



Report to Bolsover District Council

by Karen L Baker DipTP MA DipMP MRTPI

an Inspector appointed by the Secretary of State

Date: 15 January 2020

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Local Plan for Bolsover District

The Plan was submitted for Examination on 31 August 2018.

The Examination Hearings were held between 22 and 24 January 2019,
29 and 31 January 2019, 5 and 6 February 2019 and on 12 March 2019.

File Ref: PINS/R1010/429/8

Abbreviations used in this report

The Council	Bolsover District Council
DtC	Duty to Co-operate
EDNA	Economic Development Needs Assessment
GTAA	Gypsy and Traveller Accommodation Assessment
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
Local Plan	Local Plan for Bolsover District
MHCLG	Ministry of Housing, Communities and Local Government
MM	Main Modification
NPPF	National Planning Policy Framework [2012]
NEDDC	North East Derbyshire District Council
OAN	Objectively Assessed Need
ONS	Office for National Statistics
PPTS	Planning Policy for Traveller Sites
PPG	Planning Practice Guidance
PRA	Priority Regeneration Area
Revised NPPF	Revised National Planning Policy Framework [2019]
SA	Sustainability Appraisal
SoCG	Statement of Common Ground
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document

Non-Technical Summary

This Report concludes that the Local Plan for Bolsover District [Local Plan] provides an appropriate basis for the planning of the District, provided that a number of Main Modifications [MMs] are made to it. Bolsover District Council [the Council] has specifically requested¹ me to recommend any MMs necessary to enable the Local Plan to be adopted.

The MMs all concern matters that were discussed at the Examination Hearings. Following the Hearings, the Council prepared schedules of the proposed modifications. The MMs were subject to public consultation over a six-week period. In some cases, I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- To reflect Government policy in the NPPF with regards to the historic environment, biodiversity, climate change and sustainable development.
- To clarify the requirements of the Regulations with regards to Supplementary Planning Documents [SPDs].
- To provide a Transitional Zone between the Former Whitwell Colliery Site and the Important Open Break between Whitwell and Hodthorpe.
- To clarify which uses would be appropriate in the Coalite Priority Regeneration Area [PRA].
- To reflect the current position with regards to the restoration of the Coalite PRA.
- To set out a commitment to the maintenance of the Green Belt.
- To clearly state that the housing requirement is a minimum figure.
- To update the anticipated rate of housing delivery and the number of dwellings on the allocated sites.
- To set out the revised and updated position with regards to housing completions, based on the correct approach to the collection of completions data.
- To clarify how the development of windfall sites is recorded.
- To remove the housing allocations on Land at Glapwell Nurseries, Glapwell and Land east of Pleasley Pit, Pleasley from the Plan.
- To set out the approach to entry level housing in the District and clarify the need for affordable housing for rent.
- To set out the approach to Self-Build and Custom Build housing.
- To clarify the number of Gypsy and Traveller pitches allocated in the Plan.
- To clarify that new sites for Gypsies, Travellers and Travelling Showpeople should be sited in sustainable locations.
- To clarify the approach to occupational dwellings in the countryside.
- To clarify the position with regards to comparison goods floorspace.

¹ Council's Response to the Inspector's Initial Questions, dated 31 October 2018 [ED3]

- To delete part of Policy WC9 and its supporting text which prevents the development of A5 uses within 400m of any school or college.
- To accurately reflect the route of the Archaeological Way and to add an additional Multi User Trail, East of Hennymoor Farm to Hodthorpe.
- To set out clearly the contributions required from new residential developments in respect of green spaces, including playing pitches.
- To set out the parking standards in the Local Plan.

Other changes are also recommended to ensure that the Plan is justified, effective and consistent with national planning policy.

Introduction

1. This Report contains my assessment of the Local Plan for the District of Bolsover [Local Plan] in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Local Plan's preparation has complied with the Duty to Co-operate [DtC]. It then considers whether the Local Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 [NPPF] (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised National Planning Policy Framework [Revised NPPF] was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Local Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance [PPG] has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this Examination under the transitional arrangement. Therefore, unless stated otherwise, references in this Report are to the NPPF and the versions of the PPG which were extant prior to the publication of the Revised NPPF.
3. The starting point for the Examination is the assumption that the local planning authority has submitted what it considers to be a sound Local Plan. The Local Plan for the District of Bolsover, submitted on 31 August 2018, is the basis for my Examination. It is the same document as was published for consultation in May 2018.

Main Modifications

4. In accordance with Section 20(7C) of the 2004 Act the Council requested that I should recommend any Main Modifications [MMs] necessary to rectify matters that make the Local Plan unsound and not legally compliant and thus incapable of being adopted. My Report explains why the recommended MMs, all of which relate to matters that were discussed at the Examination Hearings, are necessary. The MMs are referenced in bold in the Report in the form **MM1**, **MM2**, **MM3** etc, and are set out in full in the Appendix.
5. Following the Examination Hearings, the Council prepared a schedule of proposed MMs [ED63] and carried out Sustainability Appraisal [SA] of them [ED66]. The MM schedule was subject to public consultation for six weeks². I have taken account of the consultation responses in coming to my conclusions in this Report and, in this light, I have made some amendments to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the

² The public consultation was held between 10 June 2019 and 22 July 2019

amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA that has been undertaken. Where necessary I have highlighted these amendments in the Report.

Policies Map

6. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a Local Plan for Examination, the Council is required to provide a submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted Local Plan. In this case, the submission Policies Map comprises the set of plans identified as Northern Area, Central Area and Southern Area, as set out in the Local Plan for Bolsover District Publication Local Plan, May 2018 [SD2].
7. The Policies Map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the Policies Map. In addition, there are some instances where the geographic illustration of policies on the submission Policies Map is not justified and changes to the Policies Map are needed to ensure that the relevant policies are effective.
8. These further changes to the Policies Map³ were published for consultation alongside the MMs. In this Report I identify any amendments that are needed to those further changes in the light of the consultation responses.
9. When the Local Plan is adopted, in order to comply with the legislation and give effect to the Local Plan's policies, the Council will need to update the adopted Policies Map to include all the changes proposed in the Local Plan for Bolsover District Publication Local Plan, May 2018 [SD2] and the further changes published alongside the MMs [ED64] incorporating any necessary amendments identified in this Report.

