

Bolsover District Council

Planning Committee

12th October 2016

Proposed agreement to the Consultation Draft Local Plan and the undertaking of consultation on it

Report of the Joint Assistant Director of Planning and Environmental Health
(Written by Bolsover Interim Planning Policy Manager)

Purpose of the Report

- To outline the main elements of the Council's Consultation Draft Local Plan together with the proposal to consult on the document as currently scheduled in the Local Development Scheme.
- To seek Planning Committee's approval to the document and agreement to consult on the Council's Consultation Draft Local Plan
- To seek approval that the carrying out of any textural changes required before publication are delegated to the Assistant Director of Planning & Environmental Health and the Chair and Vice Chair of Planning Committee.

1 Report Details

Background

- 1.1. Members will be aware that the Council adopted its Local Development Scheme at Planning Committee on the 15th October 2014 and that this outlined the following key milestones:
 - a) Initial Consultation on what the Plan should contain (Oct/Nov 2014)
 - b) Consultation on Preferred Options and Reasonable Alternatives (Oct/Nov 2015)
 - c) Consultation on the Draft Plan (Sept/Oct 2016)
 - d) Consultation on Publication Plan (June/July 2017)
 - e) Submission (Nov 2017)
 - f) Adoption (Sept 2018)
- 1.2. Within this, milestones a). and d) represent the statutory stages of consultation which are specified within the Town and Country Planning (Local Planning) (England) Regulations 2012, whereas milestones b). and c). represent locally selected stages of consultation to ensure the Council secures meaningful public engagement in the process and is aware of potential 'showstoppers' that could delay the preparation of the Local Plan in advance of the Publication Plan.
- 1.3. Members will be aware of the progress to date in relation to the identification of strategic options for local housing and employment targets. Consideration has been

ongoing in relation to the proposed allocation of specific sites for the distribution of the required development within the Local Plan for Bolsover District.

Consultation to date

- 1.4. An initial formal consultation on what the local plan should contain took place in October/November 2014. The Council received 128 submissions from a wide range of national and local organisations, planning agents acting on behalf of landowners and developers promoting sites and members of the public from across the District. These submissions represented in the region of 700 individual representations.
- 1.5. The Initial Consultation exercise was structured around the following three areas:
 - a) Policy areas - are there any policy areas that people thought the Council's Local Plan ought to contain and what evidence should this be based on?
 - b) Visions for places - what did people think the vision for the town or village they lived or worked within should be and why?
 - c) Development sites – people were encouraged to promote develop a site, we want to hear from you to see how suitable your site might be.
- 1.6. The submissions received indicated a wide range of policy areas for the Local Plan. Suggestions were made for the visions for the District's settlements; and a large number of sites were proposed, including four strategic sites. These representations were used to inform the next stage of consultation - the Identified Strategic Options.
- 1.7. In May 2015 the Council published and consulted on a Sustainability Scoping Report. Following consultation responses, the draft framework was revised and has been used in the Sustainability Appraisals.
- 1.8. Consultation on the Identified Strategic Options took place between 30th October and 11th December 2015, and involved public drop-in exhibitions across the District. The specific issues put forward for consultation were:
 - a) The Vision for the District;
 - b) A set of objectives for the Plan;
 - c) A housing target for the plan period;
 - d) An employment target for the plan;
 - e) Suggested Strategic Sites;
 - f) A spatial strategy for the district.
- 1.9. In response a total of 877 individual representations were made by statutory consultees, national organisations, a Parish / Town Council, 6 local community groups / organisations, 23 land owners or by their agents and 42 members of the public.
- 1.10. In accordance with the Council's Constitution, following consideration of the representations received on the Identified Strategic Options the Local Plan Steering Group have worked with officers to develop this Consultation Draft Local Plan.

