

NORTH EAST DERBYSHIRE LOCAL PLAN EXAMINATION



STATEMENT OF NORTH EAST DERBYSHIRE DISTRICT COUNCIL

22 OCTOBER 2018

MATTER 1

**Duty to Co-operate & Other Legal
Requirements**

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Main Matter 1 – Duty to Cooperate (DtC) and Other Legal Requirements

Issue – Whether the Council has complied with the DtC in the preparation of the plan

Question 1.1

What are the relevant strategic matters in relation to the DtC?

(Defined as matters having a significant impact on at least two planning areas or on a county matter in a two tier area¹)

Council's Response:

1.1.1 The strategic matters and cross boundary issues of relevance to the Local Plan in relation to the Duty to Cooperate are covered in the Duty to Cooperate Compliance Statement: Submission Version (**SD5b**), and the Statement of Common Ground North Derbyshire Bassetlaw HMA (**SD6**). In addition, the specific Statements of Common Ground in relation to the former Coalite Chemical Works (**SD7**), Green Belt (**SD8**), and M1 junction 30 (**ED16**) provide further detail.

1.1.2 As referred to in the documents in 1.1.1, the relevant strategic matters of relevance to this Local Plan are:

- Meeting housing need across the North Derbyshire and Bassetlaw Housing Market Area (HMA);
- Approach to the Green Belt review;
- Impact of proposed development on the strategic road network namely the A61, and M1 Junction 30;
- Impact of proposed development on the setting of heritage assets, including Bolsover Castle;
- Development of the former Coalite Regeneration Site;
- Restoration of the Chesterfield Canal; and
- Minerals.

1.1.3 In addition, throughout the preparation of the Local Plan the Council has engaged constructively, actively and on an on-going basis with neighbouring authorities and prescribed bodies on a number of other strategic issues as set out in the DtC statements in 1.1.1 (**SD5b & SD6**). Although these strategic issues raise cross boundary implications it has been judged that none of these are considered now to be of such significance as to be strategic matters of relevance for the Local Plan. An overview of these strategic issues and explanation of the reasons for this are set out in **Appendix 1** to this statement.

¹ S33A(4) of the Planning and Compulsory Purchase Act 2004

Question 1.2

Has the Council maximised the effectiveness of the NEDLP by engaging constructively, actively and on an ongoing basis with the prescribed bodies on these relevant strategic matters during the preparation of the plan and what form has this taken?

Council's Response:

1.2.1 Yes, the Council considers the effectiveness of the Local Plan has been maximised by engaging constructively, actively and on an ongoing basis with prescribed bodies on the strategic matters of relevance to the Local Plan.

1.2.2 A number of actions have been undertaken in response to the duty to cooperate in relation to the strategic matters, as identified in 1.1.1 above. The Council has:

- i. Jointly produced evidence base documents with neighbouring Councils to ensure that these matters are appropriately addressed. Table 2 of the Duty to Cooperate Compliance Statement (**SD5b**) refers. In relation to the matters identified in 1.1.1, this has included the:
 - Joint SHMA for North East Derbyshire, Chesterfield, Bolsover and Bassetlaw (**EB-HOU2, 3, & 4**) which identifies the objectively assessed housing needs for the North Derbyshire and Bassetlaw Housing Market Area;
 - SCR Common Approach to Green Belt reviews which confirms a common methodology to inform each individual authorities Green Belt review across the Sheffield City Region including the North East Derbyshire Green Belt Review (**EB-GB2a – ab & EB-GB4**); and
 - Joint transport evidence base documents (**EB-TRA1 – 5**) that identify strategic transport considerations across North Derbyshire.
- ii. Worked with relevant authorities and other prescribed bodies where relevant to agree and publish Statements of Ground (SoCG). This has included the:
 - Joint SoCG agreed with Bassetlaw, Bolsover, Chesterfield Councils', and Derbyshire and Nottinghamshire County Councils' (**SD6**) covering the identified strategic matters of relevance for the HMA, and the North East Derbyshire Local Plan;
 - Joint SoCG agreed between the Council and neighbouring Bolsover District Council dealing with the former Coalite Chemical Works (**SD7**). This sets out the joint working that has taken place to shape the local plan policies for the future development of the site;
 - Joint SoCG agreed between the Council and neighbouring Sheffield City Council on the Green Belt (**SD8**). This confirms the important

strategic Green Belt role and function the land along the boundary between both local authority areas performs as part of the South Yorkshire – North East Derbyshire Green Belt; and

- Joint SoCG agreed between the Council, Bolsover, and Chesterfield Councils', Derbyshire County Council, and Highways England relating to the cumulative impact of Local Plan allocations across the North Derbyshire area on the operation of M1 Junction 30 and the A616 / A619 Treble Bob roundabout (**ED16**). This confirms the impacts from the North East Derbyshire Local Plan are limited, and are generated from the relatively small quantum of development planned in Killamarsh and Eckington, and would not alone necessitate the need for improvements to M1 junction 30.
- iii. Engaged with all of its neighbouring authorities on strategic matters and other cross boundary issues at regular meetings through well-established groups such as the North Derbyshire and Bassetlaw HMA Local Plan Liaison Group; the Derbyshire Planning Policy Officer's Group; and the Sheffield City Region Planning Officer's Group. Table 3 of the Duty to Cooperate Statement: Submission Version (**SD5b**) refers.

Question 1.3

What outcomes have resulted from the co-operation with the prescribed bodies on any relevant strategic matters and how have these informed the plan's policies?

Council's Response:

- 1.3.1 The main outcomes of the cooperation with adjoining authorities and other prescribed bodies with regard to the strategic matters of relevance for the Local Plan are set out in Table 5 of the Duty to Cooperate Compliance Statement: Submission Version (**SD5b**) together with Table 2 of the Statement of Common Ground for North Derbyshire Bassetlaw HMA (**SD6**).
- 1.3.2 A further summary of the outcomes on the matters identified in 1.1.2, and how these have informed the plan's policies is set out below:

Meeting housing need across the Housing Market Area (HMA)

- 1.3.3 Paragraph's 32 to 42 of the Duty to Cooperate Compliance Statement: Submission Version (**SD5b**) provide commentary on the outcomes on the strategic matter of meeting housing need as follows.
- 1.3.4 North East Derbyshire forms part of the North Derbyshire and Bassetlaw Housing Market Area (HMA). The North Derbyshire and Bassetlaw Strategic Housing Market Area Assessment identifies a minimum objectively assessed need (OAN) for the HMA of 1,124 homes per annum over the period 2014-2035. Broken down to the four districts, this equates to a minimum of 283 dwellings per annum in North East Derbyshire, 341 dwellings per annum in

Bassetlaw, 249 dwellings per annum in Bolsover, and 251 dwellings per annum in Chesterfield.

