. Phase 2 of the allocation (to the west) does not benefit from planning permission but is projected to deliver 100 dwellings within the first five years of the plan. However, the discussions between the landowner, the Council and County Council on Phase 2 are advanced, and a signed SoCG between the landowner and Council [SCG10] has been submitted to support the suitability and deliverability of the allocation. The allocation could provide two outlets for developers, which would ensure phases 1 and 2 could be built out concurrently. With phase 1 already under construction, the technical evidence produced to date, and the signed SoCG, the trajectory to secure permission and commence construction of phase 2 from 2022/23 onwards is realistic.
78. In respect of highway matters, we note the SoCG between the Council and DCC. No significant constraints or infrastructure requirements have been identified and consequently the allocation is deliverable and then developable over the plan period as anticipated by the Council. However, to ensure that the policy is effective it is necessary to clarify that the scale of the allocation (the remaining balance) would be 500 dwellings and that acceptable access arrangements, appropriate walking and cycling provision, heritage asset mitigation and provision of a new primary school would be required. We have slightly amended the criterion on heritage assets to ensure the wording better reflects national policy. **MM57** would do this and we recommend it accordingly. Table 4 should also be amended to reflect the overall capacity of the site is increased to 799 dwellings as per **MM18**.

Policy SS7 – Chesterfield Railway Station

79. This Strategic Site seeks to improve accessibility to and from the railway station, including by safeguarding a route for a link road between Hollis Lane and Crow Lane and for improvements to the pedestrian bridge over the A61. The policy also appropriately seeks to maximise regeneration benefits likely to stem from future HS2 services. The delineation of the area to which Policy SS7 applies appropriately reflects those areas of under-utilised land around the station where access improvements and overall enhancements to the station environment as a gateway to the town are envisaged. It is a suitably focused area, recognising the proximity of adjoining sites SS1 and SS3 which will bring forward complementary strategic town centre and edge of centre development. Additional masterplan work is being undertaken for the SS7 area, which the Council envisage would inform an SPD. We consider this an

appropriate way forward to ensure development on land within SS7 suitably responds to adjoining strategic areas of change.

80. To ensure that the policy is effective and clear, it is necessary to set out that the Council will support development proposals that contribute to the criteria set out in the policy and to include a requirement relating to archaeology and inclusive access. For clarity, some of the supporting paragraphs also require modification to reflect the current position in respect of the masterplan and HS2 and to cross refer to other relevant LP policies. **MM59** would make the plan effective in this regard and we recommend it accordingly.

Regeneration Priority Areas (RPAs)

81. Policy RP1 seeks to guide the sustainable development of five designated RPAs covering Barrow Hill, Duckmanton, Holme Hall, Mastin Moor and Poolsbrook. The geographical extent of the RPAs and the allocations within them would deliver this aim and appropriately reflects the evidence. To ensure that the policy is clear, effective and justified, it is necessary that it specifies that a master planned approach applies to major development, responds to the latest position regarding community facilities and services, specifies which residents should be provided training and employment opportunities, and set outs that development should take account of the cumulative impact on the wider highway network. As the housing figures given are not maximum numbers, subsequent applications would be judged on their own merits and accompanying evidence. Therefore, the reference to exceeding housing growth in Policy RP1 is not justified and therefore not sound.
82. For clarity, cross references to the housing allocations and updated likely number of dwellings is also necessary, including the increased capacity at Site H35 at Mastin Moor. References to design, conserving or enhancing heritage assets within the RPAs and other minor changes to policy criteria are necessary to provide clarity for the decision taker and consistency with the NPPF. We have fine-tuned the proposed main modification to introduce 'significance' in respect of those RPAs where heritage assets are relevant. All of the above required modifications to Policy RP1 are addressed by **MM49** which we recommend for effectiveness and consistency with national policy.

Conclusion on Issue 3

83. In conclusion, subject to the above-mentioned modifications, the plan's allocations involving housing development, would be justified and consistent with national planning policy.

Issue 4 Whether the plan's policy framework for meeting the various housing needs and types in the Borough, including the accommodation requirements of gypsies and travellers, is justified and consistent with national policy.

Mix of Housing

84. Policy LP5 seeks to ensure a range of housing types in developments, including affordable housing, adaptable and accessible housing and housing for older people. A recommended size mixture of housing is contained in a table at paragraph 3.10 of the LP, which is taken from the SHMA. However, as the

table relates to the wider housing market area, it would not specifically relate to the borough area and thus should be removed. This aside, the Council state that this evidence will be updated. As such, to ensure effectiveness, the policy should set out that it will seek a range of dwelling types and sizes based on the Council's most up to date evidence, including based on the location and characteristics of the area to reflect the recommendations of the SHMA.

MM19 and the first part of **MM22** will achieve this and so we recommend them in order for the policy to be effective and consistent with national policy in meeting the housing needed for different groups in the community as anticipated in the NPPF.

85. The plan does not make specific provision for new or expanded managed sites for residential static caravans. Nonetheless, we are satisfied that the development management policies in the plan provide a suitable framework for assessing individual proposals. In terms of the adequacy of the evidence base on the extent of any need for such accommodation, we consider that the current work to undertake a wider accommodation assessment of all caravan needs in accordance with Section 214 of the Housing and Planning Act 2016 across Derbyshire is the appropriate way forward and that the adoption of this plan should not be unduly delayed to await its outcome. The law requires Council's to consider the need to review their plans every five years and we would expect the outputs of the Derbyshire-wide caravan assessment to be part of the consideration as to when the Council reviews the plan.

Affordable Housing

86. Whilst the 2017 SHMA estimates a potential small surplus of affordable housing in the borough over the Plan Period due to the likely scale of re-let supply, the SHMA also states that the annual affordable housing need in the short term (over the next 5 years) is 42 dwellings per annum. Consequently, a zero requirement for affordable housing could result in a shortfall of affordable housing supply in the first five years of the plan. In this context, alongside the relatively modest proportion of affordable housing sought and the potential for plan review, the need for a policy to require affordable housing provision is justified and consistent with national policy. However, Policy LP5 as submitted in requiring "up to 20%" affordable housing provision on qualifying sites of 10 units or more, lacks precision or certainty, it would not be effective and therefore would not be sound.
87. Options around affordable housing provision, including the previous Core Strategy requirement of 30%, have been tested as part of the Whole Plan Viability Assessment (WPVA). The WPVA has recommended different requirements based on varying degrees of viability across the borough, broadly aligning with the CIL charging zones. This results in a more nuanced approach ranging from 0% in the most challenging viability zones to as much as 20% in those parts of the Borough where sales values and site conditions can support a higher provision. **MM22** would incorporate this in Policy LP5 and we recommend the zonal approach and sliding scale of affordable housing so that the plan is justified, effective and consistent with national policy.
88. Furthermore, to ensure housing delivery is not compromised, a further modification to Policy LP5 as part of **MM22** would be necessary to cover the defined situations where a lower proportion or different mix of affordable

housing types would be considered. This would ensure that the parameters for further viability testing are regulated given that the WPVA has reasonably tested the viability of affordable housing for the purposes of ensuring the policy requirements of the plan do not inhibit its delivery.

89. NPPF paragraph 64 sets out that for major housing development, planning policies should expect at least 10% of the homes on the site to be for affordable home ownership unless this would significantly prejudice the ability to meet identified needs. The 2017 OAN Update [EV26] indicates that additional social rented affordable housing should be sought as it is more affordable and accessible to households. It also sets out that owing to lower deposit requirements and overall costs, shared ownership would be the most appropriate form of affordable housing ownership. These factors justify the affordable tenure types sought and **MM22** would clarify that 90% of affordable housing provision is to be social rented products and 10% in the form of affordable home ownership.

Housing for older persons and persons with mobility impairments/disabilities

90. The evidence indicates that the proportion of over 65-year olds in the borough is above the national average and that this will grow over the plan period. Coupled with this are long term health problems and disability levels that are above the national average and which are also projected to grow across the borough's population. Similarly, the number of people claiming disability living allowance is also above national average levels. The Borough is also nationally one of the most deprived for health and disability indicators in terms of the Indices of Multiple Deprivation. In addition, on a Borough level a low proportion of housing stock is of wheelchair standard.
91. The evidence in the 2017 SHMA indicates an annual need of 50 specialist dwellings for older people, 14 wheelchair adapted homes, and 21 registered care bed spaces. More recent evidence of older persons housing needs to 2035 prepared by DCC indicates an approximate need for 281 additional purpose-built dwellings for older persons and 336 housing with care units over the plan period. We are also cognisant that older people may not want specialist care and may wish to stay or move to general housing that is already suitable or which can be adapted for their mobility.
92. In terms of housing for older persons, the plan as submitted, pre-dates recent evidence from DCC and is generally limited in its policy content and approach in Policy LP5 to housing for this part of society. As such the plan would not be effective or consistent with paragraph 61 of the NPPF. **MM20** would necessarily provide additional, comprehensive text and data on latest housing needs for older persons in the Borough. The final part of **MM22** would expand content in Policy LP5 to clarify the circumstances in which proposals for older persons accommodation would be permitted, including on sites allocated for residential development in Table 4 to Policy LP4. Accordingly, we recommend both these MMs.
93. The M4(2) standards have been viability appraised with an allowance of £500 per unit applied to 10% of residential units tested. Whilst this is below the proportion of M4(2) dwelling sought by the policy, considering the exceptions set out to this requirement, the viability testing gives a reasonable conclusion

that the optional M4(2) standard at 25% would be broadly viable and unlikely to impede housing delivery. Although much of the Council's assessment of existing housing focuses on social housing stock and indicates a higher proportion of need for M4(2) standards for such properties, the case to diversify housing stock in the borough is nonetheless compelling. The 25% provision sought is a reasonable point for the requirement and it would be for monitoring to inform plan review as to whether this % should be adjusted (up or down).

94. Policy LP5 as submitted is however less than clear in its requirements for adaptable and accessible homes nor is it consistent with national policy in requiring 10% of affordable housing provision to be built to the M4(3) wheelchair accessible standard. Accordingly, the supporting text and that part of Policy LP5 relating to the optional standards needs to be modified to separate and clearly identify that the M4(2) standard is to be sought on 25% of units on all schemes of 10 dwellings or more. It also needs to clarify that the higher M4(3) standard will only be sought where the Council is responsible for allocating or nominating a person to that affordable household, where an identified need exists, and subject to negotiation and consideration of viability and suitability. **MM21** and the final part of **MM22** with achieve all of the above and we recommend them accordingly to ensure that the policy is consistent with national policy justified and effective.

Gypsy and Travellers and Travelling Showpeople

95. The Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment 2015 (GTAA) [Document EV28] assesses the need for permanent pitch and transit site provision for Gypsies and Travellers and plot requirements for Travelling Showpeople over the period 2014-2034. The requirement for Chesterfield Borough is four permanent Gypsy and Traveller pitches between 2014 -2019. This has been met through the granting of recent planning consents for five private pitches on land at Hady Lane, Chesterfield. The GTAA identifies no further permanent pitch or transit site need for Gypsies and Travellers over the remaining 2019-2034 period. In addition, no accommodation needs for travelling showpeople were identified within the GTAA. Accordingly, **MM24** to Policy LP6 and **MM23** to its supporting text are necessary to reflect the current position that identified needs have been met and to include a reference to the 2015 national Planning Policy for Traveller Sites (PPTS).
96. The GTAA evidence shortly preceded the change in planning definitions for Gypsies and Travellers in the 2015 PPTS to exclude those who had permanently ceased to travel. The GTAA is a comprehensive piece of evidence drawn across a wide geographical area and based on thorough bespoke primary data collection exercises including surveys and interviews. We are satisfied that for the purposes of this plan, in the short to medium term, that the needs of those who meet the current PPTS definition have not been underestimated. In terms of wider caravan needs, including those who have permanently ceased to travel, the Council and neighbouring authorities are currently in the process of producing a new GTAA that would respond to the requirements of Section 124 of the 2016 Housing and Planning Act. Dependent on the outcome of the assessment when complete, this matter should form part of a plan review.

97. In the above circumstances, the use of a criteria-based approach in Policy LP6 to guide planning applications for Gypsy and Traveller pitch provision is appropriate as set out in the PPTS. However, it is necessary to remove the reference to the 'Designing Gypsy and Traveller Sites Good Practice Guide 2008' (which is no longer extant), a superfluous reference to Local Green Spaces, an unjustified reference requiring development to be on unallocated land, and the need to meet other relevant Local Plan policies, as the plan would be read as a whole. However, it is not necessary for soundness to delete criterion h) in relation to flood zone 3. **MM24** would achieve this and we recommend it for effectiveness.

Conclusion on Issue 4

98. In conclusion, subject to the above-mentioned modifications, the plan's policy framework to meeting the various housing needs and types in the Borough, including the accommodation requirements of gypsies and travellers, is justified and consistent with national policy.

Issue 5 – Whether the plan provides for an adequate and ongoing supply of deliverable and developable housing land.

99. As set out in Issue 2 the modified plan period housing requirement figure of 4,080 would be justified. It should be phased across the modified plan period to 2035 at a steady 240dpa. On submission, the plan did not contain a housing trajectory or adequate transparency on the components of supply or how performance against a requisite deliverable supply should be measured. As such, the plan would not be justified, effective or consistent with national policy (NPPF paragraph 73) and therefore unsound.

100. Since the start of the plan period, 212 dwellings were accurately recorded as being completed in year 1 (2018/19) resulting in a modest shortfall of 28 dwellings. In considering supply, we have worked forward from the latest monitoring base date of 2019/20. Whilst the spatial strategy relies to an appreciable degree on a small number of strategically sized previously developed sites, the plan judiciously recognises the risk and lead-in times for the most challenging sites. Accordingly, the plan takes a positive but realistic approach to those sites where ongoing preparatory work and funding means there is now a credible prospect of early delivery but also allocates a range of small and medium allocations, including numerous greenfield sites, to boost supply in the short to medium term. Accordingly, it is justified that the modest shortfall is recovered within the first five years rather than over the plan period.

101. Housing delivery in Chesterfield has been fragile since the economic downturn in 2008/09, averaging around 150dpa. Consequently, the performance of the housing market to build new homes has been persistently below plan target (380dpa in Core Strategy 2013). Latest assessment against the Housing Delivery Test confirms this remains the case and has necessitated a Housing Delivery Action Plan, which recognises the significance of the Plan in addressing the historic under delivery of housing⁷. This would include applying a 20% buffer to the deliverable supply (240dpa plus the shortfall) in

⁷ Table 3.1, Examination Document EX.CBC.028

accordance with NPPF paragraph 73 to improve the prospect of achieving the planned supply. Accordingly, there would need to be deliverable supply sufficient to yield 1,471 dwellings the first five years.

102. The housing trajectory, as part of the recommended main modifications, identifies that the housing supply within the plan period would comprise a combination of permitted sites without allocations (938), allocated sites (2,839) and capacity on strategic sites, including supply on SS3 Waterside and SS6 Dunston (2,149). In accordance with NPPF paragraph 70, the Council have provided compelling evidence⁸ of past windfall delivery and propose to make an allowance to extrapolate this forward. Given the wider urban area of Chesterfield and the settlements to the east we consider the proposed windfall allowance of 34dpa, to be applied from 2021/22 to avoid initial double counting, a reasonable approach. Accordingly, windfall would add 476 dwellings to the overall supply over the plan period.
103. The Council has also taken a guarded approach to all permitted sites and applied a 10% allowance for non-implementation. For the purposes of this plan that is a reasonably prudent discount which would de-risk any unexpected delays from this source of supply.
104. Taking all of this into account, the housing trajectory identifies a cumulative supply of 6,497 dwellings over the plan period, against the requirement of 4,080. The deliverable supply from 1 April 2019 would be 2,481 dwellings against the requirement for 1,471 homes. This is an appreciable buffer but would provide for flexibility in the event that risks materialise to affect delivery. This may be particularly the case given that the housing market in the Borough appears to have been historically susceptible to market fluctuations, such as the 2008/9 economic downturn when delivery dropped to around 50dpa.
105. In terms of the supply, the deliverability of key sites to the plan are considered separately in Matter 4 above. However, it is important to note here that forecast supply from strategic site SS5 (Staveley & Rother Valley) is towards the last 3 years of the plan period. This prudently reflects the deliverability evidence and is modestly set at 150 homes in total. Depending on circumstances, some earlier delivery at SS5 may well be possible, but the trajectory is justified in not relying on it. Elsewhere, the Council has, in refining the trajectory, taken a more cautious approach and re-profiled several sites so that delivery is anticipated slightly later than originally envisaged. Again, this is a justified and logical approach, particularly where informed by site statements from those promoting key sites (Appendix 6 of April 2019 Housing Land Supply Position [EX.CBC.002]). Elsewhere, the build-out rates set out in the LAA methodology are reasonable to apply in the trajectory.
106. In profiling the supply of housing, delivery is set to ramp up significantly over the next five years to levels notably in excess of recent performance. The average is just shy of 500dpa with 2022/23 yielding nearly 660 completions. Such levels of delivery are also significantly above the identified requirement, such that were there a degree of slippage in delivery in the 2019-2024 period

⁸ Appendix 4 of Housing Topic Paper

there would be appropriate headroom to mitigate this risk. At a headline level it would be understandable to have some doubts about the realism of this figure but looking bottom-up from the individual lines within the trajectory it is evident that a significant number of sites combine to achieve these figures. This includes an appreciable amount of small and medium sites, many of which already have planning consent. These are the type and scale of site that should be attractive to a variety of developers and capable of being delivered reasonably quickly, avoiding phasing or significant infrastructure (as per NPPF paragraph 68). Current, improving construction activity across the Borough gives confidence that the market can deliver these types of sites.

107. Elsewhere, deliverable supply includes initial phases on Chesterfield Waterside including consented build-to-rent apartment units, which due to their construction will yield significant numbers (over 400 units) in a short period of time. We recognise this is a new approach in the Borough, but the character and location of the Waterside site lends itself to this type of accommodation. Build to rent is recognised in the NPPF and is becoming well-established in other parts of the country. This initial investment and activity at the Waterside site provide appropriate assurance that delivery, including the build-to-rent units, would be significant in the first five years.
108. The trajectory anticipates some allocated sites contributing in the first five years (2019/20-2024/25). A number of these now have planning consent or are the subject of planning applications or proposals. Chief amongst these is Site SS6 at Dunston, which is expected to deliver 328 homes in the first five years on Phase 1 which already has permission and is well under construction. The trajectory is informed by a SoCG with the site developer and the location and scale of the greenfield site would readily sustain two outlets simultaneously for an overlapping period of around 2 years. Elsewhere larger allocated sites at Dunston Road (Site H29) and Poolsbook (H31) are now permitted and under construction and surplus public sector land at Walton Hospital (Sites H27 & H28) benefits from Homes England involvement to support delivery 'at pace'. The trajectory is justified in taking a positive outlook on delivery at these sites. Elsewhere, other larger allocated sites have generally been pushed back (mainly by 12 months) within the trajectory including the 275 homes south of Tom Lane, Duckmanton and the 650 homes at Mastin Moor. This is prudent notwithstanding various degrees of technical activity to obtain planning permission on some of these allocated sites.
109. Overall, the proposed trajectory accords with advice in the PPG (paragraphs 68-004 to 007-20190722 and 3-017 to 024-20190722) and the NPPF (including the 2019 definition of 'deliverable') on the need to demonstrate a clearly evidenced deliverable supply. Taking 2019/20 as the expected year of adoption and the latest monitoring outputs available as of 1 April 2019, as set out above, the trajectory confirms a deliverable 5-year housing land supply of 2,471 dwellings against a requirement of 1,471 dwellings on the point of plan adoption in Spring 2020. Even if delivery were not to prove to be as strong or as buoyant as profiled, there is significant headroom between the identified supply and the adjusted five year housing requirement (including the shortfall and 20% buffer). Accordingly, the plan contains appropriate resilience and flexibility to respond to changes in circumstances. Furthermore, the plan also identifies a supply of specific, developable sites for growth in years 6-10 and in years 11-15 where there is a reasonable prospect that they will come forward

in the timescale envisaged. In this context we find there are no grounds to allocate additional housing land as part of this plan.

110. As required by the NPPF at paragraph 68(a) approximately 15.5% of the housing requirement (excluding any small-scale windfall provision) would be accommodated on sites no larger than 1 hectare. This adds to our view that the plan has sought to meaningfully diversify supply to support an early boost in delivery whilst concurrently enabling strategic previously developed sites to be unlocked within pragmatic timeframes that recognise infrastructure interdependencies and necessary lead-in times.
111. In summary, the proposed housing trajectory, reflecting the latest housing requirement and the extended plan period to 2035 needs to be incorporated into the plan. **MM16** would do this and **MM67** would ensure the corresponding part of the monitoring framework would be similarly modified. Additionally, various parts of Section 3 of the plan on 'Homes and Housing' need to be amended to introduce necessary transparency on the components of the deliverable and developable supply as well as important factual updates. This would be achieved through **MM15**. In this way, the strategic policies would ensure the identification of a 5-year deliverable housing land supply from the date of plan adoption in the 2019/20 period. We therefore recommend these MMs so that the plan would be justified, effective, positively prepared and consistent with national policy and therefore sound.
112. In conclusion on Issue 5, and subject to the above-mentioned modifications, the plan provides for an adequate and ongoing supply of deliverable and developable housing land.

Issue 6 – Whether the land requirements for employment development are based on robust evidence and whether policies for employment and town centres are justified, effective and consistent with national policy.

Employment Land

113. The Borough is within an area of "overlap geography" between the functional economic areas of the SCR LEP and the D2N2 LEP (covering Derbyshire and Nottinghamshire). Chesterfield is a sub-regional employment hub for north Derbyshire with access to the A61 and mainline railway. Elsewhere eastern parts of the Borough have access to the M1 (junctions 29a and 30) and there has been a significant uptake of employment development on the former Markham Vale colliery site, an enterprise zone straddling the Chesterfield and Bolsover boundary. Between them Policies LP1 and LP7 identify a plan-led strategy to support both the Council's and the LEPs' strategies for economic growth including spatial priority areas such as Markham Vale, the A61 corridor and the Staveley and Rother Valley corridor as the key locations for employment.
114. In terms of potential barriers to economic growth the Council's Growth Strategy 2019-23 identifies that jobs growth in the Borough has not been as strong as the national average and that key sectors to the local economy including manufacturing, public services and retail, face a challenging outlook. To support economic growth, there is a need not only to release additional conventional employment land but also to look to regeneration sites, particularly those closest to the railway station, with its future potential HS2

connectivity, to improve the proportion of 'knowledge workers' in the local economy. These sites also relate well to ongoing LEP prioritisation of Chesterfield being a hub within a North Derbyshire Growth Zone, exemplified by significant investment in the A61 corridor through a £16m package of junction improvements. Accordingly, Policy LP7 appropriately reflects the economic potential of these regeneration sites.

115. The plan seeks to support the delivery of 4,200 net additional jobs by 2033, which would represent a continuation of current trends (a jobs growth rate of 6% over this period). Whilst this may appear cautious, structural uncertainties in the wider economy (for example, Brexit) and the fluid situation with HS2, means it is an appropriately realistic figure. It is also necessary to recognise that upskilling, enhanced productivity and improved economic activity rates are part of the Council and LEP strategies to meet demand for future employment. The SCR LEP has particularly bold aspirations for jobs growth but as set out above, the foundations for that scenario are now of some age. Again, plan review would be the appropriate opportunity to respond to any change in circumstances.
116. Whilst the Council's Growth Strategy places a certain emphasis on HS2, both in terms of a stopping service at Chesterfield and the potential Infrastructure Maintenance Depot (IMD) at Staveley, given the timeframe the Plan is justified in taking a pragmatic view and not over-relying on HS2. With Phase 2b of the HS2 likely to be delivered beyond the plan period, a plan review would be well placed to take stock of how the HS2 project is progressing. It is also worth noting that recent employment land take-up has been particularly influenced by the success of Markham Vale. That strategic site (which has benefitted from Enterprise Zone status) is now nearing completion and it would be unlikely that take-up rates, not just at Markham Vale but across the Borough, would continue at a similar pace.
117. On submission the plan identified a need for 44ha of employment land, reflecting an anticipated average take-up rate of 3ha per annum. The evidence in the Council's Employment Land Requirement Paper 2018-2033 is convincing in that the demand for additional land for manufacturing is likely to be low and the growth will be in sectors such as storage and distribution, financial and business services and public administration and health. The Council has looked at those jobs that would require land for 'B' class uses and applied recognised formulas for translating that employment demand into the 44ha figure. With the extended plan period to 2035, this needs to be extrapolated over 2 additional years, so that the justified, effective and positively prepared minimum land requirement would be 50ha. **MM3, MM6, MM8, MM9, MM10** and **MM25** would introduce the revised 50ha requirement at the necessary points in the plan and we recommend them all accordingly.
118. The plan would provide for a net 49ha of employment land from a combination of sites with planning permission and various land allocations at established business areas. This would be at the margins of identified need but would be sufficient to meet needs in the short to medium term. This is illustrated in an employment land trajectory provided for the examination which shows a realistic supply of just over 17ha of employment land in the next 5 years, most of which already has planning permission. We recommend the trajectory is embedded in the monitoring framework of the plan to gauge effectiveness of

the plan's employment land approach in accordance with PPG paragraph 3-02-20190722. **MM68** would do this and we recommend it accordingly.

119. In terms of the suitability and deliverability of the employment land supply identified, all of the sites have been through the LAA process and SA (section 5.13 and Table 5.14). We are satisfied that the Council has not sought to protect or safeguard land within its trajectory which has no reasonable prospect of coming forward for employment uses. In any event, Policy LP7, as submitted, provides an effective policy mechanism to consider the re-development or change of use of employment sites to non-employment uses subject to appropriate criteria.
120. In considering whether there is sufficient flexibility, we have taken account that in addition to 'conventional supply' of 49ha through established business areas, the plan also positively allocates mixed-use strategic regeneration sites of which employment is an important component. This includes sites SS1, SS3 and SS7 in and around Chesterfield town centre. There is also the policy approach to encourage a mix of uses, including employment generating uses, in the Chatsworth Road Corridor (Policy SS2). Across the Borough Policies LP7 and LP8 would provide a positive development management framework for B class uses within established business areas as well as farm diversification schemes, tourism proposals and live/work units. Additionally, the proposed Peak Resort scheme in the north of the Borough will provide a notable number of jobs in the leisure and hospitality sectors on a reclaimed opencast mining site, with initial works funded in part by £2.85m from the SCR Investment Fund.
121. On submission, Table 9 and Policy LP7 lack clarity on distinguishing between existing undeveloped employment land within established business areas that is available for employment uses (with or without permission) and land which the plan would be allocating for employment uses. For transparency the Policies Map would need to clearly distinguish them also, including the 2.5ha remaining at Prospect Park, Dunston. **MM28** would clarify the distinction and update Table 9 accordingly and we recommend it for effectiveness.
122. Overall, we are satisfied through the underpinning LAA work and sub-regional employment land review that the plan has identified, safeguarded and allocated an appropriate supply of employment land to meet the revised 50ha minimum requirement. The continued identification of Markham Vale as a strategic employment site is justified given its scale, enterprise zone status and investment and support that has enabled the former colliery site to be regenerated. Whilst only a few remaining pockets of land are left to be developed within the Borough, it is a cross-boundary strategic site with Bolsover District. The plan's approach to the site accords with the wider HMA SoCG and the separate SoCG with Bolsover District Council.
123. There remains around 8ha of supply within the Borough's part of Markham Vale to meet immediate needs. Any additional supply at Markham Vale should be considered strategically through ongoing dialogue between the two Councils. Additionally, in a Chesterfield context, there are areas of land, notably within the Staveley and Rother Valley corridor, which provide further flexibility for employment within the plan period in addition to 49ha of baseline supply. This includes land at the allocated strategic site (SS5) but also the

former Hartington Colliery site, which is currently being reclaimed and was recently a shortlisted site for train manufacture, as well as consented land at Farndale Road, Staveley. These sites have good links to the M1 via the Staveley Northern Loop Road.

124. Ongoing efforts to deliver and secure the CSRR would substantially bolster employment prospects here and enhance a part of a Borough that keenly needs to be regenerated. The plan as submitted takes a pragmatic approach to the Staveley & Rother Valley strategic site recognising that the HS2 IMD whilst an appreciable land-take would be a low-density employment use. That could change depending on how or when HS2 proceeds. A moderate and justified allowance (2ha) is made for employment use at the Works Road part of the site within the employment land trajectory. Delivery of the CSRR may well mean that the plan's prudent outlook on employment at this location could be improved but within the existing evidence base the submitted Policy SS5 provides a sound approach for future employment provision here.
125. On employment matters we are satisfied that plan sets out a clear economic strategy for the area which positively encourages sustainable economic growth and is flexible to needs not anticipated in the plan. In this way the plan accords with the requirements at NPPF paragraphs 81 and 82.

Town Centres and Retail

126. Policy LP9 defines a hierarchy of town centres, which comprises Chesterfield town centre, small town centres and district centres, local service centres and local centres, and seeks to support the viability and vitality of them. Out of centre retail locations are also recognised (retail parks and out of centre food stores) with food stores identified on the policies map. Policy LP9 in principle is consistent with national policy and would ensure sufficient flexibility for non-A1 retail uses provided they support the viability and vitality of relevant centres. However, to ensure clarity and consistency with the NPPF and the PPG the policy should set out that development should be of an appropriate scale, that main town centre uses will be supported, explain the applicability of criteria a) to f) and to simplify criterion a). Additionally, 'Sheffield Road' should be added to the list of local centres.
127. We also recommend removing references to residential uses being permitted 'normally' and 'only' at first floor level and above. NPPF paragraph 85(f) is more flexible, recognising that residential development has an important role in ensuring the vitality of centres. Initially we considered removing entirely that part of the policy on residential uses given what is at NPPF paragraph 85 but in light of the representations on proposed main modifications we have subsequently recommend retaining the section for clarity for plan users provided the words 'normally' and 'only' are removed and a qualified reference to appropriate redevelopment sites added. We do not consider the additional text materially alters the submitted policy and would be wholly consistent with national policy.
128. Bringing this altogether, **MM30** would secure of the above recommended changes. Consequently, we recommend it for effectiveness and consistency with national policy.

129. Table 12 of the Plan relates to convenience and comparison retail supply and for clarity it should set out the planning status of each site. **MM29** would do this and we recommend it for effectiveness. As planning permission has been granted for residential units on Goyt Side Road the policies map is to be modified to reflect the revised extent of the Chatsworth Road District Centre.
130. The Council's approach for proposed retail and town centre uses outside of designated centres in respect of sequential and impact tests is set out in Policy LP10. The policy seeks to depart from the default threshold for impact tests set in the NPPF (paragraph 89). The PPG⁹ sets out a list of criteria important to consider in setting a locally appropriate threshold. The Retail and Centres Study (EV35) recommends a lower threshold to trigger the requirement for an impact assessment based on the overall scale and draw of the centres, their vulnerability, the number of available opportunity sites and market patterns. On this basis and noting existing planned investment and adopted strategy (see Policy SS1 and the Chesterfield Town Centre Master Plan), the locally derived thresholds proposed are justified. However, for clarity the policy should clearly set out the locally set thresholds, include thresholds for all other locations and identify that impact assessments are required for relevant proposals that fall outside designated retail centres. **MM31** would achieve this and we recommend it for effectiveness and consistency with national policy.

Conclusion on Issue 6

131. In conclusion, subject to the above referenced modifications, the plan's requirements for employment development and policies for employment and town centres would be justified, effective and consistent with national policy.

Issue 7 – Whether the plan's development management policies for the natural and built environment are justified, effective and consistent with national policy.

Design (Policy LP21)

132. Policy LP21 covers typical development management design considerations, alongside requirements for emission reductions and for major development to make provision for public art. The Percent for Art has been a longstanding development plan requirement in the Borough. The requirement can bring economic, environmental and social benefits and it also requires the consideration of viability. However, no substantive evidence has been submitted to demonstrate this requirement would meet the statutory tests (regulation 122 of the CIL Regulations 2010) and those set out in paragraph 56 of the NPPF; particularly the test of necessity. Accordingly, it would be justified only for the policy to encourage major developments to incorporate public art where reasonable. The final part of **MM46** would do this and we recommend it accordingly.
133. Energy efficiency and water use are matters covered at the Building Regulations stage. Nonetheless, a requirement, in principle, for development to contribute towards the reduction of CO² emissions and renewable energy generation would be consistent with the NPPF, the PPG (in particular the

⁹ Reference ID: 2b-015-20190722.

section 'Design: process and tools') and the Climate Change Act 2008. However, to require a statement for all development would be unreasonable as would applying the criteria inflexibly. Therefore, Policy LP21 should be amended so that the requirements on reducing emissions apply to major development only and introduce some flexibility including matters of feasibility and viability. It is also necessary for effectiveness that the expectation to be able to withstand any long-term impacts of climate change is part of the standard design criteria in Policy LP21 that applies to all development. Again, **MM46** would make these changes and we recommend them for effectiveness and consistency with national policy.

134. Additionally, Policy LP21 should be modified to ensure that the policy is consistent with the NPPF in supporting outstanding or innovative designs and requiring good design. Requiring development to respond positively to the character of the site and area rather than 'integrate' would also ensure good, innovative design, responsive to its context is not unduly constrained. Including a reference to 'designated local, district and town centres' in criterion c) and further explanation regarding criterion e) would also offer clarity to the decision maker. Again, **MM46** would encompass all of these recommended changes and we recommend it accordingly.

Historic Environment (Policy LP22)

135. Policy LP22 relates to the historic environment and sets out requirements for designated and non-designated heritage assets. To ensure consistency with the NPPF the policy should set out that great weight will be given to the conservation of designated heritage assets and guide assessment of any harm to the significance or the loss of a designated heritage asset, including the requirement for surveying and recording. As matters of local character and distinctiveness are dealt with by Policy LP21 and as Policy LP22 would not be applicable to 'all' new development, references to these matters should be removed for clarity with subsequent changes to the criteria required this modification. It would also be necessary to ensure clarity in respect of criterion g) by establishing that it applies to 'relevant' development proposals and includes other areas of archaeological significance.

136. The Council had published and consulted upon a local list based on established criteria. However, in respect of non-designated heritage assets the policy seeks a level of protection in excess of that afforded by the NPPF. References to non-designated heritage assets throughout the policy are also imprecise. We have made some further changes to the proposed modification post consultation to enhance alignment to the NPPF in relation to the 'significance' of a heritage asset being the factor against which potential impacts would be considered. **MM47** would set out all of the above modifications and we recommend it for effectiveness and consistency with national policy.

Environmental Policies (Policies LP13, LP14, LP15, LP17, LP18, LP19 and LP20)

137. The plan supports proposals for renewable energy via Policy LP13 subject to the direct and cumulative adverse impacts of such development being acceptable. For clarity the policy at criterion i) should refer to the impact on the character and appearance of the open countryside. To ensure consistency with national policy, the wind energy aspect of the policy should be modified

to recognise that the NPPF applies a specific approach for wind energy developments (footnote 49 at paragraph 154). Accordingly, the general support in the NPPF for community-led renewable schemes, including developments outside of areas identified in Neighbourhood Plans, does not apply. Consequently, the policy needs to remove reference to support for community led proposals outside of areas identified as being suitable for wind turbine development in Neighbourhood Plans. After further reflection we have amended the consulted main modification to clarify the need to remove a reference to community led proposals to ensure consistency with national policy. For renewable energy projects within the Green Belt the precise wording of the policy needs to align with the NPPF. We therefore recommend **MM36** to encompass the above modifications in order for the plan to be effective and consistent with national policy in terms of managing renewable energy proposals.

138. Policy LP14 relates to the management of water in the borough, and specifically sets out requirements relating to flood risk, drainage and water use. To ensure consistency with national policy, Policy LP14 should ensure that development does not increase flood risk elsewhere, is made safe for its lifetime and contributes to reducing the overall level of flood risk. The requirement for the provision of sustainable drainage systems should be clear that it applies for major development only. For clarity, the reference to 'or water resources' should be removed from criterion a). **MM37** would make these necessary modifications to Policy LP14 and we recommend it so that the plan would be justified, effective and consistent with national policy in this regard.
139. The PPG¹⁰ sets out that where there is a clear local need, local plan policies can require new dwellings to meet the building regulations optional requirements on water usage of 110 litres/person/day. The PPG goes on to say that it will be for a local planning authority to establish a clear need based on existing sources of evidence, consultation with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration on the of the impact on viability in housing supply. The 2015 Humber River Basin Management Plan (RBMP), identifies the 110l/p/d requirement at Section 3.2 as part of a menu of measures to prevent deterioration in the natural flow and water levels within the catchment. Additionally, the Council's evidence indicates that the cost of implementing the optional requirement would be modest.
140. Initially, we were of the view that a clear need for this aspect of the policy had not been sufficiently demonstrated. This may have arisen in part from the references in evidence to the Humber Flood Risk Management Plan 2016 rather than the RBMP. However, on reflection, and in light of the Environment Agency's response to the main modifications consultation, including the RBMP, we are now satisfied that the optional technical requirement would be justified and consistent with national policy and so we have not recommended the proposed modification to remove it. We are satisfied that no one would be prejudiced by this approach given it was part of the submitted plan and was

¹⁰ Reference ID: 56-014-20150327 – 56-016-20150327.

discussed at hearings on Policy LP14 and would be viable. We have therefore amended **MM37** accordingly.

141. Policy LP15 sets out requirements in relation to the effect of development on occupiers and users, air quality, contamination and soil and agricultural land quality. References to 'tranquillity' and 'appearance' should be replaced with more precise terms. The policy should also be clear that development should have an acceptable impact on the amenity of users and adjoining occupiers to ensure consistency with national policy. Additionally, for consistency with the NPPF regarding Air Quality Management Areas (AQMAs), and for clarity, the policy should also refer to cumulative impacts, omit 'normally' and specify that it is air quality within AQMAs that is the consideration.
142. In relation to agricultural land, to ensure consistency with national policy and with Policy LP2 and to strike an appropriate balance, reference to previously developed land should be removed and a reference to other 'sustainability considerations' that suggest higher quality agricultural land is preferable included. A best practice soil resource document is briefly referred to in the policy. It would add clarity to set out what this document is in the supporting text. In terms of the protection and sustainable use of soil resources, a more proportionate and positively prepared approach would be to ensure that this aspect of policy applies to 'major' development only. The requirement for a phase II land contamination report would not be confined to just full or reserve matters planning applications. As such, and to ensure policy LP15 is effective, this reference should be deleted. In addition, for effectiveness the policy should also include requirements for a phase I land contamination report and land stability risk assessment (where necessary) and mitigation. Accordingly, we recommend **MM38** and **MM39** which would include the above changes, all of which are necessary so that the plan would be effective and consistent with national policy.
143. Policy LP17 would ensure that species, habitats and sites of international, national importance are protected and enhanced and that a net measurable gain in biodiversity is secured. In principle the policy is soundly based. However, to ensure clarity, effectiveness and consistency with national policy, **MM41** is required to include references to protected and priority species, the retention of existing features of ecological value and to set out further details regarding assessments and surveys, including when they would be required.
144. The Council consider that the Playing Pitch and Outdoor Sports Strategy [EV7] is robust but needs updating. They are currently in the process of producing strategy documents relating to parks and open space and play equipment. The plan review presents an opportunity to reflect any material changes in the evidence base following updates to EV7 and production of the noted strategy documents. Nonetheless Policy LP18 is sufficiently underpinned by the recently published Open Space Standards Paper and Assessment Report [EX.CBC.032-033]. Now these documents have been published, more accurate mapping and a clearer approach to avoid double counting for certain typologies exists. As such modification to the numerical standards provided in Appendix B of the plan is necessary to ensure that the policy is justified and effective. For clarity effectiveness and consistency with the NPPF modification to the policy is also required to set out when it would apply, to cross refer to Appendix B, to further detail the application of criterion c) to modify criteria ii) and iii) and

include a definition of open space in the supporting text. We therefore recommend **MM42**, **MM43** and **MM65** to achieve these necessary modifications.

