

NORTH EAST DERBYSHIRE LOCAL PLAN EXAMINATION



STATEMENT OF NORTH EAST DERBYSHIRE DISTRICT COUNCIL

22 OCTOBER 2018

MATTER 6

**Green Belt Soundness and Consistency
with National Policy (Policy SS10)**

BLANK PAGE

Main Matter 6 – Whether or not the approach to the Green Belt is soundly based and consistent with national policy (Policy SS10)

Issue - Do the exceptional circumstances exist to justify the release of land from the Green Belt and if so, what are they?

Question 6.1

What are the exceptional circumstances, as required by the NPPF paragraphs 79 – 86, that justify the plan’s proposed revision of the boundaries of the Green Belt? Can the need for housing and employment development be accommodated on deliverable sites without releasing land from the Green Belt?

Council’s Response:

6.1.1 There is no definition of what constitutes ‘exceptional circumstances’ in the 2012 NPPF, or in the accompanying planning practice guidance. The Council has therefore utilised the five tests set out in the **Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 1078** case as a mechanism to examine whether there is a need to amend the Green Belt to secure a sustainable pattern of development. The Green Belt Topic Paper, January 2018 (**EB-GB3**) outlines these tests in detail. The Council believes that the circumstances considered under each test should be considered cumulatively in justifying exceptional circumstances, rather than separately.

Test 1

6.1.2 The considerations at test 1 demonstrate that the overall remaining supply¹ in the District cannot meet the remaining requirement². Table 8 of the Green Belt Topic Paper (**EB-GB3**) shows that the shortfall is 240 dwellings when taking into account the supply district wide.

6.1.3 However, not all of the supply is located within the four most sustainable towns. The Green Belt Topic Paper (**EB-GB3**) refers to the Local Plan Strategy of focussing the majority of development on the four most sustainable towns (level 1 settlements) and strategic sites. The Council’s response to Main Matter 5, as well as to Main Matter 1, Question 1.7 clarifies the justification for this strategy. Paragraph 4.15 of the Green Belt Topic Paper (**EB-GB3**) explains that only a small amount of the remaining supply is located within the four main towns (level 1 settlements) and that these are all in Clay Cross. There is no remaining supply in the three other towns Dronfield, Eckington and Killamarsh, which are all surrounded by the Green Belt. Therefore, to be able to meet the Local Plan’s

¹ When excluding sites with planning permission. The supply was identified through the Housing Land Availability Assessment and Policy Assessment, followed by an initial sieve, as set out in the Housing Topic Paper (EB-HOU7). The Council’s response to Main Matter 8, as well as to question 11.8 clarifies the justification for the assessment approach and initial sieve.

² When excluding dwelling completions and planning permissions, as set out in table 5 of the Green Belt Topic Paper, January 2018 (EB-GB3)

Strategy, there is a shortfall of 1254 dwellings in the four towns, as described in paragraph 4.16 of the Green Belt Topic Paper (**EB-GB3**).

- 6.1.4 In summary, although the supply district wide only shows a relatively small shortfall (240 dwellings) to meet the requirement, this supply is mainly located in Level 2 settlements and would not be consistent with the Local Plan Strategy of focussing on the four main towns. Instead, this requirement will need to be found in the level 1 settlements. As there is only limited supply in the level 1 settlements this makes the shortfall even larger (1254 dwellings).
- 6.1.5 Furthermore, the limited housing land supply in three of the four most sustainable settlements in the northern area of the District would be likely to have serious implications for these settlements, in particularly regarding the affordability of housing in these areas. The Housing Needs, Market, and Affordability Study (2012 (**EB-HOU1a**)) identifies a significant need for affordable housing in the North of the District specifically. This demonstrates that these settlements already struggle with affordability. The lack of housing land supply will increase market prices in high demand areas and therefore exacerbate the affordability issue. Furthermore it would be difficult for these settlements to maintain their contribution to the economic growth of the District and City-Region.