- 1.3.5 The four Councils have agreed to meet their own housing needs to ensure the minimum OAN for the HMA is met. A Statement of Common Ground has been signed by the four Councils to this effect (**SD6**).
- 1.3.6 The Council has also engaged with other neighbouring authorities about the strategic matter of housing need. Amber Valley, Rotherham, and Sheffield Councils' have all acknowledged that they do not have capacity within their areas to accommodate any of the housing need arising in North East Derbyshire (Table 5 of **SD5b**). In addition, both Amber Valley and Rotherham Councils' have also confirmed that they are moving forwards with their Local Plans' that aim to provide sufficient housing land to meet their own objectively assessed housing needs.
- 1.3.7 While Sheffield has asked all authorities across the City Region to consider whether they can contribute towards meeting some of their needs it has been confirmed that the site options, which will include release of land from the Green Belt, the City Council intends to consult on as part of consultation on a Regulation 18 Draft Local Plan would enable Sheffield to meet its full OAHN within its own area. Paragraph 7 of the Statement of Common Ground for Sheffield – North Derbyshire (**SD8**) refers.
- 1.3.8 Policy SS2 of the NEDLP then sets out a housing requirement of 6,600 dwellings to be delivered over the period 2014-2034 i.e. 330 dwellings per annum, while Policy LC1 of the NEDLP allocates sufficient land to deliver North East Derbyshire's remaining requirement in the plan period.

Approach to the Green Belt review

- 1.3.9 Paragraph's 43 to 53 of the Duty to Cooperate Compliance Statement: Submission Version (SD5b) provide commentary on the outcomes on the strategic matter of the Green Belt as follows.
- 1.3.10 In Summer 2013, the Sheffield City Region Planning Officers Group decided that it would achieve the principles of the Duty to Cooperate and be beneficial for all Local Authorities within the Sheffield City Region to share Green Belt Review experiences and produce a common approach for future reviews. The work started in 2013 and the Common Approach was agreed by the Sheffield City Region Heads of Planning in September 2014 (**EB-GB4**). Paragraph's 2.3 – 2.10 of the North East Derbyshire Green Belt Review Part 1 also refers (**EB-GB2a**).
- 1.3.11 The common approach gives some flexibility for each authority to tailor Green Belt Reviews to local circumstances within the parameters set by it. The Council considers that its Green Belt methodology conforms to the agreed approach.

1.3.12 Paragraph 50 of the Duty to Cooperate Statement of Compliance: Submission Version (**SD5b**) refers:

- “50. In terms of the North East Derbyshire review, the Green Belt Review² did not start from scratch and its methodology has been framed by the SCR Common Approach. In addition, in developing the study methodology regard has also been had to the completed Rotherham and Barnsley Green Belt Studies. Discussions have also been held with Sheffield City Council and Rotherham Borough Council regarding their respective Green Belt Review methodologies. The proposed methodology for the North East Derbyshire review was shared with all SCR authorities, in addition to Derbyshire County Council, at an early stage in the preparation of the Study.*
- 51. All authorities were in broad agreement that the Green Belt Review methodology was in line with the SCR common approach³. However, in order to minimise any inconsistencies across the boundary with Sheffield, the Study undertook a ‘reconciliation exercise’ to ensure that its emerging conclusions were broadly comparable.”*

1.3.13 The Council has agreed with Sheffield that the methodologies used in each authorities Green Belt reviews are broadly consistent. In addition, both authorities have agreed that the land along the boundary between both local authority areas forms an important part of the Green Belt.

1.3.14 As such Sheffield supports the Councils conclusion that there are sufficient options for Green Belt release adjoining settlements in North East Derbyshire to meet our housing need, without requiring release of land on the boundary of Sheffield’s urban area. A Statement of Common Ground between the two authorities has been agreed and signed to this effect. (**SD8**, page 4, 4th paragraph)

1.3.15 The Local Plan then 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 Map.

Impact of proposed development on the strategic road network including the A61, and M1 junction 30

1.3.16 Paragraph’s 71 to 79 of the Duty to Cooperate Compliance Statement: Submission Version (**SD5b**) provide commentary on the outcomes on the strategic matter of transport as follows.

² North East Derbyshire Green Belt Review prepared by NLP, February 2017

³ Appendix 1 – Green Belt Review Methodology Consultation Responses, Green Belt Review: Part 1 – Policy Review, February 2017

A61 Corridor

- 1.3.17 Through the Council's transport evidence base (**EB-TRA1, 4, 6 & 7**), the council with the expert assistance of Derbyshire County Council has examined the impact of the NEDLP development on the strategic road network including the A61 corridor.
- 1.3.18 As stated in paragraph 2.7.4 of the latest Transport Evidence Base (**TRA7**), the County Council confirms that the impacts of the proposed development in the 'Southern Zone' of the district have been satisfactorily assessed and will be dealt with by suitable mitigation measures coming forward through the A61 Growth Corridor strategy and investment plan (**TRA6**). In the 'Northern Zone' the County Council confirms that the approaches to the A61 Bowshaw Roundabout is one of the locations at Dronfield where mitigation measures are expected to be required to deal with the likely increases in traffic as a result of the cumulative impacts of proposed development.
- 1.3.19 The Council in partnership with Derbyshire County Council and Chesterfield Borough Council is continuing to work together to deliver the A61 Growth Corridor strategy and investment plan (**TRA6**). This includes a comprehensive package of sustainable transport measures and other highway improvements to mitigate the impacts of development along the corridor. Paragraphs 2.8.3 to 2.8.5 of the Transport Evidence Base (**TRA7**), and Section 4.4.1 of the Infrastructure Study and Delivery Plan (**EB-INV1**) refers.
- 1.3.20 The NEDLP has been prepared to align with the A61 Growth Corridor strategy and investment plan (**TRA7**) including in particular through Policy ID2. This includes the requirement for development to contribute to sustainable transport and other highway improvements along the A61 corridor where this is justified through transport assessment at the planning application stage.
- 1.3.21 In response to the Publication Draft Plan, it should be noted that the County Council has agreed that Policy ID2 appropriately reflects the outcomes of the jointly prepared transport evidence base (**Rep ID 8099**).

M1 Junction 29a

- 1.3.22 Throughout the preparation of the Local Plan the Council has engaged with Highways England in particular at each successive stage of consultation and on the infrastructure planning work to support the Local Plan.
- 1.3.23 In regard to M1 J29a which is adjacent to the Markham Employment Growth Zone, one of the main employment developments in the area, this junction was subject to detailed study in 2014 (**EB-TRA5**). At this time the Study identified that while queues would form based on the 'Core Strategy' scenario, it may be possible to make capacity enhancing modifications to address the impacts.
- 1.3.24 In response to the Publication Draft Plan, Highways England has recognised that HS2 proposals could affect the potential for employment development at Markham Vale, and that there is no immediate need for improvements at

present. In this context, Highways England are content that the need for mitigation is considered and, if necessary, brought forward as and when individual developments which may impact on M1 J29a are determined through the planning application process.

1.3.25 In light of the above, Policy ID2 lists the M1 junctions as a location where improvements may be required to mitigate the cumulative impacts of development as justified through detailed Transport Assessment at the planning application stage.

M1 Junction 30

1.3.26 In order to confirm the M1 Junction 30 situation, the Council with Highways England and Derbyshire County Council together with the neighbouring authorities of Bolsover, Chesterfield and Bassetlaw Councils' have agreed and signed a Statement of Common Ground to inform the NEDLP examination (**ED16**). This provides a summary of the outcomes reached between all the authorities and Highways England.