145. It was confirmed at the hearing that land at Newbold Back Lane is in use as a paddock whilst the use at the Poolsbrook Country Park caravan and motorhomes site is self-explanatory. Accordingly, to ensure Policy LP18 is justified in its geographical extent the open space designation at both of these sites is proposed to be updated on the policies map.

146. Policy LP19 would safeguard the Chesterfield Canal as identified on the policies map. Whilst the policy sets out the requirements to be met to secure planning permission for development at the Staveley basin location this list is unlikely to be exhaustive. Furthermore, application of this policy would be aided by a cross reference to plan allocation H21. Consequently, we recommend **MM44** for plan effectiveness.

147. Amongst other roles, the supporting text to Policy LP20 recognises the valuable wildlife function of rivers within the borough, yet the policy as submitted does not reflect this or the potential future enhancements to the character of the river corridor. **MM45** would rectify this and we recommend it as being necessary for effectiveness. Overall, we are satisfied that the LP20 designation has been appropriately defined and that no additional areas should be added as being necessary for plan soundness.

Conclusion on Issue 7

148. In conclusion, subject to the above referenced modifications, the plan's development management policies for the natural and built environment are justified, effective and consistent with national policy.

Issue 8 – Whether the plan's implementation and infrastructure delivery policies and its arrangements for monitoring are justified, effective and consistent with national policy

Implementation and Infrastructure

Transport Infrastructure

149. Through the duty to co-operate, engagement with infrastructure providers and dialogue with the LEPs and North Derbyshire Infrastructure Planning Group, amongst others, the submitted Plan is predicated on a strategy that reflects and makes sufficient provision for that infrastructure necessary to support the planned growth. The principal evidence is contained in an up-to-date Infrastructure Study and Delivery Plan 2019 (the IDP), supplemented by various SoCGs with infrastructure providers that either confirm capacity exists or that mechanisms for delivering additional capacity are feasible and/or available. The IDP reflects both the Derbyshire and SCR Infrastructure Investment Plans, providing appropriate reassurance of future coordination around funding bids and priorities for key infrastructure.

150. As set out elsewhere in this report HS2 would be a very significant infrastructure project for the Borough in the medium to long term of the plan period. The plan strikes the right balance between supporting and enabling

the preferred route and options of HS2 without placing an undue reliance on it. We recognise that the HS2 project would bring benefits in terms of station improvements, enhanced connectivity and for promoting investment in and around central Chesterfield, as well as the direct employment potential of an IMD at Staveley. Whilst these are all appreciable benefits, delivery of the plan is not at risk should HS2 Phase 2b be delayed or cancelled.

151. A number of highways projects are critical to the successful delivery of the plan, namely the CSRR and junction improvements as part of the A61 Growth Corridor through the Borough, including the Hollis Lane Link Road. In the short term, the A61 junction improvements in north Derbyshire will enable several development sites in the Borough, including strategic previously developed sites, to sustainably come forward. It would also facilitate modal shift through pedestrian, cycle and bus infrastructure enhancements along the corridor. The £16million cost is largely funded, mainly through £12.8million of LEP Local Growth Fund monies together with other sources, including developer contributions. We are satisfied that planned investments along the A61 will unlock and boost early plan-led delivery.
152. In the medium term (2020-26) the highways priority is delivery of the CSRR. The overall design and cost of the scheme remains to be determined but its delivery as a comprehensive connecting route through the Rother Valley would likely lead to the need to reconsider Phase 2 of the Staveley Northern Loop Road (connected to the approval of Markham Vale). For the time being the safeguarding of Phase 2 of the Northern Loop Road remains justified. The submitted plan also reserves a corridor route for the CSRR which would bring significant benefits including unlocking the strategic SRVC site, providing direct access to both the M1 and A61 corridors, as well as removing traffic from the Brimington AQMA and various communities on the A619 corridor.
153. A number of bodies actively support the CSRR scheme including the Council, the 2 LEPs, the principal landowner, Homes England and DCC. The focus is on a funding bid to Midlands Connect as part of the Large Local Major Schemes 2020-25 process, which could be supplemented by Community Infrastructure Levy (CIL) and other funding streams. A planning application and supporting technical work is progressing providing further reassurance of a commitment to the scheme. As set out elsewhere the plan takes a pragmatic view of delivery timeframes on the SRVC strategic site. It is nonetheless prudent that the plan identifies and reinforces the role of the CSRR to sustain a supply of developable land further into the plan period and beyond. Consequently, we are satisfied that there is a clear collective commitment to advance the CSRR and a reasonable prospect of its delivery within the timeframe envisaged. The plan's identification and policy support for the scheme is justified, effective and positively prepared.
154. Another important medium-term (2020-26) highways scheme is the Hollis Lane Link Road which would provide an alternative, direct connecting route from the station masterplan area to the A61 corridor. It would yield environmental improvements by removing station related traffic having to currently negotiate often congested parts of the historic town centre including St Mary's Gate and Saltergate. This in turn will support the proposals in the plan for the reconfiguration and more efficient use of land around the station and the Policy SS1 town centre proposals, including the Spire Neighbourhood

(100 homes) and the Northern Gateway site at Saltergate. The £1.65m link road scheme is currently being advanced by DCC and a detailed scheme for phase one has progressed to the application stage. Sources of funding include the A61 Growth Corridor funding and the potential use of CIL. We are satisfied that there is justification for the scheme to be supported in the plan and a reasonable prospect of its delivery within a timeframe to release strategic growth identified on sites SS1, SS7 and indirectly SS3. **MM58** recommended elsewhere would clarify the latest situation with the Hollis Lane Link Road.

Social Infrastructure

155. In relation to the capacity of education and health infrastructure to support planned growth and potential cross-boundary implications the relevant SoCGs [SCG5 & SCG6] with health and education bodies do not indicate that there are significant issues in this regard. This appears to be borne out with the recent consideration of, and consultation on, a 650-home proposal at Mastin Moor (Site H35 in the submitted plan).
156. In recognition of the role such facilities have in ensuring a quality of life, Policy LP11 seeks to guide the location of new social infrastructure facilities, encourage co-location, multi-use and improvement of them, and protect against their loss. **MM32** is necessary to ensure that the policy is effective and consistent with national policy¹¹ by including reference to the need for a continuous 12-month marketing period at a realistic price when a loss of community or recreational facility is proposed.
157. Green infrastructure will be maintained and improved by Policy LP16. This policy also sets out the Council's approach to development in respect of the Green Belt, Green Wedges and Strategic Gaps. To ensure consistency with the NPPF, criterion a) should be separated into two criteria, reference to Local Green Spaces removed (as none exist in the plan area) and it should be clarified that planning obligations would be sought when necessary and appropriate. For effectiveness, the policy should seek to protect and enhance access to the multi-user trails network and cross refer to the policies map, which would require updating. For clarity, 'and' should be inserted after each criteria and references in the last paragraph regarding surveys and assessment omitted as this matter is covered in Policy LP18. **MM40** would incorporate all of these necessary changes and we recommend them for effectiveness.
158. As identified through the IDP, notwithstanding significant and important funding from both LEPs and other sources there will be an appreciable funding gap to deliver the full range of infrastructure identified. The Council has a charging schedule in place and whilst not reviewed alongside this plan, it remains a valid mechanism to assist mitigate the impacts directly arising from development across the Borough. This is recognised in Policy LP12 together with the continued use of planning conditions or planning obligations to secure developer contributions. Various changes to the CIL Regulations and the PPG sections on CIL and viability in 2019 mean that Policy LP12 as submitted

¹¹ PPG Reference ID: 066-001-20190722.

would not be legally compliant, effective or consistent with national policy. **MM33, MM34** and **MM35** would make the necessary technical changes and we recommend them accordingly.

Travel and Transport (Policies LP23 and LP24)

159. Policy LP23 relates to travel demand and includes requirements relating to vehicle and cycle provision, electric vehicle charging points and identifies priority areas for sustainable transport measures and highways improvements. The policy would prioritise optimisation of walking, cycling and public transport early in the build out period of new developments which would help establish sustainable patterns of travel. To ensure clarity, 'intensive' should be removed from criterion a), 'and' included between criterion d) and e), and 'any' inserted into criterion i). The policy should also set out development should only be prevented or refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe as identified in the NPPF. Clarification of the application of criteria one and six and the inclusion of bicycle parking requirements to secure sustainable transport are also necessary. As the NPPF does not require local plans to set vehicular parking standards this is not a matter of plan soundness. The criteria-based approach utilised would ensure sufficient and locally appropriate parking provision. **MM48** would make all of the above necessary changes to Policy LP23 and we recommend it for effectiveness and consistency with national policy.

160. Policy LP23 as submitted also requires all residential properties with off-street parking to include provision for charging electric vehicles on each property. The policy seeks spaces with charging points for residential and commercial proposals with shared provision where practical. The Council have declared a climate emergency and in response to the AQMA at Church Street, Brimington, the Council are currently producing an Air Quality Action Plan and the electric vehicle charging requirement as set out in the submitted policy would help address air quality issues.

161. The requirement for an electric vehicle charging point, however, was not specifically tested as part of the Whole Plan Viability Report. The Council assert that the cost of installing an electrical vehicle charging point would be approximately £50 for a new dwelling, and thus consider that an impact on development viability is unlikely. However, no detailed evidence or assessment has been provided to substantiate these submissions. Given the significance in national policy (NPPF, paragraph 57) that policy requirements should be assumed to be viable we have serious concerns that the cost implications of requiring electric vehicle charging points has been underestimated. We are also concerned that the technical detail in Appendix C of the plan on specific requirements for vehicle charging standards could become quickly outdated. As such we are not able to find the requirement for electric vehicle charging points to be soundly based.

162. **MM48** would remove the requirement from Policy LP23 and **MM65a** would remove Appendix C and we recommend both modifications so that the Plan is justified and consistent with national policy. We recognise the Council's keenness to support the transition to a low carbon future through supporting electric vehicle infrastructure. The government has recently consulted on

changes to the building regulations in respect electric vehicle charging in residential and non-residential buildings. The consultation document proposes that every new residential building and material change of use with an associated car parking should have a charge point. Taking this into account we are satisfied that what the Council intended to achieve through Policy LP23 could come forward on a nationally consistent basis, which would be the preferred approach.

Plan-wide Viability

163. In line with NPPF paragraphs 31 and 57 and PPG paragraph 10-002-20190509, the plan is supported by a 2018 Whole Plan Viability Assessment (WPVA) which seeks to demonstrate that the collective cost of plan policies would not undermine the broad deliverability of the plan. The construction costs, including an allowance for economies of scale on larger schemes, and sales inputs are all reasonable. As are the site typologies that have been tested as representative sites likely to come forward to deliver the strategy. As set out in the PPG (paragraph 10-016-20190509) establishing the landowner premium (an existing use value (EUV) plus an incentivisation uplift) is an iterative process informed by judgement. Whilst we have some moderate concerns that a potentially over-inflated land value premium may be evolving at Chesterfield, in part explaining why development interest has been stronger in other areas of the HMA, we accept that the WPVA process has engaged comprehensively with the market and developers to generate the sliding scale of threshold land values set out at Table 5.2 (p44). Given property values in the Borough are currently below the East Midlands average (pages 51-54 of WPVA) and the significant pool of affordable second-hand housing stock (page 57 of WPVA) the issue of the extent of any premium above EUV may be an area the Council wishes to revisit at the time of a plan review.
164. We are satisfied that the majority of policy requirements have been accounted for and realistically costed at pages 70-71 of the WPVA including average S106 costs and the cost of accessible/adaptable housing. Furthermore, modifications elsewhere to the affordable housing policy to set a more nuanced approach to the CIL zones, including 0% affordable housing in the most challenging zone, should aid overall deliverability.
165. We recognise that there are some challenging former industrial sites which have particular redevelopment costs (decontamination etc.) and are key to the delivery of the plan's strategy. Given their strategic significance, the Waterside and SRVC sites have been specifically assessed in the WPVA in accordance with the PPG advice and there are viable solutions for both sites subject to pragmatism on developer contributions, opportunities for public funding and specific development responses, including, for example, higher density development at the Waterside site. There is also the likelihood that some smaller previously developed sites may be equally testing in terms of their viability. Whilst the WVPA reflects this, the submitted plan also contains appropriate flexibility to respond to any change in circumstances, including the use of viability appraisal to justify any alternative affordable housing contribution. Overall, we find the WPVA is reasonable in its conclusion that the cumulative impact of the plan's policies will not put the delivery of development at serious risk.

Monitoring

166. The plan on submission was accompanied by a separate monitoring and implementation framework [document KSD10]. On adoption this needs to be part of the plan, rather than a separate document and various aspects of the monitoring framework need to be updated in light of the various MMs recommended elsewhere in this report. Chief amongst these are the need to include an updated housing trajectory and a new employment land trajectory to measure the effectiveness of key strategic policies of the plan. Consequently, we recommend **MM66**, **MM67** and **MM68** which would address these points and ensure monitoring of the plan would be effective and consistent with national policy.
167. In conclusion on Issue 8, subject to the above-mentioned modifications, the plan's implementation policies and mechanisms are justified, effective and consistent with national policy.

Assessment of Legal Compliance

168. Our examination of the legal compliance of the Plan is summarised below.
169. The plan has been prepared in accordance with the Council's Local Development Scheme.
170. Consultation on the Local Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement 2014.
171. Sustainability Appraisal has been carried out and is adequate.
172. The Habitats Regulations Appropriate Assessment Report (January 2019), supplemented by an Addendum Report (June 2019) sets out that following screening, an appropriate assessment (AA) has been undertaken. That assessment concludes, that subject to policy-based measures incorporated into the plan, there would be no adverse effect on the integrity of European Sites, arising from the policies and proposals of the plan either on its own or in combination with other relevant plans.
173. As set out elsewhere in this report, ongoing cooperation is required in relation to the cumulative impacts of traffic arising from growth in wider north Derbyshire and Sheffield on air quality where arterial roads affect the Peak District Dales Special Area of Conservation (SAC); South Pennine Moors SAC; and Peak District Moors (South Pennine Moors Phase 1) SPA, in order to monitor any significant unexpected effects. The proposed monitoring is supported by Natural England, who also agree¹² it is not mitigation needed to support the plan's HRA conclusion of no adverse effect on site integrity.
174. In relation to climate change, the plan sets out strategic objectives to reduce greenhouse gas emissions, manage increased travel demands, reduce the risk of flooding, secure net gains in biodiversity and secure high standards of energy efficiency. More specifically the plan gives priority to sustainable travel modes and supports low emission vehicles through the provision of electric

¹² Document EX.CBC.006

charging points (Policy LP23). The plan also requires the management of flood risk including sustainable drainage (Policy LP14), the provision and protection of green infrastructure including improved tree cover (Policies LP16 and LP17) and the avoidance of unacceptable environmental pollution (Policy LP15).

175. Furthermore, the plan sets out a suite of policies which support sustainable construction and renewable energy. This includes, amongst other things, the introduction of the optional technical standard to sustainably manage water consumption (Policy LP14), support for renewable energy schemes (Policy LP13) and requiring a statement as to how new developments, through their design and construction quality, will reduce CO² emissions (Policy LP21). Overall, we are satisfied that the plan provides a reasonable and effective approach for land use planning in the Borough to mitigate, and adapt to, climate change, as required by law.
176. The submitted plan does not identify those policies which are to be considered as strategic policies which would create issues for monitoring the effectiveness of the plan in addressing the strategic priorities for the area and for determining the general conformity of any future neighbourhood plans that may come forward. **MM1** would address this and we recommend it for legal compliance with Section 19 of the 2004 Act (as amended) and for consistency with national policy (NPPF paragraph 21). Policy SS8 sets out support for Neighbourhood Plans and how they will be taken into account. The policy wording needs to be amended to ensure consistency with legislation on neighbourhood planning and therefore we recommend **MM60** for effectiveness.
177. On adoption the plan would replace the policies of the Chesterfield Borough Local Plan Core Strategy (2013) and those saved policies of the Replacement Chesterfield Borough Local Plan (2006). Plans are required¹³ to identify those policies that are to be superseded. The Council had done this in a separate document but **MM64** would insert this necessary information as an appendix to the LP and we recommend it for legal compliance and effectiveness.
178. Subject to the above recommendations, the plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
179. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. The submitted Plan was accompanied by an Equality Impact Assessment [document KSD3] and further evidence of earlier equality impact assessment was provided during the examination [documents EX.CBC.30a-g]. Relevant groups and people were invited to participate in the preparation of the Plan, including representatives of the Gypsy and Traveller communities, religious and faith groups and bodies representing the elderly and disabled.
180. In respect of age and disability, the plan, subject to the MMs recommended, is likely to have a positive impact in terms of delivering additional housing to latest Building Regulations standards as well as securing the optional technical standard M4(2) for accessible and adaptable dwellings on major residential proposals. In respect of gypsies and travellers, it is agreed with gypsy and

¹³ Regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012

traveller representatives that through the grant of planning permissions, the identified need for pitches over the period 2014-2034 has been met. Work is now underway across North Derbyshire to update the GTAA as part of a wider assessment of needs, that would inform plan review.

Overall Conclusion and Recommendation

181. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

182. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that with the recommended main modifications set out in the Appendix the Chesterfield Borough Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Bryn Bowker and David Spencer

Inspectors.

This report is accompanied by an Appendix containing the Main Modifications.

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CHESTERFIELD
BOROUGH COUNCIL

Chesterfield Borough Local Plan Submission Version

Schedule of Proposed Main Modifications

27 May 2020

Contents

1. Introduction

2. Proposed Modifications

3. Associated Figures, Tables and Maps

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
Spatial Strategy		
MM1	Contents Page	Insert revised contents page. See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.
MM2	Pages 14-15	Insert Key Diagram between pages 14 and 15. See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.
MM3	Paragraph 1.3 (page 9)	1.3 There will be 44 50 ha of land provided between 2018 and 2033 2035 for new high quality employment development so that together with existing employment areas, a range of jobs and training opportunities are easily accessible to those who need them. All this new development will be in areas with an established industrial character or areas of regeneration specifically designated for mixed use. Economic activity and employment opportunities are focussed where the regeneration benefits can be maximised, particularly in the Staveley and Rother Valley Corridor and along the A61 Corridor where there is significant need for work and training. High employment density uses such as offices are located in the most accessible locations near to town and district centres.
MM4	Paragraph 1.20 (page 12)	1.20 Sites are made available for at least 4374 4080 homes between 2018 and 2033 2035 to meet the Objectively Assessed Need (OAN), the majority of which are located within easy walking and cycling reach of the existing district and town centres. Some new housing development will be directed to areas suffering from deprivation to aid the regeneration of these communities. Some of this housing will need to be in well-designed, sensitive urban extensions on greenfield sites. Local centres and community facilities there will need to be improved. In addition, some housing is also concentrated around ‘Local Service Centres’.
MM5	Objective 2 (page 14)	S2 Provide sites for at least 4374 4080 homes to be built between 2018 and 2033 2035 to meet the housing requirement for Chesterfield borough
MM6	Objective S6 (page 14)	S6: Provide 44 at least 50 ha of new employment land between 2018 and 2033 2035 .
MM7	Paragraphs 2.2 to 2.6 and table 1	2.2. The Strategic Housing Market Assessment Update 2017 indicates an Objectively Assessed Need (OAN) of 265 net new dwellings per annum is required to meet the borough’s housing needs. The Local Housing Need (LHN) methodology set out in the NPPF indicates a minimum housing need of 240 new dwellings per annum. No further adjustments to this figure are required to account for unmet need in neighbouring areas or other demographic or economic factors.

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification														
		<p>2.3. Between 2014-2033 <u>2035</u>, this equates to a minimum housing requirement of 5035 4,080 new dwellings (240 dwellings per year).</p> <p>2.4. 661 net new dwellings were completed between 2014 and 2018.</p> <p>2.5. Because there has been an under delivery of homes since 2014 (the base date for the SHMA update projections), a shortfall of 399 dwellings is added which will be spread over the plan period.</p> <p>2.6. This gives a housing target of 292 net new dwellings per annum.</p> <p>Table 1</p> <table border="1" data-bbox="546 603 1509 890"> <tr> <td data-bbox="546 603 1039 639">Objectively Assessed Need (OAN)</td> <td data-bbox="1039 603 1509 639"></td> </tr> <tr> <td data-bbox="546 639 1039 676">OAN over plan period 2014 to 2033</td> <td data-bbox="1039 639 1509 676">265 pa</td> </tr> <tr> <td data-bbox="546 676 1039 713">(19 x 265)</td> <td data-bbox="1039 676 1509 713">5035 net new dwellings</td> </tr> <tr> <td data-bbox="546 713 1039 750">Net completions 2014 to 2018</td> <td data-bbox="1039 713 1509 750">661 dwellings</td> </tr> <tr> <td data-bbox="546 750 1039 786">Outstanding need</td> <td data-bbox="1039 750 1509 786">4374 net new dwellings</td> </tr> <tr> <td data-bbox="546 786 1039 823">Shortfall of dwellings from 2014 to 2018</td> <td data-bbox="1039 786 1509 823">399 dwellings</td> </tr> <tr> <td data-bbox="546 823 1039 860">Revised OAN including shortfall</td> <td data-bbox="1039 823 1509 860">292 net new dwellings pa</td> </tr> </table>	Objectively Assessed Need (OAN)		OAN over plan period 2014 to 2033	265 pa	(19 x 265)	5035 net new dwellings	Net completions 2014 to 2018	661 dwellings	Outstanding need	4374 net new dwellings	Shortfall of dwellings from 2014 to 2018	399 dwellings	Revised OAN including shortfall	292 net new dwellings pa
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Revised OAN including shortfall	292 net new dwellings pa															
MM8	Paragraph 2.8 (page 16)	2.8. This work concludes that 44 hectares of employment land are required between 2018-2033, split into B1 5.2 ha, B2 – 21 ha and B8 – 17.6 ha. This equates to a minimum of 50ha across the Local Plan period of 2018 to 2035. Chesterfield needs to be able to offer an appropriate range of employment sites, in terms of quantity, size and location. The quality of site provision is key, and the best employment sites must be protected.														
MM9	Table 2 (page 16)	See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.														
MM10	Policy LP1	<p>LP1 Spatial Strategy</p> <p>The overall approach to growth will be to concentrate new development within walking distance of a range of Key Services as set out in policy LP2 centres, and to focus on areas that need regenerating, including the ‘place shaping’ areas set out in policies SS1 to SS6 and Regeneration Priority Areas.</p>														

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p><u>Regeneration Priority Areas</u></p> <p>The council will maximise regeneration benefits to existing communities offered by development opportunities in the following areas:</p> <ul style="list-style-type: none"> • Eastern Villages– Barrow Hill, Duckmanton, Mastin Moor, Poolsbrook, • Holme Hall • <u>Staveley and Rother Valley Corridor</u> <p><u>Housing Growth</u></p> <p>The council will make provision for the delivery of a minimum Objectively Assessed Need (OAN) of <u>240 new dwellings per year, (4,0804374 dwellings over the period 2018 to 20332035</u>. New housing development will be in line with the strategy of ‘Concentration and Regeneration’.</p> <p><u>Economic Growth</u></p> <p>To maintain economic growth and quality of provision, the council will make provision for <u>44 50</u> hectares of new employment land (B1, B2 and B8 uses) over the period 2018 to 2033 <u>2035</u>. The key areas for employment land are at the already committed Markham Vale development, and at Staveley and Rother Valley Corridor. Policy LP7 <u>and the policies map</u> sets out broad locations for employment uses.</p> <p><u>Green Belt</u></p> <p>The existing Green Belt will be maintained and enhanced.</p> <p><u>Strategic Gaps and Green Wedges</u></p> <p>Strategic gaps give distinct identity to different areas, prevent neighbouring settlements from merging into one another, and maintain open space. Green Wedges provide access to the</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>countryside from urban areas. The open character of Strategic Gaps will be protected from development between:</p> <ul style="list-style-type: none"> • Brimington and Tupton (SG1) • Ringwood and Hollingwood (SG2) • Lowgates / Netherthorpe and Woodthorpe / Mastin Moor (SG3) • Woodthorpe and Markham Vale (SG4) • Old Whittington and New Whittington (SG5) • Brimington North (SG6) <p>Green Wedges provide access to the countryside from urban areas. Green Wedges will be protected from development at:</p> <ul style="list-style-type: none"> • Walton River Hipper Corridor (GW1) • Holme Hall and Newbold Green (GW2) • Dunston and Sheepbridge (GW3) <p>The boundaries of Strategic Gaps and Green Wedges are identified on the Policies Map.</p>
MM11	Paragraph 2.15 and 2.17	<p>2.15. The Local Plan’s spatial strategy aims to support and encourage walking, and cycling and the use of public transport by locating new development within reasonable walking distance of a range of key services in centres. The Local Plan’s spatial strategy also recognises the importance of convenient access on foot to key services for those on low incomes, including the health benefits of walkable neighbourhoods. The concept of a walkable neighbourhood is set out in the Council’s supplementary planning document: ‘Successful Places’.</p> <p>2.16. National Travel Survey data² continues to show walking as being the second highest mode of transport after private vehicles but only for short distances (i.e. 76% of walking trips being under 1 mile/1.6km), whilst people on low incomes are more likely to depend on walking to get around³. Guidance</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>indicates that a walking distance of up to 800m is appropriate for accessibility to town centres and would achieve the aims of the Spatial Strategy with walking distance taken to be at maximum a ten minute walk or 800m distance⁴ on a safe route with no significant obvious ‘barriers to walking’. This is based on an average walking speed of approximately 1.4 m/s or 3 mph⁵</p> <p><u>2.17 What constitutes a reasonable walking distance is set out in various relevant guidance¹ including the Council’s adopted residential design guide supplementary planning document: ‘Successful Places’. When seeking to apply the spatial strategy and principles for the location of development the Council will have regard to the concept of a walkable neighbourhood and the walking distances described in its SPD: Successful Places. Regard will also be had to</u> However, a “reasonable” walking distance is likely to be affected by <u>the likely effect of factors such as</u> location, topography, weather, pedestrian facilities, trip purpose and cultural factors. There are also qualitative considerations <u>which will be taken into account</u>, including (but not exclusively):</p> <ul style="list-style-type: none"> - topography - lighting - quality of surface - provision of off road pathways - safety, including isolated pathways, extent of overlooking, lighting, traffic, pedestrian crossings - accessibility, including dropped curbs <p><u>¹ Table 3.2 on page 49 Guidelines for Journeys on Foot (Institution of Highways and Transportation) and Paragraph 3.30 on page 48 of Guidelines for Journeys on Foot (Institution of Highways and Transportation)</u></p>
MM12	Policy LP2	<p>LP2 Principles for Location of Development</p> <p>In allocating new development, or assessing Pplanning applications for developments that are not allocated in a DPD<u>the Local Plan</u>, sites will be assessed supported <u>according to</u> the extent to which the proposals meet the following requirements <u>which are set out in order of priority:</u></p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>a) deliver the council’s Spatial Strategy (policy LP1);</p> <p>b) are on previously developed land that is not of high environmental value;</p> <p>c) are not on the best and most versatile agricultural land;</p> <p>d) deliver wider regeneration and sustainability benefits to the area;</p> <p>e) utilise existing capacity in social infrastructure (policy LP11) or are of sufficient scale to provide additional capacity, either on site or through contributions towards off-site improvements;</p> <p><u>d) maximise opportunities through their location for walking and cycling and the use of public transport (policy LP23) access to a range of key services¹ via safe, lit, convenient walking routes;</u></p> <p><u>e) maximise opportunities through their location for cycling and the use of public transport to access a range of key services;</u></p> <p><u>f) utilise existing capacity in social infrastructure (policy LP11) or are of sufficient scale to provide additional capacity, either on site or through contributions towards off-site improvements;</u></p> <p>g) Ensure the long term protection of safeguarded Minerals Related Infrastructure as identified in the Derbyshire and Derby Minerals Local Plan and shown on the Policies Map</p> <p><u>h) are not on the best and most versatile agricultural land;</u></p> <p>h) meet sequential test requirements set out by other national or local policies.</p> <p>Exceptions to the council’s Spatial Strategy will be considered where development proposals can clearly demonstrate that the proposed use:</p> <p>i. needs to be in a specific location in order to serve a defined local catchment or need, to access specific resources or facilities (including transport connections) or to make functional links to other, existing uses; or</p> <p>ii. be addressed or to support existing community facilities that otherwise would be at risk of closure.</p> <p>New residential development will be expected to be within walking distance (800m) of an existing or proposed Local, District or Town Centre, via a safe, lit, convenient walking route, or demonstrate the ability to deliver appropriate provision on-site.</p> <p>¹ <u>DfT Accessibility Indicators:</u></p> <ul style="list-style-type: none"> • <u>Employment centres</u> • <u>Primary schools</u> • <u>Secondary schools</u>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<ul style="list-style-type: none"> • <u>Further Education institutions</u> • <u>GPs</u> • <u>Hospitals</u> • <u>Food stores</u> • <u>Town Centres</u>
MM13	Policy LP3	<p>PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT</p> <p>2.18. The NPPF (para 11) states that all plans should be based upon and reflect the presumption in favour of sustainable development. Policy LP3 sets out what this means in practice, and how the presumption will influence decisions on development proposals.</p> <p>LP3 Presumption in favour of sustainable development When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <p>a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or b) Specific policies in that Framework indicate that development should be restricted.</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification																																								
Homes and Housing																																										
MM14	Paragraph 3.1	3.1 To meet the housing needs of a growing population and a growing economy, a total of at least 4374 4,080 net new dwellings must be built in Chesterfield Borough between 2018 and 2033 2035 . This is derived from the objectively assessed need figure Local Housing Need methodology derived housing requirement of 265 240 dwellings per annum plus the net level of completions since 2014. This requires the completion of, on average, 292 dwellings each year over the remaining 15 year period. This strategic housing requirement is not a ceiling, and may be exceeded provided that it is sustainable, it can be supported by existing or new infrastructure and it meets the objectives and policies in the Local Plan.																																								
MM15	Table 3	<p>Replace table 3 and add supporting text as additional paragraph. See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.</p> <p><u>The Local Plan must demonstrate a deliverable supply of housing sites sufficient for five years with a minimum buffer of 5% (20% in the case of evidence of persistent under-delivery via the Housing Delivery Test). As of 1st April 2019, there was an existing shortfall of 28 dwellings, to be resolved within the first five years. Monitoring indicates that the borough is currently on target to resolve the entirety of this shortfall by 1st April 2020. The council has therefore applied a 20% buffer for under-delivery to the five years from 1st April 2019 (the first four years of the plan based on an adoption date on April 2020). A 10% lapse rate has been applied to commitments.</u></p> <table border="1"> <thead> <tr> <th><u>Year</u></th> <th><u>LHN</u></th> <th><u>Actual Completions</u></th> <th><u>LHN + Buffer</u></th> <th><u>Trajectory Forecast</u></th> </tr> </thead> <tbody> <tr> <td><u>2018/19</u></td> <td><u>240</u></td> <td><u>212</u></td> <td><u>240</u></td> <td><u>212</u></td> </tr> <tr> <td><u>2019/20</u></td> <td><u>240</u></td> <td><u>N/A</u></td> <td><u>294</u></td> <td><u>315</u></td> </tr> <tr> <td><u>2020/21</u></td> <td><u>240</u></td> <td><u>N/A</u></td> <td><u>294</u></td> <td><u>516</u></td> </tr> <tr> <td><u>2021/22</u></td> <td><u>240</u></td> <td><u>N/A</u></td> <td><u>294</u></td> <td><u>515</u></td> </tr> <tr> <td><u>2022/23</u></td> <td><u>240</u></td> <td><u>N/A</u></td> <td><u>294</u></td> <td><u>659</u></td> </tr> <tr> <td><u>2023/24</u></td> <td><u>240</u></td> <td><u>N/A</u></td> <td><u>295</u></td> <td><u>466</u></td> </tr> <tr> <td><u>2024/25</u></td> <td><u>240</u></td> <td><u>N/A</u></td> <td><u>240</u></td> <td><u>348</u></td> </tr> </tbody> </table> <p><u>From 1st April 2020 the council therefore expects to demonstrate a supply of 2503 new dwellings against a target of 1417 dwellings.</u></p>	<u>Year</u>	<u>LHN</u>	<u>Actual Completions</u>	<u>LHN + Buffer</u>	<u>Trajectory Forecast</u>	<u>2018/19</u>	<u>240</u>	<u>212</u>	<u>240</u>	<u>212</u>	<u>2019/20</u>	<u>240</u>	<u>N/A</u>	<u>294</u>	<u>315</u>	<u>2020/21</u>	<u>240</u>	<u>N/A</u>	<u>294</u>	<u>516</u>	<u>2021/22</u>	<u>240</u>	<u>N/A</u>	<u>294</u>	<u>515</u>	<u>2022/23</u>	<u>240</u>	<u>N/A</u>	<u>294</u>	<u>659</u>	<u>2023/24</u>	<u>240</u>	<u>N/A</u>	<u>295</u>	<u>466</u>	<u>2024/25</u>	<u>240</u>	<u>N/A</u>	<u>240</u>	<u>348</u>
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		<p><u>Over the whole plan period the council can demonstrate a supply of 6497 dwellings against a minimum housing requirement of 4080 between 2018 and 2035.</u></p> <p><u>Delivery, including lapse and windfall rates, will continue to be monitored across the plan period and taken into account in future reviews.</u></p>
MM16		<p>Housing Trajectory graph added See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.</p>
MM17	Policy LP4	<p>LP4 Flexibility in Delivery of Housing</p> <p>Planning permission will be granted for residential development on the sites allocated on the policies map and as set out in table 4, provided they accord with other relevant policies of the Local Plan.</p> <p>Planning permission for residential development proposals on unallocated sites will only be permitted where it accords with the strategy of ‘Concentration and Regeneration’ as set out in policies LP1 and LP2 and other relevant policies of the Plan, and:</p> <p><u>Outside of the built-up area (as set out on the policies map), and subject to other relevant policies of the Local Plan, new residential development on sites not allocated in table 4 will only be permitted where:</u></p> <p>a) It is within the built up area: or</p> <p><u>a) The development can demonstrate that it would have reasonable access to a range of Key Services as set out in policy LP2; and</u></p> <p>b) It re-uses redundant or disused buildings and enhances their immediate setting; or</p> <p>c) It is for the sub-division of an existing residential dwelling; or</p> <p>d) It is for the redevelopment of previously developed land in a manner that would not harm the intrinsic positive character of the countryside; or</p> <p>e) It represents the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of the heritage asset; or</p>

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		<p>f) It meets a specific demonstrable housing need for a rural worker that can only be met in that particular location; or g) It is of exceptional quality of design quality, in that it:</p> <ul style="list-style-type: none"> i) is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and ii) would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. <p>Where the council cannot, at the time, demonstrate a five year supply of deliverable sites for housing, planning permission for new residential development outside the built up area will be permitted in exception to the above criteria where it can demonstrate that it accords with the strategy of ‘Concentration and Regeneration’ as set out in policies LP1 and LP2 and other relevant policies of the Plan.</p>																				
MM18	Table 4	See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.																				
MM19	Paragraph 3.10	<p>3.10. The Strategic Housing Market Assessment (SHMA) 2017 estimated what type and amount of housing is required in the borough. This includes the need for affordable housing.</p> <p>Recommended Size Mix of Homes</p> <table border="1" data-bbox="546 943 1655 1163"> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Market</td> <td>0-5%</td> <td>30%</td> <td>50%</td> <td>15-20%</td> </tr> <tr> <td>Low cost home ownership</td> <td>10-15%</td> <td>40-45%</td> <td>35-40%</td> <td>5-10%</td> </tr> <tr> <td>Affordable housing (rented)</td> <td>25-30%</td> <td>45%</td> <td>20%</td> <td>5-10%</td> </tr> </tbody> </table> <p>3.11. This takes account of both local need and the potential for delivery of larger aspirational housing which helps to diversify the housing mix in the Borough and to support economic regeneration and reduce in-commuting of higher earners. If the Council wishes to focus more specifically on meeting local needs the mix of market housing needed would be focused slightly more towards two and three bedroom homes than that shown, with lower expected delivery of homes with four or more bedrooms.</p>						Market	0-5%	30%	50%	15-20%	Low cost home ownership	10-15%	40-45%	35-40%	5-10%	Affordable housing (rented)	25-30%	45%	20%	5-10%
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MM20	Table 7 and Additional paragraphs following paragraph 3.17	<p><u>Housing for Older People</u></p> <p><u>3.X As well as providing a stock of adaptable and accessible properties, there is an identified need for housing for older people.</u></p> <p><u>3.X Derbyshire County Council has published “Housing and accommodation for an ageing population: a strategic vision for Derbyshire to 2035 (DCC 2019)”, this identified a number of key statistics for Chesterfield in relation to housing for older people:</u></p> <ul style="list-style-type: none"> <u>●3,358 people provide 50 hours of more informal care per week.</u> <u>●There are 2,028 current service users aged 65 and over in receipt of Adult Care Services.</u> <u>●1,494 people over the age of 65 are living with Dementia and this is set to increase to 2,437 by 2035, an increase of 63.1%.</u> <u>●13.5% of total households are single persons aged 65 and over living alone, this is 6,318 households.</u> <u>●468 care home with nursing beds and 498 care beds are currently available in 29 settings.</u> <p><u>3.X Specialist housing for older people comprises four accommodation types</u></p> <ul style="list-style-type: none"> <u>●Housing for older people: social sector sheltered and age-exclusive housing and private sector leasehold retirement housing. This will include schemes, for rent and for sale, with on-site staff support, those with locality-based support services and schemes with no associated support services. (This includes ‘Age Restricted general market housing’ and ‘Retirement living or sheltered housing’ as defined in national planning guidance:)</u> <u>●Housing with care: includes extra care schemes, often called ‘assisted living’ in the private sector, with 24/7 care available on-site and housing schemes that offer bespoke care services, even if these are not full on-site 24/7 care, across both the social and private sector. (This is as defined in national planning guidance ‘Extra care housing or housing-with-care’)</u> <u>●Residential care: residential accommodation together with personal care, i.e. a care home (as defined in national planning guidance as ‘Residential care homes’).</u> <u>●Nursing care: residential accommodation together with nursing care i.e. a care home with nursing (as defined in national planning guidance as ‘Nursing homes’).</u>