³ Local Plan for the Bolsover District (Publication Local Plan): Proposed Changes to the Submitted Policies Map [ED64]

Assessment of Duty to Co-operate

10. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by Section 33A in respect of the Local Plan's preparation and the Duty to Co-operate [DtC].
11. There has clearly been very close co-operation over an extended period between the Council and its neighbouring authorities⁴, along with Derbyshire County Council, on a number of strategic matters. This is confirmed in the Council's Duty to Co-operate Statement, August 2018 [KSD5]. Furthermore, the Council is a member of two Local Enterprise Partnerships⁵ [LEPs] which play a central role in determining local economic priorities and undertake activities to drive economic growth and job creation, improve infrastructure and raise workforce skills within the local area. Other key relationships include those with the other North Derbyshire and Bassetlaw Housing Market Area [HMA] authorities⁶ in preparing the evidence base for assessing the full Objectively Assessed Need [OAN] for the HMA and determining the amount and mix of housing to be provided within each local authority area within the HMA.
12. The Council has also engaged⁷ with various groups which have dealt with cross boundary matters and issues throughout the preparation of the Local Plan, including the Sheffield City Region Heads of Planning Meeting; the Sheffield City Region Planning Officers' Group; Derbyshire Planning Policy Officers' Group; Local Plan Liaison Group; North Derbyshire Infrastructure Planning Group; and Lowland Derbyshire Biodiversity Action Plan Steering Group. Much of this work, along with the Council's co-operation with other prescribed bodies, through meetings, correspondence and statutory consultations, has led to the preparation of Statements of Common Ground [SoCGs] relating to strategic and cross boundary matters and issues.
13. During the preparation of the Local Plan, the Council received two enquiries from nearby authorities regarding unmet housing need. The Council received a request from North East Derbyshire District Council [NEDDC] in January 2018 regarding its unmet housing needs. However, NEDDC submitted its Local Plan for Examination in May 2018, which includes sufficient allocations to meet its housing requirement, together with an appropriate buffer. In August 2018, the four authorities in the HMA signed

⁴ Amber Valley Borough Council, Ashfield District Council, Bassetlaw District Council, Chesterfield District Council, Mansfield District Council, North East Derbyshire District Council and Rotherham Metropolitan Borough Council

⁵ The Sheffield City Region LEP and the Derby and Derbyshire, Nottingham and Nottinghamshire [D2N2] LEP

⁶ Bassetlaw District Council, Chesterfield District Council and North East Derbyshire District Council

⁷ Details of this engagement are included in the Council's Duty to Co-operate Statement [KSD5]

a joint SoCG [KSD6], in which they each agreed to seek to meet their identified OAN in full, to ensure that the OAN for the HMA is met.

14. In April 2019, Sheffield City Council asked the Council if it would be in a position to allocate land to meet some of Sheffield's housing needs. However, the City Council has since confirmed that it intends to meet the whole of its identified housing needs within its emerging Local Plan.
15. As a result, there is currently no requirement for the Council to accommodate unmet housing needs from another local authority in the District.
16. It is therefore apparent that the Council has constructively engaged with neighbouring authorities, the County Council and the various bodies prescribed in the Regulations⁸. Overall, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Local Plan and that the DtC has therefore been met.

Assessment of Soundness

Main Issues

17. Taking account of all the representations, the written evidence and the discussions that took place at the Examination Hearings, I have identified 12 main issues upon which the soundness of the Local Plan depends. Under these headings my Report deals with the main matters of soundness rather than responding to every point raised by representors.

Issue 1 – Is the spatial strategy and the approach to the promotion of sustainable development effective?

18. Sustainable development underpins the Local Plan Vision and Objectives, as well as its spatial strategy, which is to focus development on the more sustainable settlements, whilst also supporting regeneration needs and tackling deprivation. Achieving sustainable development to create a more sustainable District is the fundamental aim and vision of the Local Plan.
19. Policy SS1 sets out the criteria against which the contribution development proposals would make to sustainable development will be considered. The policy and its supporting text do not, however, make it clear that development proposals would not need to demonstrate that they would satisfy each criterion, but that the assessment of their sustainability credentials would be likely to include positives as well as negatives. This would then assist the Council in its consideration of the overall planning balance when assessing development proposals. I therefore recommend that an additional paragraph be included in the supporting text to Policy SS1 to provide clarification and to ensure that the Local Plan is effective. **[MM5]**

⁸ As set out in Table 1 of KSD5

20. Policy SS3 sets out the spatial strategy and distribution of development within the District, with a focus on development in the more sustainable settlements such as the Small Towns of Bolsover and Shirebrook and the Emerging Towns of South Normanton and Clowne, followed by the Large Villages of Creswell, Pinxton, Whitwell, Tibshelf and Barlborough, with lower levels of growth directed to the smaller settlements. Furthermore, the strategy focusses on Bolsover and Whitwell where key brownfield sites exist. From the evidence before me, I am satisfied that the spatial strategy and the approach to sustainable development in the Local Plan are justified and effective.
21. Paragraph 21 of the Revised NPPF requires that plans should make explicit which policies are strategic policies. Although this is not a requirement of the NPPF, the identification of these policies would ensure that the Local Plan is effective. I therefore recommend that modifications be made to clearly indicate which policies in the Local Plan are strategic policies for the area by the addition of a new paragraph in the Introduction to the Plan, along with the provision of a new Appendix. [MM2] [MM94]

Issue 2 – Is the Local Plan positively prepared, justified and effective in respect of housing?

Housing Requirement

Is the housing requirement based on up to date evidence of Objectively Assessed Need, including household and population projections, affordable housing needs, local migration and demographic adjustments and market signals?

22. Bolsover District, along with Bassetlaw District, Chesterfield Borough and North East Derbyshire District, make up the North Derbyshire and Bassetlaw HMA. Although the North Derbyshire and Bassetlaw Strategic Housing Market Assessment [SHMA] Final Report⁹ concludes that the area covered by the four authorities represents an appropriate functioning HMA, it acknowledges that there are economic links between the HMA and Sheffield and Rotherham to the north. In addition, due to the geography of the area, there are also local linkages, including cross-boundary commuting, with other areas, including Mansfield, Ashfield and Amber Valley. This is reflected in the Council's engagement with authorities beyond the HMA when considering cross boundary issues, including unmet needs.
23. The SHMA Report concludes that the OAN is between 1,180 and 1,350 dwellings per annum (dpa) across the HMA, with a recognition that higher housing provision might be considered in order to support economic growth. The lower end of the range assumes that household formation rates fall midway between those implicit within the 2008 and 2011 based household

⁹ North Derbyshire and Bassetlaw Strategic Housing Market Assessment Final Report, prepared by GL Hearn Limited, (November 2013) [EB25]

projections, whereas the higher end allows for higher population growth and/or household formation relative to this. In Bolsover, this equates to an OAN for housing of between 235 and 240 dpa.