1.3.27 In light of the above, Policy ID2 lists the M1 junctions as locations where improvements may be required to mitigate the cumulative impacts of development as justified through detailed Transport Assessment at the planning application stage.

Impact of proposed development on the setting of heritage assets including Bolsover Castle

1.3.28 Paragraph's 113 to 114, and 127 of the Duty to Cooperate Compliance Statement: Submission Version (**SD5b**) provide commentary on the outcomes on the strategic matter of the impact on the setting of heritage assets including Bolsover Castle.

1.3.29 As stated, many comments received from Historic England during the Local Plan process have been supportive of the plan's policies or resulted in amendments to policies. In addition, in response to the Duty to Cooperate Compliance Statement: Submission Version (**SD5b**), Historic England have confirmed the comments they have made have been fully taken into account when preparing the Local Plan including relating to Bolsover Castle.

1.3.30 Of particular note is that based on further assessment the Council agreed with Historic England's view that the proposed employment development on land south of Markham Vale put forward in the Regulation 18 Consultation Draft Plan would harm the significance of heritage assets and their setting. As a result the Council then removed this proposed employment allocation from the Local Plan to the satisfaction of Historic England.

Approach to the development of the former Coalite Regeneration Site

- 1.3.31 The former Coalite site crosses the administrative boundaries of North East Derbyshire and Bolsover Councils', and is close to the boundary with Chesterfield Borough.
- 1.3.32 In order to demonstrate a joint approach and effective strategy for the development of the site the Council with Bolsover District Council has agreed and signed a Statement of Common Ground to inform the NEDLP examination (**SD7**). This provides a summary of the joint work that has taken place together with details of how the planning policies for the site have been shaped jointly and evolved into shared strategic principles for the future development of the site.
- 1.3.33 As such both Council's plans have an aligned approach to this cross boundary strategic site, which for North East Derbyshire is through policy SS6 of the Publication Draft Plan.
- 1.3.34 Given the uncertainties surrounding HS2 and its impact upon the nature and scale of uses likely to take place on the part of the site within North East Derbyshire, the Councils are continuing to work closely with the developer and other parties to secure the comprehensive remediation and redevelopment of the entire site. A further Statement of Common Ground (**ED 17**) has been agreed between the parties concerning changes to Policy SS6 to ensure that the policy is sufficiently flexible to respond to changing circumstances over the plan period.

Chesterfield Canal Restoration

- 1.3.35 As stated in paragraph 9.75 of the Local Plan, the Council is an active member of the Chesterfield Canal Partnership including Bassetlaw District Council, Chesterfield Borough Council, Derbyshire County Council, Nottinghamshire County Council, Rotherham Metropolitan Borough Council, the Chesterfield Canal Trust, the Canals and River Trust and the Inland Waterways Association. The aim of the Partnership is to ensure a co-ordinated approach to the restoration, protection and management of the canal route. Work on restoration is well underway and a significant part of the route is now navigable and once fully restored could be reconnected to the national network.
- 1.3.36 The Council through its involvement with the Chesterfield Canal Partnership is committed to working with partners to secure the restoration of the canal through the district and improving the canal towpath as an important part of the Green Infrastructure Network. In particular, at Killamarsh there is potential to restore the canal in line with the Chesterfield Canal Partnerships preferred route to the west of the town centre.

1.3.37 In pursuit of the overall aims of the Partnership the Council has safeguarded the route of the Chesterfield Canal including the western route through Killamarsh in policy ID8 of the Publication Draft Plan.

Provision of Minerals

1.3.38 Paragraph's 95 to 97 of the Duty to Co-operate Compliance Statement: Submission Version (**SD5b**) sets out the outcomes of engagement with the County Council as minerals planning authority.

1.3.39 In response to the Publication Draft Plan the County Council has welcomed paragraph's 8.82 to 8.86 regarding safeguarding mineral resources. In addition, the Coal Authority has made various representations in support of the policies in the Plan including the signposting to the emerging Derbyshire and Derby Minerals Local Plan.

1.3.40 No outstanding issues are to be addressed.

Other Legal Requirements

Question 1.4

Do the content and timescale for preparation of the NEDLP accord with the latest version of the Local Development Scheme (SD1)?

Council's Response:

1.4.1 Yes, the Local Plan is identified in the Local Development Scheme (LDS8) which is the most recent LDS that was brought into effect on 18 January 2018 – LDS8 (**SD1**). Appendix A of LDS8 (**SD1**) sets out the approved timetable for the preparation of the Local Plan, which remained up to date up to the point of Submission of the Local Plan. Since Submission, the examination timetable has slipped in relation to the LDS8 timetable and the Council has produced a real time update (**ED14**). The schedule at Appendix B of LDS8 (**SD1**) provides a brief description of the purpose and content of the Local Plan, namely to provide a vision, objectives and spatial development strategy to guide development in North East Derbyshire up to 2034.

Question 1.5

Has public consultation complied with the public consultation requirements in the Town and Country Planning (Local Plan) (England) Regulations 2012 and the Council's adopted Statement of Community Involvement (SD2a, b, c & d)?

Council's Response:

1.5.1 Yes, the Council has carried out consultation on the Local Plan in accordance with the Council's adopted Statement of Community Involvement (**SD2a, b, & c**), and the Town and Country Planning (Local Planning) (England) Regulations 2012.

1.5.2 The Council's Regulation 22(1) (c) i-v Local Plan Statement of Consultation (**SubD4a & f**) and its Appendices (**SubD4b, c, d, & e**) provide a comprehensive overview of the consultation stages undertaken and methods used throughout the plan's preparation.

1.5.3 A further summary to demonstrate consultation has met the statutory requirements is provided as follows:

Town and Country Planning (Local Planning) (England) Regulations 2012

1.5.4 The Local Planning Regulations 2012 set out the following requirements when consulting on local plans:

1.5.5 *Regulation 2* confirms which bodies constitute the specific and general consultation bodies and relevant authorities. Appendix A of the Council's SCI Leaflet One (**SD2b**) provides a list of these bodies for the purpose of consulting on the plan through the statutory stages. Paragraph 2.3 of the Council's Regulation 22 Local Plan Statement of Consultation (**SubD4a**) sets out the specific and general consultation bodies invited to make representations under Regulation 18. A full list of contact names and unique

person ID's for the specific and general consultation bodies invited to make representations to the Regulation 19 Publication Draft Plan is listed in Appendix 2 of the Council's Regulation 22 Local Plan Consultation Statement (**SubD4c**);

