
From: Alan Morey
Sent: 02 October 2020 08:18
To: Steve Perry
Cc: Paul Staniforth; Marc Hollingworth
Subject: RE: TPO 351,2020

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Steve, apologies for the delay responding.

Regardless of the position in previous local plans, any application submitted now would, under Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, need to be determined in accordance with the current adopted development plan, unless material considerations indicate otherwise. The development plan for the borough is [the Chesterfield Borough Local Plan 2018-2035](#). The Local Plan clearly identifies the site as open space and as part of a Green Wedge on the policies map (the yellow stripes, below).



Chesterfield Borough Local Plan 2018-2035

Under policy CLP15 development proposals should not harm the character and function of the Green Wedge, the purpose of which 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.

Development of this site would contradict the purposes of the Green Wedge and conflict with the Local Plan

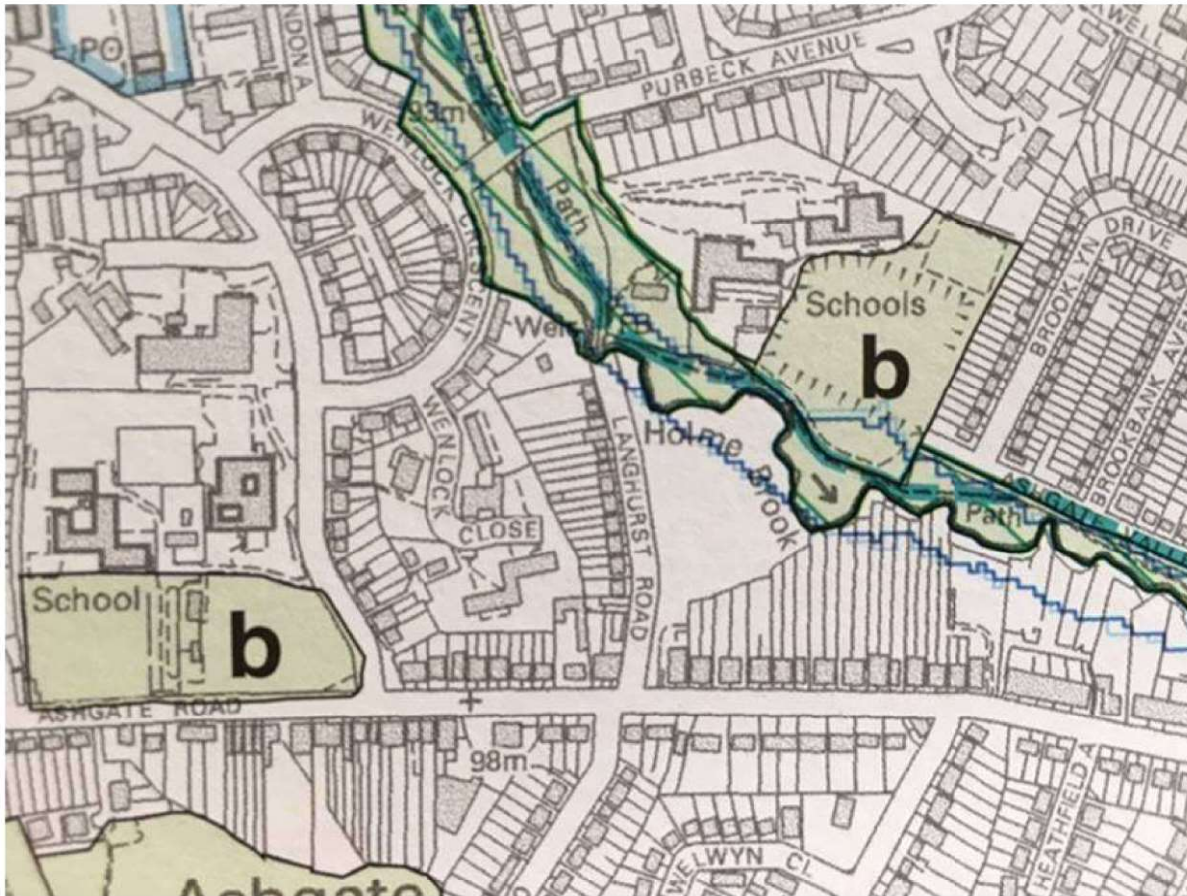
Whilst noting the reference to flats and bungalows, the Local Plan does not identify this as a specific shortage and, even if this were the case, there is no evidence to suggest that such a need is local to this area or could not be provided on other sites that are in accordance with the Local Plan. Further, shared ownership is not a form of affordable housing that is in particular demand in Chesterfield (the adopted plan only seeks 1 in 10 affordable units as shared ownership to reflect the low demand for this tenure). The borough is able to identify a five year supply of deliverable housing sites as required by the NPPF.