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		<p>3.X <u>The 2014 SHMA provided an indication of annual need for Housing for Older People and Housing with Care as 50 dwellings per annum.</u></p> <p><u>Move Table 6 to here</u></p> <p>3.X <u>More recently, Derbyshire County Council have estimated the net additional need for older peoples housing up to 2035:</u></p> <p><u>Estimated net additional need for older people’s housing 2019 to 2035</u></p> <table border="1" data-bbox="546 663 2078 992"> <thead> <tr> <th data-bbox="546 663 763 772"><u>Local Authority</u></th> <th colspan="4" data-bbox="763 663 1429 772"><u>Housing for older people (units)</u></th> <th colspan="4" data-bbox="1429 663 2078 772"><u>Housing with Care (units)</u></th> </tr> <tr> <td data-bbox="546 772 763 957"></td> <th data-bbox="763 772 931 957"><u>Current provision</u></th> <th data-bbox="931 772 1093 957"><u>Net additional need (rent) 2035</u></th> <th data-bbox="1093 772 1254 957"><u>Net additional need (sale) 2035</u></th> <th data-bbox="1254 772 1429 957"><u>Total net additional need 2035</u></th> <th data-bbox="1429 772 1588 957"><u>Current provision</u></th> <th data-bbox="1588 772 1749 957"><u>Net additional need (rent) 2035</u></th> <th data-bbox="1749 772 1910 957"><u>Net additional need (sale) 2035</u></th> <th data-bbox="1910 772 2078 957"><u>Total net additional need 2035</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="546 957 763 992">Chesterfield</td> <td data-bbox="763 957 931 992">2,798</td> <td data-bbox="931 957 1093 992">0</td> <td data-bbox="1093 957 1254 992">281</td> <td data-bbox="1254 957 1429 992">281</td> <td data-bbox="1429 957 1588 992">55</td> <td data-bbox="1588 957 1749 992">277</td> <td data-bbox="1749 957 1910 992">59</td> <td data-bbox="1910 957 2078 992">336</td> </tr> </tbody> </table> <p data-bbox="546 992 1458 1018"><small>Source: Housing and accommodation for an ageing population: a strategic vision for Derbyshire to 2035</small></p> <p>3.X <u>The DCC estimation of need for older peoples housing over the period 2019 to 2035 averages at 39 dwellings per annum, with a suggested tenure split of 85% rent 15% sale.</u></p> <p>3.17. As well as the need for older peoples housing, the SHMA looked at the needs for registered care (<u>Residential Care and Nursing Care</u>) and identified potential need of 21 bed spaces per annum for the borough.</p> <p>3.X <u>The SHMA figure is in line with the 2019 DCC estimation (Table 9 Housing and accommodation for an ageing population: a strategic vision for Derbyshire to 2035 (DCC 2019)) which averages at 21 bed spaces per annum for Nursing Care but does identify a small surplus of Residential Care bed spaces.</u></p> <p><u>Estimated net additional need for Residential and Nursing Care beds to 2035</u></p>	<u>Local Authority</u>	<u>Housing for older people (units)</u>				<u>Housing with Care (units)</u>					<u>Current provision</u>	<u>Net additional need (rent) 2035</u>	<u>Net additional need (sale) 2035</u>	<u>Total net additional need 2035</u>	<u>Current provision</u>	<u>Net additional need (rent) 2035</u>	<u>Net additional need (sale) 2035</u>	<u>Total net additional need 2035</u>	Chesterfield	2,798	0	281	281	55	277	59	336
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MM21		<p>3.18. National planning guidance emphasises the need for policy to be viable. Developments should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. The 2018 Viability Study concluded that 25% adaptable and accessible housing and up to 20% affordable housing could be delivered in the borough. The proportion of affordable housing the council will seek to negotiate will vary up to a maximum of 20%, and will be informed by is based on the Viability Study evidence and the CIL zones. The zones will be reviewed alongside CIL rates when updated viability evidence is available.</p>															
MM22	Policy LP5	<p>LP5 Range of Housing</p> <p>In order to increase local housing choice, respond to emerging needs and promote the creation of sustainable communities, in new housing developments the council will require seek a range of dwelling types and sizes based on the council's most up to date evidence assessment of local housing needs and the location and characteristics of the site area.</p> <p><u>Affordable Housing</u></p> <p>On sites totalling 10 or more dwellings (including phases of those sites) up to 20% of affordable housing and 25% of adaptable and accessible housing, will be sought by negotiation informed by required in line with the charging zones set in the council's most recently adopted CIL Charging Schedule¹.</p> <table border="1"> <thead> <tr> <th><u>CIL Zone</u></th> <th><u>% Affordable Housing Required</u></th> <th><u>Type of affordable housing</u></th> </tr> </thead> <tbody> <tr> <td><u>Zero</u></td> <td><u>0</u></td> <td><u>n/a</u></td> </tr> <tr> <td><u>Low</u></td> <td><u>5</u></td> <td><u>10% Affordable</u></td> </tr> <tr> <td><u>Medium</u></td> <td><u>10</u></td> <td><u>Home Ownership</u></td> </tr> </tbody> </table>	<u>CIL Zone</u>	<u>% Affordable Housing Required</u>	<u>Type of affordable housing</u>	<u>Zero</u>	<u>0</u>	<u>n/a</u>	<u>Low</u>	<u>5</u>	<u>10% Affordable</u>	<u>Medium</u>	<u>10</u>	<u>Home Ownership</u>			
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High	20	90% Affordable Rent			

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<ul style="list-style-type: none"> • <u>On sites totalling 10 or more dwellings (including phases of those sites) 25% of dwellings should be built to building regulations standard M4(2) (where a site includes affordable housing this should normally be proportionately split between tenures)</u> • <u>Where the council has identified evidence of a specific need for a wheelchair accessible standard M4(3) property (for which the council is responsible for allocating or nominating a person to live in that dwelling) that is relevant to a site, this will be negotiated with the developer and secured by planning obligation, subject to consideration of viability and suitability.</u> <p><u>Where evidence is submitted to demonstrate that step-free access is not viable or technically feasible due to site-specific factors, there will be no requirement for adaptable and accessible housing (building regulations M4(2) or M4(3)).</u></p> <p>Housing for Older People Proposals for new registered care facilities for <u>housing for</u> older people will be supported <u>permitted on the housing sites on Table 4 where they:</u></p> <ul style="list-style-type: none"> • <u>contribute to meeting needs identified in the councils most up to date evidence; and</u> • <u>have good access to public transport, and</u> • <u>have good access to health services and facilities.</u> <p><u>Registered care facilities will not be expected to provide affordable housing on site or as an off-site contribution.</u></p> <p>¹ https://www.chesterfield.gov.uk/planning-and-building-control/planning-permission-and-development-management/community-infrastructure-levy.aspx</p>
MM23	Paragraphs 3.20, to 3.24 and table 8	<p>3.20. The Derbyshire Gypsy and Traveller Accommodation Assessment 2014 (GTAA) concluded that Chesterfield Borough has a pitch requirement of 4 over the period 2014 to 2019, with no requirement for the remainder of the plan period. Half <u>All</u> of this need has been met through planning permissions, <u>resulting in a surplus of one pitch.</u></p> <p>3.21. The latest government published updated guidance on Planning Policy for Travellers in 2015. This policy takes ‘travellers’ to mean gypsies and travellers and travelling showpeople. This guidance requires local planning authorities to make a</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>robust assessment of need for sites for travellers and to identify and update annually a supply of sites to meet pitch targets set to meet the need identified. Sites to address a five year supply are allocated in the Local Plan.</p> <p>3.22 The council undertook an exercise to identify potential sites for Gypsy and Traveller sites in late 2017 and early 2018. This considered 46 sites and included public consultation on six. At the end of this process it was concluded that none of the sites met the criteria of being available and suitable.</p> <p>Table 8</p> <p>There is an outstanding need for 2 pitches within the plan period. Based on historic delivery, it is anticipated that this will be delivered via a windfall.</p> <p>3.23. In the absence of suitable sites, and in the event of an unanticipated need for a site arising, the Local Plan sets out a criteria-based approach by which planning applications for Gypsy and Traveller sites can be assessed. When considering proposals, the council will take account of the most recent national planning policy for traveller sites including: Government guidance within ‘Planning Policy for Traveller Sites’</p> <ul style="list-style-type: none"> • The existing level of local provision and need for sites. • The availability (or lack of) alternative accommodation for the applicants. • Other personal circumstances of the applicant. <p>3.24 The Designing Gypsy and Traveller Sites Good Practice Guide 2008 should also be considered in relation to detailed design.</p>
MM24	Policy LP6	<p>LP6 Sites for Travellers</p> <p>Planning permission will be permitted for Traveller pitches on the sites allocated on the Policies Map and as set out in table 8, and also on unallocated land where:</p> <p>a) the site is not located in the Green Belt; or adopted Local Green Spaces;</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		b) there is no unacceptable impact on the function and purpose of Strategic Gaps, Green Wedges or on wildlife sites or other protected green spaces; c) the site is reasonably accessible to community services and facilities; d) the site provides adequate levels of amenity for users; e) the site can be adequately serviced with drinking water and sewerage disposal facilities; f) the site is of sufficient size to accommodate the proposed number of caravans, vehicles and ancillary work areas as appropriate; g) there is satisfactory boundary treatment to ensure privacy and to maintain visual amenities. h) the site is located outside of Flood Zone 3 i) It meets other relevant policies of the Local Plan
Jobs, Centres and Facilities		
MM25	paragraphs 4.8, page 31	4.8. The 2018 Employment Land study recommended that Chesterfield Borough should provide approximately 44 ha of new land for Business and Industrial use between 2018 and 2033 in order to provide sufficient jobs for the borough’s population and wider catchment. <u>This requirement figure has been extended to align with the plan period end date of 2035, which results in a total employment land requirement of 50 ha between 2018 and 2035.</u>
MM28	Table 9 (page 32)	See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.
MM29	Both Tables labelled 12, pages 40-41	Replace both tables. See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.
MM30	Table 10 & Policy LP9	[Table 10] Local Centres – <u>Sheffield Road</u> LP9 Vitality and Viability of Centres <u>Role of centres</u>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>The council will support the role of the town, district, local service centres and local centres in providing shops and local services in safe, accessible and sustainable locations. New retail development within centres shown on the proposals map should make a positive contribution to the centre’s viability and vitality, and be of an appropriate scale</p> <p>To ensure the vibrancy, inclusiveness and economic activity of the borough’s centres, main town centre uses including health, leisure, entertainment, community facilities, sports, offices, art, food and drink, cultural and tourism facilities will be encouraged supported.</p> <p>Within centres and Chesterfield Town Centre Primary Shopping Area (PSA) planning permission will normally be granted for A1 retail uses. For main Main town centre uses other than A1 retail, <u>consideration will be given to the extent to which proposals accord with criteria a) to e) below:</u> will normally be permitted where they will:</p> <ul style="list-style-type: none"> a) not overwhelm the retail function of the centre, street or frontage where it is located by having have a detrimental positive impact on vitality and/or viability; b) provide active ground floor uses; c) contribute to an active, well-used and safe environment in the evening with acceptable impacts on residential amenities; ed) cater for a wide public through diversity of leisure and cultural attractions and events; ed) contribute to an appropriate mix of licensed premises; and fe) contribute to efforts to tackle vacant, under-used and derelict buildings within centres, particularly in historic buildings. <p>Within Secondary shopping areas of Chesterfield Town Centre planning permission will normally be granted for any main town centre uses.</p> <p>Residential uses (C3) will normally only be permitted at first floor level and above (with the exception of suitable provision for access) and on appropriate redevelopment sites where it would not undermine the vitality of the centre.</p> <p>The Council will support the temporary occupation of empty buildings and cleared sites by creative industries and cultural and community organisations where they contribute to regeneration and enhance the character of the area'.</p> <p>Proposals for comprehensive redevelopment of a centre or part of a centre will be considered where the proposals can</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification										
		demonstrate the community benefits of redevelopment and justify any loss of retail facilities. The provision of new local centres may be considered where a need arises.										
MM31	LP10	<p>LP10 Retail</p> <p>Across the borough, a sequential approach will be used to assess sites for retail and other town centre uses, to focus such development on town, district, local service centres and local centres to meet the requirements of national planning policy.</p> <p>Retail Impact assessments will be required to accompany planning applications for new retail and leisure proposals within that fall outside of Chesterfield Town Centre, Staveley Town Centre and District Centres, Local, and Local Service Centres, in accordance with the NPPF: with the locally set thresholds below:</p> <ul style="list-style-type: none"> • Within 500m of Chesterfield Town Centre, for all retail proposals with a floorspace of more than 500 sqm (gross internal floorspace) • Within 500m of Staveley Town Centre and District Centres, for all retail proposals with a floorspace of more than 280 sqm (gross internal floorspace) • Within 500m of Local and Local Service Centres, for all retail proposals with a floorspace of more than 200 sqm (gross internal floorspace) <table border="1" data-bbox="837 967 1789 1329"> <thead> <tr> <th data-bbox="837 967 1117 1007">Uses</th> <th data-bbox="1117 967 1480 1007">Location</th> <th data-bbox="1480 967 1789 1007">Threshold</th> </tr> </thead> <tbody> <tr> <td data-bbox="837 1007 1117 1329" rowspan="3">Retail and Leisure</td> <td data-bbox="1117 1007 1480 1115">Within 500m of Chesterfield Town Centre</td> <td data-bbox="1480 1007 1789 1115">500 sq. m or above (gross internal floorspace)</td> </tr> <tr> <td data-bbox="1117 1115 1480 1224">Within 500m of Staveley Town Centre and District Centres</td> <td data-bbox="1480 1115 1789 1224">280 sq. m or above (gross internal floorspace)</td> </tr> <tr> <td data-bbox="1117 1224 1480 1329">Within 500m of Local and Local Service Centres</td> <td data-bbox="1480 1224 1789 1329">200 sq. m or above (gross internal floorspace)</td> </tr> </tbody> </table>	Uses	Location	Threshold	Retail and Leisure	Within 500m of Chesterfield Town Centre	500 sq. m or above (gross internal floorspace)	Within 500m of Staveley Town Centre and District Centres	280 sq. m or above (gross internal floorspace)	Within 500m of Local and Local Service Centres	200 sq. m or above (gross internal floorspace)
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	<u>All other locations (not within Town, District or Local Centres)</u>							
<u>500 sq. m or above (gross internal floorspace)</u>								
MM32	Policy LP11	<p>LP11 Social Infrastructure</p> <p>Location of new development</p> <p>Social infrastructure facilities will be permitted in and on the edge of the town, district and local service centres where they are accessible by public transport, walking and cycling, unless they are meeting a specific local need. Opportunities to deliver new or enhanced provision as part of new developments will be maximised, depending on the capacity and suitability of existing services.</p> <p>Co-location of facilities</p> <p>The co-location and multi-use of facilities will be encouraged. Where proposals involve the provision of new or expanded social infrastructure facilities, they should be well related to existing centres and settlements and public transport infrastructure, and should provide high standards of accessibility for all sectors of the community.</p>						

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>Improvement of existing facilities</p> <p>The quality, functionality and accessibility of existing social infrastructure facilities will be improved at sites including Chesterfield Royal Hospital, Walton Hospital and Chesterfield College, so as to allow for their future expansion. Masterplans will be required to accompany proposals to ensure the sustainable and co-ordinated development of the hospital and college sites.</p> <p>The amalgamation and loss of facilities</p> <p>Development will not be acceptable where it includes the change of use, amalgamation of uses or redevelopment of existing local community or recreational facilities, if it would result in the loss of a facility which is required to meet a local need or contributes to the network of facilities throughout the borough unless:</p> <p>a) There is an equivalent facility available in the locality or an equally accessible one is made available prior to the commencement of redevelopment to serve the same need; and</p> <p>b) It can be demonstrated through a viability assessment that the current use is economically unviable and all reasonable efforts have been made to let or sell the unit for the current use over a <u>continuous</u> 12 month period <u>that includes advertisement for let or sale at a realistic price.</u></p>
MM33	Paragraph 5.2	<p>5.2 The appropriate mechanism for delivering infrastructure will vary between developments, but on-site infrastructure that primarily meets the need of the occupants of new development (e.g. landscaping, amenity open space, road access) will normally be dealt with via planning conditions or a Section 106 agreement. Other more strategic infrastructure requirements which are included on the Regulation 123 Infrastructure List will be met via the Community Infrastructure Levy (CIL). The Council's Infrastructure Study & Delivery Plan sets out the Borough's strategic infrastructure requirements over the Local Plan period. The updated Delivery Plan is shown in Appendix A. The CIL charging schedule took effect in Chesterfield on 1st April 2016. It sets out the types of eligible development and the rates which will be applied in each charging zone¹.</p>

¹ Whilst the Community Infrastructure Levy Regulations 2010 (as amended) do not allow CIL Charging Authorities to exert discretion on whether payments should be made, the council has made provision for 'exceptional circumstances relief' and 'payment in kind' under specific circumstances allowed for in the Regulations.

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
MM34	Paragraph 5.4	<p>5.4 As Infrastructure requirements are likely to change over time, the Infrastructure Study & Delivery Plan will be updated and reviewed regularly. It provides the starting point for Council to identify its priorities for the Community Infrastructure Levy (known as the CIL Regulation 123 list). Whilst over time the Community Infrastructure Levy may provide significant contributions to infrastructure delivery, the Levy is intended to fill the funding gaps that remain once existing sources of funding have been taken into account. Core public funding will continue to bear the main burden of infrastructure funding. The Levy is intended to fill the funding gaps that remain once existing sources of funding have been taken into account. To ensure efficient and effective negotiation, applicants are advised to engage with the Council and its partners in pre-application discussions to ensure provide clarity over assessments of infrastructure requirements in advance of applications being submitted</p>
MM35	LP12	<p>LP12 Infrastructure Delivery</p> <p>Developer contributions will be used to mitigate the impact of new development and ensure that appropriate infrastructure is in place to support growth. The Borough Council will normally require that on-site infrastructure requirements are met via planning conditions or a Section 106 agreement. Developers will be required to demonstrate that the necessary infrastructure (green, social and physical) will be in place in advance of, or can be provided in tandem with, new development, and where appropriate arrangements are in place for its subsequent maintenance.</p> <p>Where the provision of infrastructure is considered to be a strategic need and is included in the Council’s CIL Regulation 123 list then development, if liable, will be required to contribute via the Community Infrastructure Levy (CIL).</p> <p>Section 106 contributions will not be sought for infrastructure projects that are included in the Council’s CIL Regulation 123 list.</p> <p>All infrastructure requirements will be co-ordinated and delivered in partnership with other authorities and agencies.</p> <p>Where new development would result in the loss of existing essential infrastructure, appropriate replacement provision should be provided as part of the new development proposals.</p>
A Changing Climate		
MM36	LP13	<p>LP13 Renewable Energy</p> <p>The Council will support proposals for renewable energy generation particularly where they have wider social, economic and</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>environmental benefits, provided that the direct and cumulative adverse impacts of the proposals on the following assets are acceptable, or can be made so:</p> <ul style="list-style-type: none"> a) the historic environment including heritage assets and their setting; b) natural landscape and townscape character; c) nature conservation; d) amenity – in particular through noise, dust, odour, and traffic generation. <p>Proposals will be expected to</p> <ul style="list-style-type: none"> I. reduce impact in <u>on</u> the character and appearance of the open countryside by locating distribution lines below ground where possible II. include provision to reinstate the site if the equipment is no longer in use or has been decommissioned III. incorporate measures to enhance biodiversity <p>Wind Energy</p> <p>Proposals for wind energy development will be supported where they:</p> <p>1) can be demonstrated to be community led or set out <u>are</u> within an area defined as being suitable for wind energy development within an adopted Neighbourhood Plan; and or and <u>2) are outside areas identified in neighbourhood plans and are community led; and</u> 232) are able to demonstrate, following public consultation, that all material planning impacts identified by affected local communities have been adequately addressed; and 343) meet criteria a) to d) above.</p> <p>In addition to meeting criteria 1. to 3. above, <u>where</u> wind energy development located within the Green Belt will <u>would</u> constitute inappropriate development, and planning permission will <u>not only</u> be granted where <u>unless</u> very special circumstances (as set out in the NPPF) can be demonstrated.</p> <p>Renewable Heat</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>New developments will connect to or be designed for future connection to community heating networks where appropriate. Where no district heating scheme exists or is proposed in the proximity of a major new development, the potential for developing a new scheme on the site should be explored and pursued where feasible. Priority sites for district heating include Staveley and Rother Valley Corridor, Town Centre Northern Gateway, and South of Chatsworth Road.</p> <p>Hydro Power Developments along the river and canal corridors (watercourses) will be expected to investigate the feasibility of using small scale hydro power. Preapplication advice from the Environment Agency is advised.</p>
MM37	Policy LP14	<p>LP14 Managing the Water Cycle</p> <p><u>Flood Risk</u></p> <p>The council will require flood risk to be managed for all development commensurate with the scale and impact of the proposed development, so that developments are made safe for their lifetime without increasing flood risk elsewhere.</p> <p>Development proposals and site allocations will:</p> <ul style="list-style-type: none"> a) be directed to locations with the lowest probability of flooding or water resources as required by the flood risk sequential test’; b) be directed to locations with the lowest impact on water resources; c) be assessed for their contribution to reducing overall flood risk, taking into account climate change. <p>Within areas of functional floodplain, development is expected to preserve or enhance the contribution of the area to water management / reducing flood risk.</p> <p>Outside flood zone 1, the redevelopment of previously developed land for uses not allocated in this Local Plan land will be permitted where proposals can demonstrate that:</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>i. the development will deliver the economic, social and environmental regeneration of the borough that outweighs the risk of flooding and reduces flood risk overall;</p> <p>ii. the safety of the development and users from flooding can be achieved and, as a minimum, there will be no increase in on- or off-site flood risk demonstrated through a site-specific flood risk assessment;</p> <p>iii. the proposed uses are compatible with the level of flood risk, and;</p> <p>iv. a sequential approach to the location of uses has been taken within the site itself, including matching the vulnerability of uses to the risk of flooding.</p> <p><u>Improving the drainage network</u></p> <p>The council will seek opportunities to increase the capacity of the floodplain safely, make space for water across the whole borough, and to remove problems from the drainage network, particularly in connection with new development.</p> <p>Sustainable Drainage Systems (SuDS) and clear arrangements for their on-going maintenance over the lifetime of the development should be incorporated into all relevant major development, unless it can be demonstrated that this is not appropriate in a specific location. The council will seek the maximum possible reduction in surface water run-off rates based on the SFRA or most recent national guidance.</p> <p><u>Protecting the Water Environment</u></p> <p>Development proposals will be expected to demonstrate that water is available to support the development proposed and that they will meet the optional Building Regulation water efficiency standard of 110 litres per occupier per day.</p>
Environmental Quality		
MM38	Paragraph 7.3	<p><u>7.4 When sites containing 'best and most versatile' agricultural land are developed, current accepted best practice should be followed to better protect the soil resource. The Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (DEFRA 2009) currently provides best practice guidance.</u></p>
MM39	Policy LP15	LP15 A Healthy Environment

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>The quality of the environment will be recognised at all levels of the planning and development process with the aim of protecting and enhancing environmental quality.</p> <p>All developments will be required to have an acceptable impact on the amenity of users or and adjoining occupiers, taking into account noise and tranquillity disturbance, dust, odour, air quality, traffic, appearance outlook, overlooking, shading (daylight and sunlight) and glare and other environmental impacts.</p> <p><u>Air Quality</u></p> <p>Where appropriate, development proposals will include an assessment of impact on air quality and incorporate measures to avoid or mitigate increases in air pollution and minimise the exposure of people to poor air quality. Development that would make the air quality in a declared Air Quality Management Area (AQMA) materially worse either in isolation or cumulatively when considered in combination with other planned development, will not normally be permitted.</p> <p>New development will have regard to the measures set out in any Air Quality Action Plan.</p> <p><u>Water Contamination</u></p> <p>Development proposals will be expected to contribute positively to the water environment and its ecology, and should not adversely affect surface or ground water quality, in line with the requirements of the Water Framework Directive</p> <p>Where any such risk exists, developments must include measures to reduce or avoid water contamination and safeguard groundwater supply.</p> <p><u>Soil and Agricultural Land Quality</u></p> <p>Development of "best and most versatile" agricultural land will only be permitted supported where it can be demonstrated that:</p> <p>a) The need for the development clearly outweighs the need to protect such land in the long term; and or,</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>b) <u>Other sustainability considerations suggest that the use of the higher quality agricultural land is preferable to the use of poorer quality agricultural land; or</u></p> <p>c) In the case of temporary/potentially reversible development (for example, minerals), that the land would be reinstated to its pre-working quality; and,</p> <p>d) There are no suitable alternative sites on previously developed or lower quality land</p> <p>The Council will require all applications for major development on such land to include realistic proposals to demonstrate that soil resources were will be protected and used sustainably, in line with accepted best practice.</p> <p><u>Unstable and Contaminated Land</u></p> <p>Proposals for development on land that is, or is suspected as of being, contaminated or unstable will only be permitted if the mitigation and/or remediation are feasible to make the land is capable of remediation and fit for the proposed use and shall include:</p> <p>a) a <u>phase I land contamination report, including where necessary a land stability risk assessment</u> desk top survey with the planning application; and</p> <p>b) a phase II study and strategy for <u>land contamination report where the phase I report (a) indicates it is necessary, and</u></p> <p><u>c) and a strategy for any necessary mitigation and/or</u> remediation and final validation where the desk top survey (a) indicates remediation may be necessary., on any full or reserved matters planning applications</p> <p>A programme of mitigation, remediation and validation must be agreed before the implementation of any planning permission on contaminated and/or unstable land. The requirement to undertake this programme will be secured using planning conditions.</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
MM40	Policy LP16	<p>LP16 Green Infrastructure</p> <p>Chesterfield borough’s green infrastructure network will be recognised at all levels of the planning and development process with the aim of protecting enhancing, linking and managing the network, and creating new green infrastructure where necessary. Development proposals should demonstrate that they will not adversely affect, or result in the loss of, green infrastructure, unless suitable mitigation measures or compensatory provision are provided.</p> <p>Development proposals should, where appropriate relevant:</p> <p>a) Not conflict with the aim and purposes of the Green Belt (as set out in the NPPF); and b) Not harm the character and function of the Green Wedges and Strategic Gaps; and a) not harm the character or function of the Green Belt, Green Wedges and Strategic Gaps, and Local Green Spaces shown on the adopted Proposals Map c) b) e-Enhance connectivity between, and public access to, green infrastructure; and d) e) (i) Protect and enhance access to the multi-user trails network as shown on the Policies Map; and (ii) Protect and increase the opportunities for cycling, walking and horse riding; and e) f) Enhance the multi-functionality of the Borough’s formal and informal parks and open spaces; and f) e) Protect or enhance Landscape Character; and g) f) i) Increase tree cover in suitable locations in the borough to enhance landscape character, amenity and air quality; and h) g) Where new green infrastructure is proposed, there must be clear funding and delivery mechanisms in place for its long term management and maintenance, prior to the development commencing.</p> <p>Where necessary and appropriate D d development will be expected to make a contribution through <u>planning obligations</u> or CIL towards the establishment, enhancement and on-going management of green infrastructure by contributing to the development of a strategic green infrastructure network within Chesterfield Borough.</p> <p>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.</p>
MM41	Policy LP17	LP17 Biodiversity, Geodiversity and the Ecological Network

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>The Council will expect development proposals to: -</p> <ul style="list-style-type: none"> • protect, enhance and contribute to the management of the borough’s ecological network of habitats, <u>protected and priority</u> species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a local wildlife site or priority habitat; and • avoid and/or minimise adverse impacts on biodiversity and geodiversity; and • provide a net measurable gain in biodiversity. <p>This should be secured using planning conditions and obligations by:</p> <ol style="list-style-type: none"> i) The provision of new, restored and enhanced habitats and links between habitats that make a positive contribution to the coherence of ecological networks; and ii) promoting the recovery of protected species and species identified as a priority in the Local Biodiversity Action Plan (or subsequent equivalent evidence).; <u>and</u> iii) <u>the retention of existing features of ecological value.</u> <p>If significant harm to biodiversity resulting from a development cannot be avoided, or through conditions or planning contributions adequately mitigated, or, as a last resort, compensated for (including off-setting), then planning permission will be refused.</p> <p>Sites of International and National Importance</p> <p>Where a site of designated international importance would be adversely affected (either individually or cumulatively) by a development within the Borough, permission will be refused unless it has been demonstrated that there are no other alternatives;_ or there are imperative reasons of overriding public interest;_ and that compensatory measures will be provided to ensure the overall coherence of the network of sites is protected. Where the impact of a development (either individually or cumulatively) within the Borough, on a site of designated national importance (such as SSSIs) would be adverse, permission will be refused unless the benefits of the development would demonstrably outweigh both the impacts that it is likely to have on the features of the site that make it of national importance and any broader impacts;_ and a</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>suitable compensation/off-setting strategy has been secured with planning conditions or obligations.</p> <p>Sites of Local Importance</p> <p>Development proposals resulting in the loss or deterioration (including fragmentation) of sites of local importance (such as Local Wildlife Sites and priority habitats) will not normally be permitted, unless the need for, and benefits of, the development in that location demonstrably outweigh the loss or harm and a suitable compensation/off-setting strategy has been secured with planning conditions or obligations</p> <p>Irreplaceable Habitats</p> <p>Development proposals resulting in the loss or deterioration (including fragmentation) of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons and the need for, and public benefits of, the development in that location demonstrably outweigh the loss or harm, and a suitable compensation/offsetting strategy has been secured with planning conditions or obligations.</p> <p>The council will require the submission with planning applications of ecological surveys and assessments of the biodiversity and geological value of sites as set out in a list of local requirements.</p> <p><u>The Council will require the submission with planning applications of ecological surveys and assessments of the biodiversity, ecological and geological value of sites, where this is clearly justified, including as set out in a local list of validation requirements. This includes where development could have a significant impact on biodiversity, geodiversity and the ecological network. The surveys and assessments should be proportionate to the nature and scale of proposed development and its likely impact on biodiversity, geodiversity and the ecological network.</u></p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
MM42	Paragraph 7.16	<p>7.16 Open space, play provision and sports facilities are important elements of both green infrastructure and social infrastructure, enabling healthy lifestyles and positive community relationships. <u>Open Space for the purposes of the Plan is taken to mean all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.</u></p>
MM43	Policy LP18	<p>LP18 Open Space, Play Provision, Sports Facilities and Allotments</p> <p>Where <u>proposed development would result in a need for new open space and outdoor sports facilities and/or exacerbate existing deficiencies in provision</u> a need is identified, development must contribute to public open space, sports facilities and play provision in accordance with the Council’s adopted standards <u>as set out in Appendix B of the Local Plan and in line with the following requirements:</u></p> <ul style="list-style-type: none"> a) On-site in a suitable location taking account of accessibility wherever possible; or b) Where on site provision is not feasible or suitable, as a financial contribution to the creation of a new facility off-site or the upgrading and improvement of an existing facility, secured by planning obligation or CIL; and <u>or</u> c) <u>Where new public open space is to be provided on site, As</u> multifunctional, fit for purpose space that supports local communities health and wellbeing and activity levels and the ecological network; and <p>Contributions to off-site provision will be secured through CIL and /or S106 agreements <u>as appropriate.</u></p> <p>On site provision will be incorporated into development proposals with suitable management and maintenance arrangements secured through S106 agreements.</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>Planning permission will not be granted for development which would have a negative impact on, or result in the loss of, open space, play provision and/or sports facilities unless:</p> <ul style="list-style-type: none"> i. The site is clearly surplus to requirements and the land is not needed or is not suitable to meet a deficiency in a different type of open space provision; or ii. Equivalent or better alternative open space provision in terms of quantity, quality and accessibility can will be provided on a replacement site; or iii. The loss of the open space will enable the enhancement of the existing open space network serving the locality affected, in a manner that will result in material planning benefits in terms of increased public health and well-being or other ecosystem services that demonstrably outweigh the loss of open space; iv. The site is unallocated and its loss or development would not detract from visual amenity and local character, and it is not a community facility iii. <u>the development is for alternative sports and/or recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</u>
MM44	Policy LP19	<p>LP19 Chesterfield Canal</p> <p>The council will safeguard the route of Chesterfield Canal as shown on the policies map. Development which prejudices the existing character of and/or the future potential for the improvement and enhancement of the Chesterfield Canal, including public access, environment and recreation, will not be permitted.</p> <p>Proposals for development associated with the recreation and leisure potential of the canal will be permitted close to its route provided that they do not have an adverse impact on habitats, the environment or public health and accord with other relevant policies of the plan.</p> <p>Where new development, including infrastructure, is proposed adjacent to the canal, it will be required to conserve and enhance the route of the canal, including restoring the canal along its original route wherever possible. New developments should include provision for safe and convenient walking and</p>

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		<p>cycling access to the canal.</p> <p>On land at Staveley Basin, as shown on the policies map, and subject to an approved masterplan for the whole site, the council will support planning permission will be granted applications that assist in the delivery of for development that delivers:</p> <ul style="list-style-type: none"> • An events area adjacent to the canal; and • Moorings and facilities for visiting boats; and • A mix of uses including residential (C3) (as set out in policy LP4, site H21), food and drink uses (A3 and A5), and/or business and light industrial use (B1(a) and B1(b))
MM45	Policy LP20	<p>LP20 River Corridors</p> <p>Development which prejudices the existing biodiversity, ecological value and character of and/or the future potential for the improvement and enhancement of the environment and character of the rivers corridors as shown on the policies map, including biodiversity, habitat connectivity, public access and recreation as shown on the proposals map, will not be permitted.</p> <p><u>New development proposals on or adjacent to a river corridor should investigate the creation, and management, of ecological buffer strips and corridors to preserve and enhance the biodiversity of the area.</u></p> <p>New development proposals on or adjacent to a river corridor should also include provision for safe and convenient walking and cycling access wherever possible.</p> <p>Planning applications permission will be granted supported for proposals that result Proposals for in the removal or enhancement of existing weirs to allow for improved fish passage, and for hydroelectric power schemes will be supported subject to the provisions above and other relevant policies of the plan.</p>
Design and the Built Environment		
MM46	Policy LP21	<p>LP21 Design</p> <p>All development should identify and, respond positively to and integrate with the character of the site and surroundings and respect the local distinctiveness of its context. The Council will support outstanding or innovative designs which promote high</p>

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		<p><u>levels of sustainability, or help raise the standard of design more generally in an area, provided that they complement the character and appearance of their surroundings.</u></p> <p>All development will be expected to:</p> <ul style="list-style-type: none"> a) promote innovative forms and good building designs that positively contribute<u>s</u> to the distinctive character of the borough, enrich<u>e</u>s the quality of existing places and enhance<u>s</u> the quality of new places; b) respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials; c) be at a density appropriate to the character of the area whilst not excluding higher densities in and close to <u>designated local, district and town</u> centres; d) contribute to the vitality of its setting through the arrangement of active frontages, accesses, and functions, including servicing; e) ensure that the interface between <u>building plots and streets and also the boundaries of development sites</u> development boundaries and their surroundings are attractive and take account of the relationship between public and private spaces; f) provide appropriate connections both on and off site, including footpath and cycle links to adjoining areas to integrate the development with its surroundings; g) provide adequate and safe vehicle access and parking; h) provide safe, convenient and attractive environment for pedestrians and cyclists; i) preserve or enhance the landscape character and biodiversity assets of the borough; j) be designed to be adaptable and accessible for all; k) have an acceptable impact on the amenity of users and neighbours; l) be designed to be safe and secure and to create environments which reduce the potential for crime;

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		<p>m) minimise the impact of light pollution</p> <p>n) <u>be able to withstand any long-term impacts of climate change</u></p> <p><u>Reducing Emissions</u></p> <p>All Major development should, as far as is feasible and financially viable possible, contribute towards the reduction of minimise CO2 emissions during construction and occupation, and also maximise both the use of and the generation of renewable energy.</p> <p>Planning applications for major new development should be accompanied by a statement (as part of or in addition to a design and access statement) which sets out how the development would do this in terms of:</p> <ul style="list-style-type: none"> <u>i. following the steps in the energy hierarchy by seeking to use less energy, source energy efficiently, and make use of renewable energy before efficiently using fossil fuels from clean technologies:</u> <u>ii. optimising the efficient use of natural resources;</u> <u>iii. reducing emissions through orientation and design.</u> <p>i. makes effective use of resources and materials through sustainable design and construction ii. minimises water use and provide for waste reduction and recycling iii. uses an energy hierarchy that seeks to use less energy, source energy efficiently, and make use of renewable energy iv. is sited and designed to withstand the long term impacts of climate change</p> <p><u>When considering the feasibility and viability of reducing emissions and also use of renewable energy in any major development, the Council will take into account matters such as the development’s scale and nature, its operational requirements, any site-specific constraints and also the need to meet other planning policy requirements.</u></p> <p>The Council will consider the extent to which sustainability has informed the design of proposals, taking account of:</p> <ul style="list-style-type: none"> • Impact on viability

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		<ul style="list-style-type: none"> • Scale and nature of development • Operational requirements of the proposed use • Site specific constraints • The need to meet other planning policy requirements <p><u>Percent for Art</u> For major developments with a value in excess of £1 million, the council will seek to negotiate a scheme of public artwork, subject to consideration of the impact on the viability of the development, secured by planning obligations and/or conditions where necessary.</p> <p><u>On major developments, the council will encourage developers to incorporate public art on site into structures and public spaces where reasonable.</u></p>
MM47	Policy LP22, p. 71	<p>LP22 Historic Environment</p> <p><u>In assessing the impact of a proposed development on the significance of a designated heritage asset,</u> the Council will <u>give great weight to the conservation of designated heritage assets and their setting</u> protect the historic environment and heritage assets throughout the borough and seek to enhance them wherever possible.</p> <p><u>In order to ensure that All-new development must conserve or enhances</u> <u>the significance of designated and non-designated heritage assets and their settings</u> the local character and distinctiveness of the area in which it would be situated, <u>the council will:</u></p> <p>The council will do this through:</p> <ol style="list-style-type: none"> a) <u>Apply</u> a presumption against development that would unacceptably detract from views of St Mary’s Church (The Crooked Spire) by virtue of its height, location, bulk or design; b) the protection of <u>the significance of</u> Designated Heritage Assets and their settings including Conservation Areas, Listed Buildings, Scheduled Monuments and Registered Parks and Gardens;

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		<p>c) the use of Conservation Area Appraisals and associated Management Plans to ensure the conservation or enhancement of the individual character of each of the borough’s conservation areas;</p> <p>d) the identification identify and, where appropriate, protection of important archaeological sites and historic environment features;</p> <p>e) the identification identify and, where appropriate, protection of non-designated heritage assets of local significance, set out in and referred to as The Local List;</p> <p>f) Enhancing enhance the character and setting of Queens Park, Chesterfield Market Place, the Hipper River Valley, Chesterfield Canal and locally important Historic Parks and Gardens.</p> <p>g) Requiring development proposals within the Town Centre Historic Core to be accompanied by appropriate levels of archaeological assessment <u>within the Town Centre Core and other areas of archaeological significance, require relevant development proposals to demonstrate careful appropriate consideration of archaeological impact.</u></p> <p><u>Where a development is likely to result in harm to, or a degree of loss of the significance of designated heritage assets and/or their setting, planning applications should be accompanied by an assessment evidence that sets out:</u></p> <ol style="list-style-type: none"> 1. <u>a description of the significance of the affected assets and their setting and an assessment of the nature and degree of impact on this;</u> 2. <u>an evaluation of how harm or loss would be avoided, minimised or mitigated; and</u> 3. <u>a clear and convincing justification for the development and the resulting harm or loss.</u> <p><u>Development that would result in substantial harm to or total loss of significance to a designated heritage asset will not be permitted unless:</u></p> <p><u>Either:</u></p> <ol style="list-style-type: none"> i) <u>it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss;</u> <p><u>or all of the following apply:</u></p> <ol style="list-style-type: none"> ii) <u>the nature of the heritage asset prevents all reasonable uses of the site; and</u>