- 1.5.6 *Regulation 3* allows the local planning authority to use electronic communications when sending copy of the document to another person. Paragraph 2.11 of the Council's SCI Leaflet Two (**SD2c**) confirms the Council will generally use electronic communication rather than sending a letter;
- 1.5.7 *Regulation 3* also allows any person to respond to consultation by writing or by electronic communication. The Council has accepted all forms of responding to the plan throughout the process, whether it is writing or electronically. Paragraph's 2.10 & 3.5 of the Council's Regulation 22 Local Plan Consultation Statement (**SubD4c**) refer.
- 1.5.8 *Regulation 4* sets out the bodies prescribed for the purposes of section 33A(1) of the Act. Table 5 at paragraph 135 of the Council's Duty to Cooperate Statement of Compliance Submission Version (**SD5b**) confirms the engagement that has taken place with these bodies throughout the preparation of the Local Plan;
- 1.5.9 *Regulation 17* sets out interpretations for key aspects of consultation such as the Statement of Representations Procedure. The Council has complied with Regulation 17 including making available the Statement of Representations Procedure in relation to the Publication Draft Local Plan at the Regulation 19 stage. This is reproduced in Appendix 2 of the Council's Regulation 22 Local Plan Consultation Statement (**SubD4c**);
- 1.5.10 *Regulation 18* relates to the preparation of the local plan and requires local planning authorities to notify the relevant bodies of the subject of a local plan (specific, general and other relevant persons) and invite them to make representations. The Council undertook extensive Regulation 18 consultation on Issues and Options; Local Plan Strategy; Initial Draft Local Plan (Part 1: Strategic Policies) and Schedule of Potential Housing Sites; and the Local Plan Consultation Draft in 2009, 2012, 2015 and 2017 respectively. Paragraph 2.2 to 2.10 of the Council's Regulation 22 Local Plan Consultation Statement (**Sub4a**) sets out how the Council invited representations at the Regulation 18 stage. In addition, the relevant Consultation Statements published at each successive stage under Regulation 18 gives full lists of each person or organisation invited to make representations (**PS-IO5, PS-LS6, & PS-ILP5**);
- 1.5.11 *Regulation 19* requires the local planning authority to make available the proposed submission documents and statement of representations procedure in accordance with Regulation 35. Regulation 35 requires documents to be made available at the Council's principal office and at such other places as the local planning authority consider appropriate. The Council made available the proposed submission documents at the Council main offices as well as

each of the local libraries as set out in the Statement of Representations Procedure reproduced in Appendix 2 of the Council's Regulation 22 Local Plan Consultation Statement (**SubD4c**);

1.5.12 *Regulation 20* allows for any person to make representations on the proposed submission version of the Local Plan i.e. the Publication Draft Plan (**SubD1**). The Council publicised the Regulation 19 Publication Draft Plan widely to ensure that any person, in accordance with Regulation 20, could make representations as set out in Statement of Representations Procedure. Appendix 3 of the Council's Regulation 22 Local Plan Statement (**SubD4c**) lists all the persons and organisations who responded to this stage of consultation;

1.5.13 *Regulation 36* allows for any person to make a request to obtain a copy of documents, for which the Council is allowed to make a reasonable charge. The Council responded to requests for copies of documents throughout plan preparation and provided copies to residents and other interested persons as appropriate. It also sent a paper copy of the Publication Draft Plan free of charge to all the Parish Council's in the District as stated in paragraph's 2.8 & 3.3 of the Council's Regulation 22 Local Plan Consultation Statement (**SubD4c**).

Statement of Community Involvement (SCI)

1.5.14 *Specific and Duty to Co-operate Consultation Bodies* – The SCI Leaflet One (**SD2b**), paragraph 1.7 Appendix A: Consultees, lists the organisations and bodies the Council is required to consult with and involve in plan preparation in accordance with the Local Planning Regulations 2012. In line with the SCI and the 2012 Regulations, the Regulation 22 Local Plan Statement of Consultation (**SubD4a & c**) and the Duty to Cooperate Statements of Compliance (**SD5a & b**) and Statements of Common Ground (**SD6, SD7 & SD8**) confirm the Specific and Duty to Co-operate Consultation Bodies the council has consulted and engaged with through plan preparation.

1.5.15 *How will we involve you?* – The SCI, paragraph 2.11 (**SD2c**) also sets out a range of methods the Council will use to involve people in the preparation of the Local Plan namely letters and e-mails; the Council's website; the 'News' – the Council's free magazine sent to all households and placed in libraries, leisure centres and other information venues; public exhibitions; and other workshop/discussion groups and meetings. At each consultation stage residents, community groups and other stakeholders have been consulted using a range of methods as set out in the SCI; and documented in the Statement of Consultation (**Sub SubD4a**, paragraph's 2.8 - 2.10, & 3.3 - 3.5).

1.5.16 *Using the results of consultation* – The SCI (**SD2c**) confirms at paragraph 2.12 that the Council will summarise all representations received to the local plan and set out its response after each stage of consultation. In line with the SCI the Council produced consultation statements at each successive consultation stage (**PS-IO5, PS-LS6, PS-ILP5 & SubD4a, b, c, d, e, & f**). In addition, as

part of the examination stage the Council has provided responses to the main issues raised in the representations made pursuant to Regulation 20 of the Local Planning Regulations 2012 (**ED5, ED6a, b, c, d & ED7**). Together these statements provide a detailed overview of how the responses received throughout plan preparation were taken into account and informed the North East Derbyshire Local Plan.

Question 1.6

Is it clear how the Sustainability Appraisal (SA) influenced the NEDLP strategy and policies and how mitigation measures have been dealt with?

Council's Response:

- 1.6.1 The Council considers that it is clear how the SA has influenced the plan strategy. Chapter 2 of the Sustainability Appraisal Regulation 19 Report (**SubD3a**) sets out the SA Process to Date, clearly showing how the Sustainability Appraisal has influenced the NEDLP strategy and policies since preparation began in 2007. It provides an overview of the Local Plan preparation process and how the Council has undertaken Sustainability Appraisals on each iteration of the Local Plan and its vision, objectives, preferred strategy and reasonable alternatives (see table 2.1). At each stage, the Local Plan proposals were appraised against the objectives in the SA Framework. Appendix C of the SA Regulation 19 report (**SubD3a**) includes the SA Framework for easy access.
- 1.6.2 Chapter 2 of the SA Regulation 19 report (**SubD3a**) also clearly demonstrates the reasonable alternatives which were considered and appraised throughout the Local Plan preparation in relation to the quanta of development, distribution of development, sites and policies. It summarises how and when the Local Plan alternative strategy options and policies have been appraised, clearly indicating which previous SA report provides the details of this appraisal.
- 1.6.3 Appendices F and G of the SA Regulation 19 report (**SubD3a**) provide detailed appraisal information about quanta and distribution options which reflect the most recent OAN – SHMA Update (**EB-HOU4**), Employment Sites Study (**EB-EMP4**) and Settlement Hierarchy Study (**EB-SS1**). Appendix G also provides the scoring summary of all different distribution options which had been assessed previously.
- 1.6.4 In relation to the policies, these and alternatives were appraised in 2015, 2017 and 2018. The 2015 and 2017 SA reports (**PS-ILP4** and **PS-CDLP5**) also set out why alternative policy approaches were not selected. In many cases the only alternative was to not include a policy. Where this was the case, the 'no planning policy' option was appraised.
- 1.6.5 Although the majority of policies have been assessed as being likely to have a negligible, minor beneficial or major beneficial effect, some policy assessments, and site appraisal findings, did identify some adverse effects (see Appendices A and B of the SA Regulation 19 report; **SubD3a**).

