

For publication

Chesterfield Local Plan – Approval of draft for Consultation (J010R)

Meeting: Cabinet

Date: 13th December 2016

Cabinet portfolio: Planning

Report by: Strategic Planning and Key Sites Manager

1.0 Purpose of report

- 1.1 To seek approval for the Draft Local Plan and supporting material.
- 1.2 To seek approval to commence a public consultation on the Draft Plan running from Thursday 5th January for a six week period.

2.0 Recommendations

- 2.1 That Cabinet agree the draft Local Plan and associated material for public consultation.
- 2.2 That the Strategic Planning and Key Sites Manager has delegated authority, in consultation with and with the agreement of the Executive member for Planning, to make minor amendments and corrections to the Draft Local Plan and associated material to make it ready for public consultation.

3.0 Background

- 3.1 *The draft Local Plan is attached to this report as Appendix 1. The Local Plan is also accompanied by a policies map showing site*

specific policies and allocations. This has not been attached due to its size but will be made available at the meeting and is also available on request.

- 3.2 The current planning policies which guide development in the borough are set out in the Local Plan Core Strategy, which was adopted by the council in 2013, and some policies saved from the Replacement Chesterfield Borough Local Plan 2006. The Core Strategy provides the overall spatial strategy for the borough up to 2031, including housing and employment growth targets, and policies for Development Control purposes.
- 3.3 Aside from allocating a Strategic Site at the former Staveley Works, the Core Strategy did not include site specific allocations for development (and protection from development). These were to be brought forward through a separate 'Sites and Boundaries' Development Plan Document. Public consultation was undertaken on issues and options for the 'Sites and Boundaries' at the end of 2012/ beginning of 2013. This included 91 potential residential sites, 27 employment sites and boundaries for Strategic Gaps and Green Wedges.
- 3.4 Since the Core Strategy was adopted by the Council in 2013, the government has made numerous of changes to the planning system such as new permitted development rights and the removal of the Code for Sustainable Homes, and new evidence has been published, such as the results of the 2011 Census. There is also new data on air quality and the health of the borough's residents. In addition, the new Local Plan will need to take account of new plans/strategies produced by other organisations, such as Combined Authority Growth Plans and devolution deals, and High Speed Rail 2.
- 3.5 This means there is pressure to review and update the Core Strategy, and in April 2015 Cabinet approved the proposal to bring together the work on sites and boundaries with a review of the Core Strategy to form a new, single Local Plan.

Core Strategy – Key Aspects of Review

- 3.6 The overall strategy of concentrating new development within walking distance of centres and in areas where it can deliver much-needed regeneration, and maximising the use of 'brownfield' land,

which is set out in the adopted Core Strategy, remains sound. This overall strategy will be retained in the new Local Plan but there are a number of key changes to specific elements.

3.7 In summary, the draft Local Plan proposes:

- Coverage from 2011-2033
- 4629 new homes (272 dwellings per year from 2016)
- A reserve of approximately 1000 further homes to provide for LEP growth aspirations
- Strategic Sites at Chesterfield Waterside and the Staveley and Rother Valley Corridor
- 83ha of new employment land
- No significant changes to the green belt
- Protected Strategic Gaps and Green Wedges
- Safeguarded land for the Chesterfield-Staveley Regeneration Route, Hollis Lane Link Road and restoration of Chesterfield Canal

Housing

3.8 In terms of the Strategic Housing requirement, members will be aware that housing delivery has fallen significantly below the target set out in the Core Strategy of 380 dwellings a year. This has increased pressure for development on greenfield sites and caused difficulties in demonstrating a five year supply of housing sites (currently the council can demonstrate such a supply). The latest evidence on the borough's housing requirement indicates a lower annual target of 244 homes per annum would be appropriate. Adding the shortfall in delivery from 2011 to 2016 (the date the requirement projections start from) and spreading it over the remaining plan period (2016 to 2033) would result in an annual target of 272 dwellings a year from 2016 onwards. The revised housing requirement is a critical part of the Core Strategy review and determines the requirement for housing sites.

3.9 In order to also demonstrate the ability to plan for the more ambitious levels of growth sought by the Sheffield City Region and D2N2 LEP economic growth plans, we are proposing additional Reserve Sites for housing beyond the 244 homes per annum target. Reserve sites are pieces of land not in the Green Belt at the

edges of urban areas that are identified to help us cater for future growth. They are 'greenfield sites' which may not be developed until later on, or beyond the plan period, but could be brought forward in the event of higher than expected housing growth or if there are difficulties in delivering other allocated sites.

- 3.10 The government has introduced optional standards for adaptable and accessible housing. We think there is enough local evidence on the need for such housing to support a policy requiring a proportion of new homes to be built to these higher standards of accessibility.
- 3.11 The council will continue to seek up to 30% affordable housing on all sites of more than 10 dwellings (reduced from 15 dwellings to bring it in line with national policy).