24. The Council published an OAN Update¹⁰ in October 2017 which considers the OAN in each of the four Council areas in the HMA to support the preparation of their Local Plans. It updates the OAN findings of the earlier SHMA Report, taking account of the latest 2014 Based Sub-National Population Projections published by the Office for National Statistics [ONS] in May 2016 and new household projections published in July 2016, along with the latest evidence from market signals, of potential economic growth (and the housing provision which would be needed to support this), together with an updated assessment of affordable housing.
25. The relationship between economic growth and housing need has been considered in detail in the SHMA, OAN Update, Economic Alignment Study [EB19] and the Housing Requirement Position Paper [PP1]. The OAN Update concluded that the baseline (trend-based) forecasts should be used in defining minimum OAN figures. For Bolsover this showed a need for 249dpa. The OAN Update did, however, recommend that the HMA authorities test the potential to support higher economic growth and the alignment of strategies for homes and jobs in bringing together evidence. The Economic Alignment Study and the Housing Requirement Position Paper were produced in order to do this.
26. The Economic Alignment Study considers the connection between housing and employment growth in the District. It concludes that the situation is complex and that there are other factors that impact on the relationship between employment growth and residential demand in the Bolsover context. It recognises that there has been an historic disconnect between the actual demand for housing and employment in Bolsover and what a model would suggest. Within Bolsover, the recent economic growth has been underpinned, at least in part, by a small number of strategic warehousing developments. The Study recognises that such developments typically require large areas of land, despite creating comparatively modest levels of employment. As a result, it says that there is a risk that the traditional relationship between jobs and employment land becomes somewhat disrupted in locations such as Bolsover, which, although it is an attractive location for such uses, is essentially accommodating developments that are strategic in nature and that serve to meet the employment needs of residents across a wider geographical area.
27. The Housing Requirement Position Paper considers the relationship between economic growth and housing need further. It concludes that, within Bolsover, there is no evidence that supports the modelled view that high

¹⁰ North Derbyshire and Bassetlaw OAN Update, Final Report, prepared by GL Hearn (October 2017) [EB23]

levels of employment growth through new employment land allocations drives housing growth in any clear, identifiable or linked manner. In coming to this view, the Position Paper has considered the employment growth, geography, commuting patterns and the nature of employment within the District.

28. Bolsover District falls within two Local Enterprise Partnerships [LEPs], the Sheffield City Region LEP and the D2N2 LEP. Both have commitments with the Government under the Growth Deal to create jobs (8,000 and 18,000 respectively) and allow homes to be built (5,000 and 8,000 respectively) by 2021. Sheffield City Region LEP's aspirational Strategic Economic Plan wants to create 70,000 new jobs in the LEP area by 2025, while the D2N2 LEP's aspirational Strategic Economic Plan wants to create 55,000 private sector jobs by 2023. Both LEPs have confirmed that they are content with the approach taken by the Council in the Local Plan in relation to delivering jobs and homes in the District and that the policies are consistent with supporting the aims and objectives of the current and emerging Strategic Economic Plans. I am satisfied, therefore, that there would be no need for an uplift in respect of employment growth.
29. The OAN Update identifies a net affordable housing need of 126dpa in Bolsover. In order to deliver the affordable housing need in full on sites of 25 dwellings or more at a rate of 10%, provision would need to be made for 1,260dpa. Taking into account a legal judgement¹¹, the OAN Update states that the expectation is that it may be necessary, based on the affordable housing needs evidence to consider an adjustment to enhance the delivery of housing, but this does not necessarily need to be done in a mechanical way whereby the affordable housing need on its own dictates the OAN figure. The PPG states that an increase in total housing figures should be considered where it could help deliver the required number of affordable homes. Indeed, consideration should be given to the overall deliverability of housing, having regard to whether the evidence on affordable housing need would support an upward adjustment.
30. In Bolsover, the OAN Update says that a 410% uplift on demographic need would be required to deliver the affordable housing need in full. However, I concur with the OAN Update that an adjustment of this scale in overall housing delivery would not be realistically deliverable. Bolsover is a District with a relatively low value housing market which impacts upon the viability of residential development and can significantly impact upon the degree of affordable housing that can be delivered. I note that affordable housing could be brought forward in other ways, in addition to those developed as part of a Section 106 Agreement, including through schemes proposed by Registered Providers, on rural exception sites and through delivery funded through the National Affordable Housing Programme.

¹¹ Kings Lynn and West Norfolk Council v SSCLG and Elm Park Holdings (2015) EWHC 2464

31. There is clearly a substantial affordable housing need in the District which supports the consideration of an upward adjustment from the conclusion on demographic need to support affordable housing delivery. Given the viability issues in the District, however, I am satisfied that the 10% adjustment proposed in the OAN Update would be justified and effective.
32. The OAN has been calculated taking into account the adjustments made in drawing conclusions on the demographic need for homes, upward adjustments where appropriate to support baseline economic growth, and, a 10% upward adjustment to the demographic need to support enhanced affordable housing delivery, with the exception of Chesterfield. The OAN Update concludes that the baseline/minimum OAN for the HMA is 1,184dpa, which includes 272dpa in Bolsover, which includes a 10% uplift to support affordable housing provision.
33. From the evidence before me, I am satisfied that the OAN of 272dpa in the Local Plan is justified. Furthermore, the provision of an additional housing land supply buffer of 10% across the Plan period set out in Policy SS2 provides a degree of flexibility.

Should the housing requirement be expressed as a minimum?

34. The Local Plan sets out the requirement for sufficient land to accommodate the delivery of 5,168 dwellings (272dpa) to meet the Council's OAN across the period 2014 to 2033, plus an additional housing land supply buffer of 10% for site flexibility applied across the same period in Policy SS2. However, in order to be consistent with Government policy in the NPPF and to reflect the findings of the OAN Update, it should be made clear that this is a minimum requirement. I recommend, therefore, that modifications be made to Policy SS2 and its supporting text to make it clear that the OAN of 5,168 is a minimum. **[MM6] [MM7]**

Housing Distribution

Does the distribution of housing in the Local Plan reflect the spatial strategy of focussing development on the more sustainable settlements, whilst also supporting regeneration needs and tackling deprivation?