- 1.6.6 In accordance with the SEA Directive, and using the mitigation hierarchy, all aspects of the plan have been assessed and where possible, avoidance or mitigation measures have been provided. See chapters 6-12 of the SA Regulation 19 report (**SubD3a**).
- 1.6.7 In circumstances where mitigation has not been possible, the SA process has identified likely residual adverse impacts. These are presented in Chapter 13 of the same document, as well as in summary form in the Non-Technical Summary (Table N2, p.14). The identified impacts are considered to be likely despite the mitigating impact of proposals in the Local Plan. Each residual impact is a cumulative impact of all sites in-combination, unless stated otherwise in the text.
- 1.6.8 In some cases, these impacts are the result of factors beyond the control of the Local Plan. In large part however, they are also impacts that would occur without the implementation of the plan. In this respect, the Plan can be considered to be an ameliorating influence. This is recognised in Table 13.1 of the SA Regulation 19 report (**SubD3a**).
- 1.6.9 Likely residual impacts and effects have been captured in the proposals for monitoring (see Chapter 14 of the SA Regulation 19 report (**SubD3a**)).

Question 1.7

Does the SA test the plan against reasonable alternatives in terms of the scale of employment and housing development and its broad distribution as set out in the spatial strategy? What alternatives were considered in the SA and is it clear why they were discounted?

Council's Response:

- 1.7.1 As explained at paragraph 1.6.2 above, Chapter 2 of the SA Regulation 19 report (**SubD3a**) clearly demonstrates the reasonable alternatives which were considered and appraised throughout the Local Plan preparation in relation to the quanta of development (scale) and distribution of development.
- 1.7.2 Section 2.3 and Appendix F of the SA Regulation 19 report (**SubD3a**) set out the appraisal of different quanta options for development. The most recent appraisal of development quanta options took place in 2017 and reflects the 2017 OAN – SHMA Update (**EB-HOU4**) and Employment Sites Study (**EB-EMP4**). Four quanta options were considered, linking housing and employment development:
1. 248 dpa (4,960 total), based on the demographic need for housing. This equates to a net employment growth of around 1,200 jobs, net employment land increase of around 7ha and an equivalent provision of approximately 28ha;
 2. 283 dpa (5,660 total) based on the objectively assessed need (OAN) which includes a boost for affordable housing delivery and to support baseline economic growth of 1,800 jobs, net employment land increase of 9ha and an equivalent provision of approximately 31ha;

3. 332 dpa (6,640 total) based on a regeneration scenario, which includes an economic growth of 3,000 jobs, net employment land increase of 18ha and an equivalent provision of approximately 41ha; and
4. 400 dpa (8,000 total) based on a high growth scenario, which may allow the Council to provide for some growth from neighbouring authorities. Job growth of 5,000 (est.), with up to 55ha employment land provision⁴.

1.7.3 Paragraph 2.3.6 of the SA Regulation 19 report (**SubD3a**) explains that although predominantly uncertain impacts were identified due to the quanta options being magnitude orientated rather than distribution orientated, the regeneration scenario (option 3) scored slightly better than the other options. Option 1, whilst meeting demographic need, the scale of the proposed development would have less positive impacts on the housing objective compared to the other three options. Option 2 was anticipated to only have minor positive impacts on the economy, compared to options 3 and 4 having significant positive impacts. Although option 4 would ensure the quanta of development supports the needs of a growing population and economy, a larger labour supply would need to be satisfied by more local employment provision, more take-up of local jobs by residents, or an increase in out-commuting to jobs in nearby authorities. This higher growth option would also be more likely to have more adverse impacts on objectives such as climate change mitigation and pollution.

1.7.4 The reasons for discounting options 1, 2 and 4 are therefore clear:

- a less positive impact on the housing objective than the preferred option (option 1),
- only minor positive impacts on the economy rather than the preferred option's significant positive impacts (option 2); and
- a more adverse impact on climate change mitigation and pollution than the preferred option (option 4).

1.7.5 In relation to distribution of development, section 2.4 and Appendix G of the SA Regulation 19 report (**SubD3a**) demonstrate in detail the variety of distribution options the Council has considered between 2009 and 2018. In 2009, the Council consulted on four spatial options for the District, which included a focus on the four main towns, a focus on the four main towns and six larger villages, distributing development to all villages in the District and focussing in the south and east along transport corridors. These options were assessed in the 2009 Sustainability Appraisal report (**PS-IO4**), which found the second option to be the best performing option in terms of sustainability due to the likely positive impacts it would have on the transport, pollution and landscape objectives. Since then, the Council investigated multiple different distribution options, based on a Sub Area approach, to revert back to a

⁴ No specific employment land forecast has been produced Option 4, as potential changes to the relationship between population and jobs make modelling or forecasting uncertain. However, assuming similar relationships to the lower options would suggest around 5,000 jobs growth and a gross land requirement of around 55ha.

settlement hierarchy approach, in light of further site assessment work and consultation representations.

- 1.7.6 The four spatial options considered and assessed in 2009, although still valid in theory, were in practice overtaken by more recent evidence on housing need and existing supply from planning permissions. The Council therefore updated the four 2009 spatial options in 2017/18, to reflect the latest evidence and constraints. It is important to note that the updated assessment only applied to the remaining distribution of 1,743 dwellings that the Council still has a choice over after deducting completions and permissions from the overall target (see chapter 4). The options were as follows:
- Spatial option 1: Four main towns (level 1 settlements) and strategic sites;
 - Spatial option 2: Four level 1 and eleven level 2 settlements;
 - Spatial option 3: Four level 1, eleven level 2 and 26 level 3 settlements;
 - Spatial option 4: Focus development along the A61 and A6175 corridors in the south of the district; and
 - Spatial option 5: Focus development in a new settlement.
- 1.7.7 Paragraphs 2.4.13 to 2.4.17 of the SA Regulation 19 report (**SubD3a**) clearly state that the four main towns of Clay Cross, Dronfield, Eckington and Killamarsh are considered to be the most sustainable locations for new development in the District. Spatial Option 1 would deliver the majority of new development at the sustainable level 1 settlements, likely leading to significantly positive impacts on the economy, rural barriers and housing SA objectives whilst avoiding significant adverse impacts on all SA objectives. Spatial Options 2 and 4 would be more likely to have adverse sustainability impacts, or less likely to have positive impacts, on various SA objectives, including climate change mitigation, natural resources and rural barriers. Spatial Option 3 would be expected to have a more severe impact on the climate change mitigation objective than other options as a result of road transport associated Greenhouse Gas emissions. In relation to spatial option 5, it is considered to be likely that a new settlement would have a significant adverse impact on the character of the local landscape, ecology, agriculturally valuable soils and climate change mitigation objective.
- 1.7.8 The reasons for discounting options 2, 3, 4 and 5 are therefore clear:
- All other options have either more adverse or less positive impacts on climate change mitigation, natural resources and rural barriers objectives than the preferred option
 - Option 3 also has more adverse impact on transport, rural barriers, health and biodiversity objectives than the preferred option
 - Option 5 also has more adverse impact on transport, natural resources and landscape objectives than the preferred option.