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		<p>iii) <u>no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</u></p> <p>iv) <u>conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and</u></p> <p>v) <u>the harm or loss is outweighed by the benefit of bringing the site back into use.</u></p> <p>The council will consider the use of measures including Article 4 directions and Local Development Orders where they are appropriate to ensure the conservation and enhancement of heritage assets.</p> <p>The council has a presumption in favour of retaining non- designated heritage assets on The Local List. Development that involves substantial harm or loss of a non-designated heritage asset will not be acceptable unless it can be demonstrated that <u>be assessed as part of a balanced judgment which considers whether:</u></p> <table border="1" data-bbox="546 817 1697 999"> <tbody> <tr> <td data-bbox="546 817 600 855">i</td> <td data-bbox="600 817 1697 855"><u>Whether or not</u> the asset is structurally unsound and poses a safety risk;</td> </tr> <tr> <td data-bbox="546 855 600 893">ii</td> <td data-bbox="600 855 1697 893">it is unviable to repair <u>the viability of repairing</u> or maintaining the asset;</td> </tr> <tr> <td data-bbox="546 893 600 932">iii</td> <td data-bbox="600 893 1697 932"><u>whether or not</u> alternative uses have been fully explored;</td> </tr> <tr> <td data-bbox="546 932 600 999">iv</td> <td data-bbox="600 932 1697 999"><u>whether or not the proposal</u> it would have wider social, economic or environmental benefits as part of a masterplanned regeneration scheme</td> </tr> </tbody> </table> <p>Where a proposal that involves unavoidable harm or loss of a non-designated heritage asset on The Local List meets the criteria above, the council will seek a replacement development <u>which is of an equivalent standard of design to the non-designated heritage asset</u> of a similar quality, <u>and</u> where possible retaining <u>retains</u> the features of the non-designated heritage asset.</p> <p><u>In the exceptional circumstances where loss or partial loss of designated or non-designated heritage asset</u> Where the council is satisfied that the loss of heritage assets (both designated and non-designated) is considered to be justified, the council will require the developer to have the asset surveyed and recorded by a suitably qualified professional prior to the development commencing, and the records made publically available. <u>in advance of any alterations, demolition or groundwork. The surveying and recording will be required to be carried out in a manner proportionate to the importance of the asset and the</u></p>	i	<u>Whether or not</u> the asset is structurally unsound and poses a safety risk;	ii	it is unviable to repair <u>the viability of repairing</u> or maintaining the asset;	iii	<u>whether or not</u> alternative uses have been fully explored;	iv	<u>whether or not the proposal</u> it would have wider social, economic or environmental benefits as part of a masterplanned regeneration scheme
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		<u>impact of the development. A report detailing the investigation should be made publicly available and deposited through Derbyshire’s Historic Environment Record as a minimum.</u>
Travel and Transport		
MM48	LP23	<p>LP23 Influencing the Demand for Travel</p> <p>To reduce congestion, improve environmental quality and encourage more active and healthy lifestyles, the Council will seek to maximise walking, cycling and the use of public transport through the location and design of development and parking provision. Priority will be given to measures to encourage more sustainable travel choices.</p> <p>To secure this aim, the council will expect development proposals to demonstrate the following (in order of priority) <u>in order of priority</u>:</p> <ul style="list-style-type: none"> a) site specific and area wide travel demand management (measures to reduce travel by private car and incentives to use walking, cycling and public transport for appropriate journeys, including intensive travel b planning); e b) improvements to walking and cycling facilities and public transport services that are provided early in the build out period of new developments and that are sufficient to encourage sustainable modes of transport; d c) optimisation of the existing highway network to prioritise walking, cycling and public transport that are provided early in the build out period of new developments, such as measures to prioritise the needs of pedestrians above the car and improved or new cycle and bus lanes <u>such as measures to prioritise the needs of pedestrians above the car and improved or new cycle and bus lanes, provided early in the build out period of new developments</u>; and d e <u>mitigation including</u> highway capacity enhancements to deal with residual car demand where the initiatives required under points (a) to (c) above are insufficient to avoid significant <u>impacts from the development on the transport network in terms of capacity and congestion</u> additional car journeys.; and e f Provision of opportunities for charging electric vehicles where appropriate. <p>The impacts of any remaining traffic growth expected, shall be mitigated through physical improvements to the highways network where necessary, to ensure that development has an acceptable impact on the functioning and safety of the highway network.</p> <p><u>Development proposals will not be permitted where they would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</u></p>

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		<p>The level of vehicle and cycle parking provision appropriate to any individual proposal will take into account the circumstances of the particular scheme, including in particular:</p> <ol style="list-style-type: none"> i. The size of the any dwellings proposed. ii. The type, mix and use of the development. iii. The proximity of facilities such as schools, shops or employment. iv. The availability of and capacity for safe on-street and public car parking in the area. v. Proximity to and availability of public transport and other sustainable transport options. vi. The likelihood that any existing on-street parking problems <u>in terms of highway safety, congestion, pedestrian and cyclist accessibility and amenity</u> will be made worse. vii. Local car ownership levels <p><u>Cycle parking, where provided as part of new development, should be located to ensure safe, secure and convenient access, with weather protection where possible. The council will prepare an SPD to provide further practical guidance on planning for walking and cycling within new development.</u></p> <p>All residential proposals with off-street parking provision dedicated to individual properties should include provision for charging electric vehicles on each property. Residential and commercial proposals with shared provision should include spaces with charging provision where practical.</p> <p>Any necessary mitigation measures should be set out in development proposals, including within Transport Statements, Transport Assessments and Travel Plans where these are required, and secured through conditions and/or legal agreements.</p> <p>Priority areas for combinations of sustainable transport measures and highways improvements will be:</p> <ul style="list-style-type: none"> • The A61 Corridor • The A619 Chatsworth Road • The A619 corridor through Brimington and Staveley

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		<ul style="list-style-type: none"> • Chesterfield Town Centre • Access to Chesterfield Railway Station <p>For masterplanned or phased developments, provision for the monitoring of traffic impact and mitigation of identified problems will be made through the use of legal agreements.</p>
Regeneration Priority Areas		
MM49	Policy	<p>RP1 Regeneration Priority Areas</p> <p>Within the RPA boundary as shown on the Policies Map, for major developments the Council will expect a masterplanned approach to deliver sustainable high-quality residential development, enhanced community facilities, respecting the constraints of the area and sensitive to the adjoining open countryside and existing residential communities.</p> <p>Masterplans are expected to investigate the potential to, and support projects that, improve the quality of the area and the existing housing stock through refurbishment and/or redevelopment.</p> <p>Within the RPA boundaries as shown on the policies map, the Council will grant planning permission for development which supports regeneration and where it would:</p> <ul style="list-style-type: none"> a) Extend the type, tenure and quality of housing; and b) Deliver environmental and biodiversity benefits; and c) Provide additional community facilities Support or enhance existing services and community facilities; and d) Provide recruitment, training and procurement to benefit the local economy (via a Local Labour Agreement in line with PolicyLP7), with the priority being to maximise training and employment opportunities to for existing residents of the RPA within which the development is located, by entering into a Local Labour Agreement; and e) Increase trees and tree groups to enhance landscape character; and (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. <p>The level of housing growth for each RPA may be exceeded if the landscape, infrastructure and highways impacts (including cross-boundary impacts) are acceptable and if the additional growth is needed to secure regeneration benefits as demonstrated through a viability appraisal.</p>

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		<p>Within the Barrow Hill Regeneration Priority Area, development is expected to:</p> <ul style="list-style-type: none"> i. Deliver approximately a minimum of 35 50 new homes on site H20; and ii. Conserve or enhance the character or setting of heritage assets Promote design that positively contributes to the surrounding area and conserves or enhances the significance of heritage assets including Barrow Hill Conservation Area; and iii. Support the activities of Barrow Hill Roundhouse as a visitor attraction and centre for employment; and iv. Provide safe and convenient walking and cycling connections to New Whittington, heritage assets at Chesterfield Canal, and the Staveley and Rother Valley Corridor. <p>Within the Duckmanton Regeneration Priority Area, development is expected to:</p> <ul style="list-style-type: none"> i. Deliver a minimum of approximately 310 400 new homes on sites H26 and H34; and ii. Provide safe and convenient walking and cycling access to job opportunities at Markham Vale; and iii. Provide safe and convenient walking and cycling connections to Poolsbrook and Poolsbrook Country Park; and iv. Promote building design that positively contributes to the surrounding area and conserves or enhances the significance of heritage assets including Poplar Farmhouse, Duckmanton Model Village and Long Duckmanton; and v. Deliver highway and pedestrian improvements at Tom Lane and Duckmanton Road. <p>Within the Holme Hall Regeneration Priority Area, development is expected to:</p> <ul style="list-style-type: none"> i. Deliver a minimum of approximately 300 new homes (as allocated on site XX in table XX) on site H33 in line with the adopted masterplan; and Deliver a sustainable high quality residential development Support the existing services and community facilities on offer in and around the local service centre ii. Provide safe and convenient walking and cycling connections to Linacre Road, Wardgate Way (Local Service Centre) and the Holmebrook Valley Park and Trail; and iii. Provide an appropriate buffer and boundary treatment to minimise and mitigate any adverse impacts upon the Ashgate Plantation Local Wildlife Site. <p>Within the Mastin Moor Regeneration Priority Area, development is expected to:</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<ul style="list-style-type: none"> i. Deliver 400 new homes i. Deliver up to 670 new homes on sites H1, H6 and H35; and ii. Provide safe and convenient walking and cycling access to job opportunities at Markham Vale, the community garden and Norbriggs and Woodthorpe Primary Schools; and iii. Provide a new Local Centre with additional community facilities and the opportunity for provision of health facilities; and iv. Provide safe and convenient walking and cycling connections to the surrounding rights of way network, including connections to The Cuckoo Way and Chesterfield Canal; and v. Promote design that positively contributes to the surrounding area, responding to and reflecting local conserves or enhances the significance of heritage assets in the design and location of new buildings where relevant, including the historic former pumping engine and tramway; and vi. Deliver a new and/or improved pedestrian and cycle crossing over the A619; and vii. Protect and enhance the setting of and access to the community garden; and viii. Minimise visual impact on the ridgelines along Worksop Road and Woodthorpe Road; and ix. Provide a defined edge of development and a clear break to prevent continued coalescence and extension of ribbon development along Worksop Road; and x. Maintaining the distinct identities and settings of Mastin Moor and Woodthorpe through the use of landscaping and open space. <p>Within the Poolsbrook Regeneration Priority Area, development is expected to:</p> <ul style="list-style-type: none"> i. Deliver 100 a minimum of approximately 175 new homes on site H31; and ii. Provide safe and convenient walking and cycling access to job opportunities at Markham Vale; and iii. Provide safe and convenient walking and cycling connections to the surrounding rights of way network, including connections to Duckmanton and Poolsbrook Country Park; and iv. Conserve or enhance the heritage assets Promote design that positively contribute to the surrounding area and conserves or enhances the significance of heritage assets including the surviving buildings of the Model Village and their setting.
Strategic Sites and Locations		
MM50	Paragraph 11.4	11.4. In 2015, the borough council approved an updated Town Centre Masterplan for Chesterfield. <u>Whilst not having formal status as a Development Plan Document or SPD, the masterplan</u> The masterplan sets out a long-term vision for Chesterfield

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		Town Centre and is a material consideration in determining planning applications within the town centre. The masterplans vision is for the town centre to be:
MM50	Following paragraph 11.6	Insert plan showing location of Town Centre Masterplan Character Areas including Spire Neighbourhood. See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.
MM51	Paragraph 11.7 & 11.8	<p>11.7 As a result of changes to the retail market generally and the large foodstore sector in particular, the council has chosen not to progress the retail led scheme previously proposed by Wilson Bowden within the Northern Gateway area the development of the previously proposed Northern Gateway scheme (which was to have been a foodstore and retail led, mixed use extension of Chesterfield Town Centre) at this time. However The Northern Gateway has instead been progressed through the council has invested in replacing the aging Saltergate Multi Storey Car Park (currently under construction) and is committed to building a new enterprise centre at Holywell Cross (construction of which is expected to start in early 2020). The site still presents the key opportunity for any further physical expansion of the retail offer of Chesterfield Town Centre.</p> <p>11.8. In bringing these sites forwards for development the council will use a combination of masterplans, site-specific planning briefs, SPD's and Outline Planning Applications, with reference to other relevant policies of the Plan including CS15LP9, CS16LP2 and CS19LP22.</p>
MM52	Policy SS1	<p>SS1 Chesterfield Town Centre</p> <p>Subject to policy LP9 other relevant policies of the plan, the council will support planning applications that planning permission will be granted for development that contributes towards:</p> <ul style="list-style-type: none"> a) Protecting and enhancing the centre's sub-regional and local role in providing housing, employment, services, leisure, cultural venues and retail b) Supporting the objectives of Chesterfield town centre masterplan c) Economic development and community safety by providing a diverse range of uses including retail, office, community facilities, leisure and food and drink uses d) Conserving and enhancing the historic character of the centre and the role of the Historic Market and Market Hall e) Improving accessibility between the centre and surrounding areas, including Chesterfield Railway Station, Waterside, Queen's Park, Chesterfield College and Ravenside Retail park f) Enhancing walking, cycling and public transport provision

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		<p>g) Maintaining the overall level of provision of public car parking; new off street car parking will usually only be permitted when justified through a transport assessment or travel plan</p> <p>h) Reducing through traffic</p> <p>i) Enhancing the range and quality of residential uses within Chesterfield town centre</p> <p>j) <u>Undertaking appropriate assessment, evaluation and, if necessary, recording of archaeological remains within the Town Centre Historic Core (as set out on the policies map).</u></p> <p>Outside of the Town Centre Primary and Secondary Shopping Areas, District and Local Centre areas as shown on the policies map and set out in policy LP9, planning permission will not normally be granted for new retail uses (A1) other than small shops as set out in policy LP10. Planning permission will normally be granted for other main town centre uses, <u>including</u> B1(a) offices, health and education uses subject to the other policies of this plan.</p> <p>Northern Gateway</p> <p>Land between Newbold Road/Holywell Street and Saltergate, as shown on the policies map, will be safeguarded for the future expansion of Chesterfield Town Centre.</p> <p>Within this area, planning permission will only be granted for proposals that enhance and support the centre’s sub regional role in providing <u>housing</u>, employment, services, leisure and retail and where they can demonstrate that they would not prejudice the future development of the site</p> <p>Spire Neighbourhood</p> <p>Planning permission will be granted <u>Proposals will be supported</u> for new residential development <u>on land to the east of between St Mary’s Gate and to the west of the A61 and to the north of Holywell Street and south of Brewery Street, subject to other relevant policies of the plan. Where development within this area results in the loss of public car parking, the effect of this on the viability of Chesterfield Town Centre should be assessed, and if necessary compensatory parking provided elsewhere within or closely related to Chesterfield Town Centre.</u></p>

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MM53	Policy SS2	<p>SS2 CHATSWORTH ROAD CORRIDOR</p> <p><u>Development proposals will be supported where they</u> Planning permission will only be granted for development that contributes towards:</p> <ul style="list-style-type: none"> a) The vitality and viability of Chatsworth Road district centre b) Improving the West Bars gateway to Chesterfield town centre. c) Strengthening the links between the land south of Chatsworth Road with the Chatsworth Road district centre and surrounding communities. d) Providing a new variety of uses that will create a mixed, sustainable community. e) The improvement of identified transport and highway issues. f) The enhancement of walking, cycling and public transport provision <p>Within the defined district centre, proposals for development will be considered in accordance with policy LP9. Outside the district centre development will be focussed on new housing and compatible uses.</p> <p>Within the regeneration area south of Chatsworth Road a comprehensive scheme providing a mix of uses will be permitted supported in accordance with the adopted masterplan, including: employment generating uses on land at the former Boythorpe Works (in accordance with policy LP7), open space and housing. The sites of Walton Works (including the re-use of the Grade II* listed building) and Griffin Mill/Wheatbridge Mill shall be for housing-led mixed use development (in accordance with policy LP4, Site H30). Development proposals for the Griffin Mill and Wheatbridge Mills area should include the re-use of the Grade II listed Cannon Mill. To ensure that development within the regeneration area south of Chatsworth Road provides a mixed, integrated, sustainable community within the Chatsworth Road Corridor, developments must demonstrate that they have:</p> <ul style="list-style-type: none"> i. Taken a comprehensive approach to flood risk management; ii. Incorporated the Hipper Valley walking and cycle route and improved north-south walking and cycling links; iii. Integrated the site into a network of green spaces, such as Walton Dam, Somersall Park and the Walton river corridor green wedge, connected by the River Hipper and footpaths and cycleways

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>iv. Considered the impact upon heritage assets and their setting and identified any means of mitigation and/or enhancement through submission of a Heritage Impact Assessment.</p> <p>Proposals for development should demonstrate how they accord with the adopted masterplan through site-specific masterplans and/or development briefs.</p>
MM54	Policy SS3	<p>SS3 Chesterfield Waterside and the Potteries</p> <p>Within the Chesterfield Waterside area as set out on the policies map, the council will support development proposals planning permission will only be granted for development that contributes towards:</p> <ul style="list-style-type: none"> a) Creating jobs in office, industry, retail, tourism and education b) Restoring Chesterfield Canal and the River Rother to navigation and creating a new canal terminus c) Achieving a mix of uses including residential (up to 1550 new homes), office (up to 30,000 sqm), employment, and leisure, health and fitness, hotels, creche, doctor’s surgery and nursing home d) Improving access to the site including enhancing the footpath and cycle network through the site and making links to the wider Trans Pennine Trail and Chesterfield Railway Station e) A high quality urban environment including eco-park and green infrastructure corridor f) Managing flood risk <p>Land within the Chesterfield Waterside area will be comprehensively redeveloped in accordance with an approved masterplan, including provision of a new Local Centre located adjacent to the existing canal basin.</p> <p>Planning applications submitted for development outside of the existing outline planning permission, but which otherwise deliver the objectives of the approved masterplan, will be expected to contribute towards the overall delivery of the infrastructure required for comprehensive development, secured through a section 106 agreement.</p>
MM55	Policy SS5	<p>SS5 Staveley and Rother Valley Corridor</p> <p>The Borough Council will support the comprehensive redevelopment of the Staveley and Rother Valley Corridor to create a sustainable urban extension in a landscape setting through a masterplanned approach.</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>The overall objectives of the masterplan will be to:</p> <ul style="list-style-type: none"> a) Deliver approximately 1500 new dwellings through a range of new housing opportunities focussed on the centre and western end of the corridor b) Create employment opportunities focussed on the Hall Lane end of the corridor and around Works Road c) Deliver the section of the Chesterfield to Staveley Regeneration Route between Bilby Lane and Hall lane, connected to the route safeguarded under policy LP24 and the existing Staveley Northern Loop Road Phase 1 d) Accommodate an Infrastructure Maintenance Dept to serve the eastern leg of HS2 e) Provide a new local centre to serve both the development itself and adjacent communities of Barrow Hill and Hollingwood f) Make provision for a new primary school to serve the development g) Develop a sustainable community including on-site energy generation where possible and practicable h) Enhance the quality of and access to the landscape and green infrastructure, particularly the Chesterfield Canal and River Rother waterways i) Deliver access and transport improvements, emphasising sustainable transport j) Improve water management on site, including new wetland habitat associated with the River Rother k) Provide for the remediation and re-use of contaminated and unstable land where possible and practicable l) Conserve and enhance the quality of the historic environment, taking account of designated and non-designated heritage assets and their setting, within and closely related to the site m) Secure a structured approach to delivery of infrastructure to ensure it is delivered in a timely fashion to support new residential and employment communities and limit the need to travel off-site to access services n) Establish a network of open mosaic grassland habitats through the site to maintain and enhance brownfield biodiversity <p>Development proposals for individual land parcels/phases must be brought forward as part of a comprehensive masterplan for the area and must demonstrate how they will deliver these objectives where appropriate.</p> <p>Planning applications for development within this area will be expected to demonstrate how they have addressed these objectives.</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>Planning applications submitted for specific character areas and/or phases of development will be expected to contribute appropriately towards the overall delivery of the infrastructure required for comprehensive development, secured through a section 106 agreement.</p> <p>Planning applications specifically for the Works Road and Lagoon Character Areas will be expected to include information demonstrating:</p> <ol style="list-style-type: none"> i. A joint masterplan as part of a Design and Access Statement and evidence of how the application addresses this masterplan and the delivery of critical infrastructure; and ii. A Transport Assessment based on modelling of the overall impact of development and a Travel Plan setting out how the impact of the specific planning application traffic associated with the proposed development will be managed; and iii. A phasing plan setting out the approach to delivery of critical infrastructure, including transport and community infrastructure <p>WORKS ROAD CHARACTER AREA</p> <p>Planning permission will be granted for a mixed use development incorporating including:</p> <ul style="list-style-type: none"> • A new Local Centre on Works Road (use classes A1 to A5 and other Main Town Centre uses, to include a single foodstore of no more than 1000 sqm), • Residential (C3) • Up to 10 ha of employment space (B1, including B1(a) offices) • Canal-related commercial activity including food and drink uses (A3 and A4) and employment (B1), including provision for moorings, in the location of the former canal wharf to the east of Hollingwood Lock • Retention of the Clocktower building • A site for a new Primary School • Flood mitigation measures for the River Rother/Works Road bridge <p>THE LAGOON CHARACTER AREA</p> <p>Planning permission will be granted for a residential led development incorporating including:</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<ul style="list-style-type: none"> • Residential (C3) • Retail (A1) to serve day to day needs, with no single unit to exceed 280 sqm net sales area • Extension of the Bluebank Pools Local Nature Reserve (to the west of Bilby Lane within the land allocated on the Policies Map) • Restoration of the former settling pond as public open space • An enhanced landscape buffer between the site and Chesterfield Canal <p>HALL LANE CHARACTER AREA – KEY OBJECTIVES</p> <p>Planning permission will be granted for an employment led development incorporating <u>including</u>:</p> <ul style="list-style-type: none"> • Proposals for the HS2 IMD • Development of Approximately 30ha of Employment generating development within use classes B1, B2 and B8 or, subject to HS2 finalising the extent of the proposed IMD- <u>(this development is expected to extend beyond the plan period, following implementation of the HS2 IMD).</u> • Housing (C3) led development for western end of the Character Area and ancillary uses where it is well-related to the existing settlement of Barrow Hill and Works Road • The improvement of walking and cycling connections between Barrow Hill and Staveley Town Centre • New wetland habitat in the south of the character area associated with the River Rother
MM56		Most up to date plan awaited from Chatsworth Settlement Trustees
MM57	Policy SS6	<p>SS6 Land at Dunston</p> <p>Planning permission will be granted for residential development for approximately 800 500 dwellings on land north of Dunston and south east of Dunston Road as allocated on the policies map and as set out in table 4 <u>(Site reference SS6).</u></p> <p>Development should be carried out in accordance with a masterplan to be agreed with the Local Planning Authority prior to development that demonstrates:</p> <ol style="list-style-type: none"> i. <u>Acceptable</u> Access arrangements from Dunston Road and Dunston Lane

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<ul style="list-style-type: none"> ii. Appropriate provision Proposals for walking and cycling provision within the site iii. Appropriate transport mitigation to ensure an acceptable impact on the highway network for all users iv. Appropriate avoidance and mitigation to minimise any adverse impacts to the significance of affected nearby heritage assets and ,including their settings v. Provision of a new local centre to serve development vi. Provision of a site reserved for a new one form entry primary school (to be retained until such time as required or evidence can be provided of a lack of need) vii. A scheme of green infrastructure including landscaping, open space, play and sports provision including re-instatement of the former cricket pitch, and early implementation of a landscaping and planting scheme along Dunston Road viii. A phasing plan for development phases and the provision of infrastructure
MM58	Paragraphs 11.32 and 1.36-11.37	<p>11.32. Chesterfield Railway Station is the first point of arrival or last point of departure for approximately 1.78 million passengers16., with usage growing by 3 - 5% per year. Over a million people live within a half hours drive time of the Station (AECOM research 2017). Currently three Train Operating Companies (East Midlands Trains, Northern Trains and the Cross Country franchise) call at the Station and it is the 6th busiest station in the East Midlands, with direct services available to London, Birmingham, Liverpool, the West Country and the North East and Scotland. The announcement in July 2017 that HS2 services to Sheffield will stop at the station when they commence in 2033 (subsequently revised as from 2035) creates the potential for further growth in services and investment.</p> <p>11.36. SCR has provided funding for further research and development of the Master Plan and its refinement, currently being prepared by Cushman & Wakefield, Arup and Whittham Cox Architects This strategy should be in place by early 2019. Consultation on the masterplan for the railway station area is expected to be undertaken in early 2020. This is likely to take the form of an overall concept masterplan and a more focused planning framework identifying appropriate uses, amounts of development and infrastructure requirements. Funding for the Hollis Lane Link Road is to be has been set aside as part of the wider LGF funded A61 Corridor Project and a planning application for the first phase of the road has been submitted.</p> <p>11.37. Key assets in the Station Master Plan area require Safeguarding. A new road alignment joining Crow Lane and Hollis Lane will improve access to the station from the south (and reduce traffic through Chesterfield Town Centre, see policy policies SS1 and LP24). There is also a need to ensure adequate land is safeguarded to allow for the development of</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<p>an improved pedestrian bridge over the A61 to Corporation Street. The bridge would ideally be a statement piece of architecture and has been termed “Platform 4”: arrival to the Town Centre. Land has been also identified for and improved station forecourt, Multi-story car parks (to release development land), bus, taxi and cycling use, limited leisure and retail use, connected to station users and an area of public realm.</p>
MM59	Policy SS7	<p>SS7 Chesterfield Railway Station</p> <p>Within land between Hollis Lane and Crow Lane, as shown on the policies map, the council will prepare an approved masterplan/development framework to maximise the regeneration benefits of future HS2 services and conventional rail services utilising the station. Within this area, and in accordance with the approved masterplan, <u>the council will support development based on the extent to which it that delivers for:</u></p> <ul style="list-style-type: none"> a) Improved access to Chesterfield Railway Station by all modes of transport including improved forecourt arrangements; b) Modernisation of Station facilities and electrification of the Midland Main Line though it; c) A new link road between Hollis Lane and Crow Lane and related road alignments; d) Improvements to the A61 Corporation Street footbridge, including its replacement with a new bridge; e) mixed use development to include residential dwellings (C3), commercial office space (B1), car parking; f) limited retail and leisure uses (A1 to A5 and D1 and D2) in association with the Station; g) Pedestrian and cycle links to Chesterfield Waterside, Chesterfield Town Centre and the; h) Essential infrastructure required to deliver the improvements set out in the approved masterplan. i) <u>Appropriate assessment, evaluation and, if necessary, recording of archaeological remains</u> j) <u>Improved inclusive accessibility to Chesterfield Railway Station and within the masterplan/development framework area.</u> <p>Planning Permission will not be granted for development that would prevent the delivery of the above improvements.</p>
MM60	Policy SS8	<p>SS8 Neighbourhood Plans</p> <p>Where the views of a community are expressed in a Neighbourhood Plan they will be taken into account in the planning system provided that the plan:</p>

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
		<ul style="list-style-type: none"> • has been endorsed adopted by Chesterfield Borough Council; and • is in conformity with the strategic policies of the Local Plan; and • can be regularly updated if necessary
MM62	Master Plan Diagram, p. 98	Deletion of master plan diagram on page 98 Chesterfield Waterside Illustrative Masterplan and replace with most recent illustrative master plan. See Associated Figures, Tables and Diagrams (Proposed Modifications) for the proposed modification.
Appendices		
MM64	Appendix ‘X’ Superseded development plan policies	See Appendices (Proposed Modifications) for the proposed modification.
MM65	Appendix B – Open Space Standards, Quantitative Standards	See Appendices (Proposed Modifications) for the proposed modification.
MM65A	Appendix C Electric Vehicle Charging Standards	Appendix deleted
Monitoring Framework		

Modification Reference	Policy/ Paragraph/ Page	Proposed Modification
MM66	Monitoring framework	See Appendices (Proposed Modifications) for the proposed modification.
MM67	Monitoring framework	Housing Trajectory See Appendices (Proposed Modifications) for the proposed modification.
MM68	Monitoring framework	Employment Trajectory See Appendices (Proposed Modifications) for the proposed modification.

Associated Figures, Tables and Diagrams (Proposed Modifications)

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~~**LP3 Presumption in favour of sustainable development**~~

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LP4 Flexibility in Delivery of Housing (Strategic Policy)

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LP5 Range of Housing

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LP8 Tourism and the Visitor Economy

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LP23 Influencing the Demand for Travel

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SS3 Chesterfield Waterside and the Potteries (Strategic Policy)

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SS4 Markham Vale (Strategic Policy)

STAVELEY AND ROTHER VALLEY CORRIDOR

SS5 Staveley and Rother Valley Corridor (Strategic Policy)

LAND NORTH OF DUNSTON

SS6 Land at Dunston (Strategic Policy)

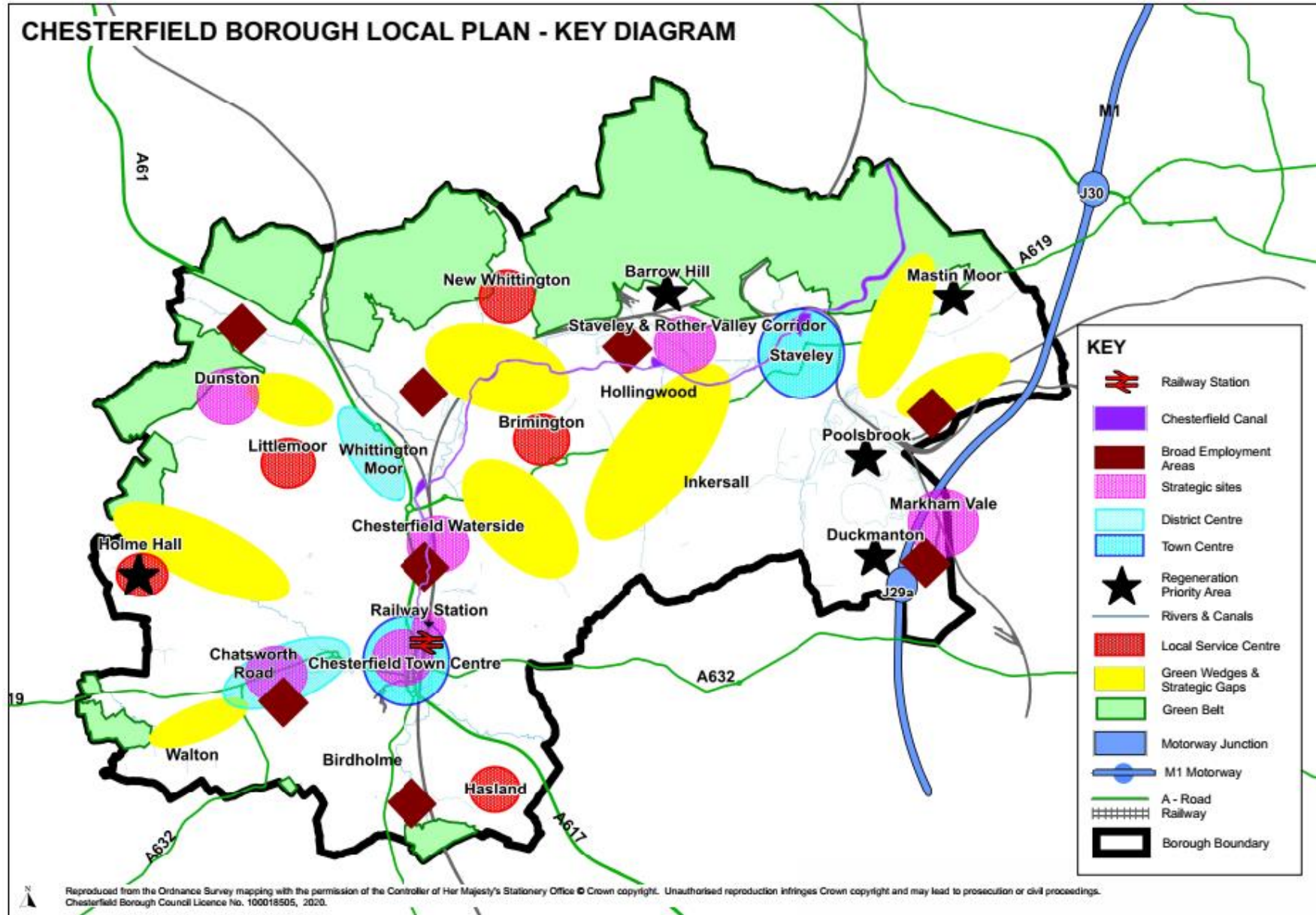
CHESTERFIELD RAILWAY STATION AND STATION ARRIVAL

SS7 – CHESTERFIELD RAILWAY (Strategic Policy)

NEIGHBOURHOOD PLANS

SS8 Neighbourhood Plans

MM2 – KEY DIAGRAM



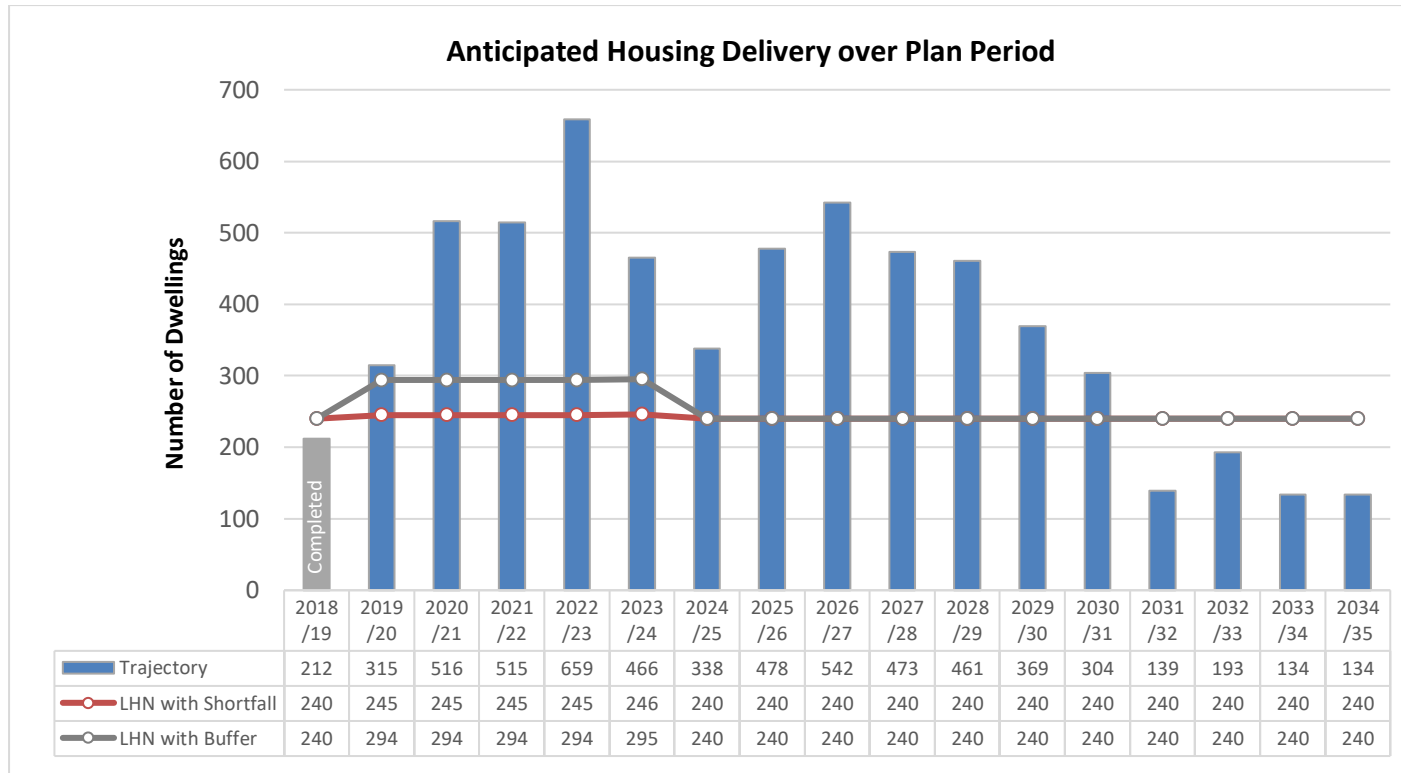
MM9 - TABLE 2 EMPLOYMENT LAND REQUIREMENT

Table 2: <u>Employment Land Requirement</u>	
<u>B1</u>	<u>5.9 ha</u>
<u>B2</u>	<u>23.8 ha</u>
<u>B8</u>	<u>19.9 ha</u>
Employment Land Requirement (2018-20332035)	<u>44.50 ha</u>

MM15 – TABLE 3 SOURCES OF HOUSING SUPPLY 2018-2035

Source of Supply	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Sum of Total
Large Allocation	0	15	45	58	224	219	165	272	305	298	305	240	175	60	60	60	0	2501
Large Permission	63	114	129	95	32	25	30	30	18	0	0	0	0	0	0	0	0	536
Small Allocation	0	4	41	12	70	79	17	35	62	16	2	0	0	0	0	0	0	338
Small Permission	71	91	142	76	22	0	0	0	0	0	0	0	0	0	0	0	0	402
SS1	0	0	0	0	0	0	0	15	30	30	25	0	0	0	0	0	0	100
SS3	0	0	50	207	207	37	55	55	55	55	55	55	55	55	59	50	50	1100
SS5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	50	150
SS6	21	79	50	50	75	74	50	50	50	50	50	50	50	50	50	0	0	799
Actual / Anticipated Net Completions (sites of 4 dwellings or less)	57	36	96	0	0	0	0	0	0	0	0	0	0	0	0	0	0	189
10% Lapse Rate (Discount on Commitments)	0	-24	-37	-17	-5	-3	-3	-3	-2	0	0	0	0	0	0	0	0	-94
Windfall Allowance	0	0	0	34	34	34	34	34	34	34	34	34	34	34	34	34	34	476
Total	212	315	516	515	659	466	348	488	552	483	471	379	314	199	253	194	134	6497

MM16 - HOUSING TRAJECTORY GRAPH



MM18 – TABLE 4 HOUSING ALLOCATIONS

Reference	Site Name Address	Anticipated Capacity	Capacity included within LP Trajectory	Site Size (ha)	Related Policy
H2	Catherine Street Garages Court, Catherine Street, Bank Street , Chesterfield	10 12	12	0.25-7	LP4
H3	Manor House Farm, 118 The Green, Hasland	10		0.40	
H4	Heaton Court (Former), Meynell Close, Chesterfield Brampton	12 10	10	0.34	LP4
H5	Pondhouse Farm, Troughbrook Road, Hollingwood	12 23	23	1.06-10	LP4
H7	Land off Hollythorpe Close (Land off), Hasland	14	14	0.554	LP4
H8	Land North of Chesterfield Road (Land North of), Staveley	14	14	0.320	LP4
H9	Former White Bank Sports Centre White Bank Close (Land at) , Hasland	15 9	9	0.56	LP4
H10	Derwent House HOP, Ulverston Road, Chesterfield, Newbold	17	17	0.587	LP4
H11	Sycamore Road (Land at), Hollingwood, Brimington	18	18	0.720	LP4
H12	Ashbrooke Centre (Former), Cuttholme Road, Chesterfield Loundsley Green	20	20	0.698	LP4
H13	Elm Street (Land at), Hollingwood, Brimington	23	23	0.71	LP4
H14	Swaddale Avenue (Land to the West of), Tapton	25 21	21	0.88	LP4
H15	Goldwell Rooms (Former) and 6 Ashgate Road, Chesterfield**	25 70	70	0.6254	LP4
H16	Red House HOP and Spire Lodge, Sheffield Road, Chesterfield, S41 7JH	25	25	0.9284	LP4
H17	Poultry Farm (Former), Manor Road, Brimington	27 26	26	0.8887	LP4
H18	Commerce Centre, Canal Wharf, Chesterfield, Derbyshire, S41 7NA	30		0.72	
H19	Ash Glen Nursery (Former), Sheffield Road, Unstone	30	30	1.1320	LP4
H21	Staveley Canal Basin, Eckington Road, Staveley	36 90	90	3.222.99	LP19
H22	Listers Car Sales (Former) Sheffield Road, Unstone	38		1.40	
H23	Allen and Orr Timber Yard, Saltergate, Chesterfield	40 39	39	0.86	LP4
H24	Barker Lane (GK Group Premises)	40		1.10	
H25	Boat Sales (Former), Sheffield Road, Unstone	50 48	50 48	1.29	LP4
H27	Walton Hospital (Land at), Harehill Road, Walton	60	60	1.5049	LP4
H28	Walton Hospital (Land at), Whitecotes Lane, Chesterfield, Walton	90	90	2.28-3.14	LP4

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H29	Dunston Road (Land off), Cammac Site,	146		4.49	
H32	Bent Lane, Staveley	140	140	7.266.29	LP4
H36	Land at Inkersall Road (Land at), Inkersall	400	400	22.78	LP4
	TOTALS	1377 1201	1377 1201		
H1	Edale Road Garage Court, Mastin Moor	6	6	0.20	RP1
H6	Miller Avenue, Mastin Moor	14	14	0.41 1.5	RP1
H20	Land at Duewell Court (Land at), Station Road, Barrow Hill	35	35	1.43 1.8	RP1
H26	Land adjacent Rectory Road (Land adjacent), Duckmanton	33	33	2.03 2	RP1
H31	Varley Park, Staveley Road, Poolsbrook	175	175	56.16	RP1
H33	Linacre Road, Holme Hall	300	300	14.85	RP1
H34	Land South of Tom Lane (Land South of), West of Rectory Road, Duckmanton	400 275	275	23.39	RP1
H35	Land South of Worksop Road and East and West of Bolsover Road, Mastin Moor	400 650	650	46.15	RP1
	TOTALS	1238	1488	-	-
SS1	Chesterfield Town Centre / Spire Neighbourhood, Chesterfield	100	100	8.62	SS1
H30	Walton Works (Former), Factory Street, Brampton	150	150	3.60	SS2
SS3	Chesterfield Waterside, Brimington Road, Chesterfield	1000 1550	1100	23.17	SS3
SS5	Staveley Works, Staveley	150 1499	150	187.49	SS5
SS6	Land South of Dunston Lane Road, Dunston*	500 799	799	43.6	SS6
	TOTALS	4098	2299	-	-
	Overall Housing Totals	6537	4988		

* Includes area of 15.81 Ha (299 dwellings) with reserved matters permission at the point of plan submission (June 2018).