35. The Council's spatial strategy is strongly focussed on sustainable development, while achieving a balance between more difficult regeneration aims and securing immediately viable developments in order to contribute to the Local Plan's vision and objectives regarding sustainable growth. In order to do this, the Local Plan includes a settlement hierarchy which directs development firstly to the District's more sustainable settlements in the Small Towns of Bolsover and Shirebrook, which benefit from greater employment opportunities, better transport links and services and facilities, followed by the Emerging Towns of Clowne and South Normanton and then to the Large Villages of Creswell, Whitwell, Pinxton, Tibshelf and Barlborough.
36. Beyond these more sustainable settlements, the Local Plan supports limited development in a number of Small Villages. In the less sustainable Small Settlements in the Countryside, the Local Plan does not support urban forms

of development, beyond infill development on single plots and the conversion of agricultural buildings to employment uses, where appropriate. Paragraph 55 of the NPPF allows for the re-use of redundant or disused buildings in the countryside for housing. As such, in order that the Local Plan is consistent with national policy in the NPPF, I recommend that Policy SS3 be amended to delete the references 'on single plots' and 'to employment uses'. **[MM8]**

37. Stanfree is included in the list of Small Villages within Policy SS3 and within Figure 4A of the supporting text to this policy, however, the Settlement Hierarchy Study [EB39] does not identify it as such. Therefore, in order that the Plan is effective and justified, I recommend that Stanfree is removed from the list of Small Villages in Policy SS3 of the Plan. **[MM9]**
38. Policy SS3 sets out the distribution of proposed housing and employment development in the Borough. I am satisfied that, following the change to Stanfree as set out above, this distribution would reflect the spatial strategy of the Local Plan.

Site Allocations

Has the housing site selection process been based upon a sound process of Sustainability Appraisal [SA] and the testing of Reasonable Alternatives [RAs]?

39. The site allocations and RAs have all been subject to SA, as part of the Council's Sustainability Appraisal Report [SD3]. The SA had regard to the available sites in the Residential Land Availability Assessment [EB27]. The findings of the SA process were used to inform the plan-making and site selection process. From the evidence before me, I am satisfied that the approach to site selection in the Local Plan has been robust.

Are the site allocations deliverable and/or developable in accordance with the housing trajectory?

40. The Local Plan allocates three Strategic Sites at Bolsover North (Policy SS4), Clowne Garden Village (Policy SS5) and the Former Whitwell Colliery Site (Policy SS6) for a mix of uses, including 950 dwellings, 1,500 dwellings (1,000 dwellings during the Plan period) and 200 dwellings respectively. In addition, Policy LC1 allocates 22 sites for the development of around 2,394 further dwellings.
41. I acknowledge the concerns relating to the impact of some of the Strategic Sites and housing allocations upon the landscape, biodiversity, flooding and heritage assets. These matters are, however, covered by appropriate criteria in the SA and have been adequately assessed. Furthermore, the Local Plan contains suitable policies to ensure that these issues are appropriately considered.
42. I appreciate that highway concerns have been raised about a number of sites. However, I am not aware of any remaining significant concerns from the Highway Authority on the Strategic Sites or housing allocations, or about the overall amount of development proposed in any settlement or location.

43. Many of the Strategic Sites and housing allocations adjoin existing housing and concerns have been expressed about the impact of these new developments upon the living conditions of existing residents. However, I am satisfied that policies in the Local Plan will provide an appropriate framework to help ensure that the design and layout of development on these sites would not result in any significant harmful reduction to the living conditions enjoyed by neighbouring residents.
44. Having regard to the matters detailed above, I consider whether each allocation is deliverable and/or developable below.

Strategic Sites:

Are the three Strategic Sites at Bolsover North, Clowne Garden Village and the Former Whitwell Colliery located in the appropriate place to assist in the delivery of the spatial strategy?

45. The Local Plan allocates three Strategic Sites at Bolsover North, Clowne Garden Village and the Former Whitwell Colliery. The spatial strategy set out in the Local Plan has a strong focus on sustainable development, with an appropriate balance between achieving more difficult regeneration aims and securing more viable developments in order to contribute to the delivery of the Local Plan Vision and Objectives regarding sustainable growth.
46. Bolsover North and the Clowne Garden Village are located in two of the District's most sustainable settlements that are suitable and priorities for growth. Although the former Whitwell Colliery is located adjacent to the settlement of Whitwell, which is in the next tier down in the settlement hierarchy, it is one of the few large areas of post-industrial land within the District in need of restoration or reuse. I am satisfied, therefore, that the three Strategic Sites are located in the appropriate place to assist in the delivery of the spatial strategy.

Do Policies SS4, SS5 and SS6 clearly set out the requirement for the development of the Strategic Sites?

47. The Regulations¹² make it clear that development management policies which are intended to guide the determination of applications for planning permission should be set out as Local Plan policy. However, Policies SS4, SS5 and SS6 in the Local Plan, which relate to the Strategic Sites at Bolsover North, Clowne Garden Village and the Former Whitwell Colliery respectively, state that the requirements of the policies will be carried forward into Supplementary Planning Documents [SPDs] which would ensure that the Council can respond if required in a flexible way to changes in circumstances during the Plan period that would necessitate revisions to

¹² Regulations 2 and 5

the approved masterplans, with any revisions to them, considered and approved by the Council through the SPDs.

48. This would give development plan status to documents which are not part of the Local Plan and which have not been subject to the same process of preparation, consultation and Examination. This would not be compliant with the Regulations. Instead, where SPDs are prepared, they should be used to provide more detailed advice and guidance on the policies in the Local Plan¹³ and not as an opportunity to change the requirements of a policy. I therefore recommend that Policies SS4, SS5 and SS6 and their supporting text be amended to reflect this, in order that the Local Plan is effective. **[MM12] [MM13] [MM16] [MM18] [MM21] [MM22]**
49. Bolsover North
50. This Strategic Site is located just to the north of Bolsover Town Centre and is around 38ha in size. Given its location, it would provide an expansion of the town within close proximity to its services and facilities, along with key public transport routes. The site is expected to accommodate 950 dwellings, an extra care facility, a new town park and a relocated and expanded infant school, along with the creation of a new highway through the site to relieve pressure on Welbeck Road/Marlpit Lane.
51. The site benefits from outline planning permission and a SoCG [ED25] has been signed by the Council and the housebuilders which sets out the likely deliverability of the proposed development. This considers that development would be likely to commence on site between April and June 2019, with 40 dwellings completed in the first year (2019/20) and then at a rate of 70dpa from 2020/21 until the end of the Plan period. Although I am satisfied from the evidence before me that this site is deliverable and developable, I am concerned that the progress milestones included within the SoCG may be overly optimistic, particularly in respect of the timescale proposed for the submission and consideration of reserved matters.
52. I consider it unlikely that the first 40 dwellings would be completed in 2019/20 and that delivery would be more likely to begin in 2020/21. I therefore recommend that the deliverability information, set out in the supporting text to Policies SS4 and LC1, detailed in Policy SS4 and shown on the housing trajectory, should be moved back by one year and the number of dwellings likely to be delivered on this site in the Plan period be changed to 880 dwellings. This would ensure that the Local Plan is effective. **[MM10] [MM11] [MM13] [MM31] [MM95]**