Test 2

- 6.1.6 The considerations at test 2 highlight further work to identify any other potential housing capacity within the towns of Dronfield, Eckington and Killamarsh³, as part of the Housing Capacity Study of the Northern Settlements (**EB-HOU9a and b**). This looked at various sources of potential capacity, including employment land and sport and recreation and within the towns.
- 6.1.7 The Housing Capacity Study (**EB-HOU9a and b**) concluded that the capacity for housing on non-Green Belt land within the settlements of Dronfield, Eckington, and Killamarsh, on suitable sites which are not allocated and do not have planning permission is very low, and is mostly based on small sites, or sites with availability uncertainties. The low capacity also corresponds with the low level of completions in these settlements over the last few years, which is a further indication that sources of available capacity in these settlements may be depleted.
- 6.1.8 Considerations at test 2 also evaluated the reasons for the inherent constraints in supply within the south, east and south-west of the District, which is not constrained by the Green Belt. In particular, the level 1 settlement of Clay Cross is located in the south of the District and is outside the Green Belt. To meet the proposed Local Plan Strategy without Green Belt release, Clay Cross would need to provide more than 1400 dwellings to meet the Local Plan Strategy (this would be in addition to the Former Biwaters Strategic Site, which is located in Clay Cross, and provides 825 dwellings). Clay Cross does not have sufficient supply to meet the entire requirement for the four main towns.

³ Supply in the level 2 settlement of Renishaw was also investigated further.

- 6.1.9 However, even if the supply in Clay Cross and the South and East of the District were to be increased, this would not necessarily mean that these dwellings could all be delivered within the Plan Period, as there may not be sufficient market demand for all of these. Directing a large proportion of development to one settlement or a relatively small area would put these sites in competition with each other, leading to market saturation and ultimate failure to achieve the delivery of houses at the level required.
- 6.1.10 In order to achieve higher levels of housing delivery in line with the proposed housing target, a broader range of locations needs to be considered with the proposed land release at the towns of Dronfield, Eckington and Killamarsh in the north of the district. Also development at these northern settlements would relate to a different local market which would not be in direct competition with that in/adjoining the town of Clay Cross and/or the surrounding villages in the south. They would also be in areas where property values are higher and viability is likely to be more positive leading to greater prospects and reliability for the delivery of housing.
- 6.1.11 Other alternatives, such as identifying another strategic site, increasing densities and using land in neighbouring local authorities were also considered, as set out in the Green Belt Topic Paper (**EB-GB3**), but were not found to be suitable or available. The Council's Response to the Inspector's Main Matter 6, Question 6.2 refers to this.

Test 3

- 6.1.12 The considerations at test 3 show that in line with the findings at tests 1 and 2, there are difficulties in achieving development in the most sustainable locations of Dronfield, Eckington and Killamarsh without impinging on the Green Belt.
- 6.1.13 In line with the NPPF, the aim of the Local Plan is to provide for the most sustainable approach to meet the development needs of the district, through the allocation of housing and employment land in accessible locations where there will be limited environmental harm together with economic and social benefits. The Plan's preferred Spatial Strategy directs growth to the District's more sustainable settlements in order to take advantage of their greater employment opportunities, better transport links and services and facilities. This was based on evidence from the Settlement Hierarchy Study (**EB-SS1**) and the Sustainability Appraisal (**SubD3**), which are both explained at the Council's response to Main Matter 5, as well as Main Matter 1, Question 1.7.
- 6.1.14 Without Green Belt release, the four most sustainable towns would see limited development, as outlined above. A limited supply would have adverse implications for these three main settlements, in particularly regarding the affordability of housing in these areas, as well as economic implications. Furthermore, also as described above, even if the supply in Clay Cross and the South and East were to be increased, this would not mean that these dwellings could all be delivered within the Plan Period, as there may not be sufficient market demand. The Sustainability Appraisal also assessed two spatial

distribution options (spatial option 2 and 4) with the majority of development in the south, and did not find either of these to be a preferable option.

6.1.15 With the possible market saturation in the southern settlements and no Green Belt release in the northern settlements, development could be forced towards the smaller settlements in the District (level 3 and 4 settlements). More development in these settlements would however have a significant adverse impact on traffic levels and commuting. The Sustainability Appraisal also finds that spatial option 3, which would place the majority of new residents in rural locations would have a more severe impact on the sustainability objectives.

6.1.16 It is therefore considered that releasing a limited amount of Green Belt land would achieve the most sustainable form of development for the District, and enable development to focus on all four main towns. This would have the benefit of reducing the adverse impacts of limited/restricted development in the three northern towns and reducing the risk of under-delivery in Clay Cross in the South.