** To calculate the likely contribution towards housing delivery from a C2 use on the site the Council has followed the advice in paragraph 035 Reference ID: 68-035-20190722 in the NPPG. In doing so the calculation has been made using the method set out in paragraph ID: 63-016a-20190626 of the NPPF i.e. the average number of adults living in households (source: CT0774 2011 Census - Age of Household Reference Person (HRP) by number of adults in household - national to local authority level).

MM28 – TABLE 9 EMPLOYMENT LAND SUPPLY

Table 9: Employment Land Supply	
Land Developed within Plan Period	
<u>Land Developed within 2018/19 monitoring year</u>	<u>3.4 ha</u>
Commitments	
Land with planning permission (31/3/19) (excluding Markham Vale)	21.09 <u>16.0 ha</u>
Markham Vale	5.2 ha
Waterside	-2.0 ha
Total	24.3 <u>19.2 ha</u>
Sites without Planning Permission	
Whitting Valley Road	3.7 ha
Station Road (Wagon Works)	6.3 ha
Former GKN works, Sheepbridge Lane	3.6 ha
Impala Estates (land adjacent Markham Vale)	2.6 ha
Former Bpoythorpe Works, Goyt Side Road	5.0 ha
<u>Prospect Park (Land at), Dunston</u>	<u>2.5 ha</u>
Staveley Works Corridor	2.0 ha
HS2 IMD*	4.0 ha
Total	27.33 <u>29.7 ha</u>
Total Supply within Plan Period	<u>51.63</u> <u>52.3 ha</u>

* Based on an equivalent site area assuming 150 jobs at equivalent to B8 use instead of site size.

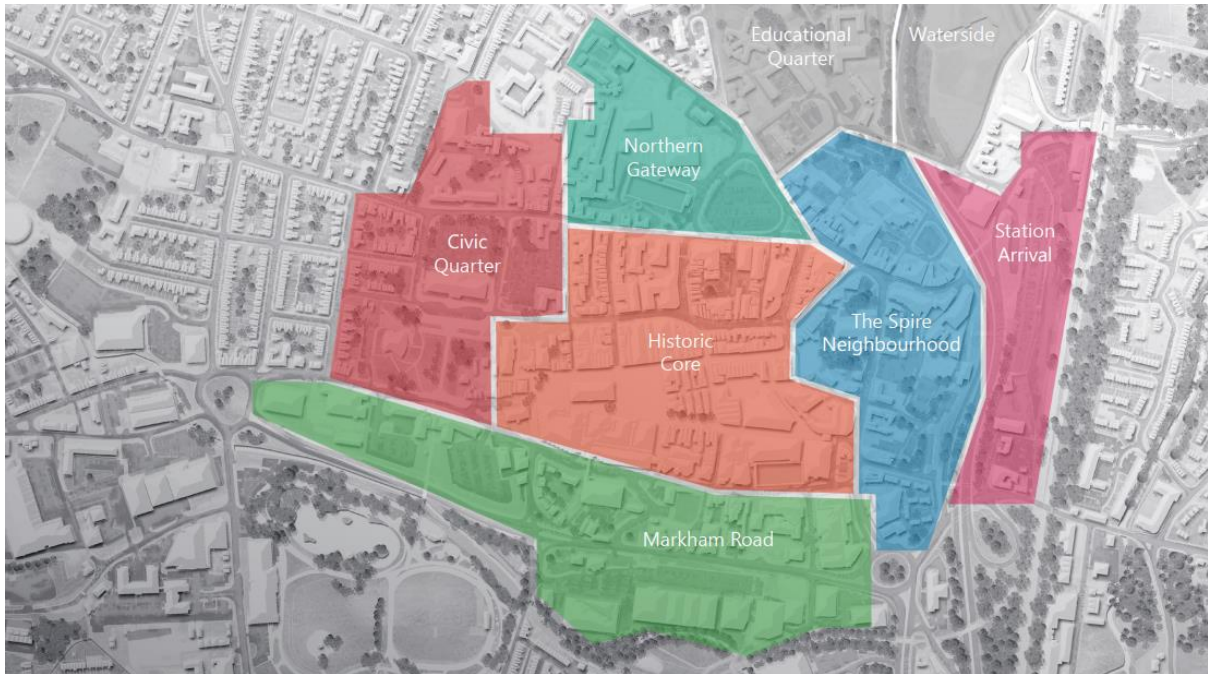
MM29 - TABLE 12 – CONVENIENCE RETAIL SUPPLY

Commitments		
Site	Net Floorspace	Planning Status
Lidl, Former Perry's Ford Garage, Chatsworth Road	1140 sq. m	Full planning permission, completed August 2019 (CHE/17/00209/FUL).
Lidl extension, Sheffield Road, Whittington Moor	352 sq. m	Full planning permission granted (CHE/16/00477/FUL).
Former Walton Works, Factory Street, Walton	1300 sq. m	Full application awaiting decision (CHE/15/00832/FUL).
Broad Locations (2021-2033)		
Site	Anticipated Floorspace	Planning Status
Staveley Works Corridor – to serve in Lagoon Character Area	Up to 1500 sq. m: A single foodstore in new local centre not to exceed 1000 sq. m (net) No units in Lagoon Character Area to exceed 280 sq. m (net)	Allocation day to day needs: SS5

MM29 – TABLE 12 (B) COMPARISON RETAIL SUPPLY

Commitments		
Site	Net Floorspace	Planning Status
Lidl, Former Perry's Ford Garage, Chatsworth Road	285 sq. m	Full planning permission, completed August 2019 (CHE/17/00209/FUL).
Former Fire Station, Sheffield Road, Whittington Moor	538 sq. m	Full planning permission, granted August 2019 (CHE/19/00157/FUL).
Former Walton Works, Factory Street, Walton	2621 sq. m	Full application awaiting decision (CHE/15/00832/FUL).
Broad Locations (2021-2033)		
Site	Anticipated Floorspace	Planning Status
Staveley Works Corridor – limited to serve day to day needs	Up to 1500 sq. m in new local centre.	Allocation: SS5
Chesterfield Town Centre, Northern Gateway – safeguarded for expansion of the Town Centre	-	Allocation: SS1
Chesterfield Town Centre Railway Terrace - limited and in association with the Station	-	Allocation: SS7

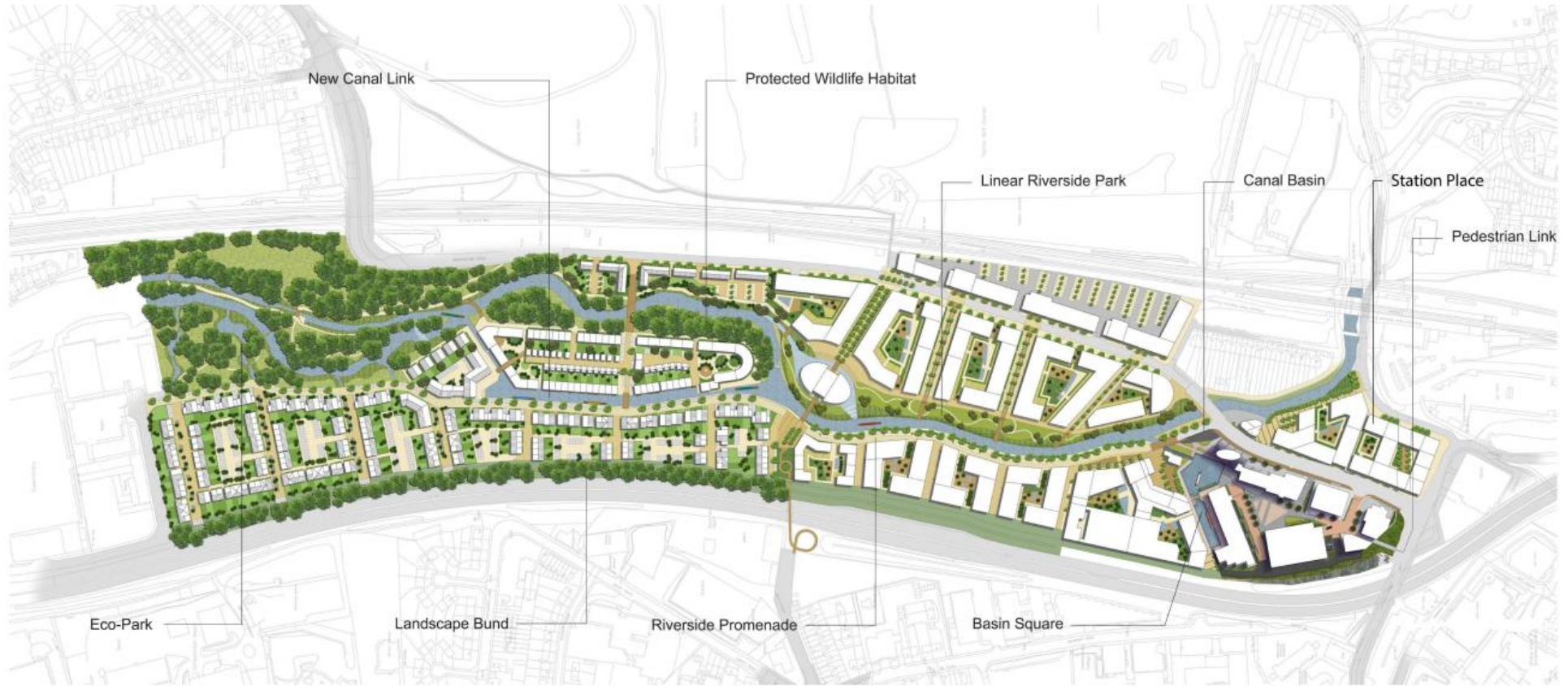
MM50 - LOCATION OF SPIRE NEIGHBOURHOOD



Chesterfield Town Centre Strategic Development Framework (May 2015)

MM62 – CHESTERFIELD WATERSIDE ILLUSTRATIVE MASTERPLAN

[Page 98, replacement plan]



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MM63 APPENDIX A; INFRASTRUCTURE DELIVERY PLAN

Appendix A: Infrastructure Delivery Plan

NB: This IDP is an evolving document which will be updated as more knowledge is obtained about infrastructure costs, funding and delivery.

TRANSPORT							
Key Local Plan Policy	Implementation	Critical/ Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP1, LP24	Local Plan identifies corridor to be reserved	Critical for delivery of SRVC strategic site, and other Local Plan sites	<ul style="list-style-type: none"> • Chesterfield Borough Council • Homes & Communities Agency • Derbyshire County Council • Sheffield City Region • D2N2 	Chesterfield- Staveley Regeneration Route; 5.7km single carriageway	£93 m; (Staveley Spur estimated at £4,635,760) (2017).	Included in priority list of road schemes by Midlands Connect, with request for £79 million; £14 million local contribution: Regeneration agencies; Private sector; CIL; £2 million funding set aside for construction of	Medium term: 2020 – 2026:

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						Northern Loop Road no longer required (see below) would form DCC financial contribution.	
LP1, LP24	Dependent on provision of Chesterfield – Staveley Regeneration Route)	Scheme likely to be superseded by provision of Chesterfield – Staveley Regeneration Route (see above))	<ul style="list-style-type: none"> • Chesterfield Borough Council • Derbyshire County Council • Sheffield City Region • D2N2 	<p>Northern Loop Road Phase 2*</p> <p>(*N.B. scheme likely to be superseded by provision of Chesterfield – Staveley Regeneration Route (see above))</p>	£6.5 m (DCC, 2016)	Regeneration agencies/SCR ; developer contributions	Medium term: 2020 – 2026:*
LP23, LP24, SS7	Local Plan identifies transport scheme	Critical for delivery of Local Plan sites along the A61	<ul style="list-style-type: none"> • Chesterfield Borough Council • Derbyshire County Council • NEDDC • D2N2, 	<p>A61 Growth Corridor improvements, including Whittington Moor Roundabout improvements;</p> <p>21st Century Transport Corridor: A61 Sheepbridge Lane/ Broombank</p> <p>Road junction improvement, A61/St Augustines Road junction improvement, and technological solutions, including bus real time information, urban traffic management system, car park guidance system, variable message signs; and</p>	£6.711 m (design and costs being prepared by DCC)	<p>Approved D2N2 Local Growth Fund allocations:</p> <p>21st Century Transport Corridor £3.0 million;</p> <p>Standard Gauge for Sustainable Travel £1.689 million</p> <p>£1.172 million local contribution: private sector; CIL;</p> <p>DCC local contribution to</p>	Short term (to 2021)

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				Standard Gauge for Sustainable Travel: new with upgraded pedestrian/cycle routes.		Whittington Moor Roundabout improvements £0.850m	
SS1	Local Plan identifies transport scheme	Critical for delivery of Town Centre Local Plan sites, and HS2	<ul style="list-style-type: none"> • Chesterfield Borough Council • Derbyshire County Council • Sheffield City Region • D2N2 	<p>A61 Growth Corridor: Chesterfield Station Masterplan;</p> <p>Hollis Lane Link Road;</p> <p>Lordsmill Roundabout remodelling</p> <p>(linked to A61)</p>	£4.760 m (phase 1); (Design and associated costs being prepared by DCC)	Provisional D2N2 (LGF) allocation £3.808 million; Sheffield City Region; CIL; HS2 (in connection with proposed Chesterfield HS2 station)	Medium term: 2020 – 2026
SS7	Local Plan identifies developer's preferred route; Implementation tied to developer's programme	Necessary to support HS2 proposals	HS2 Ltd	<p>HS2 Station masterplan;</p> <p>&</p> <p>provision of HS2 Infrastructure Maintenance Depot at Staveley</p>	Costs associated with overall HS2 programme, /A61 Growth Corridor (LGF)	HS2 Ltd	Medium to Long term
LP23, LP8, LP16, SS1, SS2, SS7	Local Plan identifies opportunities linked to walking & cycling strategies		<ul style="list-style-type: none"> • Derbyshire County Council • private providers 	Improvement of walking and cycling routes, identified on Key Cycle Network/Local Cycle Network, including delivery of Standard Gauge for Sustainable Travel (A61	A61 improvements included in overall projects cost for D2N2 LGF.	DCC and developer contributions / CIL	Throughout plan period

		Necessary to support new development where gaps in services are identified		<p>Growth Corridor improvements-see above)</p> <ul style="list-style-type: none"> Whittington Moor to Sheepbridge cycle route. A61 Hornsbridge roundabout to Storforth Lane cycle route upgrade Wayfinding strategy. 	Costs of individual projects developed through detailed design		
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FLOOD MITIGATION

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS5	Staveley and Rother Valley Corridor masterplanning and working with landowners	Critical for delivery of SRVC strategic site,	<ul style="list-style-type: none"> Chesterfield Borough Council Derbyshire County Council Environment Agency 	Flood mitigation & defence works associated with regeneration of former Staveley works site	<p>Overall costs: £7 m</p> <p>Source: <i>Options Report, Taylor Young (2010)</i></p>	Developer contributions	<p>Medium-term:</p> <p>2020 – 2026:</p>

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SS2	South of Chatsworth Road Masterplan	Necessary to support new development	<ul style="list-style-type: none"> • Chesterfield Borough Council • Development industry • Landowners • Environment Agency. 	Chatsworth Road Corridor Bridge works (Hipper Street West, Hipper Street South, Hipper House and Alma St) to mitigate flood risk along the River Hipper.	<p>£ 135,204</p> <p><i>Source: Arup, 2010</i></p>	<p>Environment Agency & Trent RFDC.</p> <p>Included as part of developer costs</p>	Plan period
SS1	<p>Town centre development projects highlighted in</p> <p>Chesterfield Town Centre Masterplan (2015)</p>	Necessary to support new development	<ul style="list-style-type: none"> • Chesterfield Borough Council • Derbyshire County Council • Environment Agency 	River Hipper Flood Improvement Works – Tin Mill Storage Reservoir	£6 m	Environment Agency, SCR, CIL & Developer contributions	Medium to Long term
SS1	<p>Town centre development projects highlighted in</p> <p>Chesterfield Town Centre Masterplan (2015)</p>	Necessary to support new development	<ul style="list-style-type: none"> • Chesterfield Borough Council • Derbyshire County Council • Environment Agency 	River Rother Flood Improvement Works, including Horns Bridge.	Not currently estimated	Environment Agency, SCR, D2N2, CIL & Developer contributions	Long term

SS1	Town centre development projects highlighted in Chesterfield Town Centre Masterplan (2015)	Necessary to support new development	<ul style="list-style-type: none"> Yorkshire Water Derbyshire County Council 	Horns Bridge Sewer Flooding	Not currently estimated	Yorkshire Water	Plan period
LP24	Co-operation with neighbouring authorities	Necessary to support new development	<ul style="list-style-type: none"> North East Derbyshire District Council Development industry Landowners Environment Agency 	Flood mitigation measures beyond Chesterfield Borough administrative boundary; including in association with remediation of The Avenue; and upper Hipper Valley	Not currently estimated	Environment Agency, SCR, D2N2, CIL & developer contributions	Plan period

WATER

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
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SS5		Critical for delivery of planned housing numbers at SRVC strategic site,	<ul style="list-style-type: none"> Yorkshire Water 	Increased capacity required at Staveley Waste Water Works	Not currently estimated	Developer contributions + utility providers' capital programmes	Long-term: 2026 – 2031
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EDUCATION

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
RP1	Development proposals at Poolsbrook/DCC	Critical for delivery of permitted housing numbers	<ul style="list-style-type: none"> DCC Academy chain 	Expansion of Poolsbrook Primary School	£450,000	<ul style="list-style-type: none"> CIL 	2020-2021
SS5	Staveley and Rother Valley Corridor masterplanning and working with landowners	Critical for delivery of planned housing numbers at SRVC strategic site,	<ul style="list-style-type: none"> Derbyshire County Council Chesterfield Borough Council Development industry 	Staveley – new single form entry primary school to support SRVC regeneration	Not currently estimated £5.5m – £6.5m	<ul style="list-style-type: none"> CIL Derbyshire County Council DfES 	Medium to Long term

LP1	Development proposals (allocation on land south of Tom Lane, Duckmanton)	Necessary to support new development	<ul style="list-style-type: none"> Derbyshire County Council Chesterfield Borough Council Development industry 	Duckmanton Primary School	<p>Funding may be sought if expansion is necessary at the time of development coming forward.</p> <p>Dependent on local school capacity at the time housing proposals come forward</p>	<ul style="list-style-type: none"> CIL Derbyshire County Council DfES 	Local Plan period: 2018 – 2035
LP1	Development proposals (Walton Works)	Necessary to support new development	<ul style="list-style-type: none"> Derbyshire County Council Chesterfield Borough Council Development industry 	William Rhodes Primary and Nursery School	<p>Funding may be sought if expansion is necessary at the time of development coming forward.</p> <p>Dependent on local school capacity at the time housing</p>	<ul style="list-style-type: none"> CIL Derbyshire County Council DfES 	Local Plan period: 2018 – 2035

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				Potential primary school capacity issues at Brimington	proposals come forward		
LP1	Development proposals	Necessary to support new development	<ul style="list-style-type: none"> Derbyshire County Council Chesterfield Borough Council Development industry 	Brockwell Primary school at capacity	Dependent on local school capacity at the time housing proposals come forward	<ul style="list-style-type: none"> CIL Derbyshire County Council DfES 	Local Plan period: 2018 – 2035
LP1	Development proposals	Necessary to support new development	<ul style="list-style-type: none"> Derbyshire County Council Chesterfield Borough Council Development industry 	Potential capacity issues at Netherthorpe Secondary School & Woodthorpe Primary School	Dependent on local school capacity at the time housing proposals come forward	<ul style="list-style-type: none"> CIL Derbyshire County Council DfES 	Local Plan period: 2018 – 2035

HEALTH

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP1	Development proposals	Necessary to support new development	<ul style="list-style-type: none"> • Chesterfield Borough Council • Care Commissioning Group 	<p>Brimington GP Surgery and Whittington Medical Centre are approaching capacity</p> <p>Potential capacity issues also identified Barlborough Medical Practice, and Newbold Surgery (Windermere Road, Newbold)</p>	<p>Only applicable to residential development of 10 dwellings or over. Derbyshire NHS request £512 per dwelling.</p> <p><i>NB: Contributions will depend on the location of proposed development and its distance from existing surgeries.</i></p>	Developer contributions	Local Plan period: 2018 – 2035

GREEN INFRASTRUCTURE							
Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP16	Borough-wide	Complementary to maximise the benefits of sustainable growth for local communities, including provision of a green link	CBC Leisure, DCC, private developers	Greenways improvements	unknown	CIL + matched funding	Local Plan period: 2018 – 2035

DIGITAL INFRASTRUCTURE							
Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP12	Borough-wide	Complementary to maximise the benefits of sustainable growth	Broadband Delivery UK; partnership led by Derbyshire County Council and BT,	Continuation of Digital Derbyshire roll out	£34 m Derbyshire wide,	Funding Committed; supported by Government, D2N2 & European Regional Development Fund	Years 1-5

STAVELEY AND ROTHER VALLEY CORRIDOR

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS5: Staveley & Rother Valley Corridor	Staveley and Rother Valley Corridor masterplanning and working with landowners	Critical for delivery of SRVC strategic site,	<ul style="list-style-type: none"> • Chesterfield Borough Council • Staveley Town Council • Chatsworth Settlement Trust (landowner) • Saint Gobain (landowner) • Homes & Communities Agency • Derbyshire County Council 	Land decontamination and remediation	Overall costs: £60M - £70M <i>Source: Options Report, Taylor Young (2010)</i>	Regeneration agencies and developer contributions ; + HS2	Medium term: 2016–2020
		Critical for delivery of SRVC strategic site,		On-site road infrastructure	Overall costs : see above	developer contributions/CIL	Medium term: 2020 – 2026:
		Critical for delivery of SRVC strategic site,		Flood mitigation and defence works	Overall costs: £7M <i>Source: Options Report, Taylor Young (2010)</i>	Regeneration agencies and developer contributions or CIL	Medium-term: 2020 – 2026:
		Critical for delivery of SRVC strategic site,		Masterplanned green infrastructure provision (incl proposed greenways)	Not currently estimated	Included as part of development costs or CIL	Long-term:

							2026 – 2033:
		Critical for delivery of SRVC strategic site,		Potential capacity issues at Springwell Secondary School	Dependent on local school capacity at the time housing proposals come forward	CIL; SCR skills agenda	Long-term: 2026 – 2033
		Critical for delivery of SRVC strategic site,		New single form entry primary school <i>(evidence from DCC)</i>	Estimated by DCC	CIL	Long-term: 2026 – 2033

CHESTERFIELD WATERSIDE

Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS3: Waterside & the Potteries	Waterside Masterplan	Critical to enabling planned development to come forward	<ul style="list-style-type: none"> Urban Regeneration (which includes Bolsterstone and the main landowner, Arnold Laver) Chesterfield Borough Council 	Contributions may be required from CIL to support expansions at primary and/or secondary dependant on capacity at the time of each phase coming forward.	Up to £5M <i>Source: Planning application legal agreement</i>	Developer contributions; SCRIF funding of £2.7m secured to deliver site infrastructure in	Short-term: 2013-2020

			<ul style="list-style-type: none"> • Chesterfield Canal Partnership • SCR/D2N2 • <u>Chesterfield Waterside (public private partnership of CBC, Bolsterstone and Arnold Laver)</u> 	Off-site road improvements; provision of bridge for site access; completion of canal infrastructure; preparation of development platforms		relation to Basin Square.	
		Necessary to support new development		Masterplanned green infrastructure provision	Not currently estimated	Included as part of development costs. <i>NB: Ongoing management of green infrastructure will be funded via a management fee on residential properties</i>	Medium-term: 2020 – 2026

CHESTERFIELD CANAL							
Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP8; LP22; SS3; SS5 LP1 & LP2	Local Plan protects canal corridor as a major asset for sustainable transport, recreation & wildlife	Complementary to maximise the benefits of sustainable growth for local communities, including provision of a green link	<ul style="list-style-type: none"> • Chesterfield Borough Council • Derbyshire County Council • Chesterfield Canal Partnership • SCR/D2N2 	Restoration of whole route to a navigable state along whole length in the Borough; Specific transport infrastructure requirements.	£7m (DCC 2016)	<ul style="list-style-type: none"> • Developer contributions/CIL; • Chesterfield Canal Partnership 	Restoration of whole route across Local Plan period: 2018 – 2035

CHESTERFIELD TOWN CENTRE							
Key Local Plan Policy	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery

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SS1: Chesterfield Town Centre	Town centre development projects highlighted in Chesterfield Town Centre Masterplan (2015)	Necessary to support new development	<ul style="list-style-type: none"> • Chesterfield Borough Council • Development industry • Landowners • SCR/D2N2 • Derbyshire County Council 	Enhancement of the town centre walking and cycling network (based on network put forward by Derbyshire County Council, 2010)	No current estimates (costs will vary according to types of infrastructure required for the various routes)	Developer contributions and Local Transport Plan allocations, CIL	Local Plan period: 2018 – 2035
		Necessary to support new development		Health capacity at town centre medical facilities- as identified by NHS Derby & Derbyshire CCG: Hasland Medical Centre; Avenue House Branch; Avenue House Surgery; Chatsworth Road Medical Centre.	Only applicable to residential development of 10 dwellings or over. Derbyshire NHS currently request £512 per dwelling <i>NB: Contributions will depend on the location of proposed development and its distance from existing surgeries</i>	Developer contributions	
				Chesterfield Town Centre Masterplan: - Northern Gateway road infrastructure proposals	See above	Developer contributions, CIL, LEP.	

		<ul style="list-style-type: none"> - West Bars roundabout improvements - Hollis Lane link road - Lordsmill Roundabout improvements 			
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BRIMINGTON PARISH (LOCAL CENTRE)

Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP1	Future masterplanning	<ul style="list-style-type: none"> • Necessary to support new development 	<ul style="list-style-type: none"> • Chesterfield Borough Council • Brimington Parish Council • Development industry • Derbyshire County Council 	Foul sewerage provision	<p>£190,000</p> <p><i>Source: Design Services, CBC</i></p>	Included as part of developer costs	<p>Long-term:</p> <p>2026 – 2033</p>

LP1		<ul style="list-style-type: none"> Necessary to support new development 	<ul style="list-style-type: none"> NHS Derby and Derbyshire CCG 	<p>Capacity issues identified at Calow & Brimington Medical Practice (Foljambe Road, Brimington), and</p> <p>Whittington Moor Surgery (Scarsdale Rd, Whittington)</p>	<p>Only applicable to residential development of 10 dwellings or over. Derbyshire NHS currently request £512 per dwelling</p> <p><i>NB: Contributions will depend on the location of proposed development and its distance from existing surgeries</i></p>	Developer contributions	
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EASTERN VILLAGES (DUCKMANTON & MASTIN MOOR)

Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP1	Future masterplanning	<ul style="list-style-type: none"> Necessary to support new development 	<ul style="list-style-type: none"> Chesterfield Borough Council Development industry Derbyshire County Council 	Upgrades to the sewer network likely to be required at both Duckmanton and Mastin Moor (i.e. Bent Lane Sewage Pumping Station & Staveley Wastewater Treatment Works)	Not currently estimated	Included as part of developer costs	Long-term: 2026 – 2033

				Potential capacity issues at Netherthorpe Secondary School & Woodthorpe Primary School	Dependent on local school capacity at the time housing proposals come forward	Included as part of developer costs/CIL	
LP1		•	• NHS Derby and Derbyshire CCG	Barlborough Medical Practice is approaching capacity.	Only applicable to residential development of 10 dwellings or over. Derbyshire NHS currently request £512 per dwelling <i>NB: Contributions will depend on the location of proposed development and its distance from existing surgeries</i>	Developer contributions	

CHATSWORTH ROAD CORRIDOR

CHATSWORTH ROAD CORRIDOR							
Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
SS2	South of Chatsworth Road Masterplan	Necessary to support new development	Chesterfield Borough Council Development industry Landowners	Bridge works (Hipper Street West, Hipper Street South, Hipper House and Alma St) to mitigate flood risk along the River Hipper.	£ 135,204 <i>Source: Arup, 2010</i>	Environment Agency & Trent RFDC. Included as part of developer costs	Local Plan period: 2018 – 2035
		Necessary to support new development	Derbyshire County Council (Highways & Education).	Enhancement of the walking and cycling network	Not currently estimated	Included as part of developer costs	
		Necessary to support new development	Environment Agency.	Development and enhancement of the GI network	Not currently estimated	Included as part of developer costs	
		Necessary to support new development		Improvement of Dock Walk to an adoptable standard, and adopt, incorporating dedicated cycle facilities	Not currently estimated	Delivered as part of new development to improve site accessibility	
		Necessary to support new development		Improvement of Hipper Valley Corridor	Not currently estimated	Delivered as part of new development to improve site accessibility	

		Necessary to support new development		Improvements to Old Hall junction	Not currently estimated	Delivered as part of new development to improve site accessibility	
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STAVELEY TOWN CENTRE

Key Local Plan Policies	Implementation	Critical /Necessary/ Complimentary	Lead Bodies	Infrastructure Requirements	Estimated Infrastructure Costs	Potential Funding Sources	Phasing & Delivery
LP1- LP21	<p>Staveley Town Centre Masterplan</p> <p><i>NB: Whilst not part of the Local Plan programme the masterplan does set out the long-term development options for Staveley Town Centre. These options have not been costed and specific delivery arrangements are not yet in place.</i></p>	<ul style="list-style-type: none"> Complementary to maximise the benefits of sustainable growth for local communities. 	<ul style="list-style-type: none"> Staveley Town Council Chesterfield Borough Council Regeneration agencies Development industry 	<p>Whilst the Staveley Town Centre Masterplan provides a framework for new development in the town, development is mainly focused on public realm improvements. Therefore, development is unlikely have a significant impact on existing infrastructure capacity</p>	<p>There are no cost estimates for proposals in the Staveley Town Centre masterplan</p>	<ul style="list-style-type: none"> Regeneration agencies Developer Contributions or CIL 	<p>Local Plan period: 2018–2035</p>

MM64 - SUPERSEDED POLICIES

The policies set out in the adopted Local Plan Core Strategy (2011-2031) have all been superseded by the new Chesterfield Borough Local Plan.

The table below sets out a schedule of the superseded policies of the current local plan including the saved policies of the Replacement Chesterfield Local Plan (adopted 2006).

<u>Local Plan: Core Strategy (July 2013)</u>	<u>Chesterfield Local Plan 2019</u>
<u>CS1 - Spatial Strategy</u>	<u>LP1 – Spatial Strategy</u>
<u>CS2 - Principles for Location of Development</u>	<u>LP2 – Principles for Location of Development</u>
<u>CS3 - Presumption in favour of Sustainable Development</u>	<u>NO REPLACEMENT</u>
<u>CS4 - Infrastructure Delivery</u>	<u>LP12 - Infrastructure Delivery</u>
<u>CS5 - Renewable Energy</u>	<u>LP13 - Renewable Energy</u>
<u>CS6 - Sustainable Design and Construction</u>	<u>LP21 - Design</u>
<u>CS7 - Management of the Water Cycle</u>	<u>LP14 – Managing the Water Cycle</u>
<u>CS8 - Environmental Quality</u>	<u>LP15 – A Healthy Environment</u>
<u>CS9 - Green Infrastructure and Biodiversity</u>	<u>LP16 – Green Infrastructure</u> <u>LP17 – Biodiversity, Geodiversity & the Ecological Network</u> <u>LP18 – Open Space, Play Provision, Sports Facilities & Allotments</u>
<u>CS10 - Flexibility in delivery of Housing</u>	<u>LP4 - Flexibility in delivery of Housing</u>
<u>CS11 - Range of Housing</u>	<u>LP5 - Range of Housing</u>
<u>CS12 - Sites for Travellers</u>	<u>LP6 - Sites for Travellers</u>
<u>CS13 - Economic Growth</u>	<u>LP7 - Economic Growth</u>
<u>CS14 - Tourism and the Visitor Economy</u>	<u>LP8 - Tourism and the Visitor Economy</u>
<u>CS15 - Vitality and Viability of Centres</u>	<u>LP9 - Vitality and Viability of Centres</u>
<u>CS16 - Retail</u>	<u>LP10 - Retail</u>
<u>CS17 - Social Infrastructure</u>	<u>LP11 - Social Infrastructure</u>
<u>CS18 - Design</u>	<u>LP21 - Design</u>
<u>CS19 - Historic Environment</u>	<u>LP22 - Historic Environment</u>
<u>CS20 - Influencing the Demand for Travel</u>	<u>LP23 - Influencing the Demand for Travel</u>
<u>CS21 - Major Transport Infrastructure</u>	<u>LP24 - Major Transport Infrastructure</u>
<u>PS1 - Chesterfield Town Centre</u>	<u>SS1 - Chesterfield Town Centre</u>
<u>PS2 - Chatsworth Road</u>	<u>SS2 - Chatsworth Road Corridor</u>
<u>PS3 - Waterside and the Potteries</u>	<u>SS3 – Chesterfield Waterside & the Potteries</u>
<u>PS4 - Markham Vale</u>	<u>SS4 - Markham Vale</u>

<u>PS5 - Staveley and Rother Valley Corridor</u>	<u>SS5 - Staveley and Rother Valley Corridor</u>
<u>PS6 - Neighbourhood Plans</u>	<u>SS8 - Neighbourhood Plans</u>
<u>Replacement Chesterfield Borough Local Plan</u>	
<u>HSN 1 - Sites for Residential Development</u>	<u>LP4 - Flexibility in delivery of Housing</u>
<u>EMP 2 - Donkin / UEF site, Derby Road</u>	<u>REDUNDANT POLICY</u>
<u>EMP 5 - Other Sites for Employment Development</u>	<u>LP7 – Economic Growth</u>
<u>EMP 7 - Development in Existing Business and Industrial Areas</u>	<u>LP7 - Economic Growth</u>
<u>EMP 11 - Ecodome Proposal</u>	<u>LP8 - Tourism and the Visitor Economy</u>
<u>EVR 1 - Green Belt</u>	<u>LP16 – Green Infrastructure</u>
<u>EVR 2 - Development in the Open Countryside and Other Open Land</u>	<u>LP16 - Green Infrastructure</u>
<u>EVR 9 - Tree and Woodland Planting</u>	<u>LP16 - Green Infrastructure</u>
<u>EVR 29 - Chesterfield Town Centre Historic Core</u>	<u>LP22 – Historic Environment</u>
<u>TRS 2 - Transport Schemes Associated with Markham Employment Growth Zone (Markham Vale) and the M1</u>	<u>LP24 - Major Transport Infrastructure</u>
<u>TRS 3 - Chesterfield – Staveley Regeneration Route</u>	<u>LP24 - Major Transport Infrastructure</u>
<u>TRS 6 - Whitting Valley Link Road</u>	<u>REDUNDANT POLICY</u>
<u>SHC 1 - Development within existing Town, District and Local Centres</u>	<u>LP9 - Vitality and Viability of Centres</u>
<u>SHC 2 - Provision of New or Extended Local Centres</u>	
<u>SHC 3 - New Retail Warehousing on Land at Markham Road</u>	<u>REDUNDANT POLICY</u>
<u>POS 1 - Existing Parks and Open Spaces</u>	<u>LP18 - Open Space, Play Provision, Sports Facilities & Allotments</u>
<u>POS 2 - New Public Open Space</u>	<u>LP18 - Open Space, Play Provision, Sports Facilities & Allotments</u>
<u>POS 4 - Sports Pitches and Playing Fields</u>	<u>LP18 - Open Space, Play Provision, Sports Facilities & Allotments</u>
<u>POS 5 - Allotments</u>	<u>LP16 - Green Infrastructure</u>
<u>CMT 1 - Education Sites</u>	<u>LP12 - Infrastructure Delivery</u>
<u>CMT 3 - Development of Health and Further Education Provision</u>	<u>REDUNDANT POLICY</u>
<u>New Policies</u>	

	<u>LP19 – Chesterfield Canal</u>
	<u>LP20 – River Corridors</u>
	<u>RP1 - Regeneration Priority Areas</u>
	<u>SS6 - Land at Dunston</u>
	<u>SS7 – Chesterfield Railway Station</u>

MM65 – OPEN SPACE STANDARDS, QUANTITATIVE STANDARDS

Quantitative Standards	
Type of Open Space	Hectares of Provision per 1000 people
Allotments	0.34 <u>0.39</u>
Amenity Greenspace ²	0.90 <u>0.68</u>
Natural and Semi-Natural Greenspace	3.04 <u>3.00</u>
Parks and Gardens	1.06
Provision for Children and Young People ³	0.06 <u>0.27</u>
Cemeteries and Green Corridors	No standards

² All amenity greenspaces over 2 hectares in size which host a play site and also all other amenity greenspaces which do not host a play site

³ All equipped play provision sites including informal amenity greenspaces which host a play site and are below two hectares in size

MM66 – MONITORING FRAMEWORK

Monitoring and Review Framework

LP1 Spatial Strategy & LP2	Strategic Objectives	Target	Indicator	Frequency	Trigger	Action and Contingencies
LP1 Housing Growth	S2 S3	4374 4080 dwellings up to 2033 2035	Net new dwellings built each year as monitored in the AMR. HDT	Annual	1. <u>Persistent under delivery</u> as set out in the HDT 2. <u>Unmet need identified in HMA</u>	1. <u>Apply 20% buffer to five year supply</u> as set out in the NPPF. 2. Take into account as part of five year plan review
LP1 Economic Growth	S3 S6	44 50 hectares up to 2033 2035	Net new employment land developed each year as monitored in the AMR	Annual	Percentage of delivery across five year period	Take into account as part of five year plan review
LP1 Green Belt	S11	No net loss of, or inappropriate development on green belt	Loss of, or inappropriate development on green belt	As required	More than one appeal allowed for development on Green Belt on basis of land supply issues	Review reasons for decision Take into account as part of five year plan review Possible Green Belt Review as part of Local Plan Review
LP1 Strategic Gaps / Green Wedges & LP16	S7	No net loss of, or inappropriate development	Loss of, or inappropriate development	As required	More than one appeal allowed for development	Review reasons for decision Take into account as part of five year plan review

			within Strategic Gaps / Green Wedges		within Strategic Gaps / Green Wedges	
<u>LP2 Principles for Location of Development</u>	<u>S1</u> <u>S9</u> <u>S10</u> <u>S13</u>	<u>The location of new residential development to maximise opportunities for walking access to a range of key services.</u> <u>The location of new residential development to maximise opportunities for cycling and the use of public transport to access a range of key services.</u>	<u>The travel times from from major residential development to a range of key services by non-car based modes of transport.</u>	<u>As required and through the monitoring of planning permissions.</u>	<u>Majority of new homes within major developments not being within a walkable distance to a range of key services and not being within the lower accessibility threshold times to a range of key services.</u>	<u>Take into account as part of five year plan review</u>
Policy-LP3	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP3 Presumption in	All	Delivery of sustainable	Application of the Local Plan		See triggers for LP1 and LP2	See contingencies for LP1 and LP2

favour of Sustainable Development		development in accordance with the spatial strategy				
Policy LP4	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP4 Flexibility in the delivery of Housing	S2	Maintain five year housing supply of deliverable sites	Five Year Housing Land Supply Performance against trajectory (see table xxxx)	Annual	Inability to demonstrate five year housing supply	Application of presumption in favour of sustainable development as required by NPPF when determining Planning Applications Take into account as part of five year plan review
Policy LP5	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP5 Range of Housing	S5	20% affordable homes (90% social rented and 10% intermediate) on sites of 10 dwellings or more. High – 20%. Medium 10%. Low 5% 25% of adaptable and accessible housing	Number of affordable housing completions (net) Social rented and Intermediate No. of adaptable and accessible housing completions	Annual	Shortfall of 25% of cumulative 3 year target	Discuss with Housing Team the reasons for performance to and review the affordable housing pipeline, Take into account as part of five year plan review