¹³ PPG ID 12-028-20140306

Clowne Garden Village

53. Clowne Garden Village Strategic Site is located to the north of Clowne and is around 140ha in size. Given its location, it would provide an expansion to the town within reasonable proximity to its services and facilities and key public transport nodes. The site is expected to accommodate around 1,500 dwellings (1,000 during the Plan period), around 20ha of B-use employment land, around 5ha of non B-use employment land, an improved highway connection to the town centre, a new western link highway to the A616/Boughton Lane junction, a new primary school, a new village green, Multi User Trails through the site and landscaping.
54. An application for outline planning permission was submitted in December 2017 and, on 26 June 2018, the Council resolved to approve the application, subject to a number of conditions and the completion of a Section 106 Agreement, and refer it to the Secretary of State. The Secretary of State did not call the application in for his determination. Rather, he referred it back to the Council, on 19 July 2018, for the Council to determine. At the time of the Hearing sessions it was confirmed that it was expected that the Section 106 Agreement would be signed by the end of March 2019 and the decision issued shortly after.
55. A SoCG [ED26] and a SoCG Addendum [ED58] have been signed by the Council and the site promoters which include a series of progress milestones and a delivery trajectory for the site. In respect of the housing element of the proposed development, it is anticipated that housebuilders would start on site in July 2020 with 60 dwellings completed in the first year (2020/21) and then at a rate of 90dpa from 2021/22 until the end of the Plan period. I am satisfied that this annual rate of delivery would be achievable, given the proposal that several outlets would be under construction by different housebuilders at the same time.
56. Although I am satisfied, from the evidence before me, that this site is deliverable and developable, I am concerned that the progress milestones included in the SoCG and updated in the SoCG Addendum, may be overly optimistic, in particular in respect of the timescales for selecting preferred housebuilders and the submission and consideration of reserved matters applications. As such, I consider that it would be unlikely for the first 60 dwellings to be completed in 2020/21. Nevertheless, given the proposed delivery rate, even if the start date is pushed back by one year, as I am recommending, the number of dwellings completed in the Plan period would rise from 1,000 to 1,050. I therefore recommend that the deliverability information, set out in the supporting text to Policies SS5 and LC1, and shown on the housing trajectory, should be moved back by one year and the number of dwellings likely to be delivered on this site in the Plan period be changed to 1,050 dwellings. This would ensure that the Plan is effective. **[MM14] [MM15] [MM39] [MM95]**
57. Changes and additions are required to Policy SS5 to: reflect the terminology with regards to Multi User Trails; add wetlands and grasslands to those areas of biodiversity which require conservation and enhancement; fully address methods of tackling climate change; to conserve and/or enhance

the historic environment; and the issue of sewage infrastructure and capacity, in order to ensure that the policy is effective. I have amended the wording of the historic environment element slightly, following a comment made in response to the consultation on the MMs. **[MM18]**

58. Finally, in order that the Indicative Masterplan fully reflects policy constraints and to ensure that the Plan is effective, I recommend that Figure 4C be amended to include the extent of the Conservation Area. **[MM17]**

Former Whitwell Colliery Site

59. The Former Whitwell Colliery Strategic Site is situated to the south east of Whitwell and is separated from the settlement by the Robin Hood railway line. The site is around 47ha in size, although the Local Plan indicates, incorrectly, that it is approximately 13ha. It is anticipated that the site could accommodate mineral workings, a minimum of 200 dwellings and 5ha of B-use employment land, along with remodelling of the resulting landform and the creation of a country park and improved and convenient access to Whitwell train station. A SoCG [ED37] signed by the Council and the site promoter includes progress milestones and a delivery trajectory. These anticipate that work would commence on site in terms of clearing, remediation and creating an appropriate landform in 2021, with the first dwellings expected to be completed in 2026/27.
60. An application for outline planning permission was submitted to the Council in August 2018. However, no decision had been issued at the time of the Hearing sessions. The landowner has submitted a minerals application to Derbyshire County Council as the Minerals Planning Authority. From the evidence before me, however, I am satisfied that the delivery trajectory is reasonable and achievable, given the site constraints and the extent of remediation required, and that, as such, this site is developable.
61. In order to ensure that an Important Open Break is retained between the built up areas of the parishes of Whitwell and Hodthorpe and for the Local Plan to be effective, I recommend that a Transitional Zone be included to the north of this allocation, which would provide for a landscaped area where the form, layout and density of housing development shall reflect the need to respond positively to the countryside edge and the Important Open Break. I therefore recommend that changes be made to the supporting text to Policy SS6 and to Figures 4D and xvi), in Appendix 8.1, in this regard, as well as updating the supporting text to more accurately reflect the current position with regards to this site. **[MM19] [MM20] [MM96]**
62. Changes and additions are required to Policy SS6 to reflect Government policy with regards to the historic environment; to acknowledge the location of a principal aquifer on the site; and, to more accurately reflect the environmental considerations on the site, in order to ensure that the policy is effective. I have amended the wording of the historic environment element slightly, following a comment made in response to the consultation on the MMs. **[MM22]**

Housing Allocations:

63. In addition to the Strategic Sites, the Local Plan allocates 22 sites for housing development. During the course of the Examination, changes have been put forward to the projected lead in times, build out rates and projected completions on these sites as further, more up-to-date information has been provided.
64. The Local Plan includes a breakdown of the housing allocations by size of site. However, in order to take account of changes that I am recommending to the individual sites below, I also recommend that Figure 5A be amended to reflect changes to the breakdown to ensure that the Local Plan is justified and effective. **[MM51]**
65. Although the Local Plan sets out the likely quantum of development on each allocated site in the supporting text, in order for the Plan to be effective I recommend that this be set out clearly in Policy LC1. **[MM52]**

a) Land off Langwith Road and Mooracre Lane, Bolsover

66. This housing site is located adjacent to the eastern edge of the built up area of Bolsover, between Mooracre Lane, to the north, and Langwith Road, to the south, and is allocated for the construction of approximately 460 dwellings. The first phase of development on this site has detailed planning permission and is currently under construction. The site delivered 21 dwellings in 2018/19 and is now expected to deliver the remaining 442 dwellings between 2019 and 2033, with 160 of these within the 5 year supply.
67. The developer of the first phase has indicated that a build out rate of 30dpa is expected, which is below that anticipated in the Housing Trajectory. The second phase of the development does not yet benefit from a detailed planning permission, with development anticipated to begin on this part of the site in 2023/24. Whether or not the second phase comes forward as a continuation of the first phase, with the same developer, or alongside the first phase, if a different housebuilder is selected, it is reasonable to expect that there would be some overlap in terms of delivery. I am satisfied, therefore, from the evidence before me, that this site would be both deliverable and developable. To ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions on this site. **[MM32] [MM95]**

