

**NORTH EAST DERBYSHIRE LOCAL PLAN EXAMINATION
HEARING SESSIONS FOLLOW UP ITEMS**

WEEK 3 - MAIN MATTERS 12 - 14

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
1	<p><u>Policy SS11</u></p> <p>Review how policy will operate in conjunction with Policy SS9 and whether cross references are needed – does Policy SS9 need to cross reference to Policy SS11 and should there be a cross reference to Policy SS9 in criteria (i) of Policy SS11?</p> <p>Criteria (iii) - replace 'land' with 'Local Settlement Gap'</p> <p>Criteria b – revise text so it is clear when read in conjunction with paragraph 1 of the policy</p> <p>Criteria c – revise text so it is clear when read in conjunction with sub section 1 of the policy</p> <p>Delete final paragraph</p>	<p>Policy SS11</p> <p>The Council will review the interaction of policies SS9 and SS11 in light of the Inspector's comments.</p> <p>Council to replace 'land' with 'Local Settlement Gap' in criterion iii) to improve clarity.</p> <p>Council to re-word criterion b) to read 'do not result in the effective coalescence of historically distinct settlements; and' to improve clarity.</p> <p>Council to re-word criterion c) to read 'do not result in the erosion of existing settlement separation and identity enabled by the generally undeveloped character of those spaces.' to improve clarity.</p> <p>Council to delete final paragraph as it refers to the 'planning balance', which is a matter for the decision maker rather than policy.</p>	<p>Schedules of Proposed Modifications</p>
2	<p><u>Policy SDC1</u></p>	<p>Policy SDC1</p>	

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
	<p>Re-word title and sub section 1 of the policy to include reference to conversions</p> <p>Consider whether further amendments and/or cross references are necessary to ensure that policy will operate effectively in conjunction with Policy SS10 which also sets out policy for the re-use or conversion of buildings in the Green Belt</p> <p>Criteria e – replace ‘materially greater impact’ in policy and supporting text with revised wording</p> <p>Criteria f – replace ‘unacceptable proliferation’ in criteria f with revised wording</p>	<p>Council to re-word title and part 1, and the supporting text at paragraph 8.3 to include reference to conversions.</p> <p>Council to add cross reference in supporting text at paragraph 8.3 to make clear that proposals for conversion or re-use of buildings in the Green Belt will need to comply with Policy SS10: North East Derbyshire Green Belt.</p> <p>Council to re-word criterion e and make consequential amendment to supporting text at paragraph 8.5 to include the word ‘preserve’ as used in paragraph 90 of the 2012 NPPF.</p> <p>Council to re-word criteria f, and include the word ‘harm’ as used in paragraph 88 of the 2012 NPPF.</p>	Schedules of Proposed Modifications
3	<p><u>Policy SDC2</u></p> <p>Criteria 4 – replace ‘are locally sourced’ with ‘of local provenance wherever possible’</p>	<p>Policy SDC2</p> <p>Council to re-word part 4, and make consequential amendment to supporting text at paragraph 8.12 to make clear the preference is for new planting to use locally grown species and varieties.</p>	Schedules of Proposed Modifications
4	<p><u>Policy SDC3</u></p> <p>Criteria 1 – Delete ‘unless the benefits of the development clearly outweigh the impacts’.</p>	<p>Policy SDC3</p> <p>Council to delete reference to the ‘planning balance’ within part 1 as this a matter for the decision maker rather than policy.</p>	Schedules of Proposed Modifications

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
	Reference to National Park purposes to be added to the supporting text paragraph 8.16 as per document ED7	Council to add reference to National Park purposes to supporting text at paragraph 8.16 to improve clarity as set out in ED7.	
5	Technical Support Document 2 on Tranquillity (DCC) to be added to the evidence base and supporting text to Policy SDC3 as per ED7	Council to add document to the evidence base with reference EB-ENV5a, and to make reference to it in supporting text at paragraph 8.18 to assist the implementation of Policy SDC3 as set out in ED7.	Schedules of Proposed Modifications
6	Diagram of Areas of Multiple Environmental Sensitivity to be included as a new Figure within the plan	Council to include map showing the Areas of Multiple Environmental Sensitivity as a new Figure in the plan to assist the implementation of Policy SDC3.	Schedules of Proposed Modifications
7	Main settlements to be identified on Figure 8.1 Landscape Character Map	Council to ensure main settlements are clearly identifiable on re-drafted Figure 8.1 Landscape Character Map to assist the implementation of Policy SDC3. In doing so, Council to add colour coding to Table 8.1 and remove key from Figure to improve its overall readability.	Schedule of Proposed Modifications
8	<p><u>Policy SDC4</u></p> <p>Criteria 1 – include reference to avoidance – mitigation – compensation hierarchy as per ED7</p>	<p>Policy SDC4</p> <p>Council to include additional wording to part 1 to improve clarity and more fully reflect paragraph 118 of the 2012 NPPF as set out in ED7.</p>	Schedules of Proposed Modifications