Test 4

6.1.17 The considerations at test 4 clarify that overall the harm of releasing a small portion of Green Belt land is considered limited. The North East Derbyshire Green Belt has its formal origins within the County of Derby Development Plan 1975, which identified its primary purpose as “to prevent the coalescence of Chesterfield and Sheffield and to maintain the integrity of settlements in between”. The Council is proposing to release 0.6% of Green Belt land, following a rigorous site selection process to ensure that the coalescence of the larger urban areas and the integrity of the settlements in between is prevented, and that the parcels of land with the least impact on the purposes of the Green Belt are identified.

Test 5

6.1.18 The considerations at test 5 finds that the consequential impacts of the proposed Green Belt release on the purposes of the Green Belt have been mitigated and reduced to the lowest reasonably practical extent through the introduction of policy requirements for these sites to maintain any physical boundaries that provide visual and functional separation from the Green Belt, and enhance or create these, where possible.

6.1.19 The proposed Local Plan policies aim to mitigate the loss of Green Belt land by ensuring development schemes maintain any physical boundaries that provide visual and functional separation from the Green Belt, and enhance these, where possible. Development schemes should incorporate effective landscaping schemes and buffers, where required, to create long term defensible boundaries. Local Plan policy SCD12: High Quality Design and Place-Making refers.

6.1.20 In addition, the description of the housing allocations includes a requirement for compensatory improvements to the environmental quality or accessibility of the

remaining Green Belt land where appropriate, in order to off-set the effect of removing the land from the Green Belt.

6.1.21 Based on the assessment in the Green Belt Topic Paper (**EB-GB3**), as outlined above, the Council considers that exceptional circumstances exist to justify the release of Green Belt land at specific locations adjacent to Dronfield, Eckington and Killamarsh.

6.1.22 The NPPF also emphasises the importance of ensuring Plans are viable and deliverable (paras 173 - 177). Plans that do not ensure that this is achieved will simply fail to see development delivered. The Council believes that the proposed Local Plan strategy and subsequent Green Belt release is the most sustainable and deliverable option. Test 2 clearly explains that an alternative strategy which does not include Green Belt release in the northern settlements will fail to achieve the delivery of housing that is needed to meet the District's housing target. The need for housing development cannot be accommodated on deliverable sites without releasing land from the Green Belt.

Question 6.2

Have reasonable alternatives to Green Belt release been robustly assessed and what evidence underpins that assessment, including:

- ***Non Green Belt land including capacity within existing settlement boundaries;***
- ***Brownfield sites (including those on the Brownfield Register) and under-utilised land including surplus public sector land;***
- ***Optimising densities for new housing development; and***
- ***Land outside the Green Belt within adjoining authorities.***

Council's Response:

6.2.1 Yes, these are explained in the Green Belt Topic Paper (**EB-GB3**). In particular, Appendix G of the Paper includes an explanation of each reasonable alternative which was assessed and the evidence which underpins this assessment. A summary is provided below:

Non Green Belt land including capacity within existing settlement boundaries:

6.2.2 The housing land supply was identified through the Housing Land Availability Assessment (LAA) and Policy Assessment (**EB-HOU6**), followed by an initial sieve (screening), as set out in the Housing Topic Paper (**EB-HOU7**), section 5.3. The Council's response to Main Matter 8, Questions 8.5 and 8.6, and Main Matter 11, Question 11.8, clarifies the justification for the assessment approach and initial sieve. This supply includes all deliverable and developable sites in level 1 and 2 settlements on non-Green Belt land. For settlements in the south and east, which are not (or not entirely) surrounded by Green Belt land, this also includes sites on the edge of the existing settlement boundary. For settlements in the north, which are entirely surrounded by Green Belt land, most sites are within the existing settlement boundaries.

- 6.2.3 The results of the Housing LAA and Policy Assessment (**EB-HOU6**) and initial sieve⁴ show that insufficient sites are deliverable or developable to meet the Local Plan Strategy.
- 6.2.4 Therefore, further work was carried out to identify any other potential housing capacity in the four level 1 and 2 settlements within the Green Belt, unconstrained by the site size or the landowner availability. An updated Housing Capacity Study of the Northern Settlements (**EB-HOU9a and b**) was carried out, looking at various sources of potential capacity, such as employment land and sport and recreation land within the towns. Overall the results demonstrate that the capacity for housing on non-Green Belt land within Dronfield, Eckington, Killamarsh and Renishaw, on suitable sites which are not allocated and do not have planning permission is very low (221 dwellings), and is mostly based on small sites, or sites with availability uncertainties.