Question 1.8

How have the results of the Habitats Regulations Assessment (HRA) (EB ENV4a) influenced the NEDLP? Will the policies achieve the necessary mitigation to avoid an Adverse Effect on Integrity of the European protected sites as set out in the HRA?

Council's Response:

- 1.8.1 The HRA Screening Assessment report (**EB ENV4a**) carefully considered the conservation objectives of European sites that might be affected by activities and projects of the North East Derbyshire Local Plan.
- 1.8.2 Outside of the Local Plan area there are a number of European sites that lie within 15km of the boundary of North East Derbyshire namely the Bees Nest & Green Clay Pits SAC; Birklands & Bilhaugh SAC; Gang Mine SAC; Peak District Dales SAC; South Pennines SAC; and the Peak District Moors (South Pennine Moors Phase 1) SPA.
- 1.8.3 It was found that a likely significant effect on Peak District Dales SAC, South Pennine Moors SAC and/or Peak District Moors (South Pennine Moors Phase 1) SPA could not be objectively ruled out. This is because when the development proposed in the North East Derbyshire Local Plan was considered in combination with neighbouring districts the increase in the volume of traffic on roads within 200m of one or more of these European sites, and consequential adverse effects on air quality, was considered possible.
- 1.8.4 The Council consulted Natural England on the North East Derbyshire HRA Screening Report in summer 2017. Natural England considered and agreed that the scope of the report, its methodology and conclusions met the requirements of the Habitats Regulations and associated guidance. They also fully agreed with the findings of the HRA Screening Report. In the light of this, the council commissioned a HRA Appropriate Assessment involving traffic modelling, and air quality modelling, to determine whether likely significant effects on these European sites could be objectively ruled out. In recognition of the need to address the potential impacts of development on these European sites located outside the district, a further criterion dealing with this issue was specifically included within Policy SDC4 of the Publication Draft Local Plan (criterion 3).
- 1.8.5 In order to comply with policy SDC4, criterion 3 proposals for development will be expected to fully consider the need for any necessary mitigation measures in order to ensure avoidance of adverse effects on the integrity of these European sites, otherwise development will not be permitted. Promoting qualitative improvements to all sites of biodiversity value including through mitigation measures such as maintaining trees, native vegetation and improving green infrastructure for example is also specifically dealt with in criterion 2 of policy SDC4.

Question 1.9

Is the Council proposing any modifications to the plan in response to the Appropriate Assessment (EB ENV 4c)?

Council's Response:

- 1.9.1 In the light of the findings of the HRA Screening Report, the council commissioned the HRA Appropriate Assessment (**EB-ENV4c**) of the North East Derbyshire District Local Plan. The assessment concluded that the plan would not lead to an adverse impact on site integrity, either alone or in-combination. Natural England has reviewed the HRA report (both Screening and Appropriate Assessment) and concurs with this view. The council has also shared its findings with other relevant authorities to ensure that they were fully aware of the position on this important strategic cross boundary matter. Although likely significant effects have been found to be considered unlikely, the council has agreed with other authorities to commit to identify and develop a suitable monitoring programme in liaison with Natural England to help ensure that a likely significant effect on these European sites does not arise unexpectedly in the future.
- 1.9.2 The North Derbyshire and Bassetlaw HMA Joint Statement of Common Ground (**SD6**) states that "All authorities agree to commit to a monitoring programme for the Peak District Dales SAC; South Pennine Moors SAC; and Peak District Moors (South Pennine Moors Phase 1) SPA to help ensure that a likely significant effect on these European sites does not arise unexpectedly."
- 1.9.3 This commitment would accord with Policy SDC4: Biodiversity and Geodiversity in the Publication Draft Local Plan and it is not considered necessary to make modifications to the Local Plan in response to the Appropriate Assessment.
- 1.9.4 In light of the outcome of the Appropriate Assessment (**EB-ENV4c**), the Council proposes to amend the monitoring framework in Chapter 10 to take into account the recommendations for monitoring set out within the Assessment Report.

Question 1.10

Taken as a whole, will the NEDLP policies be effective in mitigating and adapting to climate change, including supporting the transition to a low carbon future?

Council's Response:

- 1.10.1 Yes, climate change is a cross-cutting issue that is covered by a number of policies of the Plan namely policies:
- SS1: Sustainable Development;
 - SS2: Spatial Strategy and the Distribution of Development;
 - SDC10: Decentralised, Renewable and Low Carbon Energy Generation;
 - SDC11: Flood Risk and Drainage;
 - SDC12: High Quality Design and Place-Making;

- ID3: Sustainable Travel;
- ID6: Green Infrastructure; and
- ID7: Greenways and Public Rights of Way.

1.10.2 All of these policies aim to work positively towards mitigating and adapting to the effects of climate change by amongst other things:

- focussing most development on the main towns and strategic sites where there is greater opportunity to reduce the reliance on the private car and cut down on greenhouse gas emissions (criterion c. of policy SS1 & policy SS2)
- promoting the efficient use of land and the re-use of previously developed land (criterion b. of policy SS1);
- promoting the reduction of energy use in new development (criterion e. of policy SS1 & criterion j. of policy SDC12) and supporting the generation of energy from renewable or low carbon sources (policy SDC10);
- protecting and enhancing green infrastructure (criterion i. of policy SS1 & policy ID6) including an integrated network of Greenways and Public Rights of Way (policy SD7) that facilitates greater opportunities for walking and cycling; and
- avoiding placing development at risk of flooding, and promoting the use of Sustainable Drainage Systems to effectively manage surface water drainage (criterion i. of policy SS1 & policy SD11)

1.10.3 Overall when read as a whole, the council considers the plan's policies will together provide an effective tool to deliver sustainable development that positively supports the move towards a low carbon future, in line with the Plan's overarching Objective D8 on Climate Change.

Question 1.11

Has the preparation of the NEDLP complied with the Planning and Compulsory Purchase Act 2004 Part 2 and the Town and Country Planning (Local Plan) (England) Regulations 2012 in all other respects?

Council's Response:

1.11.1 Yes, the council has fully complied with Part 2 of the 2004 Act (as amended) relating to the production of Local Plans as follows:

1.11.2 Section 13 (1) requires local planning authorities to keep under review the matters which may be expected to affect the development of their area or the planning of its development. Section 13 (2) and (3) set out the matters to which (1) applies. The North East Derbyshire Local Plan is a single local plan that covers the full range of planning issues affecting the area of the district outside of the Peak District National Park. The Council therefore considers it complies with Section 13 (1) and (2).

1.11.3 Section 13 (4) requires the Council to consult with neighbouring authorities on any of the matters prescribed in (2) and (3). The Council has consulted with

each of its neighbouring authorities throughout plan preparation both through regular dialogue and at each formal consultation stage

1.11.4 Section 17 (7b) requires the Council to have regard to the form and content of local development documents as prescribed by Regulations. This includes a reasoned justification of the policies in the Plan and a statement of which policies of the adopted development plan are to be superseded. The Council has included a reasoned justification as supporting text to each of the policies of the Plan. In addition, within Chapter 1: Introduction the Council has made it clear that the emerging plan will replace the 'saved' policies of the 2005 Adopted North East Derbyshire Local Plan.