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
	Criteria 2 - 'improve access, connectivity and the creation of new habitats' – review wording – should this refer to ' <u>habitat</u> connectivity'?	Council to make amendment to part 2 to improve its clarity.	
9	<p><u>Policy SDC7</u></p> <p>Review criteria 1 and overall construction of policy – it requires an 'overarching' statement at the start with the criteria against which development proposals will be assessed.</p> <p>This point also applies to SDC8 & SDC9.</p> <p>Remove 'planning balance' reference which duplicates national policy in criteria 3.</p>	<p>Policies SDC7, SDC8 & SDC9</p> <p>Council to revise the wording of Policies SDC7, SDC8 & SDC9 to provide clear indication of how a decision maker should react to a development proposal in line with paragraph 154 of the 2012 NPPF.</p> <p>Council to remove 'planning balance' in part 3 of Policy SDC9, which is a matter for the decision maker rather than policy.</p>	Schedules of Proposed Modifications
10	<p><u>SDC11</u></p> <p>Remove detailed explanation of run off rates from criteria 2d and move to supporting text if necessary.</p> <p>Remove sentence starting 'Such measures....' in criteria 2d</p> <p>Include reference to opportunities to maximise biodiversity and amenity value within surface water management areas as per ED7.</p>	<p>Policy SDC11</p> <p>Council to remove detailed references to run-off rates from criterion 2d, and move to supporting text at paragraph 8.51 to improve clarity and in the interests of brevity.</p> <p>Council to remove 2nd sentence of criterion e, and move to supporting text at paragraph 8.51 to improve clarity and in the interests of brevity.</p> <p>Council to include additional wording as set out in ED7 to make clear that SuD's and other methods of managing surface water have potential to improve</p>	Schedules of Proposed Modifications

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
	<p>Amend criteria 3 as indicated in Council's hearing statement and ED7.</p> <p>Review the structure of this policy – are the sub headings necessary?</p>	<p>biodiversity and amenity value, but to the supporting text at paragraph 8.51 rather than the policy to improve clarity and in the interests of brevity.</p> <p>Council to amend wording of part 3 to improve clarity as set out in ED7.</p> <p>Council to delete sub-headings to improve clarity.</p>	
11	<p><u>Policy SDC12</u></p> <p>Para 1 – replace 'all new development should meet the highest standards of urban and architectural design' with 'all new development should be of a high quality design'</p> <p>Criteria d – remove 'especially where it abuts the green belt'</p> <p>Criteria e – add 'including' before 'in terms of'</p> <p>Criteria f – consider the wording of this criteria in relation to 'prioritising' the needs of pedestrians, cyclists and public transport services</p> <p>Delete sub section 3 and move to supporting text with clear</p>	<p>Policy SDC12</p> <p>Council to re-word the opening paragraph of the policy to make clear the expectation is for high quality design.</p> <p>Council to delete reference to the Green Belt in criterion d, which is unnecessary given the policy applies to all development whether it is in the Green Belt or not.</p> <p>Council to re-word criterion e to make clear the factors included are not an exhaustive list of relevant considerations.</p> <p>Council to re-word criterion f, but maintain the emphasis to prioritise sustainable transport modes in line with paragraph 35, bullet point 2 of the 2012 NPPF.</p> <p>Council to delete part 3 and add clear explanation of status of the document</p>	Schedules of Proposed Modifications