Brownfield sites (including those on the Brownfield Register) and under-utilised land including surplus public sector land:

- 6.2.5 Paragraph 4.32 of the Green Belt Topic Paper (**EB-GB3**) explains that the Housing Capacity Study of the Northern Settlements (**EB-HOU9**) and the Housing Land Availability Assessment (LAA) and Policy Assessment (**EB-HOU6**) considered both Brownfield and Greenfield sites, but found many brownfield sites to be unsuitable, because of their location within an industrial estate or because of highway access or safety issues. All suitable brownfield sites in the Housing LAA have informed the Brownfield Land Register and the majority of the sites on the Brownfield Land Register are either allocated or included within the supply as permissions.
- 6.2.6 The Housing LAA and Policy Assessment (**EB-HOU6**) also includes many District and County Council owned sites. Often these are surplus garage or small depot sites, which are either generally small or have some highway access issues. However, wherever possible they have been included within the supply, either as a small site with planning permission, or an allocation site. Therefore, where considered suitable, available and achievable, surplus public sector land has been taken into account. This is described in more detail at paragraph 4.36 of the Green Belt Topic Paper (**EB-GB3**).
- 6.2.7 Furthermore, paragraphs 4.34 and 4.35 of the Green Belt Topic Paper (**EB-GB3**) consider whether empty properties which are brought back into use can count towards the housing supply. National Planning Policy Guidance makes it clear that empty homes can only contribute if they had not been counted within the existing stock of dwellings when calculating the overall need for additional dwellings in local plans. The Updated Council's Strategic Housing Market Assessment 2017 (**EB-HOU4**) sets out that a 2.4% allowance was added to make provision for some vacant and second homes within the housing stock. Therefore, empty homes which are brought back into use cannot be used to count towards the overall supply of new housing.

⁴ Housing Topic Paper (EB-HOU7)

Optimising densities for new housing development

6.2.8 The Housing Topic Paper (**EB-HOU7**), section 5.7, has considered the appropriateness of the density assumptions in more detail and demonstrates that the Council's density assumptions are accurate. Increasing the densities on non-Green Belt sites is therefore not an appropriate alternative. The Council's response to Main Matter 8, Questions 8.3 and 8.4, explains the density assumptions in more detail.

Land outside the Green Belt within adjoining authorities

6.2.9 Paragraphs 4.52 to 4.54 of the Green Belt Topic Paper (**EB-GB3**) explain that North East Derbyshire has formally written to each of the local authorities in the North Derbyshire and Bassetlaw Housing Market Area together with other neighbouring authorities to ask whether there would be any non-Green Belt land within their administrative areas that could be used to meet North East Derbyshire's shortfall. None have clearly indicated that they could help.

6.2.10 The Duty to Cooperate Statement of Compliance, Submission Version (**SD5b**), also explains that Sheffield City Council has approached North East Derbyshire (and other neighbouring authorities) to seek assistance in helping to meet some of their housing needs. This formed part of their own work to justify the release (or not) of land from within the Green Belt within Sheffield.

Question 6.3

Is the Green Belt Review (EB GB2a, GB2b & GB2ab) based on a consistent, logical and clear methodology and is it clear how general areas were scored in relation to their contribution to Green Belt purposes?

Council's Response:

6.3.1 The Green Belt Review (**EB-GB2**) is based on a consistent, logical and clear methodology. It includes two components:

- Part 1 – Assesses a wide range of issues in relation to best practice and the approach to be taken in North East Derbyshire. It considers the implications of different growth scenarios and the need for safeguarded land and additional Green Belt designations.
- Part 2 – Assesses the Green Belt around the principal towns (including the edges of Sheffield and Chesterfield), secondary towns, large settlements and small settlements surrounded by the North Derbyshire and Sheffield Green Belt as it falls across North East Derbyshire to determine if any areas of land no longer fulfil the purposes of the Green Belt.

6.3.2 The methodology is set out in detail in Part 2 of the Green Belt Review (**EB-GB2b**). The Review undertook a detailed assessment of 457 parcels of Green Belt land surrounding existing settlements and around the main urban areas of Sheffield and Chesterfield. The parcels were defined (Stage A) using mainly existing durable physical boundaries and current land use characteristics (as far as possible).

