

North East Derbyshire District Council: Local Plan Consultation on Main Modifications
Lee Rowley MP
January 2021

Introduction

The independent Planning Inspector, through North East Derbyshire District Council (NEDDC), has invited views on the proposed main modifications of the draft North East Derbyshire Local Plan. I am grateful for the opportunity to be able to comment on this exceptionally important issue for so many local residents within the District. I am also grateful to the new District Council administration who, since 2019, have worked hard to find a way through the difficult position that the previous Council administration left the District in from a planning perspective.

The draft local plan created by the previous administration a number of years ago is not one which, in truth, I would have started from in an ideal world and, as I outlined in my April 2018 submission to you at an earlier stage in the consultation, is one that required improvement. This problem has been compounded by the failure of the previous administration to put in place a plan – good or bad, agreeable or otherwise – over more than a decade and which has, as a consequence, exposed North East Derbyshire to substantial inappropriate housebuilding (in excess of 1100 houses) which otherwise would have been less likely to have happened. We find ourselves, thanks to the inaction of others many years ago between the proverbial rock of a plan which still, in resident's eyes would benefit from change, and a hard place which would be the continued exposure of the District to more housebuilding if some form of plan is not adopted soon. North East Derbyshire's situation is a warning to other areas of the consequences of inaction over a decade and a half by others which will take a number of years, with difficult decisions along the way, to now make better.

Recognising this sub-optimal position, my personal view is that some further changes to this plan would strike a fair balance between getting the plan to a place where most residents could support it and making sure that the District is not buffeted by further inappropriate building due to its continued absence. Whilst there are other areas which, in an ideal world, would be looked at again, given the position of North East Derbyshire today, the key remaining change which I, and many other residents, would propose is the removal of the remaining Green Belt sites in the north of the District. I articulate what, I believe, are compelling reasons for this removal below.

I should say, on behalf of residents, that I am extremely grateful to the Planning Inspector for her willingness following the hearings in 2019 to propose significant modifications to the plan initially posited by the previous Council. This included the relatively unprecedented step of proposing the reduction of the number of Green Belt sites in North East Derbyshire – a highly unusual situation where, effectively, the old Council was told that it was proposing too many Green Belt sites to build on. So many local residents, including myself, were glad to see the Inspector adopting a more sensible approach than our own local Council at the time.

We are keen to ensure that the positive changes made by the Inspector and proposed in the main modification are retained. We are now also keen, given the changing circumstances of the last eighteen months, for the Inspector to go further and remove the remaining Green Belt sites from the plan. Throughout the process the Inspector has been willing to listen to the evidence and recommend changes where evidence was found lacking or new evidence emerged. We are now once again asking the Inspector to consider the new evidence and make these final changes regarding the remaining Green Belt sites still in the draft. In particular, we seek:

1. To highlight that the latest supply figures and recent reality of housebuilding demonstrates that North East Derbyshire will meet its previously stated objective without the need to build on Green Belt;
2. That the case for exceptional circumstances to remove sites from the Green Belt no longer really exists, and;
3. To highlight the harms that will be brought to Dronfield and Killamarsh should these sites still remain in the plan.

If the Inspector agrees with the above, and building upon the stated desire of the Secretary of State to be pragmatic, where possible, to ensure Councils can adopt a sound plan as quickly as possible, I hope she will strongly consider the removal of the remaining Green Belt sites to allow the Council to adopt the revised document without delay.

On behalf of the local residents who have been in touch with me on this matter, I would strongly encourage the Inspector to consider making these further changes to the plan prior to finalising and allow, finally, North East Derbyshire to adopt a plan and regularise its planning position after so many years of failure. Whilst the plan will certainly not be perfect, with these further incremental changes, it would certainly be a sounder footing upon which North East Derbyshire can finally create the planning framework to give greater confidence to residents and all those involved with the planning system in our area.

1 *North East Derbyshire can meet its housing need without building on the Green Belt*

The Inspector will be aware of the extensive debate in North East Derbyshire in recent years about whether the old Council's 6,600 figure was housing supply was the right one. Although my concerns about the composition and estimation of this number remain on record (and are even more acute given the potential impact that coronavirus may have long-term), I acknowledge that this number is unlikely to change at this late stage and the Inspector has determined that this is the building block for the overall plan (EDa101) and the 2018 ONS figures do not materially change it.

Based on that number, the question becomes whether North East Derbyshire is likely to achieve the 6,600 target in the document. I understand from the District Council that a significant track record of being able to meet this target has been demonstrated in the last three years, even with the Inspector's (very welcome) proposed direction to remove 700 houses from the Green Belt in 2019. Given the current position – a delivery which is now closer to 7,000 than 6,600 with further windfall likely – it does seem increasingly obvious that the remaining Green Belt sites still in the plan will not be needed to hit the target and should be released.

2 *There is no longer a case for exceptional circumstances to remove land from the Green Belt*

Based on the clear change in supply in the District in the coming years, it seems increasingly clear that the case for removal of land from the Green Belt is no longer present. As I know the Inspector will know extremely well, the National Planning Policy Framework (NPPF) is clear that boundaries for the Green Belt should only be altered in "*exceptional circumstances*" – circumstances which are simply no longer present in North East Derbyshire.

In particular, the case for exceptional circumstances made in the Green Belt Topic Paper (EB-GB3) references the 5 tests for exceptional circumstances from the *Calverton judgement*, of which the first test assesses the “Acuteness/Intensity of the Objectively Assessed Need”. The recent record on completions and the small number of windfall completions required in future to meet housing need should give the Inspector sufficient comfort that the plan can be achieved without recourse to the Green Belt.

