

# INDEPENDENT EXAMINATION OF THE DRONFIELD NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:

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To Andrew Tristram Town Clerk Dronfield Town Council and Richard Cooper  
Principal Planning Officer North East Derbyshire District Council

(copy to Cllr Angelique Foster Chairman Neighbourhood Plan Steering Group and  
Leader of Dronfield Town Council, and Helen Fairfax and Philipp Tschavoll both  
NEDDC)

By email dated 12 July 2019

Dear All

## **Dronfield Neighbourhood Development Plan Independent Examination – Third Examiner Letter seeking clarification of matters**

Thank you for the email dated 10 July 2019 with attached statement and maps, and  
the further email with attached map that you sent me today in response to my requests  
for clarification of matters.

In my email of 2 July 2019, I had requested clarification of the areas covered by  
proposed Local Green Spaces reference numbers 14, 30 and 33. Map 4 is headed 14  
- Leabrook Valley – off Gosforth Drive, Dronfield. The proposed LGS designation  
appears to extend beyond the north and south boundaries of Map 4. Map 5 is headed  
33 – Green Area Behind the Civic Centre Car Park. Map 5 appears to include part of  
three proposed Local Green Space areas, one of which appears to extend beyond the  
western map boundary and the other two appear to extend beyond the southern map  
boundary. The revised Map sent me today appears to now fully define proposed LGS  
33 although the detached hatched area is not labelled. I am now additionally uncertain  
about proposed areas LGS 6 Moonpenny Way, and LGS 7 Moonpenny Fields. These  
maps together do not provide me with the clarity I had requested with respect to  
proposed LGS area 30 and do not show the full extent of proposed LGS 14.

The problem stems from Map 6 of the Neighbourhood Plan. I have been able to  
electronically expand that map but this results in loss of accuracy. Through a  
combination of your response to my query regarding area reference number 37; site  
visits; access to the interactive map of the Adopted Local Plan; and access to other  
digital mapping facilities, with the exception of the areas referred to above, I have been  
able to identify what I think are the areas proposed for designation as Local Green  
Space.

Any referendum version and any final 'made' version of the Neighbourhood Plan must provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the relevant version of the NPPF. I will be recommending a modification such that the Neighbourhood Plan should include maps at a scale that is sufficient to accurately identify the boundaries of each Local Green Space designation.

In that these maps will need to be prepared I consider it prudent for me to pause the Independent Examination until those maps are prepared so that I can be certain I have based my report on a correct understanding of the proposals of Policy ENV5. So that the momentum of the Independent Examination is not lost I would be grateful if you could send me the maps by 12.00 Noon on Monday 29 July 2019.

In order to avoid unnecessary work, I can advise you that I am mindful to recommend a modification of the Neighbourhood Plan so that some areas are deleted from the list of areas to be designated as Local Green Space for the following reasons:

The Planning Practice Guidance states if the land is already protected by Green Belt policy then consideration should be given to whether any additional local benefit would be gained by the designation as Local Green Space. The NPPF states "*the Local Green Space designation will not be appropriate for most green areas or open space*". Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt. Decision makers must rely on paragraph 78 of the relevant version of the NPPF that states "*local policy for managing development within a Local Green Space will be consistent with policy for Green Belts*" and the part of the NPPF that relates to 'Protecting Green Belt land', in particular paragraphs 87 to 91 (of the relevant version) inclusive. Where the Neighbourhood Plan seeks to designate Local Green Space in areas of Green Belt it is necessary to consider whether any additional local benefit would be gained by that designation.

Paragraph 79 of the relevant version of the NPPF states "*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*". The Planning Practice Guidance states "*If land is already protected by Green Belt policy, or in London, policy on Metropolitan Open Land, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. One potential benefit in areas where protection from development is the norm (eg villages included in the green belt) but where there could be exceptions is that the Local Green Space designation could help to identify areas that are of particular importance to the local community.*"

The Dronfield Neighbourhood Plan Local Green Spaces Report states the Steering Group "*were also mindful of the fact that several sites are already given some*

*protection through the Green Belt and emerging (stet) designations in the existing and emerging Local Plan. National Planning Practice Guidance on Local Green Space designation suggests that where land is already protected by another designation consideration should be given as to whether any additional local benefit would be gained by designation as LGS” and “Through this process several sites were identified which were considered locally significant, valued by the community and met the tests set out in the NPPF to meet the test to be designated as a LGS”.* I am satisfied these statements confirm awareness of the need to question the additional local benefit when proposing Local Green Space designations in Green Belt however there is insufficient evidence to confirm the application of that awareness in substance. I am not satisfied designation of Local Green Space sites that are within Green Belt is appropriate under these circumstances. I am mindful to recommend a modification to delete sites 24 (School Wood, off Barlow Lees Road, Dronfield, Derbyshire); 25 (Hollins Spring Wood, off Barlow Lees Road, Dronfield, Derbyshire); 26 (Long Acre Wood, off Barlow Lees Road, Dronfield, Derbyshire); 27 (Frith Wood, off Stonelow Road, Dronfield, Derbyshire ); 31 (Open space behind Coal Aston Village Hall, Coal Aston Playing Fields, Eckington Road, Coal Aston, Dronfield); 37 (Land to the rear of 33-47 Gosforth Drive); 39 (The Ridding, north east of Frithwood and Meadowland (Derbyshire Wildlife Trust)); 42 (The woods and path along the Bridle path from Hill Top to the footbridge at side of golf course); and 46 (Coal Aston Allotments, Birches Lane, Coal Aston S18) from the list of Proposed Local Green Spaces in Appendix 6 and from Map 6.

The designation of Site 13 as a Local Green Space would significantly prejudice the implementation of strategic Policies C1 and C2 of the Adopted Local Plan and would therefore not be in general conformity with the strategic policies of the Development Plan. I am mindful to recommend site 13 is deleted from the list of proposed Local Green Space designations. In answer to my request for clarification the Town Council stated *“We understand that the area does lie within an area designated for employment use in the District Local Plan, that has not yet been adopted. However, residents and the Dronfield Neighbourhood Plan Steering Group would like to retain the Nature Park as a local green space.”* The reason that I am mindful to recommend the deletion of Site 13 from Policy ENV5 relates to the Adopted Local Plan. I will in my report of Independent Examination explain the relationship between the Neighbourhood Plan and the emerging Local Plan.

This email and any response should be published on the District Council website. Any response should not include additional representations or new evidence. I would be grateful if the District Council and the Town Council could acknowledge receipt of this email.

Best regards

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