Employment

- 3.12 New evidence indicates a slightly higher requirement for employment land in order to help meet the growth sought by the Sheffield City Region and Derbyshire/ Nottinghamshire economic growth plans. We are confident that this can be delivered from existing, identified locations including the existing industrial and business estates, Markham Vale, Chesterfield Waterside and town centre developments. The new Local Plan will have a target of delivering 83 hectares of new employment land (up from 79ha in the adopted Core Strategy).

Renewable Energy

- 3.13 National planning guidance on wind energy was revised in 2015 to take account of a ministerial statement stating that planning permission should only be granted for new wind energy proposals if the development site is in an area identified as suitable for wind energy development. Such areas need to be identified clearly in a Local Plan. (Previously plans were able to identify only areas of constraint). If the Local Plan does not define such areas without

good reason, there is a risk of failure at examination. The plan proposed a number of such areas based on evidence of wind speeds and distance from residential properties.

Environmental Quality

- 3.14 Due to the designation of an Air Quality Management Area in the borough, the policy on environmental quality needs to be revised to reflect this.

Open Space and Play

- 3.15 Since the Core Strategy was adopted the Council has published new evidence on open space and sports requirements in the borough. These standards need to be set out in policy.

Strategic Gaps and Green Wedges

- 3.16 Boundaries are proposed for the Strategic Gaps and Green Wedges (which were set out in the Core Strategy) based on the recommendations of a report prepared by consultants. There are two recommended deletions of Green Wedges at Hasland/Spital and Hasland River Rother Corridor, due to lack of public access. There is also one new Green Wedge proposed at land between Dunston and Sheepbridge. The Gap between Brimington and Tapton has been extended at following consultation with the council's Local Plan Steering Group to reflect concerns over the impact on landscape and footpaths.
- 3.17 The Strategic Gaps and Green Wedges will replace the blanket protection provided to Open Countryside provided by the saved policy EVR2 from the 2006 plan, which is no longer appropriate or in accordance with the National Planning Policy Framework.

Retail and Centres

- 3.18 Changes are proposed to identify primary shopping areas as required by the NPPF, and include Derby Road North, Duckmanton, Hollingwood, Lowgates East and Station Lane as

new Local Centres, and re-designate Littlemoor and New Whittington as Local Service Centres. The Retail Study update is not yet complete, but it is not anticipated that requirements for new retail floorspace will be reduced from the adopted Core Strategy.

Site Allocations

- 3.19 The draft plan includes a basket of potential housing sites which will be published for comment. To ensure all potential sites have been considered, a call for sites was held in January this year. In order to make the plan as robust as possible and the site allocation process transparent and fair, all sites (including previous sites, those consulted on as part of the sites issues and options and new sites) have been assessed in the same way through a three stage Land Availability Assessment (LAA).
- 3.20 The Planning Team has assessed over 300 potential housing sites that were put forward by residents, landowners and other public comments for consideration as development sites. The housing sites included in the draft Local Plan are those that have passed the first two stages of assessment (demonstrating that they are 'available' for development and 'suitable' in practical, terms) and do not clash with other proposed policies of the plan. It is not anticipated that all of these will need to go on to be allocated for development in the new local plan.

Gypsy and Traveller Accommodation

- 3.21 The NPPF requires that Local Plans make suitable provision of sites for Gypsies and Travellers. If land is not allocated to meet the five year pitch requirement that is set out in the NPPF there is a significant risk of a soundness challenge to the plan at examination.
- 3.22 The Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment (TAA) 2015 identifies a need for 2 pitches for gypsies and travellers in the borough (in addition to the 2 approved pitches at Hady Lane) in the period 2014-2019, with no requirement for the subsequent periods.

3.23 This means that a site must be found to accommodate two pitches. No private sites were submitted in response to the 'Call for Sites' undertaken earlier this year and we therefore need to consider potential council owned sites. Initial investigation has focussed on the current review of Council owned garage sites. Further assessment needs to be undertaken to generate a shortlist of potential sites, which will need to be the subject of a further consultation before a pre-submission plan can be prepared (in order to ensure that the plan is sound and can demonstrate that 'reasonable alternatives' were considered).

Strategic Sites

3.24 The former Staveley Works site will continue to be the biggest development site in the borough, with around 1500 new homes, new jobs and a proposed depot to serve a new High Speed Rail Line, and is a priority for the council.

3.25 Work is now underway on the Basin Square phase of Chesterfield Waterside which, as a whole site, will deliver up to 1550 new homes over 10-15 years, alongside new jobs in 30,000sqm of office space and a new leisure and retail destination.

3.26 As well as these brownfield sites, some large greenfield sites will also be needed for new housing. The majority will be within the areas that were identified in the adopted Core Strategy Regeneration Priority Areas; Duckmanton, Holme Hall, Mastin Moor and Poolsbrook. Others will be sites that already have planning permission, such as Dunston Lane. However there will need to be some others too, which will need to meet the overall strategy of concentration.