There is, of course, the question of sustainability which must be considered within any potential Green Belt release and I know that the Inspector has carefully considered this point in her previous deliberations. As the Inspector rightly points out in ED65, the benefits of any strategy which includes Green Belt building must be “*weighed against Green Belt and other harms*” and, at the time, proposed to remove sites DR1, DR2 and EC1 from the plan as a consequence. I completely agreed with both proposals at the time and, given the changing numbers, believe that logic can now also be applied to the remaining four sites still in the draft document. I hope that the Inspector may be willing to do this.

In the same correspondence with the Council, the Inspector also indicated her willingness to be pragmatic about the specific need to site 50% of development in the four main towns. Again, I strongly agree with the Inspector on this point and, given that the Inspector was willing to apply a more pragmatic approach in 2019, I hope she may do the same in 2021 based on the changed prospectus and the improved position that the District finds itself in.

3 *The potential harms created by the retention of the four Green Belt sites in the plan*

In her interim findings (ED65) the Inspector proposes the removal of sites DR2 and EC1 and the part removal of DR1 as main modifications to the plan to make it sound – all of which I strongly agree with. In her reasoning, the Inspector refers to the Green Belt Functionality Study (EG-GB1) and specifically the strategic purposes of the Green Belt identified in this study. These purposes are as follows:

- to check unrestricted sprawl of large built-up areas
- to prevent neighbouring towns merging into one another
- to assist in safeguarding the countryside from encroachment
- to preserve the setting and special character of historic towns

Whilst I agree with the Inspector where she identifies sites DR2, EC1 and (part) DR1 as being harmful for these Green Belt purposes, I also believe that similar harms can be identified for the remaining sites and would justify their removal from the Local Plan also.

3.1 *DR2 Land North of Eckington Road, Coal Aston, Dronfield*

I strongly welcome the Inspector’s proposed removal of site DR2 and agree with the Inspector’s reasoning in her interim findings (ED65). It is clear that the inclusion of this site would generate significant harms to all the Green Belt purposes identified in the functionality study (EG-GB1):

- By allowing unrestricted sprawl in a built-up area;
- By permitting development outside of an established Settlement Development Limit;

- By incrementally reducing the gap between the settlement of Dronfield / Coal Aston and the outer suburbs of Sheffield – which is the primary aim of this land type;
- By encroaching into open countryside, and;
- By harming the special character of the area.

I thank the Inspector for her 2019 proposal to remove this site and would strongly support its omission from the final Plan.

3.2 EC1 Eckington South, Eckington

Again, I strongly welcome the Inspector's proposed removal of site EC1 and agree with the Inspector's reasoning in her interim findings (ED65). Specifically, inclusion of this site would:

- would fail to check the unrestricted sprawl of built-up areas;
- would allow building outside of an established Settlement Development Limit, and;
- constitute a severe and obvious encroachment into the countryside, particularly on the approach from Chesterfield.

I thank the Inspector for her 2019 proposal to remove this site and would strongly support its omission from the final Plan.

3.3 DR1 Land off Shakespeare Crescent & Sheffield Road, Dronfield

I welcome the Inspector's reduction in size of this site based on her 2019 correspondence but strongly urge the Inspector, based upon the reasoning outlined above, to now remove the site in its entirety from the Plan.

Along with any possible exceptional circumstances having disappeared, the site is also a particularly challenging one for the following reasons:

- that it would further expand Dronfield and run the risk of unrestricted sprawl;
- that it would allow building outside of an established Settlement Development Limit, and;
- most seriously, that it would significantly erode the gap between Dronfield and the historic, and separate, settlement of Unstone – particularly around Unstone Farm – but with implications for all local residents and for the heterogeneous nature of the two settlements.

I am grateful to the Inspector for her existing willingness to reduce the size of this proposal and, given the new circumstances, would ask her to apply her logic one step further and remove the site in its entirety to guarantee the continuing separate nature of Unstone and Dronfield.

3.4 DR3 Land at Stublely Drive, Stublely Hollow, Dronfield Woodhouse

With the new planning situation in North East Derbyshire, there is a clear case for removal of DR3 based on the harms that its development will do to the surrounding area:

- that it will allow building outside of an established Settlement Development Limit;
- that its inclusion will permit the further unrestricted sprawl of a built-up area into land which is agricultural in nature;
- that there would be encroachment into agricultural activities on site, and;

- The potential access issues which still haven't been adequately resolved to demonstrate that this site is viable for development.

I would request the Inspector re-reviews the opportunity for removal of this site.

3.5 KL1 Land at Westthorpe, Killamarsh

Clear and obvious harm exists with the potential development of this site:

- that the site would permit sprawl into an area unbounded by development and which is clearly now rural in nature;
- By encroaching into open countryside;
- By resulting in a substantial and significant impact on local infrastructure which will be challenged to deal with hundreds of extra vehicle movements, and population, on a daily basis;
- By permitting development outside of an established Settlement Development Limit;
- That development would be clearly visible from a number of angles – particularly Spinkhill, Renishaw and Mastin Moor – and would, therefore, materially harm the perception of openness.

I would strongly urge the Inspector to remove this site from the final Plan proposal.

3.6 KL2 Land off Rotherham Road, Killamarsh

This is a further site where harm would be caused through its unnecessary development when exceptional circumstances do not exist through:

- an expansion of the Killamarsh urban area into open countryside;
- the negative impact on the openness of the countryside to the north of site
- By permitting development outside of an established Settlement Development Limit.