I would not therefore consider that these issues could be afforded any significant weight as material considerations that might outweigh the adopted planning policy.

For the sake of clarity I have checked previous Local Plans, including the 1996 Chesterfield Borough Local Plan, the 2006 Replacement Chesterfield Local Plan, the consultation on the Sites and Boundaries DPD (2012) and the draft Local Plan (2017). The sites does not appear to have been specifically allocated for housing, or included as a site for consultation, in any of those plans. In the 1996 Local Plan it was included within an area identified as 'primarily residential' but was not named as a specific housing site, and this designation was not carried through to later Plans



Chesterfield Borough Local Plan – 1996



Replacement Chesterfield Borough Local Plan – 2006



Sites and Boundaries Development Plan Document; Issues and Options Consultation – 2012



Draft Chesterfield Borough Local Plan (for consultation purposes) – 2017. Showing proposed Green Wedge designation.

Kind Regards

Alan

Alan Morey
Strategic Planning and Key Sites Manager
Chesterfield Borough Council

Direct Line 01246 959707

From: Steve Perry <Steve.Perry@Chesterfield.gov.uk>
Sent: 24 September 2020 09:33
To: Alan Morey <Alan.Morey@Chesterfield.gov.uk>
Subject: FW: TPO 351,2020

Hi Alan,

Could you provide me with some commentsalan on the objection to the new TPO at Langhurst please on the points I mentioned to Tony.

Thanks

Steve

From: Steve Perry
Sent: 24 September 2020 09:23

To: Antony Wallace <Antony.Wallace@Chesterfield.gov.uk>

Subject: FW: TPO 351,2020

Good Morning Tony,

Could you do me some brief comments on Mr Stocktons objection to the TPO at Langhurst Road below please. The part I need is his reference to housing and a shortage of that type of build and also the area being designated as housing in the previous local plan.

Thanks

Steve

From: Rachel Appleyard <Rachel.Appleyard@chesterfield.gov.uk>

Sent: 18 September 2020 09:31

To: Steve Perry <Steve.Perry@Chesterfield.gov.uk>

Subject: FW: TPO 351,2020

Hi Steve,

I've just received the email below from Mr Stockton.

Kind regards,
Rachel

Rachel Appleyard

Senior Democratic and Scrutiny Officer

Chesterfield Borough Council

Tel: 01246 345277

www.chesterfield.gov.uk

****I am currently working from home due to the Covid-19 restrictions****

From:

Sent: 18 September 2020 09:25

To: Gerard Rogers <Gerard.Rogers@Chesterfield.gov.uk>

Cc: Rachel Appleyard <Rachel.Appleyard@chesterfield.gov.uk>

Subject: TPO 351,2020

Dear Mr Gerard

I am writing to object to the tpo order 351,2020 (you ref d 3495 ra) being put in place in its current form.

The site at langhurst road has been historically been in the local plan as an area to be developed for housing. This order would in its current form would stop this or reduce its viability.

The site was used as a waste tip for pottery waste and ash up until the early 1900,s with more recent tipping of spoil in the late1970,s early 1980,s the area of made ground covers all of the site apart from a small area on the eastern boundary. The site was cleared of tree's in the late 1970,s by my father the only trees which weren't cleared were the ones on the river bank. The trees which are there now are self set pioneer species no older than 50 years.

Our intention is to develop the site with housing the majority being bungalows and maybe a small mix of flats sold on a part buy part rent ownership basis. From discussions with your colleagues there is a shortage of such properties

in the borough. In addition to the the construction of the housing we would also carry out access improvements to the junction of langhurst rd and Ashgate rd and bring langhurst road up to an adoptable standard to carry out such a scheme we would need the area outside of the proposed wildlife corridor on the river bank to be unhindered. We would also carry out a scheme of planting within the development as part of the process. I believe the benefits to the community of such a scheme far out weigh the loss of some poor quality trees which are nearing the end of their lifespan due to the nature of the ground which they are growing in and the effects of disease (ash die back).

As responsible developers we are willing to compromise and as stated in our consultants correspondence we would be happy to form a wildlife corridor along the holmebrook boundary of the site. I would also like a meeting between all parties to discuss our proposals and open up a dialogue.prior to any decision being made on this order.

Yours Sincerely

John Stockton

T H STOCKTON LTD