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
	<p>explanation of the status of this document.</p> <p>Ensure policy includes a requirement for inclusive and accessible design for all development not just streets and spaces in criteria g</p>	<p>to supporting text at paragraph 8.57 to improve clarity.</p> <p>Council to include new criterion m in relation to access and inclusive design which applies to all development in order to fully reflect paragraph 61 of the 2012 NPPF.</p>	
12	<p><u>Policy SDC13</u></p> <p>Criteria 2 – delete ‘which is not mitigated’</p>	<p>Policy SDC13</p> <p>Council to amend part 2 in order to improve clarity.</p>	Schedules of Proposed Modifications
13	<p><u>Policy SS10</u></p> <p>Sub section 1 – delete ‘and where the potential harm to the Green Belt is clearly outweighed by other material planning considerations’.</p> <p>Criteria 2c – delete ‘limited’</p> <p>Review whether any other changes are necessary to policy and Policy SS9 in so far as they relate to proposals for agricultural worker’s dwellings</p>	<p>Policy SS10</p> <p>Council to delete final element of part 1 of policy SS10 which makes reference to the ‘planning balance’ as this is a matter for the decision maker rather than policy.</p> <p>Council to delete ‘limited’ in criterion 2c as it is superfluous in that the policy allows for extensions or alterations that would ‘not result in a disproportionate addition over and above the size of the original building’.</p> <p>Council to delete footnote to criterion 2a which goes beyond the requirements of the NPPF (para 145).</p>	Schedule of Proposed Modifications
14	<p><u>Monitoring Framework</u></p> <p>Review/streamline framework including appropriate targets for housing and employment land delivery. Reduce the number of indicators, focusing</p>	<p>Council to revise the monitoring framework in Chapter 10 of the Plan to reduce the overall number of indicators,</p>	Schedules of Proposed Modifications

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
	<p>on the monitoring of the key policies that will contribute to the plan's objectives.</p> <p>Where necessary, review use of specific figures for measuring outcomes</p>	<p>focussing on those key policies that will contribute to meeting the plan's objectives.</p>	

Modifications to Policies Maps

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
1	<p>Modifications to Local Settlement Gaps as set out in Council's MM12 hearing statement</p>	<p>Council to amend delineation of Local Settlement Gaps on Policies Maps to reflect evidence set out in EB-SS4 as follows:</p> <ul style="list-style-type: none"> • New Tupton – Old Tupton (cLSG7); • Old Tupton – Clay Cross – Holmgate (cLSG12); • Morton – Stonebroom (cLSG16). 	<p>Schedules of Modifications to the Policies Maps arising from Proposed Modifications</p>
2	<p>Modifications as set out in Council's MM14 hearing statement:</p> <p>Reduce area of urban green space Map 3 Long Duckmanton</p> <p>Corrections to Policies Map key and SDC Policy reference</p>	<p>Council to amend Policies Maps as follows:</p> <ul style="list-style-type: none"> • Confine the designation of Urban Green Space to the area covered by the St Peter & St Paul's Church graveyard, Long Duckmanton - Map 3 (Church and grounds now converted to residential use). • Correct the Policies Map key to reflect policy references in the plan – Maps 1, 2, 3, 4 & 5. 	<p>Schedules of Modifications to the Policies Maps arising from Proposed Modifications</p>

NO	ITEM	RESPONSE/ACTION	NOTES/DOC REF
	<p>Adjustment to green space designation in relation to Fleur de Lys car park Map 2</p> <p>Identify sites allocated or safeguarded for education</p> <p>Update of corridor route for the Chesterfield Canal</p>	<ul style="list-style-type: none"> • Adjust the Urban Green Space designation to remove the Fleur de Lys car park, Unstone – Map 2. • Include new notation 'Education Sites' on the Policies Map key and designate land for education purposes at: <ul style="list-style-type: none"> a) Renishaw Primary School, Renishaw – Map 3; b) Lansbury Avenue, Pilsley – Map 5 c) Mickley Infant School, Mickley, Stretton – Map 5; d) Unstone Junior School – Map 2. • Adjust the Policies Map to reflect updated plans detailing the extent of land required for the restoration of the Chesterfield Canal – Map 3. 	
3	Delete sites CA2 and HO5 which have been completed – review the need for any further changes of completed sites as examination progresses	Agree all housing data to be updated and allocations adjusted as necessary through modifications.	Schedules of Modifications to the Policies Map arising from Proposed Modifications
4	Review need for any further consequential changes to the Policies Maps and further changes necessary as modifications are developed and finalised	Council to make consequential changes to the Policies maps as arises from Proposed Modifications.	Schedules of Modifications to the Policies Map arising from Proposed Modifications