Reserve Sites

3.27 As noted above, we are proposing to allocate Reserve Sites for housing in order to provide flexibility and retain control over the development of land for housing should the council be in a position where it does not have a 5 year supply of land for housing, or if growth is exceeding that predicted and more land is needed. A number of large greenfield sites were assessed as part of the Core Strategy, and these sites are being re-assessed and put through sustainability appraisal to establish which should be allocated as a Reserve Site. Based on the evidence we have at the

current time, the proposed preferred option is to allocate the land north of Dunston as a Reserve Site.

Sustainability Appraisal

3.28 As part of the Local Plan process the council is required to undertake a Sustainability Appraisal (SA) of the Plan which will take account of these and other matters in testing all of the policies and allocations of the plan. This is an ongoing process throughout preparation, with a final report being submitted as part of the submission of the plan to the Secretary of State. The council is currently consulting with statutory consultees on the full scope of the SA, as required by the relevant regulations.

4.0 Human resources/people management implications

4.1 There are no human resources implications at this stage.

5.0 Financial implications

5.1 The council has set aside a reserve to pay for the examination of the Local Plan. The preparation of evidence and consultation on the draft Local Plan will be paid for from existing budgets.

6.0 Legal and data protection implications

6.1 The plan has been prepared in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the guidance set out in the National Planning Policy Framework and National Planning Policy Guidance.

6.2 The plan has been prepared in accordance with the Duty Co-operate set out in the Localism Act.

7.0 Consultation

7.1 The draft plan will be the subject of a minimum of six weeks public consultation in accordance with the council's adopted Statement of Community Involvement.

7.2 A statement of Consultation will be published alongside the draft plan setting out the details of consultation undertaken so far in preparing the plan.

8.0 Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Objections received to draft local plan through consultation	Medium	Certain	Objections assessed, considered and reported in preparing revised plan	Low	Certain
Local Plan is not approved for consultation – council does not meet timetable set out in approved Local Development Scheme (risk of government intervention)	High	Low	Plan has been prepared in accordance with LDS and regulations Adopted plan already in place from 2013. Briefing sessions held with members and senior officers	Low	Low
Local Plan is not approved for consultation – Risk of not being able to demonstrate five year housing supply for longer	High	Low/	Approach to five year supply re-assessed (may be challenged at appeal)	Med	Low

9.0 Equalities Impact Assessment (EIA)

9.1 As the draft Local Plan retains the overall strategy from the adopted Local Plan Core Strategy, and as this stage of consultation is an informal stage, a preliminary Equalities Impact Assessment is being undertaken at this stage, with a full assessment to be undertaken prior to 'pre-submission' consultation, the stage before the final plan is submitted to the Secretary of State.

- 9.1 The preliminary EIA is currently being undertaken. The draft report indicates that there are no anticipated negative impacts of the plan and a number of potentially positive impacts. It concludes that a full EIA is not required at this stage.

10.0 Alternative options and reasons for rejection

- 10.1 Where there are options in how the Local Plan might address a specific issue, these are set out in the draft plan, along with the council's preferred approach.
- 10.2 The alternative approach to preparing a Local Plan, which of retaining the existing Core Strategy and continuing with a separate Sites and Boundaries Development Plan Document, was considered in a cabinet report on the council's Local Development Scheme in April 2015 and dropped in favour of the current approach.
- 10.3 The council is required to prepare a Local Plan and does not have the option of not preparing a plan.

11.0 Recommendations

- 11.1 That Cabinet agree the draft Local Plan and associated material for public consultation.
- 11.2 That the Strategic Planning and Key Sites Manager has delegated authority, in consultation with and with the agreement of the Executive member for Planning, to make minor amendments and corrections to the Draft Local Plan and associated material to make it ready for public consultation.

12.0 Reasons for recommendations

- 12.1 To allow consultation to be undertaken on a draft plan with in accordance with the council's published Local Development Scheme.
- 12.2 To allow for minor amendments in the event of further information coming forwards.

Glossary of Terms <i>(delete table if not relevant)</i>	
<i>NPPF</i>	<i>National Planning Policy Framework</i>
LDF	Local Development Framework
DPD	Development Plan Document
SCI	Statement of Community Involvement
LDS	Local Development Scheme
LAA	Land Availability Assessment
SA	Sustainability Appraisal

Decision information

Key decision number	674
Wards affected	All
Links to Council Plan priorities	<p>A thriving Borough, where everyone has access to the jobs, training and support they need.</p> <p>A clean, green and attractive Borough, where our open spaces and built heritage are valued.</p> <p>A healthy and safe Borough, where the community is free from the fear of crime.</p> <p>A place where everyone has fair access to a decent and affordable home.</p> <p>An inclusive Borough, where everyone feels valued and has equal and fair access to local services.</p>

Document information

Report author	Contact number/email
Alan Morey	01246 345371 Alan.morey@chesterfield.com
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	

None	
Appendices to the report	
Appendix A	Draft Local Plan 2016-2033