6.3.3 The parcels were then assessed (Stage B) against a set of criteria in order to measure how well the land contributes to the five purposes of including land in

the Green Belt, as defined in the NPPF. The parcels which were considered to robustly fulfil at least one of the purposes of including land within the Green Belt were ruled out of further consideration. Each individual parcel was scored consistently with the methodology. All 457 individual parcel assessments were included as an appendix to the Green Belt Review (**EB-GB2e to z**), clearly showing how the parcel scored in relation to their contribution to each Green Belt purpose, and their overall score.

- 6.3.4 As the land which no longer fulfilled a Green Belt purpose was limited, a two stage supplementary assessment, based upon the results of the Green Belt Functionality Study (**EB-GB1**), was undertaken in order to 'top-up' the potential land for release from the Green Belt. The Green Belt Functionality Study (**EB GB1**) had previously considered general Green Belt areas and sets out the initial findings in relation to the relative Green Belt functionality of each of those areas.
- 6.3.5 The Green Belt Review Part 2 report (**EB-GB2b**) provides an overview of the parcel scores, clearly indicating at which stage (initial, supplementary A or Supplementary B) this score was obtained. The parcels which were considered to no longer, or only partially, fulfil Green Belt purposes were then assessed for their deliverability and availability (Stage C).

Question 6.4

How has the Sheffield City Region Green Belt Review Common Approach informed the process and outcomes of the Green Belt Review? Are the Green Belt boundaries contiguous with those in adjoining authorities and are there any cross boundary issues arising?

Council's Response:

- 6.4.1 The Green Belt Review, Part 1 (**EB-GB2a**), paragraph 2.1 is clear that the Review does not start from scratch and is framed by the 'Sheffield City Region – A Common Approach to Green Belt Review' (**EB-GB4**). It commences by examining the various approaches to Green Belt reviews that have been carried out across the Sheffield City Region [SCR]. This ensures the approach to the North East Derbyshire Green Belt Review is consistent with work already undertaken by neighbouring planning authorities.
- 6.4.2 North East Derbyshire's proposed methodology was shared with all SCR authorities, in addition to Derbyshire County Council, at an early stage in the preparation of the Study and feedback sought. All were in broad agreement that the Green Belt Review methodology was in line with the SCR Common Approach to Green Belt Reviews.
- 6.4.3 The Council's Response to Main Matter 1, Question 1.3 also refers to the Council's co-operation with SCR authorities about the approach to Green Belt Reviews.

- 6.4.4 The Green Belt in North East Derbyshire District borders the administrative area of Bolsover District Council, Chesterfield Borough Council, Peak District National Park Authority, Rotherham Metropolitan Borough Council and Sheffield City Council. The Green Belt Review also identified parcels adjacent to neighbouring Districts, but limited this to parcels adjacent to areas of urban concentration within adjoining urban areas of Sheffield/Rotherham and Chesterfield. This is in line with 2012 NPPF paragraph 84 which encourages local planning authorities to take account of the need to promote sustainable patterns of development as part of any review of Green Belt boundaries.
- 6.4.5 All parcels around the Sheffield urban area were found to robustly meet Green Belt purposes. A Statement of Common Ground was agreed between the Council and neighbouring Sheffield City Council on the Green Belt (**SD8**). This confirms the important strategic Green Belt role and function that the land along the boundary between both local authority areas performs as part of the South Yorkshire – North East Derbyshire Green Belt. Sheffield City Council supports the conclusions drawn about the role that land within North East Derbyshire along the border plays in respect of Green Belt purposes. The Local Plan continues to protect the land within North East Derbyshire on the boundary of Sheffield’s urban area as part of the Green Belt through policy SS10, and as shown on the Policies Maps.
- 6.4.6 In relation to the parcels around the Chesterfield urban area, two were found to only partially meet Green Belt purposes. Green Belt Topic Paper (**EB-GB3**), paragraph 3.14 however explains that it is currently not considered necessary to release land from the Green Belt near Chesterfield, as this Authority has not asked North East Derbyshire to assist in meeting their targets. Within the Statement of Common Ground for the Housing Market Area (**SD6**) the four Councils, including Chesterfield, have agreed to meet their own housing needs.
- 6.4.7 There are considered to be no outstanding cross boundary issues arising from the Green Belt Review.

Question 6.5

Has the approach to focus on the towns in level 1 of the settlement hierarchy for Green Belt release resulted in the loss of any Green Belt robustly fulfilling Green Belt purposes?