Consultation Draft Local Plan

1.11. The Consultation Draft Local Plan is essentially the last informal consultation period whereby the comments received are for the Council to consider and determine how to act upon. The Draft (Publication) stage which will follow, has a formal consultation stage where the comments received will be submitted to the independent Inspector as part of the Local Plan examination.

1.12. The Plan has been developed in discussion with this group over the last 2 years. Whilst a large document containing 10 chapters which have not been seen in this form before, it is important to note that the approach, aims and intention of the Plan are all matters that the local plan steering group LPSG have been very involved in, and follow the approaches agreed at previous Planning Committee meetings. A short summary of each chapter follows.

1.13. **Chapter 1: Introduction.** This really explains all about what a local Plan is, the history of how the document was developed, the main issues within the plan, and the policy framework it sits within.

1.14. **Chapter 2: Spatial Portrait.** Essentially looks at the main characteristics of the district and relies heavily on our evidence base. Considers the physical setting and connections the area has and our environmental and cultural heritage. It looks at our communities and services, economy and employment. It highlights the main key issues and the need to:

- a) **accommodate new growth**, whilst ensuring the character of the district is retained and that major new development is supported by appropriate infrastructure
- b) **protect and enhance** identified heritage, and natural assets
- c) **support regeneration** of the towns and main villages, to enable them to fulfil their role as service centres, coupled with the need to address the regeneration needs of rural settlements and the few remaining large areas of previously developed (brownfield) land in need of restoration or re-use
- d) **improve health outcomes** in a district with an above average percentage of retired people, and people suffering poor health
- e) **improve employment opportunities** in the district by increasing the number and range of jobs in the district
- f) **provide significantly greater local job opportunities** to reduce out-commuting, improve sustainability and also to avoid the danger of turning some towns and main villages into 'dormitories' rather than settlements where people can live and work
- g) **ensure the delivery of new housing** in an area of marginal viability where deliverability has been challenging
- h) **put place making and development quality** at the heart of new development
- i) **provide improved accessibility to better areas of green space.**

1.15. **Chapter 3: Vision and objectives.** In simple terms, the Plan is looking to create a sustainable district. The overall vision is that:

“By 2033, Bolsover will be a growing district, undergoing an economic and visual transformation”.

1.16. The vision looks in more depth at the economic, social and environmental role that the plan will have had in improving the district with and concludes the Vision with

“Overall, through the provisions of the Local Plan, by 2033 the District’s valuable natural and built assets will have been retained and enhanced. Local people will have benefited from the opportunities for a healthier lifestyle, improved job opportunities, more housing, and the increase in facilities that this can help to deliver”.

1.17. This chapter then identifies 16 Objectives which are seen as the stepping stones that need to be addressed in order to realise the vision. They cover issues such as sustainability, regeneration and climate change together with environments such as the Countryside, town centres and the historic environment.

1.18. **Chapter 4: The Spatial Strategy** essentially closes the first part of the plan. Having looked at the district as it is, then defined what we want to achieve through the Plan, this essentially explains how we want those changes to occur. It emphasises the importance of sustainable development, balancing the social, economic and environmental implications of what we do. It looks at the overall scale of development that we propose based on our evidence base and looks at the best way of distributing that development based on the strategy work carried out and consulted upon earlier. The chapter looks in detail at the important strategic sites and then addresses district wide policies related to the Countryside, Green Belt and important open breaks. This chapter contains all of the main strategic policies within the plan, notably:

SS1 – Sustainable development

SS2 - Scale of Development

SS3 – Spatial Strategy and Distribution of development

SS4 to SS7 - Looks at the strategic site allocations at Bolsover North, Clowne Garden village, Former Whitwell Colliery site, and Coalite as a Priority Regeneration site

SS8 – Development in the Countryside

SS9 – Development within the Green Belt

SS10 – Development in important open areas

1.19. **Chapter 5: Living Communities**, is the first of the detailed thematic chapters focusing on significant social elements of the plan, especially housing. The policies in this chapter look at the specific housing allocations and policies related to the types of housing envisaged. It considers the needs of the Traveller community, as well as rural housing issues. This is all covered by the following policies