		10% of affordable should be built as wheelchair user homes				
Policy LP6	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP6 Sites for Travellers		Strategic Target met up to 2019	Net additional pitches granted planning permission Frequency and size of unauthorised pitches	Annual	Submission of a planning application for a travellers site or an unauthorised site within the borough. <u>Receipt of the GTAA review</u>	Review and update evidence in light of need with neighbouring authorities. Take into account as part of five year plan review
Policy LP7	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP7 Employment land	S6	44 50 ha of additional employment land (B1, B2 and B8) between 2011-2018 and 2033-2035	Net new employment land developed each year as monitored in the AMR <u>Performance against trajectory (see table xxxx)</u>	Annual	Percentage of delivery across five year period	Take into account as part of five year plan review
Policy LP8	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies

LP8 Tourism and Visitor Economy	S3 S12	Increase in D2 floorspace	Total amount of new D2 floorspace		No new D2 floorspace	Discussions with tourism teams to identify reasons for fall in visitor numbers to the town. Take into account as part of five year plan review
Policy LP9	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP9 Viability and Vitality of Centres	S3	Vacancy rate below national and regional average for Town and District Centres	Total amount of new floor space for town centre uses Total amount of new floor space for town centre use completed outside of centres or allocated sites Town and District Centre Health Checks	Annual	Persistent increase in vacancy rates	Consider revision of centre boundaries and/or hierarchy Review reasons for decision and reevaluate evidence and allocations if necessary. Examine reasons for decline in performance of town and district centre. Long-term, potential to review policies and allocations Take into account as part of five year plan review
Policy LP10	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP10 Retail	S3	No new retail floorspace (except Small Shops under threshold) outside of existing defined	Total amount of new floor space for town centre use completed outside of centres or allocated sites	Annual	Approval of large format retail outside of town centre boundary not allocated in Local Plan.	Review reasons for decision and reevaluate evidence Take into account as part of five year plan review

Policy LP11	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
<u>LP11 Social Infrastructure</u>	<u>S3 & S13</u>	<u>Maintain appropriate provision of Community Facilities</u>	<u>Monitor changes of use and Assets of Community Value</u>	<u>Annual</u>	<u>Loss of asset of community value</u>	<u>Take into account as part of five year plan review</u>
Policy LP12	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP12 Infrastructure Delivery	S10	Delivery of Strategic Infrastructure highlighted in Infrastructure Delivery Plan	Delivery in accordance with CIL Expenditure Strategy	Annual <u>review of S106 and CIL</u>	Non delivery of infrastructure in expenditure strategy	Review funding allocations Take into account as part of five year plan review Review effectiveness of CIL
Policy LP13	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP13 Renewable heat <u>Energy</u>	S1	No target	Monitor applications for renewable energy	Five years		Take into account as part of five year plan review
Policy LP14	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP14 Managing the Water Cycle	S4	All development in line with Environment Agency Advice	Development approved contrary to Environment Agency advice	Annual	More than five applications approved contrary to advice over a rolling five year period.	Identify reasons for decision, and if necessary take into account as part of five year plan review

		<u>All development according with the advice of the Lead Local Flood Authority</u>	<u>Development approved contrary to Lead Local Flood Authority advice</u>			
Policy LP15	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP15 A Healthy Environment	S9	No new AQMA, Removal of existing AQMA	Air Quality Monitoring Report <u>Progress against Air Quality Action Plan Objectives</u>	Annual	The designation of an Air Quality Management Area	Consultation with Environmental Health and DCC to identify mitigation measures to address impacts of air quality. Take into account as part of five year plan review
Policy LP16	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP16 Green Infrastructure						
LP16 Green Infrastructure	S7 & S11	No net loss of, or inappropriate development in Green Belt, Green Wedges or Strategic Gaps	Loss of, or inappropriate development within Strategic Gaps / Green Wedges/Green Bely	As required	More than one appeal allowed for development within Strategic Gaps / Green Wedges	Review reasons for decision Take into account as part of five year plan review
Policy LP17	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP17 Biodiversity, Geodiversity & the Ecological Network	S7	Net gain in biodiversity	Monitoring of conditions in Planning approvals	<u>Annual</u>	Proposed losses <u>and gains</u> of <u>identified</u> habitat	Investigate reasons for loss of habitat Take into account as part of five year plan review

		<p><u>Increase in tree cover within the Borough</u></p>	<p><u>Monitoring of gains and losses in identified habitat through planning approvals for the development housing and employment allocations including strategic sites and other major developments</u></p> <p><u>Monitoring of the area of land covered by woodland identified as priority habitat</u></p>			
<p>Sites of International & National Importance</p>		<p><u>Develop a suitable monitoring programme in liason with neighbouring authorities including the</u></p>	<p><u>• Post plan adoption Changes in the AADT on roads within 200m of the European Sites</u></p>	<p><u>As per the programme to be agreed between authorities and Natural England</u></p>	<p>Increases in traffic and consequential effects on air quality</p>	<p>Take into account as part of five year plan review</p>

		<p><u>PDNP and Natural England in relation to the SAC's and SPA's identified in the SA to help ensure that a likely significant effect on these European sites does not arise unexpectedly.</u></p>	<ul style="list-style-type: none"> • <u>Post plan changes in rates of atmospheric nitrogen deposition at the European sites</u> • <u>Ecological condition of qualifying features of each European site; and</u> • <u>Cooperation with neighbouring authorities, including the PDNPA,</u> 			
Policy LP18	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP18 Open Space, Play provision, Sports facilities & Allotments	S10 S13	No net loss of open space, play provision and sports facilities <u>unless identified as surplus to need.</u>	Loss of open space, play provision and sports facilities <u>where this is not identified as surplus to need.</u>	As required	Net loss of open space, play provision and sports facilities over a three year period <u>where this is not identified as surplus to need.</u>	Review reasons for decision to release of open space etc. Take into account as part of five year plan review

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Policy LP19	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP19 Chesterfield Canal	S12	Restoration of the Chesterfield Canal within the borough to a navigable state by 2027	Remaining length of un-navigable stretch of Chesterfield Canal in Chesterfield Borough (Chesterfield Canal Trust)	Annual via CCT annual report	No additional restoration of canal in rolling three year period	Discussion with Chesterfield Canal Trust and Derbyshire County Council to facilitate further restoration work. Review use of CIL funding Take into account as part of five year plan review
Policy LP20	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP20 River Corridors	S7	None	<u>Number of applications that fall within River Corridors</u>	<u>Annual</u>	<u>None</u>	<u>Take into account as part of five year plan review</u>
Policy LP21	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP21 Design	S8	75% of major new residential development to achieve a score of 12 on Building for Life	Number of major residential developments achieving a score of 12 on Building for Life	Annual	Less than 75% of schemes over a two year period achieving a score of 12 on Building for Life	Discussion with applicants and agents to understand why higher levels of design are not being achieved. Potential to review and update supplementary planning guidance.
Policy LP22	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies

LP22 Historic Environment	S8	<p>Zero heritage assets on the 'at-risk' register</p> <p>Zero Listed Buildings demolished</p> <p><u>100% coverage of up to date conservation area appraisals.</u></p>	<p>Number of heritage assets on the 'at-risk' register</p> <p>Number of Listed Buildings demolished</p> <p><u>Buildings on Local List lost</u></p> <p><u>% Percentage of conservation areas with up-to-date character appraisals</u></p>	<p>Annual</p> <p>Annual</p> <p><u>Annual</u></p>	<p>If heritage asset stays on the 'at-risk' register for longer than 12 months</p> <p>Listed building demolished</p> <p><u>If below 100%</u></p>	<p>The Council will seek advice of English Heritage Historic England in ensuring that there is no negative impact on heritage assets and the wider historic environment.</p> <p>Review reasons for demolition</p> <p><u>The Council will review its priorities in respect of resourcing work to bring coverage up to the required level.</u></p>
Policy LP23	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
LP23 Influencing the Demand for Travel	S1 S9	Delivery of the Chesterfield Strategic Cycle Network	Delivery of new cycle network.	Five years from adoption	No new stretches delivered over a two year period	<p>Discussion with Derbyshire County Council to ensure and aid delivery of strategic network.</p> <p>Potential source of funding from CIL.</p>
Policy LP24	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies

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LP24 Major Transport Infrastructure	S9	Safeguard land for Major Transport Infrastructure including the scheme for the Chesterfield- Staveley Regeneration Route	Planning permissions granted in areas safeguarded for major transport infrastructure	Annual	If planning permission is granted for development in safeguarded area.	Review reasons and impact for granting of planning permission in safeguarded areas.
Policy RP1	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
RP1 Regeneration Priority Areas	S2 S3	Improvement on IMD ranking	IMD ranking	Five years from adoption	A Decline in IMD Ranking	Work with local community and external agencies to support regeneration projects Take into account as part of five year plan review
Policy SS1	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS1 Chesterfield Town Centre	S2 S3 S6 S8 S9	Vacancy Rate above national average Improvement in Retails Ranking	Vacancy Rate Retail ranking	Annual As published		Discussion with land owners and developers to bring to site(s) forward. Take into account as part of five year plan review
Policy SS2	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS2 Chatsworth Road Corridor	S2 S3 S4 S6	Regeneration in the area 'Land South of Chatsworth	Dwellings and Floorspace within the Land South of		Buildings remain on 'at risk' register post 2016 2025	Discussion with land owners and developers to bring to site forward.

	S9	Road' in line with adopted Masterplan.	Chatsworth Road Masterplan area. Area of vacant land.		Reduction in vacant land less than 50%.	Consideration to review of masterplan and policy.
Policy SS3	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS3 Chesterfield Waterside and Potteries	S2 S3 S4 S6	Comprehensive redevelopment of area in line with approved masterplan by 2031 . <u>2035</u>	Dwelling and floorspace completions	Annual	Delivery below trajectory set out in five year housing supply	Discussion with land owners and developers to bring to site forward. Provide support when bidding for available funding. Consideration to review of masterplan and policy.
Policy SS4	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS4 Markham Vale	S6	Development of Markham Vale in accordance with permission	Completed floorspace	Annual as part of employment land monitoring	No additional floorspace within a 3 year period	Discussion with landowners to discuss barriers to development. Consideration to review of planning permission and policy in Local plan five year review
Policy SS5	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS5 Staveley and Rother Valley Corridor	S2 S4 S6 S7 S8 S9 S10	Comprehensive redevelopment of area in line with approved masterplan	Progress with Planning applications	Quarterly through delivery board	Lack of progress identified by delivery board	Discussion with land owners and developers to bring to site forward. Provide support when bidding for available funding.

	S12					Consideration to review of masterplan and policy as part of local plan five year review
Policy SS6	Strategic Objective	Target	Indicator	Frequency	Trigger	Contingencies
SS6 Land at Dunston	S2 S4 S5 S8 S10	Comprehensive redevelopment of area in line with approved masterplan	Trajectory set out in SoCG	Annual through housing supply monitoring	Delivery falls behind trajectory for three years	Discussion with land owners and developers to bring site forward. Consideration to review of masterplan and policy as part of local plan five year review
Policy SS7	Strategic Objective	Target	Indicator		Trigger	Contingencies
SS7 Chesterfield Railway Station	S2 S4 S5 S6 S8 S9 S10	Comprehensive redevelopment of area in line with approved masterplan	Masterplan in place by end of 2019	Annual	Non-commencement of reserved matters planning permissions by end of 2025	Discussion with land owners and developers to bring the site forward. Consideration to review of masterplan and policy
Policy SS8	Strategic Objective	Target	Indicator		Trigger	Contingencies
SS8 Neighbourhood Plans	All	Timetable and programme of support agreed in response to any formal requests for neighbourhood plans.	Number of Neighbourhood Plans commenced Number of Neighbourhood Plans approved	As required, annual after adoption	A Neighbourhood Plan being approved.	Review Local Plan and In Local Plan Review incorporate neighbourhood plan proposals if necessary

MM67 – HOUSING TRAJECTORY

Ref	Site	Type	Planning Status (1 st April 2019)	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Total
Local Plan Allocations																					
H1	Edale Road Garage Court, Mastin Moor	Small Allocation	No permission	0	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	0	6
H2	Catherine Street Garage Court, Bank Street, Chesterfield	Small Allocation	No permission	0	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	12
H4	Heaton Court (Former), Meynell Close,-Brampton	Small Allocation	Full permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
H5	Pondhouse Farm, Troughbrook Road, Hollingwood	Large Allocation	No permission	0	0	0	15	8	0	0	0	0	0	0	0	0	0	0	0	0	23
H6	Miller Avenue, Mastin Moor	Small Allocation	No permission	0	0	0	0	0	7	7	0	0	0	0	0	0	0	0	0	0	14
H7	Hollythorpe Close (Land off), Hasland	Small Allocation	No permission	0	0	0	0	0	7	7	0	0	0	0	0	0	0	0	0	0	14
H8	Chesterfield Road (Land North of), Staveley	Small Allocation	No permission	0	0	0	0	0	0	0	7	7	0	0	0	0	0	0	0	0	14
H9	White Bank Close (Land at), Hasland	Small Allocation	No permission	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
H10	Derwent House HOP, Ulverston Road, Newbold	Small Allocation	No permission	0	0	0	0	7	10	0	0	0	0	0	0	0	0	0	0	0	17
H11	Sycamore Road (Land at), Hollingwood	Small Allocation	No permission	0	0	0	0	0	0	0	7	11	0	0	0	0	0	0	0	0	18

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Ref	Site	Type	Planning Status (1 st April 2019)	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Total
H12	Ashbrook Centre (Former), Cuttholme Road, Loundsley Green	Small Allocation	No permission	0	0	0	0	7	13	0	0	0	0	0	0	0	0	0	0	0	20
H13	Elm Street (Land at), Hollingwood	Small Allocation	No permission	0	0	0	0	0	0	0	7	15	1	0	0	0	0	0	0	0	23
H14	Swaddale Avenue (Land to the West of), Tapton	Small Allocation	No permission	0	0	0	0	0	0	0	7	14	0	0	0	0	0	0	0	0	21
H15	Goldwell Rooms (Former) and 6 Ashgate Road, Chesterfield	Small Allocation	Part of site has full permission	0	0	0	0	49	21	0	0	0	0	0	0	0	0	0	0	0	70
H16	Red House HOP and Spire Lodge, Sheffield Road, Chesterfield	Small Allocation	No permission	0	0	0	0	7	15	3	0	0	0	0	0	0	0	0	0	0	25
H17	Poultry Farm (Former), Manor Road, Brimington	Small Allocation	Full permission	0	4	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	26
H19	Ash Glen Nursery (Former), Sheffield Road, Unstone	Large Allocation	No permission	0	0	0	0	0	0	0	7	15	8	0	0	0	0	0	0	0	30
H20	Duewell Court (Land at), Station Road, Barrow Hill	Large Allocation	No permission	0	0	0	0	15	15	5	0	0	0	0	0	0	0	0	0	0	35
H21	Staveley Canal Basin, Eckington Road, Staveley	Large Allocation	No permission	0	0	0	0	15	30	30	15	0	0	0	0	0	0	0	0	0	90
H23	Allen and Orr Timber Yard, Saltergate, Chesterfield	Small Allocation	No permission	0	0	0	0	0	0	0	7	15	15	2	0	0	0	0	0	0	39
H25	Boat Sales (Former), Sheffield Road, Unstone	Large Allocation	Outline permission	0	0	10	20	20	0	0	0	0	0	0	0	0	0	0	0	0	50

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H26	Rectory Road (Land adjacent), Duckmanton	Large Allocation	Full permission	0	15	15	3	0	0	0	0	0	0	0	0	0	0	0	0	0	33
H27	Walton Hospital (Land at), Harehill Road, Walton	Large Allocation	No permission	0	0	0	0	48	12	0	0	0	0	0	0	0	0	0	0	0	60
H28	Walton Hospital (Land at), Whitecotes Lane, Walton	Large Allocation	No permission	0	0	0	0	48	42	0	0	0	0	0	0	0	0	0	0	0	90
H30	Walton Works (Former)	Large Allocation	No permission	0	0	0	0	0	0	0	15	30	30	30	30	15	0	0	0	0	150
H31	Varley Park, Staveley Road, Poolsbrook	Large Allocation	Full permission	0	0	20	20	20	20	20	20	20	20	15	0	0	0	0	0	0	175
H32	Bent Lane, Staveley	Large Allocation	No permission	0	0	0	0	0	0	0	30	30	30	50	0	0	0	0	0	0	140
H33	Linacre Road, Holme Hall	Large Allocation	No permission	0	0	0	0	0	0	0	50	50	50	50	50	50	0	0	0	0	300
H34	Tom Lane (Land South of), West of Rectory Road, Duckmanton	Large Allocation	No permission	0	0	0	0	0	0	0	25	50	50	50	50	50	0	0	0	0	275
H35	Land South of Worksop Road and East and West of Bolsover Road, Mastin Moor	Large Allocation	No permission	0	0	0	0	0	50	60	60	60	60	60	60	60	60	60	60	0	650
H36	Inkersall Road (Land at), Inkersall	Large Allocation	No permission	0	0	0	0	50	50	50	50	50	50	50	50	0	0	0	0	0	400
SS1	Spire Neighbourhood, Chesterfield	SS1	No permission	0	0	0	0	0	0	0	15	30	30	25	0	0	0	0	0	0	100

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SS3	Chesterfield Waterside, Brimington Road, Chesterfield	SS3	Outline permission Part of site has reserved matters permission	0	0	50	207	207	37	55	55	55	55	55	55	55	55	59	50	50	1100
SS5	Staveley Works, Staveley	SS5	No permission	0	0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	50	150
SS6	Land South of Dunston Lane Road, Dunston	SS6	Part of site has full permission	21	79	50	50	75	74	50	50	50	50	50	50	50	50	50	0	0	799
Commitments																					
CHE/17/00237/OUT	Commerce Centre, Canal Wharf, Chesterfield	Small Permission	Outline Permission	0	8	6	20	0	0	0	0	0	0	0	0	0	0	0	0	0	34
CHE/17/00326/REM	Dunston Road (Land off), Former Cammac Site	Large Permission	Full Permission	0	29	34	39	4	0	0	0	0	0	0	0	0	0	0	0	0	106
CHE/17/00685/REM	Wheeldon Mill, Rother Way, Chesterfield	Large Permission	Full Permission	2	30	30	30	28	0	0	0	0	0	0	0	0	0	0	0	0	120
CHE/15/00614/REM	Former Sheepbridge Sports and Social Club, 202 Newbold Road, Chesterfield	Large Permission	Completed	20	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21
CHE/18/00190/REM	Land At Cranleigh Road, Chesterfield, Derbyshire	Large Permission	Full Permission	3	36	36	0	0	0	0	0	0	0	0	0	0	0	0	0	0	75
CHE/16/00518/FUL	Eyre View, Newbold Road, Newbold	Large Permission	Completed	34	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	40
CHE/15/00838/REM	Ringwood Centre, Victoria Street, Brimington	Large Permission	Full Permission	0	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	12

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CHE/18/00768/ REM	Land To South Of Poplar Farm, Rectory Road, Duckmanton	Large Permission	Full Permission	0	6	15	14	0	0	0	0	0	0	0	0	0	0	0	0	0	35
CHE/17/00798/ FUL	Knightsbridge Court, West Bars, Chesterfield	Small Permission	Full Permission	0	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	30
CHE/15/00755/ OUT	Land To The West Of Bevan Drive Inkersall Derbyshire	Large Permission	Outline Permission	0	0	0	0	0	25	30	30	18	0	0	0	0	0	0	0	0	103
CHE/16/00835/ FUL	The Elm Tree Inn, High Street, Staveley	Small Permission	Full Permission	0	7	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	21
CHE/15/00098/ FUL	Basil Close, Chesterfield	Small Permission	Full Permission	0	0	0	0	22	0	0	0	0	0	0	0	0	0	0	0	0	22
CHE/15/00464/ FUL	Land To The Rear Of 79 Sheffield Road, Stonegravel	Small Permission	Full Permission	9	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19
CHE/17/00634/ OUT	1 Bridle Road, Woodthorpe, Chesterfield	Small Permission	Full Permission	0	0	7	11	0	0	0	0	0	0	0	0	0	0	0	0	0	18
CHE/15/00835/ OUT	Loundsley Green Road (Land West of), Loundsley Green	Large Permission	Full Permission	0	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14
CHE/18/00779/ FUL	Chesterfield County Court, St Marys Gate, Chesterfield	Small Permission	Full Permission	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12
CHE/15/00195/ FUL	Former Social Club, Saltergate, Chesterfield	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/14/00896/ FUL	Littlemoor Shopping Centre, Littlemoor Centre	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10

Chesterfield Borough Local Plan Proposed Modifications – 27 May 2020

Ref	Site	Type	Planning Status (1 st April 2019)	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Total
CHE/18/00224/REM	Land Surrounding 146 To 152 Hady Lane, Hady Lane, Chesterfield	Large Permission	Full Permission	4	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/18/00144/FUL	Chesterfield Post Office, 1 Market Place, Chesterfield	Small Permission	Full Permission	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/17/00359/FUL	Victoria Hotel, Lowgates, Staveley	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/18/00432/FUL	Land Adjacent Trinity Court, Newbold Road, Newbold	Small Permission	Full Permission	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
CHE/15/00442/FUL	Poolsbrook Hotel, Staveley Road, Poolsbrook	Small Permission	Completed	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30
CHE/18/00784/FUL	87 New Square, Chesterfield	Small Permission	Full Permission	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
CHE/16/00121/FUL	Land To The West Of Keswick Drive, Newbold	Small Permission	Full Permission	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
CHE/17/00757/OUT	Land Used For Storage and Premises, Goyt Side Road	Small Permission	Outline Permission	0	0	7	1	0	0	0	0	0	0	0	0	0	0	0	0	0	8
CHE/16/00023/FUL	Handleywood Farm, Whittington Road, Barrow Hill	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/16/00216/FUL	Jacksons Bakery, New Hall Road	Small Permission	Full Permission	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
CHE/18/00697/OUT	St Marks Vicarage, 15 St Marks Road, Chesterfield	Small Permission	Full Permission	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4

Chesterfield Borough Local Plan Proposed Modifications – 27 May 2020

Ref	Site	Type	Planning Status (1 st April 2019)	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Total
CHE/17/00814/OUT	Land At Chester Street, Chesterfield	Small Permission	Outline Permission	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/16/00053/FUL	Apple Trees, Lancaster Road, Newbold	Small Permission	Full Permission	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/17/00375/REM	Hady Miners Welfare Club, Houldsworth Drive, Hady	Small Permission	Full Permission	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/17/00700/REM	Land Adjacent Five Acres, Piccadilly Road	Small Permission	Full Permission	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
CHE/15/00394/FUL	Land At Upper King Street, Chesterfield	Small Permission	Completed	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/14/00392/FUL	Dunston Grange Farm, Dunston Lane, Dunston	Small Permission	Completed	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
CHE/17/00756/OUT	Land On Goytside Road Corner, Factory Street, Chesterfield	Small Permission	Outline Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/17/00067/COU	1 Tennyson Avenue, Chesterfield	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/12/00286/MA	14A Spital Lane, Chesterfield	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/08/00311/FUL	Land At Wessex Close, Chesterfield	Small Permission	Full Permission	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CHE/18/00024/FUL	Land At Breckland Road, Walton, Derbyshire	Small Permission	Full Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5

Chesterfield Borough Local Plan Proposed Modifications – 27 May 2020

Ref	Site	Type	Planning Status (1 st April 2019)	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	Total	
CHE/17/00334/ FUL	10B Marsden Street, Chesterfield	Small Permissi on	Completed	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	
CHE/17/00263/ FUL	Former Saltergate Health Centre, 107 Saltergate, Chesterfield	Small Permissi on	Completed	33	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	33	
CHE/17/00475/ FUL	1-3 Knifesmithgate, Chesterfield	Small Permissi on	Completed	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	
CHE/16/00436/ OUT	325 Ashgate Road, Chesterfield	Small Permissi on	Outline Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	
CHE/18/00044/ OUT	Ravensdale, 26 Chesterfield Road, Brimington	Small Permissi on	Outline Permission	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	
CHE14/00139/F UL	44-46 Park Road, Chesterfield	Small Permissi on	Completed	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	
Actual / Anticipated Net Completions (sites of 4 dwellings or less)				57	36	96	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	N/ A	189	
10% Lapse Rate (Discount on Commitments)				N/ A	-24	-37	-17	-5	-3	-3	-3	-2	0	0	0	0	0	0	0	0	-94	
Windfall Allowance				N/ A	N/ A	N/ A	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	476
Total				21	31	51	51	65	46	34	48	55	48	47	37	31	19	25	19	13	649	
				2	5	6	5	9	6	8	8	2	3	1	9	4	9	3	4	4	7	

MM68 – EMPLOYMENT LAND TRAJECTORY

Indicative Employment Land Delivery Trajectory (as of April 1st 2019)

Reference	Site Name	Assumed Employment Use	Short Term (0-5 Years)	Medium Term (6-10 Years)	Long Term (11-16 Years)
E1	Former GKN works, Sheepbridge Lane	Multiple (B1, B2, B8)	3.6 ha	-	-
E2	Land at Prospect Park, North of Dunston	Multiple (B1, B2, B8)	2.5	-	-
E3	Station Road (Wagon Works), Old Whittington	Multiple (B1, B2, B8)	-	-	6.3 ha
E4	Whitting Valley Road (Land at), Old Whittington	Multiple (B1, B2, B8)	3.74 ha	-	-
E5	Former Boythorpe Works, Goyt Side Road	Multiple (B1, B2, B8)	-	-	5 ha
E6	Impala Estates (land adj. Markham Vale)	B8	2.6 ha	-	-
N/A	Extant Planning Permissions at April 1 st , 2019 (excluding Land Accessed from Farndale Road)	Multiple (B1, B2, B8)	2.41 ha	-	-
N/A	Markham Vale West: Plot 2	Multiple (B2, B8)	1.47 ha	-	-
N/A	Markham Vale East: Plot 5 North	B8	0.75 ha	-	-
N/A	Land Accessed from Farndale Road, Staveley (CHE/13/00675/OUT)	Multiple (B1, B2, B8)	-	10 ha	6.58 ha
N/A	Staveley Works Corridor (area around Works Road, SS5)	Multiple (B1, B2, B8)	-	2 ha	-
N/A	HS2 IMD	B2	-	-	4 ha
	Total		17.07	12	21.88

Total Employment Land included within indicative trajectory: 50.95 ha

Minus anticipated loss at Chesterfield Waterside (-2 ha): 48.95 ha

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For publication

REVIEW OF THE CODE OF CORPORATE GOVERNANCE AND THE ANNUAL GOVERNANCE STATEMENT

Meeting: Cabinet/Standards and Audit Committee

Date: 14th July 2020/22nd July 2020

Cabinet portfolio: Cabinet Member for Governance

Report by: Internal Audit Consortium Manager

For publication

1.0 **Purpose of report**

1.1 To Review compliance with the Code of Corporate Governance requirements during the year 2019/20 and to present the Annual Governance Statement and associated action plan.

2.0 **Recommendations**

2.1 That the Cabinet consider the following documents and refer any comments to the Standards and Audit Committee:

- a) the Annual Review of the Local Code of Corporate Governance for 2019/20 (Appendix A);
- b) The review of the key elements that comprise the Council's governance arrangements (Appendix B)
- c) the Annual Governance Statement (Appendix C);
- d) the Annual Governance Statement Action Plan (Appendix D).

2.2 That the Standards and Audit Committee:

- a) consider the documents listed in 2.1 above, together with any comments from Cabinet;
- b) subject to any amendments that they consider appropriate, approve the Annual Governance Statement and Action Plan; &
- c) recommend that the Annual Governance Statement be signed by the Leader and Chief Executive.

2.3 That a review of the Code of Corporate Governance be undertaken in 12 months' time.

2.4 That progress on the Action Plan is monitored by the Corporate Management Team.

3.0 Report Details

Background

3.1 As good practice and to promote sound governance arrangements local authorities are recommended to adopt and regularly review a Code of Corporate Governance. The Code of Corporate Governance details the system by which the Council controls and directs its functions and how it relates to its local community. The overall aim is to ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

3.2 The Council's Code of Corporate Governance reflects the latest CIPFA / SOLACE guidance "delivering good governance in Local Government Framework 2016 Edition".

3.3 The Annual Governance Statement builds on the annual review of the Code of Corporate Governance. In England, the preparation and publication of an Annual Governance Statement

is necessary to meet the statutory requirement set out in the Accounts and Audit (England) Regulations 2015. The Regulation requires authorities to prepare an Annual Governance Statement in accordance with “proper practices” in relation to internal control. The CIPFA / SOLACE framework, ‘Delivering Good Governance in Local Government: Framework (2016)’, defines such “proper practices”.

3.4 The Annual Governance Statement should be an open and honest self-assessment of the organisation’s performance across all of its activities, with a clear statement of the actions being taken or required to address areas of concern. The 2016 CIPFA/SOLACE Framework sets out the following core principles of good Governance:-

- A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law;
- B) Ensuring openness and comprehensive stakeholder engagement;
- C) Defining outcomes in terms of sustainable economic, social and environmental benefits;
- D) Determining the interventions necessary to optimize the achievement of the intended outcomes;
- E) Developing the entity’s capacity, including the capability of its leadership and the individuals within it;
- F) Managing risks and performance through robust internal control and strong public financial management;
- G) Implementing good practices in transparency, reporting, and audit, to deliver effective accountability.

3.5 Local authorities are required to prepare an annual governance

statement in order to report publicly on the extent to which they comply with their own code of governance, which in turn is consistent with the good governance principles in the Framework.

- 3.6 Within the delivering good governance in Local Government Framework 2016 Edition is a list of the key elements of the structures and processes that comprise an authority's governance arrangements. The Corporate Management Team and other senior officers have reviewed the position in Chesterfield Borough Council against the key elements and this review is shown at Appendix B.

Review of compliance with the Code of Corporate Governance requirements

- 3.7 The Review in Appendix A shows that compliance with the Code requirements has been largely achieved during the year 2019/20. Where there is only part compliance or no compliance these areas have been addressed within the Annual Governance Statement Action Plan.

The Annual Governance Statement

- 3.8 The review of compliance with the Code of Corporate Governance helps to identify evidence which is then used in the Annual Governance Statement.
- 3.9 The guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) has also been used when producing the Annual Governance Statement. The Annual Governance Statement (Appendix C) and action plan (Appendix D) have been derived from a detailed review of the assurances by senior officers and from the work undertaken and risks identified by internal audit.
- 3.10 The Corporate Management Team and other senior officers have all been involved in the review.

- 3.11 The review indicates that many of the processes and procedures in place at Chesterfield Borough Council are compliant with good practice however there are a number of governance issues that are detailed within the annual governance statement that require addressing.
- 3.12 Where it has been found that there is a gap or an area where the system of internal control could be further improved, the relevant item has been incorporated into an Action Plan shown as Appendix D. The items in the Action Plan have been ranked, with the more significant issues being included in the Annual Governance Statement (Appendix C) that will be published with the Council's Statement of Accounts.
- 3.13 The Annual Governance Statement has been updated to include the impact of COVID 19 on the Council's governance arrangements.
- 3.14 The Annual Governance Statement (Appendix C) follows the layout of a pro forma statement recommended by the CIPFA guidance. The Statement should be signed by the Leader of the Council and the Chief Executive.

4.0 Human resources / people management implications

- 4.1 None

5.0 Financial implications

- 5.1 There are no cost implications.

6.0 Legal and data protection implications

- 6.1 The preparation and publication of an Annual Governance Statement is necessary to meet the statutory requirement set out in the Accounts and Audit (England) Regulations 2015.

7.0 Consultation

7.1 The Corporate Management Team and other senior officers have been involved in the review.

8.0 Risk Management

8.1 The failure to operate a sound system of Corporate Governance would represent a significant risk to the Council. The review of the Code of Corporate Governance and the preparation of the Annual Governance Statement have resulted in the production of an action plan to address the risks identified. Progress against the action plan will be monitored by the Corporate Management Team and the Standards and Audit Committee.

9.0 Equalities Impact Assessment (EIA)

9.1 Whilst there are not considered to be any direct equalities impacts in relation to this report, sound corporate governance arrangements will support the achievement of the Council's equalities objectives.

10 Alternative options and reason for rejection

10.1 Not Applicable

11.0 Recommendations

11.1 That the Cabinet consider the following documents and refer any comments to the Standards and Audit Committee:

- a) the Annual Review of the Local Code of Corporate Governance for 2019/20 (Appendix A);
- b) The review of the key elements that comprise the Council's governance arrangements (Appendix B)
- c) the Annual Governance Statement (Appendix C);
- d) the Annual Governance Statement Action Plan (Appendix D).

11.2 That the Standards and Audit Committee:

- a) consider the documents listed in 2.1 above, together with any comments from Cabinet;

- b) subject to any amendments that they consider appropriate, approve the Annual Governance Statement and Action Plan;
&
- c) recommend that the Annual Governance Statement be signed by the Leader and Chief Executive.

11.3 That a review of the Code of Corporate Governance be undertaken in 12 months' time.

11.4 That progress on the Action Plan is monitored by the Corporate Management Team.

12.0 Reasons for recommendations

12.1 To enable the Cabinet and the Standards and Audit Committee to monitor compliance with the Code of Corporate Governance.