b) Former Courtaulds Factory Site, Oxcroft Lane, Bolsover

68. The Local Plan allocates this brownfield site, on the northern edge of the built up area of Bolsover, for the construction of 35 dwellings. This site is currently under construction and delivered 17 dwellings in 2018/19. The remaining 18 dwellings are expected to be delivered in 2019/20. I am satisfied, therefore, from the evidence before me, that this site would be deliverable. To ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing

trajectory to reflect changes to the projected timescale for delivery of completions on this site. **[MM33] [MM95]**

c) Land between Shuttlewood Road and Oxcroft Lane, Bolsover

69. This site, which is located to the north of the Former Courtaulds Factory Site, is allocated in the Local Plan for the construction of approximately 230 dwellings. An application for the approval of reserved matters was approved by the Council in January 2019 for the majority of the site and during the Examination, the Council and the housebuilder signed a SoCG [ED38] which includes a start date of between April and June 2019 and a build out rate of 20dpa. These differ from those included in the Housing Trajectory. However, given the recent approval of reserved matters, I am satisfied that the revised start date and build out rate are reasonable and appropriate on this site. The site is now anticipated to contribute 80 dwellings in the 5 year supply. I am satisfied, therefore, from the evidence before me, that this site would be both deliverable and developable. To ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions on this site. **[MM34] [MM95]**
70. The supporting text to Policy LC1 requires that the site should come forward in a comprehensive manner and that it facilitates the reprioritisation of Shuttlewood Road through the site, connecting to Oxcroft Lane, so increasing the capacity and traffic flow of the local highway network. In order to ensure that this allocation is effective in respect of improvements to the highway network, I recommend that the supporting text to Policy LC1 be amended to require that it facilitates the provision of a distributor road link to Shuttlewood Road through the site to connect to Oxcroft Lane. **[MM34]**
71. One of the proposed changes¹⁴ to the Policies Map consulted upon by the Council, alongside the MMs, amended the northern boundary of this site to exclude Bole Appleton Farm. However, in response to this consultation, concerns have been raised about the ability of the Local Plan to deliver the proposed highway infrastructure if this part of the allocation is deleted. I note, however, that the outline planning permission for the central part of the site is subject to a condition¹⁵ that the application for approval of reserved matters of layout shall not prejudice the provision of a potential distributor road link from the application site to Shuttlewood Road. The approval of reserved matters also includes a condition¹⁶ which requires the provision and maintenance of the 6.1m 'future access to adjoining land'

¹⁴ The Council's Proposed Changes to the Submitted Policies Map Consultation Document [ED64] includes this change as PMC4

¹⁵ Condition No. 11 on application 15/00076/OUT

¹⁶ Condition No. 4 on application 18/00403/REM

opposite Plot 67 up to the adjacent field boundary in order to ensure that the development does not preclude or frustrate the potential to provide a future road link between this site and Shuttlewood Road.

72. Indeed, there is no substantial evidence before me to show that the change proposed to the boundary of this allocated site on the Policies Map would lead to the Local Plan being ineffective in respect of the delivery of the distributor road link between Shuttlewood Road and Oxcroft Lane.

d) Land off Oxcroft Lane, Bolsover

73. The Local Plan allocates this site, which is surplus Old Bolsover Town Council land, for the construction of approximately 45 dwellings. It is sited to the east of Oxcroft Lane and to the west of part of the Bolsover North Strategic Site. The site is to be developed by the Council's public/private small-scale housebuilding enterprise. Pre-application advice was sought during 2018 and a full planning application was expected before the end of March 2019. The site is expected to contribute 45 dwellings in the 5 year supply. Given this, I am satisfied that this site would be deliverable within the timescale anticipated in the housing trajectory.

e) Land at Brookvale, Shirebrook

74. This site, which is located to the south of Shirebrook, is allocated in the Local Plan for the construction of approximately 560 dwellings in several phases. The whole site benefits from outline planning permission and the first phase is currently under construction. It delivered 84 dwellings in 2018/19, which is above the 45 dwellings anticipated in the housing trajectory, and is expected to deliver the remaining 600 dwellings between 2019 and 2033. During the Examination, the Council entered into a SoCG [ED23] with the developers and promoters of this site, which sets out the delivery intentions and anticipated build out rate for the site.
75. A reserved matters application for the second phase of the development was approved in October 2018 and it is apparent, from the evidence before me, that the site will continue to be built out quickly. Nevertheless, a conservative build out rate of 40dpa has been agreed in the SoCG and I consider this to be a robust assessment. Furthermore, the quantum of development has increased to 684 dwellings on this site. The site is now anticipated to contribute 240 dwellings in the 5 year supply.
76. I am satisfied, therefore, from the evidence before me, that this site would be both deliverable and developable. To ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site.

[MM35] [MM95]

f) Land at Station Road, Langwith Junction

77. This site, which is located to the north of Langwith Junction, Shirebrook, is allocated in the Local Plan for the construction of 58 dwellings. The site is currently under construction and delivered 14 dwellings in 2018/19.

Furthermore, the quantum of development has increased to 68 dwellings on this site, with the remaining 54 dwellings expected to be delivered between 2019 and 2022. I am satisfied, therefore, from the evidence before me, that this site would be deliverable. To ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM36] [MM95]**

g) Land to the rear of 1 to 35 Red Lane, South Normanton

78. The Local Plan allocates this site, which is located to the south of the built up area of South Normanton, for the construction of approximately 50 dwellings. The site previously had planning permission, but this has now lapsed and a new planning permission is required. The Council entered into a SoCG [ED39] with the promoter of the site during the Examination which sets out the anticipated start date and build out rates. However, given that a housebuilder is yet to be appointed and the need for submission of a new planning application, I consider that a start date of September 2019 is overly optimistic. As such, I consider that the housing trajectory should be amended to include a longer lead in time for this site. Nevertheless, from the evidence before me, I am satisfied that this site would be capable of delivering the allocated 50 dwellings within the 5 year supply and would, therefore, be deliverable. To ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the likely lead in time and projected timescale for delivery of completions on this site. **[MM37] [MM95]**

h) Land at Rosewood Lodge Farm, Alfreton Road, South Normanton

79. This site, which is located to the south of Alfreton Road, behind some predominantly frontage development, immediately to the west of South Normanton, is allocated in the Local Plan for the construction of approximately 145 dwellings. The site benefits from planning permission for 143 dwellings and is in the control of a housebuilder, with whom the Council entered into a SoCG [ED24] during the Examination. This confirms that development has commenced and marketing of the dwellings has begun. It also sets out the anticipated build out rate for the site, along with a minor change to the quantum of development proposed, which reflects the number of dwellings approved.