LC1 – Housing allocations

LC2 – Affordable Housing

LC3 – Rural exception sites

LC4 – Type and mix of housing

LC5 – Specialist Housing

LC6 – Custom and Self build dwellings

LC7 – Gypsies and Travellers and Travelling Show-people

LC8 – Agricultural, Forestry and other occupational dwellings in the countryside

LC9 – Removal of Agricultural and other occupational conditions

1.20. **Chapter 6: Working Communities** addresses many of the economic issues within the plan, especially employment allocations and the protection of our important employment sites. It also covers the importance of our Town and local centres and the role of tourism and the visitor economy. The policies are::

WC1 - Employment land allocations

- WC2 – General principles for economic development
- WC3 – Supporting the rural economy
- WC4 – Retail, town centre and local centre development
- WC5 – Tourism and the visitor economy

1.21. **Chapter 7: Sustainable Communities** focuses on issues around sustainability, climate change and protecting the environment. It addresses issues around sustainability and good design as well as our natural and historic environment. It incorporates the following policies

- SC1 – Development within settlement frameworks
- SC2 – Sustainable design and construction
- SC3 – High Quality Development
- SC4 - Comprehensive development
- SC5 – Change of use and conversions
- SC6 - Renewable and low carbon energy
- SC7 – Flood risk
- SC8 – Landscape character
- SC9 – Biodiversity and Geodiversity
- SC10 – Trees, woodlands and hedgerows
- SC11 – Environmental Quality
- SC12 – Air Quality
- SC13 – Water Quality
- SC14 – Contaminated and unstable land
- SC15 – Hazardous installations
- SC13 to SC17 - Address Historic environment issues such as conservation areas, listed buildings etc

1.22. **Chapter 8: Infrastructure, Transport, Community and recreation provision** looks at what we mean by infrastructure, physical, green and social and community. The related policies are:

- ITCR1 – Green infrastructure
- ITCR2 – Green infrastructure networks
- ITCR3 – Protection of footpaths and bridleways
- ITCR4 – Local Shops and community facilities
- ITCR5 – Green space and play provision
- ITCR6 – Protection of green space and sports and recreational buildings
- ITCR7 – ITC and telecommunications
- ITCR8 – Transport and accessibility

1.23. **Chapter 9: Implementation and infrastructure delivery**, deals with how the plan will deliver new infrastructure through Section 106 agreements. There are two proposed policies within this section, an overarching policy in relation to Section 106 requirements and a policy requiring the provision of Employment and Skills Plans on significant development sites

- II1 Plan delivery and the role of developer contributions
- II2 Employment skills

1.24. **Chapter 10: Monitoring**, is the last chapter in the plan and will reflect how the plan will be monitored as a whole and through the proposed monitoring of individual policies. It will not be completed and finalised until we produce the draft Local Plan and our list of policies is finalised.

Consultation

- 1.25. This consultation is part of the informal, non statutory work which develops the local plan following the commencement of the new plan with the earlier consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It should be the last non statutory consultation, until we produce the publication draft local plan under regulation 19 of the Act.
- 1.26. As such, this is a very important stage. It is our opportunity to gauge and consider the public reaction to our proposals and amend and improve them, prior to us moving to the statutory consultation under Regulation 19, where the comments will be considered by the independent Inspector at examination.
- 1.27. Following agreement from Planning Committee, consultation will commence as soon as all of the necessary preparatory work can be completed and final exhibition materials can be made available. It is intended that consultation will commence on Monday 31st October 2016 and run for 6 weeks until Monday 12th December 2016. Consultation will consist of:
- a) Issuing a press release to appropriate local newspapers, and placing an article on the council's website on the subject of the plan and the details of the consultation.
 - b) Contact everyone on the Local Plan consultation database either by letter or e-mail making them aware of the new plan and giving them an opportunity to comment
 - c) Making copies of the plan and other exhibition materials including key background papers available to be viewed on the website, and at contact centres and libraries in the district.
 - d) Hold nine open participation meetings/exhibitions to meet planners and discuss issues in the local plan. These meetings will be organised for the identified small and emerging towns, and large villages (i.e. Bolsover & Shirebrook; Clowne & South Normanton; Whitwell, Creswell, Pinxton, Barlborough & Tibshelf) The intention is that this will be for 3 hours, from 4:00pm to 7:00pm, between 14th November and 2nd December 2016.