12.2 In order to comply with the requirements of the Accounts and Audit Regulations 2015.

12.3 To support the maintenance of sound governance arrangements within the Council.

Decision information

Key decision number	Non-key 176
Wards affected	All
Links to Council Plan priorities	All

Document information

Report author	Contact number/email
Jenny Williams	01246 959770 ex 6770 <u>Jenny.williams@chesterfield.gov.uk</u>
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
Accounts and Audit (England) Regulations 2015 CIPFA/SOLACE publication – Delivering Good Governance in Local Government Framework 2016 Edition LOCATION: Internal Audit Office	
Appendices to the report	
Appendix A	Annual Review of the Code of Corporate Governance
Appendix B	Review of the key elements that comprise the Council's governance arrangements
Appendix C	Annual Governance Statement
Appendix D	Annual Governance Statement Action Plan

Chesterfield Borough Council
Local Code of Corporate Governance – 2019/20 Review

<p>Principle A</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 405</p>	<p>A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law</p> <p>Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.</p>
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Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
<p>Behaving with integrity Ensuring members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby</p>	<p>Members, SLT, CMT</p>	<ul style="list-style-type: none"> • Codes of conduct • Individual sign 	<p>Member and Officers Codes of Conduct are within the Constitution.</p> <p>Complaints procedures in place. Councillor</p>	<p>Yes</p>

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
protecting the reputation of the organisation		<p>off with regard to compliance with code</p> <ul style="list-style-type: none"> • Induction for new members and staff on standard of behaviour expected • Adherence to behaviours outlined in council's competency framework 	<p>complaints assessed in accordance with the council procedure</p> <p>All new staff follow an induction process with their line manager and are required to complete various online training modules</p> <p>Councillors have training on standards generally and also specifically (relating to e.g. planning, licensing). Training is supplemented by updates and refresher sessions as well as advice as necessary. Specific standing orders, guidance and training to enable virtual meetings</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
Page 407		<ul style="list-style-type: none"> • Performance appraisals 	<p>during Covid-19.</p> <p>The Council is strongly working towards all staff having annual performance appraisals, mid- year review and 1:1's</p>	
Ensuring members take the lead in establishing specific standard operating principles or values for the organisation and its staff and that they are communicated and understood. These should build on the Seven Principles of Public Life (the Nolan Principles)	Members, SLT, Monitoring Officer	Communicating shared values with members, staff, the community and partners	There is a Council Plan that includes a vision statement which is approved by Council on an annual basis. The Council Plan is cascaded down through SLT, CMT, service Managers meetings, the core brief, team meetings, the aspire intranet and the Borough	Yes

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
			Bulletin.	
<p>Leading by example and using these standard operating principles or values as a framework for decision making and other actions</p>	<p>Members, SLT, CMT</p>	<ul style="list-style-type: none"> • Decision making practices • Declarations of interests made at meetings • Conduct at meetings • Shared values guide decision making • Develop and maintain an effective standards committee 	<p>These are set out in the Constitution Declarations of interest are asked for at the start of every Committee meeting. Included in the Members Code of Conduct. Protocols on Members/Officer relations and Employee Code. There is an Audit and Standards Committee to consider these issues. Changes to the Standards system were examined following the publication of A Review of the Committee on the</p>	<p>Yes</p>

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
			Standards in Public Life, with the LGA's draft new model code of conduct expected in the summer.	
Demonstrating, communicating and embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively	SMT, CMT Monitoring Officer, Internal Audit Consortium Manager, HR, Assistant Director - Policy and Communications	<ul style="list-style-type: none"> • Anti-fraud and corruption policies are working effectively 	Anti-Fraud Bribery and Corruption policy reviewed and approved by the Standards and Audit Committee September 18 and advertised to staff on the intranet. Anti – fraud training provided to officers and Members September 16. Fraud and corruption training module on Aspire Learning.	Yes

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
		<ul style="list-style-type: none"> • Up-to-date register of interests (members and staff) • Up-to-date register of gifts and hospitality • Whistleblowing policies are in 	<p>Members and staff are expected to declare any interests. How this information is kept and updated is being reviewed following internal audit recommendations.</p> <p>There is a current register of gifts and hospitality. How this information is kept and updated is being reviewed following internal audit recommendations.</p> <p>The Council has a current Confidential</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 411</p>		<p>place and protect individuals raising concerns</p> <ul style="list-style-type: none"> • Whistleblowing policy has been made available to members of the public, employees, partners and contractors • Complaints policy and examples of responding to complaints about behaviour • Changes/improv 	<p>Reporting Code (Whistleblowing Policy) in place</p> <p>The Confidential Reporting Policy is on the intranet and the Council's website</p> <p>The Council keeps a record of complaints and how they are dealt with</p> <p>Lessons are learnt from</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
		<p>ements as a result of complaints received and acted upon</p> <ul style="list-style-type: none"> • Members and officers code of conduct refers to a requirement to declare interests • Minutes show declarations of interest were sought and appropriate declarations made 	<p>complaints</p> <p>The Members and Officers Codes of Conduct refer to a requirement to declare interests</p> <p>Declarations of interest is a standard heading on Committee agendas and minutes and any declarations are recorded</p>	
Demonstrating strong commitment to ethical	SLT, CMT Members, Monitoring	<ul style="list-style-type: none"> • Scrutiny of ethical decision 	There are 3 Scrutiny Committees:-	Yes

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
<p>values Seeking to establish, monitor and maintain the organisation's ethical standards and performance</p>	<p>Officer Assistant Director - Policy and Communications</p>	<p>making</p> <ul style="list-style-type: none"> Championing ethical compliance at governing body level 	<p>1)Overview and Performance Scrutiny Forum 2)Enterprise and Wellbeing Scrutiny Committee 3)Community, Customer and Organisational Scrutiny Committee</p> <p>An annual Scrutiny report goes to Full Council</p>	
<p>Underpinning personal</p>	<p>Members, SLT,</p>	<p>Provision of ethical</p>	<p>Members receive</p>	<p>Yes</p>

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Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation	CMT, Monitoring Officer	awareness training	<p>training on ethical standards which is repeated as necessary. Regulatory Committees have a mandatory training requirement. Specific training given for virtual meetings during Covid-19.</p> <p>All staff and elected members receive a comprehensive induction which covers behaviour and ethical values</p> <p>Training is also available to both members and officers on specific equality and diversity issues.</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
Page 415			The Council has established core values which are publicised widely to staff and members and re-enforced during the Performance Development Review process.	
Developing and maintaining robust policies and procedures which place emphasis on agreed ethical values	SLT, CMT Assistant Director - Policy and Communications , Monitoring Officer Human Resources	<ul style="list-style-type: none"> • Appraisal processes take account of values and ethical behaviour • Staff appointments policy • Procurement policy 	<p>An employee's commitment to the Council's values are assessed at performance development reviews.</p> <p>Anti- harassment and bullying policy</p> <p>Anti- Fraud, Bribery and corruption policy</p>	Part – The Procurement Strategy requires approval

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
			<p>Code of Conduct</p> <p>Equality, diversity and social inclusion policy</p> <p>There is a recruitment Policy that ensures a fair appointments process</p> <p>The Procurement Strategy is currently in Development</p>	
<p>Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with high ethical standards expected by the organisation</p>	<p>SLT,CMT</p>	<ul style="list-style-type: none"> Agreed values in partnership working: Statement of business ethics communicates commitment to ethical values to 	<p>There is a partnership guidance/protocol in place. This includes new arrangements for considering partnership arrangements including concerns and resource requests at Finance and Performance Board.</p>	<p>Yes</p>

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
Page 417		<ul style="list-style-type: none"> external suppliers • Ethical values feature in contracts with external service providers • Protocols for partnership working 		
<p>Respecting the rule of law Ensuring members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations</p>	SLT, CMT Monitoring Officer	<ul style="list-style-type: none"> • Statutory provisions • Statutory guidance is followed • Constitution 	Legal Services Protocols Constitution Standards and Audit Committee Procedures in place and training to ensure e.g. planning decisions properly made. Legal duty to promote and maintain standards and vested in Standards and	Yes

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
<p>Creating the conditions to ensure that the statutory officers, other key post holders and members are able to fulfil their responsibilities in accordance with legislative and regulatory requirements</p>	<p>SLT, CMT, HR, Monitoring Officer</p>	<ul style="list-style-type: none"> • Job description/specs • Compliance with CIPFA's <i>Statement on the Role of the Chief Financial Officer in Local Government</i> (CIPFA, 2015) • Terms of reference 	<p>Audit Committee</p> <p>All jobs are required to have job descriptions and person specifications that must be reviewed each time a post becomes vacant. Employment contracts specify whether posts are politically restricted and the constraints placed on office holders</p> <p>The Chief Finance Officer is the nominated section 151 Officer and there is also a nominated Deputy. CIPFA'S statement on the role of the Chief Financial Officer is</p>	<p>Yes</p>

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
Page 419		<ul style="list-style-type: none"> Committee support 	<p>complied with</p> <p>Each Committee has its own terms of reference</p> <p>The Local Government and Regulatory Law Manager (the Council's senior solicitor) is the Monitoring Officer. The Deputy Monitoring Officer is a nominated solicitor in their team</p> <p>The Constitution is underpinned by legal references</p> <p>Democratic and Scrutiny functions.</p>	

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
Striving to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders	Monitoring Officer	Record of legal advice provided by officers	<p>Constitution is underpinned by legal references Committee minutes and reports</p> <p>Constitution reviewed and updated as necessary and is subject to regular review, with amendments approved by Standards and Audit committee/Full Council (as appropriate). Special emergency delegations and arrangements for virtual meetings put in place with approval of Standards and Audit Committee during Covid-19</p>	Yes

Sub-principles (in bold) and behaviours and actions that demonstrate good governance in practice	Responsibility	Examples of systems, processes, documentation and other evidence demonstrating compliance	CBC Situation	Compliance Achieved
Dealing with breaches of legal and regulatory provisions effectively	Monitoring Officer	<ul style="list-style-type: none"> • Monitoring officer provisions • Record of legal advice provided by officers • Statutory provisions 	The Council has a Monitoring Officer With oversight of governance at the Council and a Deputy Monitoring Officer (in whom vests the legal function in the absence of the Monitoring Officer)	Yes
Ensuring corruption and misuse of power are dealt with effectively	SLT, CMT Monitoring Officer, Internal Audit Consortium Manager,	<ul style="list-style-type: none"> • Effective anti-fraud and corruption policies and procedures • Local test of assurance (where appropriate) 	The Anti-Fraud Bribery and Corruption Policy was approved by the Standards and Audit Committee September 2018	Yes

Principle B	Ensuring openness and comprehensive stakeholder engagement Local government is run for the public good, organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders			
Openness Ensuring an open culture through demonstrating, documenting and communicating the organisation's commitment to openness	Members, SLT, CMT	<ul style="list-style-type: none"> • Annual report 	There is not a specific annual report published but there are other means of communication:- <ul style="list-style-type: none"> • Annual financial statements • Council Plan • The council Newsletter "Your Chesterfield" which includes Our Homes for Tenants and Leaseholders • The council website • Videos • Social media channels. • An annual report to tenants is prepared and sent to the Housing Regulator 	Yes

		<ul style="list-style-type: none"> • Freedom of Information Act publication scheme • Online council tax information • Authority's goals and values • Authority website 	<p>(HCA), published on the website and summarised in the Our Homes publication which goes to all households in the Borough as part of the Your Chesterfield publication.</p> <ul style="list-style-type: none"> • Core brief to staff <p>The Council has adopted a current FOI Publication Scheme</p> <p>Council Tax information is on the website</p> <p>Included in the Council Plan</p> <p>Current website full of information</p>	
Making decisions that are open about actions, plans,	Members, SLT, CMT	Record of decision making and supporting	All reports are "open" agenda items unless	Yes

<p>resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential should be provided</p>		<p>materials</p>	<p>there is a valid reason to exclude the public. All decisions by Committees are minuted</p>	
<p>Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. In due course, ensuring that the impact and consequences of those decisions are clear</p>	<p>Assistant Director - Policy and Communications Democratic and Scrutiny Officer</p>	<ul style="list-style-type: none"> • Decision making protocols • Report pro-formas • Record of professional advice in reaching decisions 	<p>Set out in the Constitution</p> <p>There is a template for Committee reports with Standard headings and an online system in place for reviewing and signoff of reports via ModGov</p> <p>Officers reports are all retained with the Committee agendas and papers Officer</p>	<p>Yes</p>

		<ul style="list-style-type: none"> • Meeting reports show details of advice given • Discussion between members and officers on the information needs of members to support decision making • Agreement on the information that will be provided and timescales • Calendar of dates for submitting, publishing and distributing timely reports is adhered to 	<p>Recommendations included in Committee reports</p> <p>Members can request whatever information they need</p> <p>Terms of reference of the Committees and scheduled meetings during the year</p> <p>Meeting timetable is published</p>	
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<p>Using formal and informal consultation and engagement to determine the most appropriate and effective interventions/ courses of action</p>	<p>Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> • Community strategy • Use of consultation feedback • Citizen survey 	<p>Communications and engagements strategy which includes an annual action plan. Housing have a Customer Engagement Strategy as required by the HCA and provide a variety of opportunities for tenants to be involved in and shape service delivery including a Tenant Challenge "Scrutiny" Panel.</p>	<p>Yes</p>
<p>Engaging comprehensively with institutional stakeholders Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably</p>	<p>Assistant Director – Policy and Communications</p>	<p>Communication Strategy</p>	<p>There is an approved internal and external communication and engagement strategy in place.</p> <p>Senior Leadership Team has defined relationship leads.</p>	<p>Yes</p>

<p>Developing formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively</p>	<p>SLT, CMT</p>	<p>Database of stakeholders with whom the authority should engage and for what purpose and a record of an assessment of the effectiveness of any changes</p>	<p>Stakeholder groups identified for different consultation types e.g. community and voluntary sector, sport and leisure organisations, planning consultations, equality and diversity forum etc. Bespoke communication consultation and research plans.</p>	<p>Yes</p>
<p>Ensuring that partnerships are based on: trust a shared commitment to change a culture that promotes and accepts challenge among partners and that the added value of partnership working is explicit</p>	<p>SLT, CMT Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> • Partnership framework • Partnership protocols 	<p>Housing's Tenant Challenge Panel (Scrutiny equivalent) has a clear set of Terms of Reference and Code of Conduct for Members.</p> <p>A partnership guidance/protocol has been developed. This includes new arrangements for considering partnership arrangements including concerns and resource</p>	<p>Yes</p>

			requests at Finance and Performance Board.	
<p>Engaging stakeholders effectively, including individual citizens and service users</p> <p>Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcomes.</p>	<p>Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> • Record of public consultations • Partnership framework 	<p>Communications and Engagement Strategy including an annual action plan.</p> <p>Consideration in decision reports</p> <p>Equality impact assessments</p>	<p>Yes</p>
<p>Ensuring that communication methods are effective and that members and officers are clear about their roles with regard to community engagement</p>	<p>Assistant Director – Policy and Communications</p>	<p>Communications strategy</p>	<p>There is an approved communications and engagement strategy in place.</p> <p>Community Engagement Group</p> <p>Derbyshire wide engagement group to share best practice and</p>	<p>Yes</p>

			develop joint approaches where applicable	
Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds including reference to future needs	Assistant Director - Policy and Communications and Marketing Manager	<ul style="list-style-type: none"> • Communications strategy • Joint strategic needs assessment 	<p>There is an approved Communication and Engagement Strategy in place including an annual action plan</p> <p>Annual Community Engagement Programme</p> <p>Housing operates a variety of ways for tenants to be involved and give their views e.g. focus groups/ formal meetings/ informal drop in's/ use of a consultation bus in the community. Stakeholder mapping. Bespoke communication consultation and research plans developed.</p>	Yes
Implementing effective	Assistant	Communications	There is an approved	Yes

<p>feedback mechanisms in order to demonstrate how their views have been taken into account</p>	<p>Director - Policy and Communications Communications and Marketing Manager</p>	<p>strategy</p>	<p>Communication and Engagement Strategy in place.</p> <p>Community Engagement Group A consultation page is being developed on the website which brings together all consultation activities including “you said, we did” reports on what actions were taken following consultation.</p> <p>Part of decision making process – report template</p> <p>Equality Impact Assessments</p> <p>Results of consultation exercises are published e.g. employee survey.</p>	
<p>Balancing feedback from more active stakeholder groups with other stakeholder</p>	<p>Assistant Director - Policy and</p>	<p>Processes for dealing with competing demands within the</p>	<p>Forms part of the decision making report template</p>	<p>Yes</p>

groups to ensure inclusivity	Communications	community, for example a consultation	Equality Impact Assessments	
Taking account of the interests of future generations of tax payers and service users	SLT, CMT	<ul style="list-style-type: none"> • Reports • Joint strategic needs assessment 	<p>Annual State of the Borough Report and briefing notes on emerging issues.</p> <p>Horizon scanning activity with Corporate Cabinet/SLT/CMT at development days Review of the Council Plan</p>	Yes

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<p>Principle C</p>	<p>Defining outcomes in terms of sustainable economic, social, and environmental benefits</p> <p>The long-term nature and impact of many of local government’s responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the authority’s purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.</p>			
<p>Defining outcomes Having a clear vision which is an agreed formal statement of the organisation’s purpose and intended outcomes containing appropriate performance indicators, which provides the basis for the organisation’s overall strategy, planning and other decisions</p>	<p>Members, SLT, CMT</p>	<p>Vision used as a basis for corporate and service planning</p>	<p>There is a Council Plan that defines the Council’s vision and priorities. This sets the framework for all service plans. Progress against the Council Plan is reviewed on an annual basis.</p>	<p>Yes</p>
<p>Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over</p>	<p>SLT, CMT Assistant Director - Policy and communications</p>	<ul style="list-style-type: none"> Community engagement and involvement 	<p>The Council Plan covers 4 years and covers what the Council aims to achieve and what that will mean for people</p>	<p>Yes</p>

<p>the course of a year or longer</p>		<ul style="list-style-type: none"> • Corporate and service plans • Community strategy 	<p>Service Plans are renewed every year and are developed from the Council Plan</p> <p>Communications and Engagement Strategy</p> <p>State of the Borough Report</p>	
<p>Delivering defined outcomes on a sustainable basis within the resources that will be available</p>	<p>SLT, CMT</p>	<p>Regular reports on progress</p>	<p>The Council Plan is aligned to the medium term financial plan and refreshed each year on the basis of the affordability of each of the priorities</p>	<p>Yes</p>
<p>Identifying and managing risks to the achievement of outcomes</p>	<p>SLT, CMT, Risk Management Group, Standards and Audit Committee</p>	<ul style="list-style-type: none"> • Performance trends are established and reported upon • Risk management protocols 	<p>The performance framework includes quarterly challenge at Finance and Performance Board and Overview and Performance Scrutiny. Annual performance report to Cabinet.</p>	<p>Yes</p>

			<p>The risk management group meets on a quarterly basis and reviews the strategic risk register and the service risk registers on a rotational basis</p> <p>There is a risk management strategy in place</p>	
<p>Managing service users expectations effectively with regard to determining priorities and making the best use of the resources available</p>	<p>SLT, CMT</p>	<ul style="list-style-type: none"> • An agreed set of quality standard measures for each service element and included in service plans • Processes for dealing with competing demands within the community 	<p>Communications and Engagement strategy</p> <p>Service plans include performance targets</p> <p>Budgeting/service reviews/forward planning</p>	<p>Yes</p>

<p>Sustainable economic, social and environmental benefits</p> <p>Considering and balancing the combined economic, social and environmental impact of policies, plans and decisions when taking decisions about service provision</p>	<p>Members, SLT, CMT</p>	<p>Capital investment is structured to achieve appropriate life spans and adaptability for future use or that resources (e.g. land) are spent on optimising social, economic and environmental wellbeing:</p> <ul style="list-style-type: none"> • Capital programme • Capital investment strategy 	<p>The Council's property portfolio is constantly under review. The aim is to sell a number of assets to release funds for capital projects.</p> <p>The capital programme is approved by Members each year. Officers have to submit capital bids</p> <p>There is a treasury management strategy that is reviewed and approved on an annual basis</p>	<p>Yes</p>
<p>Taking a longer-term view with regard to decision making, taking account of risk</p>	<p>Members, SLT, CMT</p>	<ul style="list-style-type: none"> • Discussion between members and 	<p>Meetings with Cabinet Member for Governance on constitution review</p>	<p>Yes</p>

<p>and acting transparently where there are potential conflicts between the organisation's intended outcomes and short-term factors such as the political cycle or financial constraints</p>		<p>officers on the information needs of members to support decision making</p> <ul style="list-style-type: none"> Record of decision making and supporting materials 	<p>and effective decision making. Scrutiny interest in these matters.</p> <p>HRA Business Plan Steering Group to lead on the development of the HRA Business Plan. Comprises of tenants, officers and elected members (scrutiny is part of this group)</p> <p>All committee meetings are minuted and the associated reports retained</p>	
<p>Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs</p>	<p>Assistant Director - Policy and Communications</p>	<ul style="list-style-type: none"> Record of decision making and supporting materials Protocols for consultation 	<p>Communications and Engagement Strategy Annual action plans</p> <p>State of the Borough Report. Modgov system to access decision making papers and records.</p>	<p>Yes</p>

<p>Ensuring fair access to services</p>	<p>Assistant Director - Policy and Communications</p>	<p>Protocols ensure fair access and statutory guidance is followed</p>	<p>Communications and Engagement Strategy</p> <p>Consultation is part of The Council's Equality Impact Assessments. Equality, Diversity and Social Inclusion Policy, Strategy and action plan.</p>	<p>Yes</p>
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<p>Principle D</p>	<p>Determining the interventions necessary to optimise the achievement of the intended outcomes</p> <p>Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions. Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed continually to ensure that achievement of outcomes is optimised.</p>			
<p>Determining interventions</p> <p>Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and including the risks associated with those options. therefore ensuring best value is achieved however services are provided</p>	<p>SLT, CMT</p>	<p>Discussion between members and officers on the information needs of members to support decision making</p> <ul style="list-style-type: none"> • Decision making protocols • Option appraisals • Agreement of information that will be provided and timescales 	<p>Member/officer decision making protocols in place</p> <p>All Committee reports contain various options and an officer recommendation</p> <p>All committee reports contain a risk analysis</p>	<p>Yes</p>

<p>Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts</p>	<p>SLT, CMT</p>	<p>Financial strategy</p>	<p>There is a medium term financial strategy in place and a savings plan both of which are regularly reviewed.</p> <p>HRA Business Plan Steering Group has been fully involved in recommending financial savings to Cabinet in respect of HRA Business Plan.</p>	<p>Yes</p>
<p>Planning interventions Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets</p>	<p>SLT, CMT</p>	<p>Calendar of dates for developing and submitting plans and reports that are adhered to</p>	<p>Schedule of meetings in place Annual budgets and revised budgets Council Plan reviewed annually Forward Plan</p>	<p>Yes</p>
<p>Engaging with internal and external stakeholders in determining how services and other courses of action should be planned and delivered</p>	<p>Assistant Director - Policy and Communications</p>	<p>Communication strategy</p>	<p>The Council has adopted a Communications and Engagement Strategy and develops annual action plans. Core brief. Feedback given on</p>	<p>Yes</p>

			consultation via the CBC website, social media, public meetings, and Your Chesterfield/ Our Homes where appropriate	
Considering and monitoring risks facing each partner when working collaboratively including shared risks	SLT, CMT Assistant Director - Policy and Communications	<ul style="list-style-type: none"> • Partnership framework • Risk management protocol 	There is a risk management strategy in place that is refreshed every year. There is a risk management group	Yes
Ensuring arrangements are flexible and agile so that the mechanisms for delivering outputs can be adapted to changing circumstances	SLT, CMT	Planning protocols	<p>Corporate Management Team managers are empowered to run their service flexibly to deliver the Council Plan priorities.</p> <p>Competency based Job Descriptions/Person Specifications for SLT/CMT increases flexibility and agility. This is being rolled out across the Council.</p>	Yes

			One Council: One Team is a core CBC value which is considered during all Performance Development Reviews.	
Establishing appropriate key performance indicators (KPIs) as part of the planning process in order to identify how the performance of services and projects is to be measured	SLT, CMT	KPIs have been established and approved for each service element and included in the service plan and are reported upon regularly	Service plans all contain performance indicators. The performance framework includes quarterly challenge at Finance and Performance Board and Overview and Performance Scrutiny. Annual update on progress against the Council Plan.	Yes
Ensuring capacity exists to generate the information required to review service quality regularly	SLT, CMT	Reports include detailed performance results and highlight areas where corrective action is necessary	The Policy and Communications Service has now been restructured with resources being identified to embed the framework.	Yes

			The performance framework includes quarterly challenge at Finance and Performance Board and Overview and Performance Scrutiny. Annual Performance report to Cabinet.	
Preparing budgets in accordance with organisational objectives, strategies and the medium term financial plan	Chief Finance Officer / Chief Accountant	Evidence that budgets, plans and objectives are aligned	Accountancy has regular budget meetings with service managers. Budgets prepared in liaison with service managers taking in to account service plans and savings targets	Yes
Informing medium and long term resource planning by drawing up realistic estimates of revenue and capital expenditure aimed at developing a sustainable funding strategy	Chief Finance Officer / Chief Accountant	<ul style="list-style-type: none"> • Budget guidance and protocols • Medium term financial plan • Corporate plans 	Budget guidance protocols issued to all managers There is a medium term financial plan that is reported to Members There is a Finance and Performance Board that meets every fortnight	Yes

<p>Optimising achievement of intended outcomes Ensuring the medium term financial strategy integrates and balances service priorities, affordability and other resource constraints</p>	<p>Chief Finance Officer / Chief Accountant</p>	<ul style="list-style-type: none"> • Feedback surveys and exit/ decommissioning strategies • Changes as a result 	<p>Service managers are involved in the budget and revised budget process and receive monthly budget information. The medium term financial plan incorporates budget savings targets etc.</p>	<p>Yes</p>
<p>Ensuring the budgeting process is all-inclusive, taking into account the full cost of operations over the medium and longer term</p>	<p>Chief Finance Officer</p>	<p>Budgeting guidance and protocols</p>	<p>Budget guidance and protocols are issued to all service managers. Well established budget preparation and review procedures Budget challenge sessions</p>	<p>Yes</p>
<p>Ensuring the medium term financial strategy sets the context for on-going decisions on significant delivery issues or responses to changes in the external environment that may arise during the budgetary period in order for</p>	<p>Chief Finance Officer</p>	<p>Financial strategy</p>	<p>The financial strategy is regularly reviewed and updated as new external information emerges</p>	<p>Yes</p>

<p>outcomes to be achieved while optimising resource usage</p>				
<p>Ensuring the achievement of 'social value' through service planning and commissioning. The Public Services (Social Value) Act 2012 states that this is "the additional benefit to the community...over and above the direct purchasing of goods, services and outcomes"</p> <p>Page 444</p>	<p>SLT,CMT</p>	<ul style="list-style-type: none"> • Service plans demonstrate consideration of 'social value' • Achievement of 'social value' is monitored and reported upon 	<p>The priorities in the Council plan are</p> <ol style="list-style-type: none"> 1) To make Chesterfield a thriving Borough 2) To improve the quality of life for local people 3) To provide value for money services <p>Service plans are built up to reflect these priorities</p>	<p>Yes</p>

<p>Principle E</p>	<p>Developing the entity’s capacity, including the capability of its leadership and the individuals within it</p> <p>Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set, to operate efficiently and effectively and achieve their intended outcomes within the specified periods. A local government organisation must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an authority operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of the leadership of individual staff members. Leadership in local government entities is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.</p>			
<p>Developing the entity’s capacity Reviewing operations, performance use of assets on a regular basis to ensure their continuing effectiveness</p>	<p>SLT, CMT Executive Director/Kier</p>	<p>Regular reviews of activities, outputs and planned outcomes</p>	<p>The use of the Council’s buildings is regularly reviewed to ensure that they are fully utilised or potentially sold. The Town Hall is being modernised to facilitate bringing in other businesses to share the accommodation. Council staff from Venture house have been relocated so that more rental income can be achieved at Venture</p>	<p>Part compliance – Condition surveys have been used to identify the works required for some non- housing properties and 10 year plans developed however there are still further properties to assess and the budget implications.</p>

			<p>House.</p> <p>Housing has an agreed process for disposing of underperforming assets. Disposal of shops, miscellaneous properties and plot garage sites.</p> <p>The condition of the Council's non housing properties are in the process of being assessed in order to be able to identify appropriate capital and revenue budgets to maintain assets to an appropriate standard.</p>	
Improving resource use through appropriate application of techniques such as benchmarking and other options in order to determine how the authority's resources are allocated so that outcomes are achieved	SLT, CMT	Utilisation of research and benchmarking exercise	Within each service area use is made of available benchmarking e.g. through APSE, in order to compare service provision, value for money etc. Fees and charges are set with	Yes

effectively and efficiently			<p>regard to those in place in other areas and reviewed each year by Cabinet.</p> <p>Sector led improvement activity including LGA peer challenge, East Midlands Performance Network and APSE.</p>	
<p>Recognising the benefits of partnerships and collaborative working where added value can be achieved</p>	Members, SLT, CMT	Effective operation of partnerships which deliver agreed outcomes	The Council has many partnerships including Arvato, Kier, Internal Audit Consortium, a Building Control company, Joint Crematorium, Sheffield City Region and D2N2 LEP; these are monitored to ensure that the desired outcomes are obtained	Yes
Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources	SLT, CMT, HR	<ul style="list-style-type: none"> • Workforce plan • Organisational development plan 	The Council has a People Plan 2019 - 23 that all managers have been made aware of.	Yes

<p>Developing the capability of the entity's leadership and other individuals</p> <p>Developing protocols to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained</p>	<p>SLT, Democratic Services, Monitoring Officer</p>	<ul style="list-style-type: none"> • Job descriptions • Chief executive and leader pairings have considered how best to establish and maintain effective communication 	<p>Every post has a job description and person specification. The CE has regular meetings with the leader</p>	<p>Yes</p>
<p>Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body</p>	<p>Monitoring Officer</p>	<ul style="list-style-type: none"> • Scheme of delegation reviewed at least annually in the light of legal and organisational changes • Standing orders and financial regulations which are reviewed on a regular basis 	<p>The Constitution is reviewed on an on-going basis</p> <p>Standing orders and financial regulations are reviewed periodically with special standing orders put in place for virtual meetings during Covid-19.</p>	<p>Yes</p>

<p>Ensuring the leader and the chief executive have clearly defined and distinctive leadership roles within a structure whereby the chief executive leads the authority in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other's authority</p>	Members, CE	Clear statement of respective roles and responsibilities and how they will be put into practice	The Constitution defines the roles of Committees and Members. Part 2 of the Constitution defines management roles at paragraph 12.1 including the role of the Chief Executive.	Yes
<p>Developing the capabilities of members and senior management to achieve effective shared leadership and to enable the organisation to respond successfully to changing legal and policy demands as</p>	SLT, CMT, HR	<ul style="list-style-type: none"> • Induction programme • Personal development plans for members and officers 	Training programme for managers – management modules on Aspire Learning Annual performance development reviews that identify training requirements	Yes

<p>well as economic, political and environmental changes and risks by:</p> <p>-ensuring members and staff have access to appropriate induction tailored to their role and that on-going training and development matching individual and organisational requirements is available and encouraged</p> <p>ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis</p> <p>ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from</p>		<p>For example, for members this may include the ability to:</p> <ul style="list-style-type: none"> • scrutinise and challenge • recognise when outside expert advice is required • promote trust • work in partnership • lead the organisation • act as a community leader • Efficient systems and technology used for effective support 	<p>Induction programme IIP accreditation. Specific series of training provided for remote leadership and management during Covid-19</p> <p>Cabinet members and senior management hold regular away days to foster a collaborative working relationship.</p> <p>All members undergo induction training, and this is supplemented by specific training on e.g. planning, licensing, standards. Officers undergo relevant CPD to ensure their professional skills and knowledge maintained and updated. Specific training given for virtual meetings during Covid-19.</p>	
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governance weaknesses both internal and external		Arrangements for succession planning	People Plan 2019 - 23	
<p>Ensuring that there are structures in place to encourage public participation</p> <p>Page 451</p>	Assistant Director - Policy and Communications	<ul style="list-style-type: none"> Residents' panels Stakeholder forum terms of reference Strategic partnership frameworks 	<p>Communications and Engagement Strategy</p> <p>Annual Community Engagement Programme</p> <p>Stakeholder mapping</p> <p>Bespoke communication consultation and research plans</p>	Yes
Taking steps to consider the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections	SLT, CMT Democratic Services / Monitoring Officer	<ul style="list-style-type: none"> Reviewing individual member performance on a regular basis taking account of their attendance and considering 	<p>Member development Group includes learning and development programme</p> <p>Investors in people</p>	Yes

		<p>any training or development needs</p> <ul style="list-style-type: none"> • Peer reviews 	<p>Employee survey Core brief</p> <p>Peer review planned March 20 (cancelled due to COVID-19, to be re arranged)</p>	
<p>Holding staff to account through regular performance reviews which take account of training or development needs</p>	<p>SLT, CMT</p>	<ul style="list-style-type: none"> • Training and development plan • Staff development plans linked to appraisals • Implementing appropriate human resource policies and ensuring that they are working effectively 	<p>Annual PDRs and regular 1:1's. The PDR contains Objectives and Learning Plan that is completed.</p> <p>Learning and Development undertaken in the previous year is also reviewed.</p> <p>There are appropriate human resources policies in place.</p>	<p>Yes</p>
<p>Ensuring arrangements are in place to maintain the health and wellbeing of the</p>	<p>SLT, CMT HR/Health and</p>	<p>Human resource / Health and Safety policies</p>	<p>Managing workplace Stress policy Capability Policy</p>	<p>Yes</p>

<p>workforce and support individuals in maintaining their own physical and mental wellbeing</p>	<p>Safety</p>		<p>Managing attendance Policy Mental Health awareness training day for managers. Training on various topics available on Aspire Learning. Referral to Occupational Health. Corporate Health & Safety Committee</p>	
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<p>Principle F</p>	<p>Managing risks and performance through robust internal control and strong public financial management</p> <p>Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities.</p> <p>A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery, and accountability.</p> <p>It is also essential that a culture and structure for scrutiny is in place as a key part of accountable decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.</p>			
<p>Managing risk Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision making</p>	<p>Members, SLT, CMT</p>	<p>Risk management protocol</p>	<p>There is a risk management strategy in place that is reviewed every year. All committee reports include a risk section</p>	<p>Yes</p>
<p>Implementing robust and integrated risk management arrangements and ensuring that they are working</p>	<p>Executive Director</p>	<p>Risk management strategy/ policy formally approved and adopted and reviewed</p>	<p>There is a risk management strategy in place that is reviewed every year.</p>	<p>Yes</p>

effectively		and updated on a regular basis	There is a Corporate risk register and service risk registers There is a risk management Group that meets on a quarterly basis.	
Ensuring that responsibilities for managing individual risks are clearly allocated Page 455	Risk Management Group, SLT, CMT	Risk management protocol	The risk management strategy outlines everybody's responsibilities Individual risk owners are identified on operational risk registers.	Yes
Managing performance Monitoring service delivery effectively including planning, specification, execution and independent post implementation review	SLT, CMT	<ul style="list-style-type: none"> • Performance map showing all key activities have performance measures • Benchmarking information • Cost performance (using inputs and outputs) 	All areas have a service plan and performance measures form part of that. Finance and Performance Board receives regular reports from each service to track delivery against financial targets.	Yes

		<ul style="list-style-type: none"> • Calendar of dates for submitting, publishing and distributing timely reports that are adhered to 	Performance Management Framework with quarterly reporting schedule.	
<p>Making decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the organisation's financial, social and environmental position and outlook</p>	Member, SLT, CMT	<ul style="list-style-type: none"> • Discussion between members and officers on the information needs of members to support decision making • Publication of agendas and minutes of meetings • Agreement on the information that will be needed and timescales 	<p>All committee reports have a section for risk that officers must complete for Members information.</p> <p>All agendas and minutes are published</p> <p>Agreed between Members and Officers</p>	Yes

<p>Ensuring an effective scrutiny or oversight function is in place which encourages constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible</p> <p>(OR, for a committee system) Encouraging effective and constructive challenge and debate on policies and objectives to support balanced and effective decision making</p>	<p>Monitoring Officer, Assistant Director - Policy and Communications Democratic and Scrutiny Officer.</p>	<ul style="list-style-type: none"> • The role and responsibility for scrutiny has been established and is clear • Agenda and minutes of scrutiny meetings • Evidence of improvements as a result of scrutiny • Terms of reference • Training for members • Membership 	<p>Scrutiny Roles and Responsibilities are defined in the Constitution. There are 3 scrutiny committees:-</p> <ul style="list-style-type: none"> • Enterprise and Wellbeing, • Community, Customer and Organisational • Overview and Performance <p>Their role is to produce reports and recommendations which advise Cabinet, the Council or relevant Committees on Policies, budget and service delivery.</p>	<p>Yes</p>
<p>Providing members and senior management with regular reports on service delivery plans and on progress towards outcome</p>	<p>CMT</p>	<p>Calendar of dates for submitting, publishing and distributing timely reports that are adhered to</p>	<p>A full Committee calendar is published at the start of each financial year</p>	<p>Yes</p>

achievement				
Ensuring there is consistency between specification stages (such as budgets) and post implementation reporting (eg. financial statements)	Chief Finance Officer / Chief Accountant	<ul style="list-style-type: none"> • Financial standards, guidance • Financial regulations and standing orders 	Financial Standards and guidance are adhered to. The accounts are audited by Mazars. Financial Regulations and Standing orders are within the Constitution	Yes
Robust internal control Aligning the risk management strategy and policies on internal control with achieving the objectives	Internal Audit Consortium Manager	<ul style="list-style-type: none"> • Risk management strategy • Audit plan • Audit reports 	The audit plan takes in to account high risk areas and areas that are included in the corporate and service risk registers	Yes
Evaluating and monitoring the authority's risk management and internal control on a regular basis	Standards and Audit Committee, Internal Audit Consortium Manager	Risk management strategy/ policy has been formally approved and adopted and is reviewed and updated on a regular	The risk management Strategy is formally reviewed and approved every year by Standards and Audit Committee and Cabinet	Yes

		basis	Internal Audit review the Council's risk management arrangements		
Page 459	Ensuring effective counter fraud and anti-corruption arrangements are in place	SLT, CMT, Internal Audit Consortium Manager	Compliance with the Code of Practice on Managing the Risk of Fraud and Corruption (CIPFA, 2014)	Internal Audit review the Council's risk management arrangements	Yes
	Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor	Chief Finance Officer, Standards and Audit Committee	<ul style="list-style-type: none"> • Annual governance statement • Effective internal audit service is resourced and maintained 	There is an anti-fraud Bribery and Corruption policy in place (revised September 2018). All managers received fraud awareness training in September 2016	Yes
				The Internal Audit Consortium Manager is heavily involved in producing the AGS. The IAC is resourced and maintained at a satisfactory level. An external review of internal audit took place in October 2016 and concluded that the IA Consortium was compliant with the	

			PSIAS.	
<p>Ensuring an audit committee or equivalent group or function which is independent of the executive and accountable to the governing body: provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment that its recommendations are listened to and acted upon</p>	<p>Standards and Audit Committee</p>	<p>Audit committee complies with best practice. See Audit Committees: Practical Guidance for Local Authorities and Police (CIPFA, 2018)</p> <ul style="list-style-type: none"> • Terms of reference • Membership • Training 	<p>The audit committee terms of reference are defined in the constitution. The Committee consists of 7 members – 5 Councillors other than the Executive leader. No more than one of those 5 councillors may be a member of the Cabinet. Two parish reps one from Staveley Town Council and one member of Brimington PC</p> <p>Standards and Audit Committee members received relevant training after appointment in May 19 and new appointees receive relevant training. The Standards and Audit</p>	<p>Yes</p>

			Committee undertook a self -assessment on the CIPFA audit committees Practical Guidance for Local Authorities and Police 2018 edition and concluded that the Committee complies with best practice.	
<p>Managing data Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data</p>	<p>Assistant Director Customers, Commissioning and Change , Data Protection Officer</p>	<ul style="list-style-type: none"> • Data management framework and procedures • Designated data protection officer • Data protection policies and procedures 	<p>There is a data disposal and retention schedule covering all areas of the Council.</p> <p>There is a data asset register</p> <p>There is a designated Data Protection Officer</p> <p>The Council's IT and Data Protection Policies have recently been refreshed</p> <p>The GDPR action plan has been completed. The Council has an</p>	<p>Yes</p>

			information assurance risk register in place which details the mitigating actions and steps we are taking to address issues identified	
Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies	Assistant Director Customers, Commissioning and Change, Data Protection Officer	<ul style="list-style-type: none"> • Data sharing agreement • Data sharing register • Data processing agreements 	Data sharing agreements have been reviewed and updated where appropriate for GDPR. Processes are in place preventing new contracts being taken out without the appropriate data sharing agreement in place or approval to progress has been provided by the Council's SIRO.	Yes
Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring	Assistant Director - Policy and Communications, Executive Director	<ul style="list-style-type: none"> • Data quality procedures and reports • Data validation procedures 	Methodology checks for data e.g. consultation activity, State of the Borough report Performance Management Framework	Yes

			Service plans are in place.	
<p>Strong public financial management Ensuring financial management supports both long term achievement of outcomes and short-term financial and operational performance</p>	Chief Finance Officer	Financial management supports the delivery of services and transformational change as well as securing good stewardship	Medium term financial plan Finance and Performance Board Quarterly monitoring reports to Cabinet / Council	Yes
<p>Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls</p>	Chief Finance Officer	Budget monitoring reports	Managers receive monthly budget monitoring reports Regular reporting to Members Finance and Performance Board Savings Strategy	Yes

<p>Principle G</p>	<p>Implementing good practices in transparency, reporting, and audit to deliver effective accountability</p> <p>Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.</p>			
<p>Implementing good practice in transparency</p> <p>Writing and communicating reports for the public and other stakeholders in an understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate</p> <p>Striking a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous to provide and for users to understand</p>	<p>SLT, CMT</p>	<ul style="list-style-type: none"> • Website • Annual report 	<p>There is an approved Communications and Engagement strategy</p> <p>The website has been developed</p> <p>The council newspaper “Your Chesterfield” which incorporates Our Homes for council tenants is sent out 4 times a year</p> <p>There is no specific annual report but achievements against priorities are communicated to the public through the media, council website, Statement of Accounts and various social media</p>	<p>Yes</p>

			<p>channels.</p> <p>Social media is used to report on council meetings in live time.</p> <p>The style of committee reports is specified to ensure ease of reading and consistency</p>	
<p>Implementing good practices in reporting</p> <p>Reporting at least annually on performance, value for money and the stewardship of its resources</p>	SLT	<ul style="list-style-type: none"> • Formal annual report which includes key points raised by external scrutineers and service users' feedback on service delivery • Annual financial statements 	<p>The annual update on the council plan includes a section on performance in the previous year</p> <p>The annual financial statements for 2018/19 were signed off by the required date</p>	Yes
Ensuring members and senior management own the results	Members, SLT	Appropriate approvals	The Corporate Management Team are all involved in monitoring progress against the council plan which is	Yes

			reported to members	
Ensuring robust arrangements for assessing the extent to which the principles contained in the Framework have been applied and publishing the results on this assessment including an action plan for improvement and evidence to demonstrate good governance (annual governance statement)	SLT, CMT, Internal Audit Consortium Manager	Annual governance statement	The annual governance statement is produced via a robust process that involves all of the Corporate Management Team. Attainment against the framework is assessed. Each year an action plan is produced and monitored to address identified weaknesses	Yes
Ensuring that the Framework is applied to jointly managed or shared service organisations as appropriate	SLT, CMT	Annual governance statement	The framework applies to jointly managed and shared service organisations	Yes
Ensuring the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other similar	Chief Finance Officer	Format follows best practice	The financial statements are reviewed and signed off by external audit (Mazars) which confirms that they comply with best practice.	Yes

organisations				
<p>Assurance and effective accountability Ensuring that recommendations for corrective action made by external audit are acted upon Ensuring an effective internal audit service with direct access to members is in place which provides assurance with regard to governance arrangements and recommendations are acted upon</p>	Chief Finance Officer	<ul style="list-style-type: none"> Recommendations have informed positive improvement Compliance with CIPFA's Statement on the Role of the Head of Internal Audit (2010) Compliance with Public Sector Internal Audit Standards 	<p>An action plan is put in place to implement external audits recommendations. The implementation of internal audit recommendations is monitored by CMT and the Standards and Audit Committee.</p> <p>The Internal Audit Consortium Manager is CIPFA qualified and complies with the statement on the role of the Head of Internal Audit.</p> <p>An external review in October 2016 confirmed that internal audit is compliant with PSIAS. An annual internal self-assessment of internal audit also confirms compliance.</p>	Yes

<p>Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations</p>	<p>SLT, CMT</p>	<p>Recommendations have informed positive improvement</p>	<p>Achieved Investors in people silver status in 2018 – going for gold in 2021</p> <p>External review of Internal audit undertaken October 2016 – action plan in place</p> <p>Effective risk management procedures in place</p> <p>Safeguarding – CBC is fully engaged with the Derbyshire Safeguarding boards including the district sub group which challenge and share best practice amongst district authorities.</p> <p>A peer challenge review is to take place in March 20 (cancelled due to COVID-19, to be re arranged)</p>	<p>Yes</p>
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<p>Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in the annual governance statement</p>	<p>SLT, CMT, Internal Audit Consortium Manager</p>	<p>Annual governance statement</p>	<p>Internal audit review the areas that are delivered by Arvato, Kier and Building Control partnership and any significant internal control weaknesses are fed through to the AGS</p>	<p>Yes</p>
<p>Ensuring that when working in partnership, arrangements for accountability are clear and that the need for wider public accountability has been recognised and met</p>	<p>SLT, CMT Assistant Director - Policy and Communications</p>	<p>Community strategy</p>	<p>Communications and Engagement Strategy Decision making arrangements – committee management and Modgov.</p>	<p>Yes</p>

SLT = Senior Leadership Team
CMT = Corporate Management Team

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CHESTERFIELD BOROUGH COUNCIL

KEY ELEMENTS OF THE SYSTEMS AND PROCESSES THAT COMPRISE THE COUNCIL'S GOVERNANCE ARRANGEMENTS 2019/20

Key Element	CBC Arrangement
Developing codes of conduct which define standards of behaviour for members and staff, and policies dealing with whistleblowing and conflicts of interest and that these codes and policies are communicated effectively	Codes of conduct for members and staff are included within the Constitution which is available to all staff on the intranet. Codes of conduct cover conflicts of interest. The Employee Code of Conduct was revised in March 2018 The Council has a Confidential Reporting (Whistle blowing) Policy which is held in the policies section on the intranet Councillors have training on standards generally and also specifically (relating to e.g. planning, licensing). Training is supplemented by updates and refresher sessions as well as advice as necessary. All staff and elected members receive a comprehensive induction which covers behaviour and ethical values.
Ensuring compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful	The Council has a properly resourced internal audit function and have an appointed monitoring officer and Section 151 officer.
Documenting a commitment to openness and acting in the public interest	Annual financial statements Council Plan The Council has adopted a current FOI Publication Scheme Compliance with the Transparency Agenda There is an approved Communication and Engagement Strategy which covers internal and external communications, engagement and consultation. All decisions by Committees are minuted There is an HRA Business Plan Steering Group to lead on the development of the HRA Business Plan that comprises of tenants, officers and elected members.
Establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging	The Council Magazine "Your Chesterfield" which includes a specific section around Council Housing (Ours Homes).

open consultation	<p>The Council website Social Media Channels Council Tax information is on the website Current website full of information All reports are “open” agenda items unless there is a valid reason. Communications and Engagement Strategy. Feedback given on consultation through the website. An annual report to tenants is prepared and sent to the Housing Regulator (HCA), published on the website and a summary sent to all tenants each year via the Your Chesterfield/Our Homes newsletter. Housing have a Customer Engagement Strategy as required by the HCA and provide a variety of opportunities for tenants to be involved in and shape service delivery e.g. focus groups/formal meetings/informal drop ins/ use of a consultation bus in the community.</p>
Developing and communicating a vision which specifies intended outcomes for citizens and service users and is used as a basis for planning	<p>The council has a Council Plan 2019 – 23 which specifies the Council’s vision, priorities and values. This document details the aims of the council and sets the framework for all service plans. The Council Plan is aligned to the medium term financial plan and refreshed each year on the basis of the affordability of each of the priorities. One Council: One Team is a core CBC value which is considered during all employee Performance Development reviews.</p>
Translating the vision into courses of action for the authority, its partnerships and collaborations	<p>The “vision” / Council Plan is fed in to service plans which include service objectives and performance indicators which all tie back to the Council’s Plan</p>
Reviewing the effectiveness of the decision making in partnerships, information provided to decision makers and robustness of data quality	<p>A new partnership protocol has been adopted. This includes new arrangements for considering partnership arrangements including concerns and resource requests at Finance and Performance Board.</p>
Measuring the performance of services and related projects and ensuring that they are delivered in accordance with defined outcomes and that they represent the best use of resources and value for money	<p>Annual service plans are produced and link to the council’s objectives. Plans include improvements to performance indicators and projects which has supported increased information and challenge via Finance and Performance Board and Scrutiny. Further improvements planned to coincide with</p>

	new Council Plan and Performance Management Framework 2019 – 2023.
Defining and documenting the roles and responsibilities of members and management with clear protocols for effective communication in respect of the authority and partnership arrangements	The roles of members and management are documented within the Constitution. All managers have job descriptions.
Ensuring that financial management arrangements conform with the governance requirements of the CIPFA statement on the role of the Chief Financial Officer in Local Government (2015) and where they do not, explain why and how they deliver the same impact	The Council has in place an experienced qualified accountant as Chief Financial Officer and complies with the requirements of the CIPFA statement on the Role of the Chief Financial Officer.
Ensuring effective arrangements are in place for the discharge of the monitoring officer function	The Council has an experienced Monitoring Officer and Deputy in place
Ensuring effective arrangements are in place for the discharge of the head of paid service function	The Chief Executive is the Head of Paid service
Providing induction and identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training	All Members undergo induction training and this is supplemented by specific training on e.g. planning, licensing, standards. All officers have an induction and undergo relevant CPD to ensure that their professional skills and knowledge are maintained and updated. Training needs are identified at Performance Development Reviews and feed through in to a learning and development plan.
Reviewing the effectiveness of the framework for identifying and managing risks and for performance and demonstrating clear accountability	There is a risk management Group in place, membership is made up of senior officers from every area of the Council and the Member for Governance. The Group regularly review the strategic and operational Risk registers. Internal audit undertake regular reviews of the risk management process.
Ensuring effective counter fraud and anti-corruption arrangements are developed and maintained in accordance with the Code of Practice on Managing the Risk of Fraud and Corruption (CIPFA 2014)	The Council has an anti-fraud, bribery and corruption policy and a confidential reporting Code. CIPFA's fraud checklist has been completed and the results reported to the Standards and Audit Committee. Aspire Learning has a fraud risk module that can be completed by all staff.