Council’s Response:

- 6.5.1 The purpose of the Green Belt Review is to apply a comprehensive and consistent methodology to assess whether parcels of land robustly fulfil Green Belt purposes. The assessment formed an integral part of the site selection process and enabled the Council to release land which either no longer served, or made only a limited contribution to the Green Belt purposes. The sites identified for release surrounding the towns identified in level 1 of the settlement hierarchy no longer serve, or serve a limited Green Belt purpose. The NPPF is clear that in reviewing Green Belt boundaries, local planning authorities should ensure consistency with the Local Plan strategy for meeting the requirements

for sustainable development. In light of this, and the fact that the identified Green Belt land surrounding the towns identified in settlement 1 of the hierarchy no longer meet or make a limited contribution to Green Belt purposes, they are considered appropriate for release.

6.5.2 The Council is not proposing to release Green Belt land which robustly fulfils Green Belt purposes. The parcels which the Council is proposing to release from the Green Belt either no longer fulfil Green Belt purposes (parcels CUT/GB/003 and HOLY/GB/014) or only partially meet Green Belt purposes (the remaining proposed Green Belt releases). It is considered that the approach to Green Belt release around the towns in level 1 of the settlement hierarchy is fully justified and consistent with the methodology set out in the Green Belt Review.

Question 6.6

Why was a supplementary assessment to identify 'top up' sites undertaken and is that approach justified? Is it clear how resultant parcels were identified and assessed?

Council's Response:

6.6.1 The supplementary assessment was undertaken because insufficient sites were identified by the initial assessment to meet any of the three potential Growth Scenarios which were assessed in the Green Belt Review (EB-GB2a) for testing purposes. By considering the findings from the parcel assessments against these different scenarios, the Green Belt Review explored the implications on the strategic function of the Green Belt of each scenario. The three growth scenarios are:

- up to 1,000 dwellings (restricted growth);
- between 1,000 and 2,000 dwellings (medium level growth); and,
- up to 4,000 dwellings (high level growth)

6.6.2 The results of the Green Belt Review show that two parcels no longer fulfil a Green Belt purpose and a further 13 parcels which did not 'robustly' meet Green Belt purposes. These parcels are all substantially contained by the built-up area and are partially developed. They have a combined development potential of 761 dwellings⁵.

6.6.3 As the development potential of 761 dwellings did not meet any of the three Growth Scenarios, a two stage supplementary assessment, based upon the results of the Green Belt Functionality Study (**EB-GB1**), was undertaken in order to 'top-up' the potential land for release from the Green Belt. This consisted of removing the scoring against Green Belt purpose 3 from the assessment. This is on the premise that most land within the Green Belt makes a contribution to purpose 3, as highlighted in the PAS guidance⁶. Only those parcels which have already been significantly developed, and therefore have limited opportunity for future development, do not make a contribution towards

⁵ This is before suitability, availability, achievability and further policy assessment has been carried out.

⁶ Planning Advisory Service - Planning on the Doorstep: The Big Issues – Green Belt (Updated February 2015)

the safeguarding of the countryside. It was therefore considered justified that the scoring against Purpose 3 was removed for the supplementary assessments.

- 6.6.4 Part 2 of the Green Belt Review (**EB-GB2b**) paragraph 3.21 clearly explains that in the context of North East Derbyshire, Green Belt purposes 1 and 2 are most critical. The North Derbyshire Green Belt was primarily designated in the context of threats from urban growth and settlement coalescence, particularly in respect of Dronfield, Eckington and Killamarsh with Sheffield and Chesterfield physically or perceptually coalescing.
- 6.6.5 The Summary of Supplementary Assessment Results in Part 2 of the Green Belt Review (**EB-GB2b**) clearly shows that further parcels were identified by removing the scoring against purpose 3⁷. Tables 4.3 and 4.5 show the results of both Supplementary Assessment A and B. Those parcels highlighted in yellow are the parcels which have one or two amber scores at the assessment of purpose 1 and 2. Those parcels which are highlighted in green scored green at the assessment of purpose 1 and 2.

Question 6.7

How will the plan enhance the beneficial use of the Green Belt as required by the NPPF?