80. The SoCG includes a more conservative build out rate of 25dpa, than that included in the housing trajectory, which I consider to be a robust assessment. The site is now anticipated to contribute 125 dwellings in the 5 year supply. I am satisfied, therefore, from the evidence before me, that this site would be both deliverable and developable. To ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. Furthermore, I recommend that, in order that the Local Plan is effective, changes be made to the supporting text to Policy LC1 to ensure that any alterations to the existing scheme conserve and/or enhance the

nearby heritage assets and conserve the biodiversity of the wildlife site. I have amended the wording of this MM slightly to take account of a comment made to about it during the MM consultation exercise. **[MM38] [MM95]**

i) Land at Town End Farm, Lees Lane, South Normanton

81. The Local Plan allocates this site to the south west of South Normanton town centre for approximately 40 dwellings between 2023/24 and 2024/25. During the Examination, the Council entered into a SoCG [ED35] with the landowner of this site, which sets out the delivery intentions and anticipated build out rate.
82. I acknowledge that the site promoter has sought and secured expressions of interest from housebuilders for the development of this site as well as the desire of the landowner to bring the site forward as soon as feasible for up to 50 dwellings. Although there is a possibility that this site could come forward sooner than anticipated, which is accepted by the Council, I consider that the approach to the deliverability of the site set out in the housing trajectory is sufficiently robust and justified, given its current status. As such, I do not propose to make any change to the Local Plan in this regard. However, I am satisfied, from the evidence before me, that the site would be both deliverable and developable.

j) Land to the rear of 169-207 Creswell Road, Clowne

83. This site, which is located in the built up area of Clowne, to the north of Creswell Road, is allocated in the Local Plan for 28 dwellings. The site benefits from planning permission and is under construction. The Plan anticipates that these dwellings would be delivered by 2021. However, following its allocation in the submitted Local Plan, the housebuilder filed for bankruptcy and development halted. As such, I consider that a more cautious approach to the delivery of the remaining 27 dwellings would be justified, with completions anticipated between 2024 and 2027, to give sufficient time for another housebuilder to carry out the development. As such, from the evidence before me, I consider that this site would be developable. I therefore recommend MMs to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions on this site. **[MM40] [MM95]**

k) Land west of Homelea and Tamarisk, Mansfield Road, Clowne

84. The Local Plan allocates this site, located immediately to the south of Clowne and to the north of the housing allocation on Land at High Ash Farm, Mansfield Road, for the delivery of 15 dwellings by 2019. The site benefits from planning permission, however, an application has subsequently been made for the approval of details reserved by a number of conditions on that permission. As such, the site did not deliver the anticipated 15 dwellings by 31 March 2019. Given this, along with the expected timescale for the consideration and approval of the subsequent application, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to amend the projected timescale for delivery of completions by 2020 on this site to ensure that the Local Plan is effective.

As such, from the evidence before me, I consider that this site would be deliverable. **[MM41] [MM95]**

l) Land at High Ash Farm, Mansfield Road, Clowne

85. This site, which is located immediately to the south of the built up area of Clowne and the housing allocation on Land west of Homelea and Tamarisk, Mansfield Road, is allocated in the Local Plan for 42 dwellings which are anticipated to be delivered between 2018 and 2020. Planning permission was granted for 41 dwellings on this site in September 2017 and the development is now under construction. Following the Council's survey of sites at the beginning of April 2019, it was confirmed that no dwellings had been completed on this site in 2018/2019. However, given that dwellings are currently under construction, I am satisfied that this site would be deliverable, with development expected to be completed by 2021. In order to ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM42] [MM95]**

m) Land north of Chesterfield Road, Barlborough

86. The Local Plan allocates this site, located to the west of Barlborough and to the east of the M1 motorway, for the delivery of approximately 150 dwellings between 2018 and 2024. The site benefits from the approval of a reserved matters application for 157 dwellings and the Council has confirmed that a legal start has been made on site. Nevertheless, an application for the approval of details reserved by several conditions was submitted to the Council in August 2018, which has led to a delay in the delivery of houses on this site. During the Examination, the Council and the site's promoters entered into a SoCG [ED59] which puts forward a revised trajectory for this site, with delivery now expected between 2020 and 2026. Based on the evidence before me, I consider that this would provide a more robust assessment of the potential delivery of this site and I am satisfied that it would be deliverable and developable. In order to ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM43] [MM95]**

n) Land rear of Skinner Street, Creswell

87. This site is located to the north of the centre of Creswell, within the built up area of the settlement. The Local Plan allocates it for the delivery of 82 dwellings between 2018 and 2021. This site is currently under construction and delivered 30 dwellings in 2018/19. The remaining 43 dwellings are expected to be delivered between 2019 and 2021. From the evidence before me, therefore, I am satisfied that this site would be deliverable. In order to ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM44] [MM95]**

o) Land south of Creswell Model Village

88. The Local Plan allocates this site for approximately 190 dwellings between 2018 and 2029. The site is located to the south of Creswell and benefits from planning permission for 197 dwellings. The site is under construction, however, no dwellings were completed in 2018/19. Nevertheless, based on the evidence before me, I am satisfied that this site would be deliverable and developable. In order to ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory, to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM45]**
[MM95]

p) Land at Croftlands Farm, Pinxton

89. This site, which is located to the north of Pinxton, adjacent to the built up area, is allocated in the Local Plan for the delivery of approximately 50 dwellings between 2022 and 2024. An application for outline planning permission for up to 65 dwellings was considered by the Council in November 2018 and it was resolved to approve the application subject to a number of conditions and the signing of a Section 106 Agreement.
90. The Council entered into a SoCG [ED27] with the site promoter during the Examination which puts forward a revised trajectory for this site, with delivery now expected between 2022 and 2025 for the increased quantum of development. Given the milestones set out in the SoCG, which indicate that a preferred housebuilder will be in place by the Autumn of 2019, with an application for the approval of reserved matters submitted by the summer of 2020, I am satisfied that the site would be deliverable and developable. In order to ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM46]**
[MM95]