	The Council has a fraud risk register
Ensuring an effective scrutiny function is in place	There are 3 Scrutiny Committees Overview and Performance Scrutiny Forum Enterprise and Wellbeing Scrutiny Committee Community, Customer and Organisational Scrutiny Committee An annual Scrutiny report goes to Full Council
Ensuring that assurance arrangements conform with the governance requirements of the CIPFA statement on the Role of the Head of Internal Audit (2019) and, where they do not, explain why and how they deliver the same impact	The Council is compliant with the CIPFA statement on the Role of Head of Internal Audit. The Internal Audit Consortium Manager is CIPFA qualified and there are sufficient resources to deliver the risk based audit plan.
Undertaking the core functions of an audit committee, as identified in Audit Committees: Practical Guidance for Local Authorities and Police (CIPFA 2018)	The Standards and Audit Committee's terms of reference are included within the Constitution. The Standards and Audit Committee undertook a self- assessment of their role against CIPFA's Practical Guidance for Local Authorities and Police 2018 Edition in July 2018. The Committee were found to be compliant.
Ensuring that the authority provides timely support, information and responses to external auditors and properly considers audit findings and recommendations.	The 2018/19 final accounts were signed off in a timely manner. External audit recommendations are properly considered and acted upon.
Incorporating good governance arrangements in respect of partnerships and other joint working and ensuring that they are reflected across the authority's overall governance structures.	Core partnerships are supported by Service Level Agreements and are monitored accordingly by the Council's Client Officer, Joint Board etc. Housing's Tenant Challenge panel has a clear set of Terms of Reference and Code of Conduct for Members.

CHESTERFIELD BOROUGH COUNCIL

ANNUAL GOVERNANCE STATEMENT 2019/20

Scope of Responsibility

Chesterfield Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

Chesterfield Borough Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA / SOLACE Framework *Delivering Good Governance in Local Government Framework 2016 edition*. This Statement explains how the Council has complied with the code and also meets the requirements of Accounts and Audit (England) Regulations 2015 which requires all relevant bodies to prepare an annual governance statement.

The purpose of the governance framework

The governance framework comprises the systems and processes, culture and values, by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads its communities. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate services and value for money.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood and potential impact of those risks being realised and to manage them efficiently, effectively and economically.

The governance framework has been in place at the Council for the year ended 31st March 2020 and up to the date of approval of the Statement of Accounts.

The governance framework

The key elements of the systems and processes that comprise the Council's governance framework are as follows: -

The Council's vision is "Putting our communities first". Chesterfield Borough Council identifies and communicates the authority's vision of its purpose and intended outcomes for citizens and service users via its Council Plan and Vision statement. The Council Plan consists of 3 priorities: -

To make Chesterfield a thriving borough
To improve the quality of life for local people
To provide value for money services

The Council's values reflect the way the council wants to achieve its vision, these are: -

Customer focused: delivering great customer service, meeting customer needs

Can do: striving to make a difference by adopting a positive attitude

One council, one team: proud of what we do, working together for the greater good

Honesty and respect: embracing diversity and treating everyone fairly

COVID-19

Coronavirus was categorised as a pandemic by the World Health Organisation on 11 March 2020. The challenge to the Council was how to continue to provide essential services to residents. The Council's Business Continuity Plan was brought in to play and systems and processes were revised and introduced to focus efforts on the highest prioritised areas. These included:-

- Payments of benefits
- Emergency housing repairs
- Waste collection
- Payment of salaries
- Payment of invoices to suppliers
- Homelessness / rough sleeping
- Death management
- Access to parks and open spaces
- Careline Services

The Council has worked closely with our partner Arvato to ensure that business support grants were paid out as promptly and as accurately as possible. 2175 business grants have been paid out to the value of 25.7 million.

In the community, staff have been redeployed in support of local pharmacies to deliver medicines to residents' homes, have made regular food parcel deliveries to those in need, have provided marshalling services to NHS test sites and are working with local community groups and charities to support a range of activities. Staff have also been redeployed around the council to support the rollout of small business grants, to work at the crematorium and to help ensure the Careline service can keep running for the benefit of the borough's elderly residents.

Updates have been provided to staff and residents through the Council's website and other social media channels such as face book. Many staff are working from home and the progress made in respect of the implementation of the IT strategy has allowed this to happen effectively and securely. The roll out of Microsoft teams has enabled staff to hold meetings and stay in touch remotely.

One issue in March 2020 was the inability to conduct council meetings due to COVID - 19 however, the Council's scheme of delegation was promptly reviewed and updated to allow remote council meetings accessible online by the public, to take place and legal decisions to be made. These virtual meetings have now been rolled out with specific member training and guidance.

The Council's governance arrangements have operated well during the pandemic and allowed all of the above to take place and to keep essential services running.

Governance Arrangements

The Council Plan is cascaded down through, managers, meetings, service plans, team plans, budgets, the medium term financial plan and employee performance development reviews. This flow ensures that resources are utilised for the achievement of the Council Plan and vision.

The Council works with a number of partnerships to deliver its aims. Where the Council has entered into partnership arrangements it seeks to ensure that these promote the Council's vision of its purpose and intended outcomes for citizens and service users and that they are subject to appropriate governance and performance management arrangements.

In July 2019 the Council took the decision to remain a member of D2N2 Local Enterprise Partnership (LEP) and relinquish membership of Sheffield City Region LEP although remaining a non constituent member of the SCR mayoral combined authority. This decision was taken against the backdrop of the sustained central government message that LEP overlaps had to cease and increasing pressure from both LEP chairs for CBC to exercise its choice in the matter.

We are a key partner in the East Midlands HS2 partnership which comprises of a cross party group of County Borough, District and City Council leaders, two local enterprise

partnerships and the East Midlands Chamber of Commerce, Midlands Connect and a range of other stakeholders. The prospect of an HS2 connection at Chesterfield station is already driving major regeneration of the town centre and adjacent commercial areas.

The best use of resources and value for money challenge and assurance are obtained by scrutiny reports and reviews, reviewing service performance, benchmarking and monitoring budgets.

Chesterfield Borough Council has a formal Constitution in place that sets out how it operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. In addition, the Constitution sets out the roles and responsibilities of Members and Senior Managers.

The Cabinet is the part of the authority which is responsible for most day to day decisions. The overview and scrutiny committees support the work of the Council by scrutinising the decisions made. The Standards and Audit Committee are responsible for maintaining and promoting high standards of conduct and for considering the effectiveness of the Council's risk management arrangements and the control environment. The Committee also reviews reports from internal and external audit and other inspection agencies and seeks assurance that action has been taken where necessary.

Formal Codes of Conduct are in place for Members and Officers and are available on the intranet and form part of induction procedures. To further enhance these high standards the Council has in place a comments, complaints and compliments procedure, a Customer Services Charter, an Anti- Fraud, Bribery and Corruption policy and a Confidential Reporting (whistle blowing) Code.

In order to ensure compliance with relevant laws and regulations, internal policies and procedures Chesterfield Borough Council has a comprehensive induction package and provides training for staff and Members on a regular basis. The Constitution is underpinned by legal references. Training needs are identified through Member and employee performance and development reviews and continuous professional development is encouraged. There is an online learning tool that records all training and includes a comprehensive bank of training modules. Policies are readily available on the intranet to view.

The Council has adopted a 'People Plan 2019 – 2023' which aims at developing great leaders, managing change well, developing capacity and skills, supporting employee wellbeing and providing recognition and reward.

Chesterfield Borough Council has a risk management strategy, a risk management group and risk is considered as part of all Cabinet reports. The strategic risk register and service risk registers are regularly reviewed and appropriate training is provided.

The ICT improvement programme is progressing and has so far achieved its targeted objectives. The first phase of savings have been realised and the resilience of core ICT systems is improving. The Council has achieved continued accreditation for the Public Service Network and Cyber Essentials Plus.

The Council has a number of growth and regeneration projects underway e.g. Chesterfield Waterside, Peak Resort, Northern Gateway, Staveley Corridor. A partnership arrangement has been established with DCC, to be led through a Joint Growth Board in order to provide improved focus on the delivery of key projects within the Borough.

In June 2017 Building Control left the Council to become part of a limited company (The Derbyshire Building Control Partnership). There are a series of legal agreements that support the new company including a shareholder agreement and a service level agreement. A separate Board has been set up to govern the new company. The company is consolidating its position in the market and has significantly outperformed the budget forecast as set out in the original business case.

The Chief Executive is the designated Head of Paid Service, with the statutory responsibility for the overall review of the Council's staffing and operation. The Chief Executive is monitored for performance in the delivery of political priorities which are in turn monitored and measured across all staff. The Council's Monitoring Officer attends Corporate Management team meetings and is suitably qualified.

The Chief Financial Officer is professionally qualified and experienced to undertake their roles and responsibilities and is supported by an experienced and appropriately qualified finance team (interim arrangements currently in place). The Chief Financial Officer is a key member of the Corporate Management team and leads and directs a finance function that is fit for purpose. The Chief Financial Officer ensures compliance with S151 requirements. The Council's financial management arrangements conform to the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government.

Internal Audit is provided on a Consortium basis for Bolsover District Council, North East Derbyshire District Council and Chesterfield Borough Council. The Internal Audit function operates in accordance with the Public Sector Internal Audit Standards (PSIAS) and conforms to the requirements of the CIPFA statement on the Role of the Head of Internal Audit 2019. The Internal Audit Consortium Manager is a senior manager, professionally qualified and leads an appropriately resourced and experienced audit team. The external review of internal audit confirmed that the team is compliant with the PSIAS.

Chesterfield Borough Council has a variety of means of communicating with all sections of the community and stakeholders including an internal and external Communication and Engagement Strategy, the Council's website, the publication of "Your Chesterfield" four times a year which includes "Our Homes" for tenants and leaseholders and an annual Community Engagement Programme.

Review of Effectiveness

The Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of Corporate Management Team within the authority who have responsibility for the development and maintenance of the governance environment, the Internal Audit Consortium Manager's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

The processes that have been applied in maintaining and reviewing the effectiveness of the governance framework include:

- Internal audit reviews of systems and procedures in accordance with the agreed internal audit plan
- Annual review of the Council's Code of Corporate Governance
- Assessment against the key elements (as specified by CIPFA) of the governance framework
- Monitoring Officer reviews and monitors the operation of the Council's Constitution
- The Chief Executive, Executive Directors and Corporate Management Team monitoring the risks and the associated controls assigned to them
- The Chief Financial Officer providing the Council and the Management team, with financial reports and financial advice covering the whole range of Council Activities
- Reviews by external agencies such as the Council's external auditor
- A review of the system of assurances/internal controls
- The Council's Standards and Audit Committee receives reports on the work of internal audit, including the annual report by the Internal Audit Consortium manager.
- The annual review of the Local Code of Corporate Governance is reported to both the Standards and Audit Committee and the Council's Cabinet.
- The Cabinet receives and considers reports on the outcome of reviews by the external auditor and other review agencies.

It can be demonstrated that the Council's governance arrangements support the council's plan by the sheer volume of achievements. A few of these are: -

- Chesterfield was the first town to declare itself an "Apprentice Town" and there are now over 3500 apprentices learning and earning in Chesterfield.
- The Saltergate multi story car park opened in July 2019.
- The new 3G pitch opened at Queens Park Sports Centre in September 2019.

- 16 council houses are on target to be built or procured by the end of 2019/20. This includes 10 new properties at Heaton Court and 2 at Houldsworth drive plus 2 acquisitions.
- Avant Homes have commenced working on new residential properties at Waterside to construct 177 new homes.
- Excellent progress has been made on the improvement programme at Grangewood estate which includes extensive refurbishment of 5 residential blocks containing 150 flats and environmental improvements for the state.
- In terms of IT, procurement of the Council's digital platform is complete and development of the new solution is underway. By year end customers will be able to access a secure customer portal to obtain personalised information and request council services online.
- The Coroners office moved into the town hall in January 2020 providing an income source to the council.
- A climate change emergency has been declared and the council have set up a working group to explore how the council and the borough can work towards becoming carbon neutral. A fully costed action plan has now been developed.

Internal Audit Opinion 2019/20

The Internal Audit Consortium Manager is responsible for the delivery of an annual audit opinion that can be used by the council to inform its governance system. The annual opinion concludes on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control.

In my opinion reasonable assurance can be provided on the overall adequacy and effectiveness of the council's framework for governance, risk management and control for the year ended 2019/20. However, the exception to this is in respect of procurement policies and procedures for which an inadequate assurance internal audit report has been issued. In this area governance, risk management and control arrangements were not operating effectively. A number of recommendations have been made to reduce the risk to the organisation and improve the arrangements in place.

Assurance can never be absolute. In this context "reasonable assurance" means that arrangements are in place to manage key risks and to meet good governance principles, but there are some areas where improvements are required.

Overall, 25 /28 (89%) of the areas audited received Substantial or Reasonable Assurance demonstrating that there are effective systems of governance, risk management and control in place.

A Review of 2018/19 Governance Issues

A mid - year review of progress against the 2018/19 AGS action plan was undertaken by the Corporate Management team and was reported to the Standards and Audit Committee. The action plan identified 6 areas for improvement. Positive progress has been made in every area. Where further action / monitoring is required these areas have been carried forward to the 2019/20 AGS action plan which will be delivered through the 2020/21 municipal year.

Significant governance issues

Whilst there are many areas of the Governance Framework that are operating satisfactorily, the work of internal audit and discussions with the Corporate Management Team has identified that there are some areas where action can be taken to improve the governance arrangements in place.

The following areas for improvement and focussed risk management have been identified:

No.	Issue Identified	Action to address
1.	Budget – many budget risks continue from previous years: - <ul style="list-style-type: none"> • Business rate appeals • ICT savings not being delivered • The outcome of the Governments Fair Funding and changes to business rate funding is still not clear • Staffing cost pressures • Escalating energy prices and general cost inflation • Achieving income targets for rents, fees, charges and interest • Delivering required budget savings • Additional costs, unachieved savings targets and income reduction in terms of COVID-19 that may not be fully reimbursed by central government 	Need to continue to closely manage the Medium Term Financial Plan to ensure that the Council remains of sound financial standing, and to support decisions on the alignment of budgets to enable delivery of the Council’s corporate plan. This will be achieved through the established mechanisms for financial planning and reporting: <ul style="list-style-type: none"> • Finance and Performance Board • Corporate Cabinet and CMT workshops • Monthly budget monitoring reports to service managers • Quarterly budget monitoring reports to the Council, Cabinet and Scrutiny Forum • Regular dialogue with the trade unions • Due to COVID -19 an additional full budget review in June 2020 to identify savings / non essential areas of spend, income opportunities • Looking at how to increase the income levels of services such as venues and leisure centres

		<p>An action plan to balance deficits from 2021/22 was presented to Cabinet and Council in February 20. Each element of this action plan must be delivered during the next 12 months to ensure a balanced medium term forecast over the full 5 years of the MTFP.</p>
2	<p>Non Housing Property Repairs – Contributions to the property repairs fund by the council's properties such as the town hall do not match the maintenance plans that have been drawn up. Future property repairs anticipated spend is unlikely to be covered by existing budgets. Large major items (lifts etc.) don't form part of the current contributions as they are funded from capital.</p>	<p>The Council's Asset Management Group are reviewing the whole of Non – Housing property repairs to ascertain the complete picture for future maintenance plans and repairs budget requirements.</p> <p>As the costs become clearer decisions will be required to rationalise poor quality assets, increase contribution to the property repairs fund or to borrow for major capital repairs. Options for funding of the works will be required and progressed through the appropriate governance structure.</p> <p>This work is being taken forward as a priority and the target for a report being prepared is by September 2020 which will contain recommendations for consideration by stakeholders. This is however; dependant on Officer availability to complete this work due to the demands on resources as a result of the COVID 19 virus.</p>
3	<p>Workforce Capacity and capability – Ongoing budget challenges and service demands mean that the Council will need continue to manage workforce capacity and capability.</p> <p>There is still a capacity issue at SLT/CMT level although there are interim arrangements in place to cover vacant posts. The impact of COVID 19 will have</p>	<p>The people plan 2019 – 23 will start to be implemented, this aims to develop great leaders, manage change well, develop capacity and skills, support employee wellbeing and promote recognition and reward.</p> <p>The Corporate Management Team structure review will be completed.</p> <p>Vacancy control processes will continue to be followed ensuring that service demands</p>

	<p>further exacerbated this situation and some projects may need to be deferred.</p>	<p>can be met whilst managing budget. This will be managed together with a renewed Voluntary Redundancy Programme, as set out in the savings action plan.</p> <p>The timescales of projects will be reviewed and adjusted accordingly</p>
4	<p>Project and programme management / decision making / governance processes.</p> <p>As the Councils ambitions have developed and increasing numbers of projects have been started, governance arrangements to ensure effective project management have not been implemented consistently across the Council.</p>	<p>A Corporate Project Management Framework has been produced and approved through the appropriate governance arrangements.</p> <p>The Framework provides strategic direction, processes, governance and tools to support the corporate development and management of projects across the Council.</p> <p>The Corporate Project Management Framework will be implemented and go live from August 2020</p>
5	<p>Procurement – work has been undertaken to improve the procedures and processes in place however an inadequate internal audit report has recently been issued for the following main reasons:-</p> <ul style="list-style-type: none"> • There is a contracts register in place but this is not up to date or fully accurate. • The procurement plan is not comprehensive. • The agreement with the NHS is due to end at the end of September 2020 and a procurement exercise needs to take place • Some historic contracts still exist. 	<p>The format of the contracts register will be reviewed and the register will be brought up to date.</p> <p>The contracts register will be used to produce a comprehensive procurement plan.</p> <p>The contract with the NHS procurement team has been extended to allow for the retendering of the procurement service.</p> <p>Liaison will continue with service teams to identify any supply that is not compliant and remedial action will be taken. Mandatory training requirements will be</p>

	<ul style="list-style-type: none"> • Training modules have been developed but very few staff have completed these. • A draft strategy has been written but has not yet been approved or adopted. 	<p>finalised and rolled out.</p> <p>A procurement strategy will be adopted.</p>
	<p>COVID-19 - The challenge to the Council was how to continue to provide essential services to residents. The Council's Business Continuity Plan was utilised to focus efforts on the highest prioritised areas. Staff were enabled to work from home and redeployed where possible to help provide essential services. Urgent changes were made to the Council's delegation scheme to enable decisions when physical meetings became impossible, and then to allow remote meetings to take place and legal decisions to be made. In due course a safe transition back to physical meetings will be managed. Another challenge moving forward will be the safe re-opening of services such as car parks, leisure centres and the venues. These include the health and safety of staff and customers.</p>	<p>Whilst every indication is that the implementation of the Council's business continuity plans was successful, a full exercise will be undertaken by the Corporate Management Team to identify any lessons learnt that can be implemented in the future.</p> <p>The Council's budgets will need to be revisited as not only has there been an increase in expenditure but also a substantial loss of income.</p> <p>Risk assessments will be undertaken in line with government guidelines.</p>

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Cabinet and the Standards and Audit Committee, and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. The areas identified for improvement form part of the 2019/20 Annual Governance Statement action plan.

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed:

H Bowen
Chief Executive

Councillor T Gilby
Leader of Chesterfield Borough
Council

Date:

On behalf of Chesterfield Borough

CHESTERFIELD BOROUGH COUNCIL – ANNUAL GOVERNANCE STATEMENT 2019/20 ACTION PLAN

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
1 Page 487	<p>Budget – many budget risks continue from previous years: -</p> <ul style="list-style-type: none"> • Business rate appeals • ICT savings not being delivered • The outcome of the Governments Fair Funding and changes to business rate funding is still not clear • Staffing cost pressures • Escalating energy prices and general cost inflation • Achieving income targets for rents, fees, charges and interest • Delivering required budget savings • Additional costs, unachieved savings targets and income reduction in terms of COVID-19 that 	<p>Need to continue to closely manage the Medium Term Financial Plan to ensure that the Council remains of sound financial standing, and to support decisions on the alignment of budgets to enable delivery of the Council’s corporate plan.</p> <p>This will be achieved through the established mechanisms for financial planning and reporting:</p> <ul style="list-style-type: none"> • Finance and Performance Board • Corporate Cabinet and CMT workshops • Monthly budget monitoring reports to service managers • Quarterly budget monitoring reports to the Council, Cabinet and Scrutiny Forum • Regular dialogue with the trade unions • Due to COVID -19 an additional full budget review in June 2020 to 	End March 2021 / monthly monitoring	Acting Chief Finance Officer	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
Page 488	<p>may not be fully reimbursed by central government</p> <ul style="list-style-type: none"> • 	<p>identify savings / non essential areas of spend, income opportunities</p> <ul style="list-style-type: none"> • Looking at how to increase the income levels of services such as venues and leisure centres <p>An action plan to balance deficits from 2021/22 was presented to Cabinet and Council in February 2020. Each element of this action plan must be delivered during the next 12 months to ensure a balanced medium term forecast over the full 5 years of the MTFP.</p> <ul style="list-style-type: none"> • 					
	<p>Non Housing Property Repairs – Contributions to the property repairs fund by the council’s properties such as the town hall do not match the maintenance plans that have been drawn up. Future property repairs anticipated spend is unlikely to be covered by existing budgets.</p>	<p>The Council’s Asset Management Group are reviewing the whole of Non – Housing property repairs to ascertain the complete picture for future maintenance plans and repairs budget requirements.</p> <p>As the costs become clearer decisions will be required to rationalise poor</p>	September 2020	Executive Director	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
Page 489	Large major items (lifts etc.) don't form part of the current contributions as they are funded from capital.	quality assets, increase contribution to the property repairs fund or to borrow for major capital repairs. Options for funding of the works will be required and progressed through the appropriate governance structure.					
		This work is being taken forward as a priority and the target for a report being prepared is by September 2020, which will contain recommendations for consideration by stakeholders. This is however; dependant on Officer availability to complete this work due to the demands on resources as a result of the COVID 19 virus.	September 2020				
3	Workforce Capacity and capability – Ongoing budget challenges and service demands mean that the Council will need continue to manage workforce capacity and capability.	The people plan 2019 – 23 will start to be implemented, this aims to develop great leaders, manage change well, develop capacity and skills, support employee wellbeing and promote recognition and reward.	End March 2021	Chief Executive, CMT	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
Page 490	<p>There is still a capacity issue at SLT/CMT level although there are interim arrangements in place to cover vacant posts.</p> <p>The impact of COVID 19 will have further exacerbated this situation and some projects may need to be deferred.</p>	<p>The Corporate Management Team structure review will be completed.</p>	Autumn 2020				
		<p>Vacancy control processes will continue to be followed ensuring that service demands can be met whilst managing budget. This will be managed together with a renewed Voluntary Redundancy Programme, as set out in the savings action plan.</p> <p>The timescales of projects will be reviewed and adjusted accordingly</p>	Complete				
4	<p>ICT – The ICT improvement plan is in the process of implementation. Until completion there is still the risk that the Council’s IT systems are not fully fit for purpose or that savings identified will not be achieved.</p>	<p>Progress against the improvement plan and savings achieved will continue to be monitored on a regular basis.</p>	Monitoring on a quarterly basis	Assistant Director – Customers, Commissioning and Change	M		√

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
5	Health and Safety – Good progress has been made on the recovery plan however capacity issues remain that need addressing to ensure that a comprehensive corporate function is provided.	<p>A resource proposal is being developed that will enable an enhanced corporate health and safety service within CBC.</p> <p>Good practice will become more embedded and a mature culture developed.</p>	December 2020	Assistant Director – Health and Wellbeing	M		√
Page 491	<p>Procurement – work has been undertaken to improve the procedures and processes in place however an inadequate internal audit report has recently been issued for the following main reasons:-</p> <ul style="list-style-type: none"> • There is a contracts register in place but this is not up to date or fully accurate. • The procurement plan is not comprehensive. 	<p>The format of the contracts register will be reviewed and the register will be brought up to date.</p> <p>The contracts register will be used to produce a comprehensive procurement plan.</p>	<p>March 2021</p> <p>March 2021</p>	Assistant Director – Customers, Commissioning and Change	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
Page 492	<ul style="list-style-type: none"> The agreement with the NHS is due to end at the end of September 2020 and a procurement exercise needs to take place Some historic contracts still exist. Training modules have been developed but very few staff have completed these. A draft strategy has been written but has not yet been approved or adopted. 	The contract with the NHS procurement team has been extended to allow for the retendering of the procurement service.					
		Liaison will continue with service teams to identify any supply that is not compliant and remedial action will be taken. Mandatory training requirements will be finalised and rolled out.	Ongoing				
		A procurement strategy will be adopted.	March 2021				
7	<p>Project and programme management / decision making / governance processes.</p> <p>As the Councils ambitions have developed and increasing</p>	<p>A Corporate Project Management Framework has been produced and approved through the appropriate governance arrangements.</p> <p>The Framework provides strategic</p>	Complete	CMT	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
Page 493	numbers of projects have been started, governance arrangements to ensure effective project management have not been implemented consistently across the Council.	direction, processes, governance and tools to support the corporate development and management of projects across the Council. The Corporate Project Management Framework will be implemented and go live from August 2020	August 2020				
	COVID-19 - Coronavirus was categorised as a pandemic by the World Health Organisation on 11 March 2020. The challenge to the Council was how to continue to provide essential services to residents. The Council's Business Continuity Plan was utilised to focus efforts on the highest prioritised areas. Staff were enabled to work from home and redeployed where possible to help provide essential services. Urgent changes were made to	Whilst every indication is that the implementation of the Council's business continuity plans was successful, a full exercise will be undertaken to identify any lessons learnt that can be implemented in the future. The Council's budgets will need to be revisited as not only has there been an increase in expenditure but also a substantial loss of income.	March 2021	CMT	H	√	

	Governance Issue	Action Proposed				Annual Governance Statement	
		Description	By Date	Officer	Priority	Yes	No
	<p>the Council's delegation scheme to enable decisions to be made when physical meetings were not possible and then for meetings and decisions to be made remotely.</p> <p>Another challenge moving forward will be the safe re-opening of services such as car parks, leisure centres and the venues. These include the health and safety of staff and customers.</p>	Risk assessments will be undertaken in line with government guidelines.					

FOR PUBLICATION

COVID-19 - BUSINESS AND PLANNING ACT 2020

MEETING: (1) STANDARDS AND AUDIT COMMITTEE
(2) CABINET MEMBER FOR GOVERNANCE
(3) CABINET

DATE: (1) 2ND JULY 2020
(2) TBC
(3) 14TH JULY 2020

REPORT BY: MONITORING OFFICER
DEPUTY MONITORING OFFICER

For publication

1.0 PURPOSE OF REPORT

1.1 To update Cabinet on the new delegations to ensure proper governance as a result of executive functions under new legislation made in response to the current Covid-19 pandemic.

2.0 RECOMMENDATION

2.1 That the new executive function be noted.

3.0 BACKGROUND

3.1 On 19th March the Standards and Audit Committee considered and approved a series of delegations to enable Council decision-making to continue during the national emergency resulting from the Covid-19 pandemic. A further (virtual) meeting of the committee on 5th May enabled the Council to effectively introduce remote meetings. It is intended that a report will be submitted to Standards and Audit Committee on 20th July reviewing these steps.

- 3.2 As the government eases lockdown it introduced the Business and Planning Bill¹ on 25th June, which is rapidly passing through all stages in the House of Commons and House of Lords and is expected to be enacted during the early part of the week commencing 6th July 2020. Most of its main provisions will come into effect immediately and it is important that appropriate governance is in place ready for its implementation.
- 3.3 In brief, the Act will set up a system for licensing use of highway pavements by pubs and cafes, makes changes to alcohol licensing to automatically allow sales off the premises, makes modifications to planning law in relation to applications for changes to working hours on construction projects and extends the duration of planning permission.
- 3.4 The requirement to establish a system for pavement licensing requires systems and delegations to be put into effect rapidly so that appropriate arrangements are in place for applications to be consulted on and decided in the timescales set by law. If the applications are not decided in this timescale deemed consent results. Other provisions in the act are more straightforward to apply.
- 3.5 Since the introduction of the bill officers have been working on appropriate systems to ensure the Council is ready to receive and decide pavement licensing applications as soon as the bill is passed. The period allowed for consultation and decision does not reasonably allow for a committee meeting and therefore officer delegations are needed.
- 3.6 These new powers and duties would operate alongside existing powers, such as the Town Centre PSPO, and control of litter.
- 3.6 The Chairs of Planning and Licensing Committees were consulted on the new delegations and neither had any comments on the proposals.

4.0 PAVEMENT LICENCES – OUTDOOR SEATING

- 4.1 The legislation establishes a licensing system where a local authority grants or is deemed to have granted a licence which allows a licence holder to place removable furniture on highways adjacent to their premises. It only relates to highways under the Highways Act 1980.

¹ <https://publications.parliament.uk/pa/bills/lbill/58-01/119/5801119.pdf>

The licences can be in place for up to a year but not beyond September 2021.

- 4.2 The measures are to help cafes, restaurants, pubs and bars operate safely while social distancing measures remain in place, and help protect the hospitality industry and its income. The licence authorises counters, seating, umbrellas, barriers etc. It does not relate to alcohol licensing – which continues to be regulated under the Licensing Act – and amounts to deemed planning permission for the use of the pavement.
- 4.3 While there is already a way to seek a pavement licence under the Highways Act this is rarely used (about 20 across Derbyshire issued by the County Council as highway authority). The new system gives district councils the function and the process is cheaper and quicker. The fee is capped at a maximum of £100 and the Council will need to set a fee. There is a consultation period of 5 working days on applications. It is envisaged that the county council has designed standard conditions for approved applications for use across the county (eg minimum width of pavement, access for mobility impaired people etc), and there may be others this authority decides to develop for specific circumstances locally. The conditions will take account of any equality considerations, such as ease of access and safe routes on pavements. It is proposed that adoption of any conditions and application processes be part of the officer delegation below.
- 4.4 If the local authority does not decide the application 5 working days after the consultation period (excluding public holidays) the application is deemed granted for a year. There is no right of appeal against refusal. It is therefore vital that an effective and timely determination process is put in place. A system of monitoring and enforcement also needs to be in place, ultimately with a revocation sanction.
- 4.5 **It was proposed and agreed by the Standards and Audit Committee on 2 July, 2020 that all aspects of the function relating to pavement licensing under Part 1 of the Business and Planning Act is delegated to the Assistant Director for Health and Wellbeing in consultation with the Chair of Licensing Committee and appropriate Cabinet Member(s) as necessary.**

5.0 LICENSED PREMISED OFF-SALES

- 5.1 The Business and Planning Act also contains provisions relating to automatic authorization of off-sales for licensed premises, with facility for review. These provisions are incorporated into the Licensing Act and are proposed to be dealt with in accordance with existing Council licensing arrangements.
- 5.2 The measures included in this Bill modify provisions in the Licensing Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to allow for off-sales. It will be a temporary measure intended to boost the economy, with provisions lasting until the end of September 2021.
- 5.3 The provisions remove the need for any application to be made, therefore no fee will need to be paid. The default hours in which off-sales will be permitted will be the same as those in which on sales are permitted. Any licensee who wished to open for longer hours could apply for a licence variation. In practice, most licensed premises in the borough are already licensed for off sales.
- 5.4 The provisions will also apply temporary conditions to licences where there is a pre-existing permission for off-sales. The conditions will set the hours of off-sales to match those for on sales, allow off-sales of alcohol in open containers and allow deliveries of alcohol to residential or work buildings. Those conditions will suspend existing conditions that are more restrictive. So, for example, an existing condition that allowed off-sales only in closed containers would be suspended to allow sales in open containers.
- 5.5 If there were problems of crime and disorder, public nuisance, public safety or the protection of children arising from how the premises operated using the new permission, any responsible authority, including the police or environmental health, could apply for a new off-sales review. The off-sales review process is modelled on the existing summary review process. In the event that an off-sales review is triggered, it will only relate to off-sales authorised by virtue of these provisions, or conditions which have effect by virtue of these provisions: it cannot be used to revoke the existing licence or modify pre-existing licence conditions.
- 5.6 No new delegations are proposed as the new provisions are applied by the legislation automatically and reviews would be covered by the existing delegation in Part 3 of the Constitution.

6.0 CONSTRUCTION WORKING HOURS

- 6.1 The Business and Planning Act also allows for applications to be made for extension of construction hours for non-residential development. The applications must, among other information, propose a date from which the change would take place (not less than 14 days after the application date) and a date when it would end (not later than 1st April 2021) and the proposed modified working. This allows local planning authorities to approve construction to be carried out for longer periods than currently authorized and/or on days when it is not currently authorized.
- 6.2 The procedure cannot be used by a local planning authority to restrict construction hours to less than currently authorized. The procedure includes some measures whereby non determination will result in deemed approval. There is also a right of appeal.
- 6.3 The short period in which the application is to be decided means that it is not practicable to take such matters to Planning Committee and an officer delegation is proposed.
- 6.4 **It was proposed and agreed by the Standards and Audit Committee on 2 July, 2020 that all functions relating to construction working hours inserted in the Town and County Planning Act 1990 (as amended) by Part 3 of the Business and Planning Act 2020 be delegated to the Development Management and Conservation Manager (or in their absence, by the Assistant Director - Economic Growth or by the Principal Planner) in consultation with the Chair of Planning Committee and appropriate Cabinet Member(s) as necessary..**

7.0 TEMPORARY STRUCTURES

- 7.1 The government is also planning to increase the length of time that structures can be placed on land without planning permission from 14 to 28 days for holding a market and from 28 to 56 days for any other purpose in a bid to make it easier to host markets, stalls, marquees, car boot sales and summer fayres. These measures are intended to apply for the current calendar year only.
- 7.2 These changes just extend the existing permitted development freedoms and there is no application or license process and therefore there is no requirement to change the scheme of delegation.

8.0 RECOMMENDATION

10.1 That the new executive function be noted.

10.0 REASON FOR RECOMMENDATION

10.1 To put in place appropriate delegations to enable the provisions of the Business and Planning Act 2020 (which contains measures as the result of Covid-19) to be put into effect.

GERARD ROGERS
MONITORING OFFICER

STEPHEN OLIVER
DEPUTY MONITORING OFFICER

Further information from Gerard Rogers, Monitoring Officer and Regulatory & Local Government Law Manager, Legal Services - Tel 345310 or gerard.rogers@chesterfield.gov.uk

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