Council's Response:

- 6.7.1 The Publication Draft Local Plan, as Submitted, requires housing allocations sites which have been released from the Green Belt to off-set the effect of removing this land from the Green Belt to offer compensatory improvements to the environmental quality or accessibility of the remaining Green Belt land, where appropriate. This is a positive step to enhancing the beneficial use of the Green Belt, as required by paragraph 81 of the 2012 NPPF.
- 6.7.2 Furthermore, other policies in the Local Plan, such as Policy SS10 which protects the Green Belt against inappropriate development, but also allows for the provision of outdoor sport and recreation facilities, and thereby providing the opportunities as set out in the NPPF. Policy SDC12 also aims to enhance the beneficial use of the Green Belt, in particular bullet point c, which requires well designed boundary treatments and landscaping, creating strong physical features which provide visual and functional separation from the site's surroundings, especially where it abuts the green belt. Where appropriate, effective landscape buffers will be required which create appropriate transition between urban and rural environments.

⁷ Part 1 of the Green Belt Review (EB-GB2a) explains why Purposes 4 and 5 cannot achieve a score higher than 'Amber'.

Question 6.8

Would the distribution of proposed Green Belt releases affect the purpose for which the North East Derbyshire Green Belt was designated and if so, how?

Council's Response:

- 6.8.1 The Council considers that the distribution of the proposed Green Belt releases does not affect the purposes for which the North East Derbyshire Green Belt was designated.
- 6.8.2 The Green Belt Topic Paper (**EB-GB3**), paragraphs 1.6 and 4.68 set out that the North East Derbyshire Green Belt has its formal origins within the County of Derby Development Plan 1975, with its primary purpose identified as, "to prevent the coalescence of Chesterfield and Sheffield and to maintain the integrity of settlements in between". The Local Plan proposes to release 0.6% of the overall Green Belt in North East Derbyshire.
- 6.8.3 The assessment of parcels in the Green Belt Review (**EB-GB2**), by virtue of the robust site selection process, focussing on the performance of areas of land in Green Belt terms (as described in chapter 3 of the Green Belt Topic Paper **EB-GB3**) has ensured that the coalescence of the larger urban areas is prevented and the integrity of the settlements in between preserved. In all cases, the parcel would either leave a substantial strategic gap, or would not leave a strategic gap which is less than the existing gap. Furthermore, all parcels are (partially) contained by existing urban development and either strengthen the Green Belt boundary or neither weaken or strengthen the boundary. Only those parcels with the least impact on the purposes of the Green Belt have been proposed for release.

Question 6.9

Is the extent of the Green Belt clearly defined using physical features that are readily recognisable and likely to be permanent?

Council's Response:

- 6.9.1 Although the existing Green Belt does not consistently have strong and defensible boundaries in all locations, the parcels which are proposed to be released either strengthen the existing boundaries or neither weaken or strengthen the existing boundary. This ensures that the Green Belt boundaries are likely to be permanent. In no location do the Local Plan proposals weaken the existing Green Belt boundaries. Part 2 of the Green Belt Review (**EB-GB2b**), paragraphs 3.30 to 3.34 explain what criteria the parcel assessment considered in relation to boundary strength.
- 6.9.2 In addition, Policy SDC12 bullet point c requires well designed boundary treatments and landscaping, which create strong physical features and thereby providing visual and functional separation from the site's surroundings, and ensure that the new Green Belt boundaries are likely to be permanent.

Question 6.10

Is the approach to amending Green Belt boundaries to release the following sites for development soundly based and is it consistent with the conclusions on their contribution to Green Belt purposes in the Green Belt Review (as set out in Table 3 of the Green Belt Topic Paper):

| Site | Address | Green Belt Review Parcel Reference |
|-------------------|--|---|
| Dronfield | | |
| Site DR1 | Land off Shakespeare Crescent and Sheffield Road | DRO/GB/042 |
| Site DR2 | Land north of Eckington Road, Coal Aston | DRO/GB/025 |
| Site DR3 | Land at Stubley Drive, Stubley Hollow | DRO/GB/081 |
| Eckington | | |
| Site EC1 | Eckington South | ECK/GB/021 & ECK/GB/022 |
| Killamarsh | | |
| Site KL1 | Land at Westhorpe | KIL/GB/0025 |
| Site KL2 | Land at Rotherham Road | KIL/GB/006 |

Council's Response:

6.10.1 Yes, the Council considers that the approach is soundly based. The sites listed above are proposed to be released from the Green Belt for the purpose of providing housing development to meet the housing requirement as set out in Policy SS2 of the Publication Draft Local Plan. Their release reflects the Council's strategy of focussing the majority of development on the four most sustainable towns (level 1) and strategic sites, as they are located in three out of the four level 1 towns. Without them, the Local Plan Strategy would not be able to be achieved, as explained in the Council's response to Matter 6, Question 6.1.