2 Conclusions and Reasons for Recommendation

- 2.1 Support for the Consultative Draft Local Plan and agreement to consult on it is an important step in the development of the Local Plan
- 2.2 The contents of this report were considered by the Local Plan Steering Group (LPSG) at its meeting on the 28th September 2016, when it was resolved to:
- i. Agree the general contents of the Consultative Draft Local Plan as drafted., noting that these are being refined
 - ii. Support the proposal to consult on the Consultative Draft Local Plan as currently scheduled in the Local Development Scheme
 - ii. Recommend this course of action to Planning Committee, with the provision that any textural changes required before publication are delegated to the

Assistant Director of Planning & Environmental Health and the Chair and Vice Chair of Planning Committee.

3 Consultation and Equality Impact

- 3.1 Other Officers involved in the preparation of this report were: Planning Policy Manager, Principal Planning Officers and the Senior Planner.
- 3.2 Members consulted during the preparation of the report: Members of the Local Plan Steering Group.
- 3.3 An Equality Impact Assessment will be required in advance of publishing the Publication Draft Local Plan.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council could decide to not to hold this consultation. However, this would mean that the Council's timetable for producing the Local Plan would be delayed, and the key corporate priority of submitting the Local Plan (Strategic Policies and Site Allocations) for examination by the Planning Inspectorate by November 2017 would be unlikely to be met.

5 Implications

Finance and Risk Implications

- 5.1 Work on the new Local Plan can be funded from existing budgets. It is important that this budget is maintained in future years.

Legal Implications including Data Protection

- 5.2 The Council has a statutory duty to make available to the public emerging versions of the Local Plan and this consultation is also in accordance with the Adopted Statement of Community Involvement.

Human Resources Implications

- 5.3 Consultation on the Consultative Draft Local Plan introduces the need to undertake a larger consultation exercise, due to the wider range of affected areas requiring more extensive coverage of exhibitions/drop-in events. This wider scope of consultation also introduces a greater risk of receiving a higher number of representations during the consultation period. Should this be the case, it is possible that additional resources will be required to ensure that the LDS timescale will be maintained.

6 Recommendations

- 6.1 That the Planning Committee:
 - i. Agree the general contents of the Consultative Draft Local Plan as drafted., noting that these are being refined as work evolves.

- ii. Support the proposal to consult on the Consultative Draft Local Plan as currently scheduled in the Local Development Scheme
- iii. Agree the above course of action subject to the provision that any textual changes required before publication are delegated to the Assistant Director of Planning & Environmental Health and the Chair and Vice Chair of Planning Committee.

7 Decision Information

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| Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards) | Not at this stage. |
| District Wards Affected | All |
| Links to Corporate Plan priorities or Policy Framework | <p>The new Local Plan will identify suitable areas for development to help to deliver the Council's Growth Agenda. It will assist both developers and local residents by providing certainty about the way the district will develop over the Plan period. It therefore contributes to the following Corporate Aims and their identified priority actions:</p> <ul style="list-style-type: none"> • Unlocking Our Growth Potential (main aim); • Supporting Our Communities to be Healthier, Safer, Cleaner and Greener. |

8 Document Information

| Appendix No | Title |
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| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
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| Report Author | Contact Number |
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Report Reference –