1.11.4 Section 18 requires the Council to prepare a Statement of Community Involvement (SCI). The Council first published its SCI in 2007. This was replaced by the updated and latest adopted SCI (**SD2a, b, c, & d**) in 2014.

1.11.5 Section 19 (1) requires that Local Plans must be prepared in accordance with the Local Development Scheme (LDS). The Council's response to question 1.4 above sets out compliance with the LDS (**SD1**).

1.11.6 Section 19 (2) requires that Local Plans must have regard to national policies and advice. The Council has prepared the Local Plan in conformity with the 2012 National Planning Policy Framework and its supporting guidance in the NPPG.

1.11.6 Section 19 (3) requires Local Plans to comply with the local authority's SCI. The Council's response to question 1.5 above sets out how the Council has complied with the SCI in preparing the North East Derbyshire Local Plan.

1.11.7 Section 19 (5) requires the Council to undertake a Sustainability Appraisal of the Local Plan. This is contained in the Sustainability Appraisal, Regulation 19 Report and its Addendum (**SubD3a & b**).

1.11.8 Section 20 (1) requires the Council to submit the Local Plan to the Secretary of State for independent examination to determine whether it satisfies requirements as in Section 20 (5). The Council submitted the Local Plan on 24th May 2018 on the basis it considered the Plan to be sound and legally compliant in all respects.

1.11.7 Section 33 was amended by the Localism Act 2011 with the insertion of Section 33A to include the legal Duty to Co-operate for local planning authorities to engage with prescribed bodies when preparing development plan documents. The Duty to Cooperate Statements of Compliance (**SD5a & b**) and Statements of Common Ground (**SD6, 7 & 8**) set out how the Council has met the statutory Duty to Cooperate.

1.11.8 In addition, as shown in response to questions 1.4 and 1.5, the Council considers the plan has been produced in compliance with all the relevant legal requirements in the 2004 Act (as amended) and the 2012 Regulations.

Appendix 1 – Meeting the Duty to Cooperate: Strategic Matters & Issues

Overview of Strategic Issue	Strategic Impact on DTC Partners
Possible issues arising through progression of the Local Plan	Explanation of why it is a strategic matter for DTC bodies
NPPF Strategic Priority: Providing the Homes and Jobs Needed in the Area	
<p>Meeting Housing Needs</p> <p>The SHMA Update establishes the need for housing across the North Derbyshire and Bassetlaw Strategic Housing Market Area. In order to meet its share the Local Plan makes provision for 6,600 new dwellings over the period 2014-2034. This equates to 330 dwellings per year.</p>	<p>The delivery of housing across the North Derbyshire and Bassetlaw Housing Market Area affects more than one authority so the delivery of housing is a strategic matter.</p> <p>The delivery of housing is a strategic matter.</p>
<p>Green Belt</p> <p>The North East Derbyshire Green Belt is a strategic designation that covers a substantial part of the District, located between Sheffield and Chesterfield in the north, Chesterfield and Wingerworth in the south, and also the land to the west of Chesterfield to the Peak Park boundary.</p> <p>A key objective of the Plan is to protect the general area of the Green Belt and the purposes of including land within it taking account of the need to promote sustainable patterns of development across the District.</p>	<p>The need to ensure that any individual authority changes to the Green belt are based on a consistent evidence base, and the overall cumulative impact on the Green Belt is considered.</p> <p>In order to meet the Plan’s strategy it has been necessary to undertake a comprehensive review of the Green Belt in a manner consistent with other Ipa’s Green Belt reviews.</p> <p>The review of the Green Belt is a strategic matter.</p>
<p>Gypsy and Traveller Provision</p> <p>For North East Derbyshire, the Gypsies and Travellers Accommodation Assessment sets out a requirement for 15 additional pitches between 2014 – 2034. Of these, 6 will be needed between 2014-2019, and 3 for each five year period to 2034.</p>	<p>The provision of sufficient sites to meet the needs of gypsies and travellers.</p> <p>The assessment of need is made over a wider area than local authority area. The requirement is small, and delivery would not have a significant impact across the housing market area.</p> <p>The provision of land for gypsies and travellers is a strategic issue, with no significant cross boundary impacts to be addressed.</p>

<p>Employment Land Requirements</p> <p>The Local Plan looks to support business, enterprise and job creation in order to achieve a sustainable and diverse local economy, It includes policies to protect existing sites as well as identifying new employment land (c.46ha) including on strategic mixed-use sites at The Avenue, and Former Biwaters site, and the Coalite Priority Regeneration Area (although the Coalite site is not being relied upon to meet development requirements).</p>	<p>There is no requirement to plan for employment across the Functional Economic Market Area.</p> <p>The delivery of employment land is a strategic issue with no significant cross boundary impacts to be addressed (see also Coalite site below).</p>
<p>Markham Vale</p> <p>The Local Plan allocates land at Markham Vale as a strategic site for employment use.</p>	<p>Markham Vale encompasses land within North East Derbyshire, Bolsover District, and Chesterfield Borough. The delivery of employment land at Markham Vale has largely taken place with several phases of development now complete.</p> <p>The development of land at Markham Vale is a strategic issue with no significant cross boundary impacts to be addressed.</p>
<p>The Avenue</p> <p>The Local Plan allocates land at The Avenue as a strategic site for mixed-use development.</p>	<p>The need to ensure that any emerging issues are identified and jointly resolved. A strategic site with cross-boundary implications.</p> <p>The development of the Avenue site is a strategic issue with no significant cross-boundary impacts to be addressed.</p>
<p>Former Coalite Site</p> <p>The Plan allocates the Coalite site as a Priority Regeneration Area and confirms its suitability for a range of uses including housing, open space and employment together with a transport hub to serve the wider area.</p>	<p>The Coalite Priority Regeneration Area straddles the administrative boundary of Bolsover District Council and North East Derbyshire District Council. It also lies in close proximity to the boundary with Chesterfield Borough Council making it an important cross-boundary strategic site that would have significant impact on at least two planning areas.</p> <p>The delivery of the re-development of the Coalite site is a strategic matter.</p>