6.10.2 The Green Belt Topic Paper (**EB-GB3**), chapter 4, demonstrates the exceptional circumstances that justify the Council's approach to Green Belt release in these settlements.

6.10.3 The Green Belt site selection process, as described in the Green Belt Topic Paper (**EB-GB3**), chapter 3, starts with the Green Belt Review (**EB-GB2**) conclusions on the contribution parcels in the three level 1 towns make to Green Belt purposes. Parcels located within level 2 or 3 settlements were not considered in the site selection process because exceptional circumstances for their release could not be established.

6.10.4 Within the level 1 settlements, only those parcels which do not robustly meet Green Belt purposes were considered. The sites proposed for housing development are part of these parcels.

6.10.5 It is considered that this is a sound approach and wholly consistent with the conclusions of the Green Belt Review reflecting the contribution of each site to Green Belt purposes in the Green Belt Review.

Question 6.11

Is the extent of the Green Belt appropriately defined having regard to the other boundary changes proposed (as set out in Table 4 of the Green Belt Topic Paper)?

| Site | Address | Green Belt Review Parcel Reference |
|---------------------|-----------------------------------|------------------------------------|
| Cutthorpe | Land on B6050 adj Rosene Cottages | CUT/GB/003 |
| Holymoorside | Land north of Loads Road | HOLY/GB/024 |
| Killamarsh | Land at Rotherham Road | KIL/GB/006 |
| | Adjacent Site KL1 | KIL/GB/0025 |
| Dronfield | Sports ground, Coal Aston | DRO/GB/025 |
| | Land at Stubley Drive | DRO/GB/081 |

Council's Response:

6.11.1 The Green Belt land that the Council proposes to release, as set out in table 4 of the Green Belt Topic Paper (**EB-GB3**), is not allocated for development in the Local Plan. Paragraph 3.22 of the Green Belt Topic Paper (**EB-GB3**) explains that these proposals include two parcels, in Cutthorpe and Holymoorside, which no longer fulfil a Green Belt purpose.

6.11.2 Furthermore, table 4 includes four areas of land, within Killamarsh and Dronfield, which are included within larger parcels identified in the Green Belt Review (**EB-GB2**) as not robustly meeting Green Belt purposes, but are excluded from the allocation area, because they do not have development potential. The third column of table 4 provides information on the reasoning for the decision on each site, such as involving land that is already developed, includes a road or recreational facility. It was considered logical to release whole land parcels in their entirety, but only include land that is capable of development within the allocated area. Furthermore, without the release of these small areas, Green Belt boundaries would not be as strong as with their inclusion.

Question 6.12

Should the plan identify safeguarded land to meet longer term development needs and what are the implications, if any, of not identifying safeguarded land?

Council's Response:

- 6.12.1 The Green Belt Topic Paper (**EB-GB3**), paragraphs 3.23 and 3.24 explain that the 2012 NPPF requires that when defining Green Belt boundaries authorities should have regard to their permanence in the long term, so that they are capable of enduring beyond the plan period.
- 6.12.2 In accordance with the NPPF, the Green Belt Review Part 1 (**EB-G2a**) considers the approach the Council should take towards safeguarded land within the Plan. It notes that it is not the role of the Study to determine the quantum of safeguarded land that should be identified. However, the Study recommends that the Council takes a cautious and robust approach towards safeguarded land, which would involve making sufficient provision for between 5 and 10 years' housing and employment supply beyond the Plan period (i.e. up to 2038/2043).
- 6.12.3 In these circumstances, the Council has considered how the development needs between 5 and 10 years post the plan period could be determined, so that an appropriate amount of safeguarded land could be identified. However, this represents some 20 to 25 years from now.
- 6.12.4 As a consequence, there is an inherent uncertainty of accurately predicting development needs over this long period. It is difficult to say how much land would be required and whether the locations selected now would be appropriate in the future. In addition, due to the length of the plan period the necessity to identify safeguarded land is reduced.
- 6.12.5 This makes it difficult to demonstrate exceptional circumstances for removing the land from the Green Belt for the purposes of safeguarding and therefore in the absence of clear evidence. Consequently, the Local Plan does not identify any safeguarded land to meet longer term development needs.