NPPF Strategic Priority: Provision of Retail, Leisure and Other Commercial Development	
<p>Town Centres</p> <p>The Local Plan aims to create strong, vibrant town and local centres. It includes policy requirements to safeguard the retail character and function of existing centres as well as identifying land to meet an identified need for between 2,000 sq.m to 2,900 sq.m new convenience goods floorspace.</p>	<p>The district's identified retail requirements are for a relatively modest amount of convenience goods floorspace. This is being met through the identification of land within the boundary of Clay Cross Town Centre. It is not likely to have significant impact on other centres outside the district.</p> <p>The provision of new retail development is a strategic issue with no significant cross-boundary impacts to be addressed.</p>
NPPF Strategic Priority: Provision of Infrastructure	
<p>Transport</p> <p>The scale and distribution of development proposed in the Local Plan will result in an increase in the number of trips by private car and public transport.</p>	<p>The impact of cumulative development across two or more authority areas on the strategic and local highway networks particularly the A61 within the North Derbyshire area.</p> <p>The cumulative impacts of development proposed in the Local Plan will give rise to significant impacts on the A61 which passes through the district. In addition, when the impact of development in the north of the district is combined with other districts there are significant impacts on the highway network outside the district namely around M1 junction 30</p> <p>The cumulative impact of development on the A61, and M1 junction 30 is a strategic matter.</p>
<p>Telecommunications</p> <p>The Council supports the expansion of electronic communications networks including the Digital Derbyshire programme to roll-out high speed broadband to the more rural parts of the District.</p>	<p>The network of telecommunications infrastructure transcends cross boundary, but no major improvements are planned that would impact on more than one planning area.</p> <p>This is a strategic issue with no significant strategic cross boundary impacts to be addressed.</p>
<p>Waste Management</p> <p>The council is responsible for municipal kerbside waste collection services whereas</p>	<p>Through the work on the IDP, the County Council has confirmed that based on the</p>

<p>Derbyshire County Council is the statutory Waste Disposal Authority and is responsible for the provision of waste disposal facilities across the County.</p>	<p>planned levels of growth in the Local Plan and the levels of capacity within existing waste infrastructure it is unlikely that additional capacity will be necessary. This is a cross-boundary issue as waste generated in North East Derbyshire is disposed of in other areas.</p> <p>This is a strategic issue with no significant cross-boundary impacts to be addressed.</p>
<p>Water Supply and Wastewater including Impact of Development on Staveley WwTWs</p> <p>The scale and distribution of development will increase the demand for water and put pressure on existing wastewater infrastructure.</p>	<p>Potential capacity issue at the Staveley WwTWs raised by Yorkshire Water. This is a cross boundary issue as this WwTW deals with waste water from different authorities and could have an impact on two or more areas.</p> <p>Yorkshire Water has confirmed this work is likely to be subject to improvements to ensure compliance with revised water quality standards, and which will cater for the cumulative impact of development.</p> <p>No strategic issues have been identified regarding the supply and distribution of potable water.</p> <p>This is a strategic issue with no significant cross-boundary impacts to be addressed.</p>
<p>Flood Risk</p> <p>The Local Plan seeks to minimise vulnerability and provide resilience to impacts arising from climate change by avoiding inappropriate development in areas of flood risk.</p>	<p>New development has the potential to increase flood risk downstream unless appropriate measures are put in place. Major flood storage and alleviation schemes at The Avenue, and at Holymoorside and Renishaw have been completed that will benefit both North East Derbyshire and Chesterfield Borough.</p> <p>This is a cross boundary issue as the Rivers Drone, Rother, Hipper and Amber flows across district boundaries, but no significant impacts arising from the development proposed in the Local Plan have been identified.</p> <p>This is a strategic issue with no significant cross-boundary impacts to be addressed.</p>

<p>Education</p> <p>The scale and distribution of development proposed in the Plan will generate demand for school places and put pressure on existing schools.</p>	<p>Through work on the IDP, the County Council has confirmed that the demand for school places generated by the development proposed in the Local Plan can be met through the expansion of existing schools together with a new school at The Avenue within the district. No significant impacts have been identified relating to the development proposed in the Local Plan on schools outside of the district.</p> <p>This is a strategic issue with no significant cross-boundary impacts to be addressed.</p>
<p>NPPF Strategic Priority: Provision of Minerals</p>	
<p>Minerals</p> <p>The Plan recognises that mineral resources are essential to support economic growth and are a natural finite resource that should not needlessly be sterilised by non-mineral development.</p>	<p>The strategic issue of minerals across wider than district areas is a county matter and therefore a strategic matter.</p> <p>This is a strategic matter, but with no cross-boundary significant impacts to be addressed.</p>
<p>NPPF Strategic Priority: Provision of Energy</p>	
<p>Energy</p> <p>The Local Plan supports energy generation from renewable and low carbon sources and seeks to reduce energy demands in the design of new development, For major developments the council is supportive of district or community heating as a means to decarbonise heat sources where feasible.</p>	<p>Heat and energy networks can extend cross boundary, but no particular opportunities have been identified within the North Derbyshire area.</p> <p>This is a strategic issue with no significant cross-boundary impacts to be addressed.</p>
<p>NPPF Strategic Priority: Provision of Health, Security, Community and Cultural infrastructure</p>	
<p>Health</p> <p>Development will have an impact on future health provision and put additional pressure on existing resources.</p>	<p>Provision of healthcare is a strategic issue as hospitals and primary care facilities serve wide areas. However, no significant impacts have been identified relating to the development proposed in the local plan on supporting healthcare facilities outside the district.</p> <p>This is a strategic issue with no significant cross-boundary to be addressed.</p>

<p>Green Infrastructure</p> <p>The Council aims to conserve and where appropriate improve and extend the Green Infrastructure Network running through and beyond North East Derbyshire.</p>	<p>Need to ensure that footpaths and multi-user trails and green infrastructure links seamlessly across county boundaries. The designation of new footpaths is a County Council responsibility. This is a cross boundary issue, as the routes cross district/county boundaries, but would not have a significant impact.</p> <p>This is a strategic issue with no significant cross-boundary impacts to be identified.</p>
<p>Blue Infrastructure including the Chesterfield Canal</p> <p>One of the key strategic projects related to the water environment of the area identified in the Local Plan is the restoration of the Chesterfield Canal.</p>	<p>To safeguard and secure the restoration of the Chesterfield Canal.</p> <p>The Canal runs across two county and three local authority boundaries, and the potential economic benefits of realising full restoration would have significant impacts for at least two planning areas.</p> <p>The safeguarding of the route of the Chesterfield Canal is a strategic matter.</p>
<p>NPPF Strategic Priority: Addressing Climate Change and Conservation and Enhancement of the Natural and Historic Environment</p>	
<p>Impact of Development on European Sites</p> <p>Outside of the Local Plan area there are a number of European sites that lie within 15km of the boundary of the North East Derbyshire namely the Bees Nest & Green Clay Pits SAC; Birklands & Bilhaugh SAC; Gang Mine SAC; Peak District SAC; South Pennines SAC; and the Park District Moors (South Pennine Moors Phase 1) SPA.</p>	<p>Pressure from increases in traffic and consequential effects on air quality is a transboundary issue, and it is important to consider the cumulative impacts of development in different districts acting in combination on relevant European sites. No significant impacts identified.</p> <p>This is a strategic issue with no significant cross-boundary impacts to address.</p>
<p>Impact of Development on Bolsover Castle</p> <p>The Local Plan proposes development in close proximity to Bolsover Castle.</p>	<p>Impact of development proposals on the setting of heritage assets of national significance</p> <p>Bolsover Castle sits just over the border within neighbouring Bolsover District. It is a designated heritage asset of the highest significance i.e. Grade 1 listed building. As such it is necessary to consider the impact of proposed development on the significance of this heritage asset.</p> <p>The impact of development on Bolsover Castle is a strategic matter.</p>