q) Land south of Overmoor View, Tibshelf

91. The Local Plan allocates this site for the delivery of 103 dwellings by 2021. The site, which is located adjacent to the built up area of Tibshelf, to the west of the M1 motorway, benefits from detailed planning permission and is under construction. The site delivered 17 dwellings in 2018/19, which is less than expected and is anticipated to deliver its remaining 78 dwellings by 2022 as a result. Subject to amendments to the quantum of development and the expected delivery rate, from the evidence before me, I am satisfied that this site would be deliverable. In order to ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM47]** **[MM95]**

r) Land west of Spa Croft, Tibshelf

92. This site is situated to the west of the southern half of Tibshelf, to the south of Doe Hill Lane, opposite Tibshelf Community School. It benefits from planning permission and is currently under construction, having delivered 17 dwellings in 2018/19, and is expected to deliver the remaining 27 dwellings in 2019/20. Subject to amendments to the quantum of development and the expected delivery rate, I am satisfied that this site would be deliverable. In order to ensure that the Local Plan is effective, MMs are recommended to the supporting text to Policy LC1 and the housing trajectory to reflect changes to the projected timescale for delivery of completions and the quantum of development on this site. **[MM48]**
[MM95]

s) Land at Glapwell Nurseries

93. The Local Plan allocates this site for the delivery of 16 dwellings by 2021. The site benefits from planning permission, however, it is apparent from the evidence presented to the Examination, that the development had stalled because the construction of 16 dwellings would not be viable. An application for outline planning permission on a larger site was refused by the Council but was subsequently allowed on appeal. As the allocated site would be unlikely to come forward in isolation, due to the viability issues, and as I am not considering omission sites as part of this Examination, the retention of this allocation would not be justified or effective. As such, I recommend that it be deleted from the Plan. **[MM49]** **[MM95]**

t) Land at Queens Road Allotments, Hodthorpe

94. This site, which is located to the south and east of the built up area of Hodthorpe, is allocated in the Local Plan for the delivery of 38 dwellings between 2019 and 2023. It benefits from outline planning permission for 38 dwellings and, during the Examination, the Council entered into a SoCG [ED50] with the site promoters. This confirms that a housebuilder is now contracted to bring forward this site, in line with the Local Plan trajectory. From the evidence before me, I am satisfied that this site is deliverable and the allocation of this site is, therefore, justified and effective.

u) Land between 11 and 19 Back Lane, Palterton

95. The Local Plan allocates this site for the delivery of 11 dwellings between 2020 and 2022. The site is located in the built up area of Palterton and benefits from outline planning permission for 11 dwellings. During the Examination, the Council entered into a SoCG [ED43] with the site promoters. This confirms that marketing of the site has begun to enable the site to be brought forward, in line with the Local Plan trajectory. From the evidence before me, I am satisfied that this site is deliverable and the allocation of this site is, therefore, justified and effective.

v) Land east of Pleasley Pit

96. This site is allocated in the Local Plan for the delivery of 19 dwellings between 2019 and 2021. However, following the completion of this site in

2019, I recommend that the allocation be deleted from the Local Plan as its allocation is no longer justified. **[MM50] [MM95]**

Housing Supply during the Plan period

Have sufficient sites been allocated in the Local Plan to meet the housing requirement?

97. The Local Plan includes a housing trajectory at Appendix 5.1 which shows that between 2018/19 and 2032/33 the residential site allocations would provide 4,551 dwellings. The table in paragraph 5.9 of the Local Plan indicates that when added to the actual completions for 2014/15 to 2016/17 and the expected completions for 2017/18, there would be a supply of 5,730 dwellings against the requirement of 5,168 dwellings plus a 10% buffer for flexibility.
98. I have considered the allocated sites in detail, having regard to the evidence submitted and the discussions at the Hearing sessions, and my conclusions are set out in more detail above. As a result of the recommended MMs, I conclude that 2,130 dwellings¹⁷ are anticipated to be completed on the Strategic Site allocations, with a further 2,318 dwellings completed on other housing site allocations. To ensure that the Plan is up to date on adoption and effective I recommend that the housing trajectory is amended to reflect this. **[MM95]**
99. Following a discussion at the Hearing session on housing land supply, I asked the Council to undertake further work¹⁸ in respect of its annual monitoring of housing delivery, in particular in respect of its use of 'wind and watertight' as a definition of completion, rather than the Government's definition of completion which is 'ready for occupation'. This shows that 1,407 dwellings were completed between 2014/15 and 2018/19.
100. In order that the Plan is justified, I recommend that the supporting text and table in paragraph 5.9 of the Local Plan be amended to reflect the changes to the completions data resulting from the Council's investigative work and the amended information on the housing allocations set out in the trajectory. **[MM28]**
101. The revised figures show that the Local Plan has a housing supply of 5,855 dwellings in the Plan period. In the first five years, 1,407 dwellings have been completed, against a requirement of 1,360 dwellings¹⁹. The housing trajectory shows how the supply would be relatively evenly spread across the Plan period, with it expected to exceed the requirement of 272dpa in all but the last two years. I am satisfied, therefore, that the Plan provides

¹⁷ Bolsover Strategic Site (880 dwellings; Clowne Garden Village Strategic Site (1,050 dwellings); and, Former Whitwell Colliery Strategic Site (200 dwellings)

¹⁸ Outcome of Bolsover Council's Completions Investigative Work, February 2019 [ED62]

¹⁹ 272dpa x 5 = 1,360

sufficient housing supply to meet its identified needs throughout the Plan period.

102. The Local Plan makes reference to a number of sites in paragraph 5.10 which benefit from planning permission, but which are either not in accordance with the Council's spatial strategy or have viability concerns and, as such, are not allocated in the Local Plan as housing sites. As these sites are not necessary to meet the Council's housing requirement and given the uncertainty around their deliverability, reference to them is not necessary to make the Local Plan effective. In any event, given that the housing requirement is a minimum figure, along with the Government policy to boost significantly the supply of housing, if these sites come forward for housing development, they would provide further choice and flexibility in the local housing market. I recommend therefore that paragraph 5.10 be deleted from the supporting text to ensure that the Local Plan is effective. **[MM29]**

Five Year Housing Land Supply

Will the Council be able to demonstrate a five year supply on adoption?

103. Government policy in paragraph 47 of the NPPF says that, in order to boost significantly the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement, with an additional buffer of 5% or 20%, where there is a record of persistent under delivery. It is apparent, from the evidence before me, including that the requirement has been exceeded for the first five years of the Plan, that the persistent under delivery does not apply in this case and, as such, a 5% buffer should be applied in Bolsover.
104. Government guidance in the PPG advises that where there is a shortfall, this will need to be calculated from the base date of the Local Plan and be added to the Plan requirement for the next five year period (the Sedgefield approach) and then the appropriate buffer should be applied. The PPG is, however, silent in cases such as Bolsover, where there has been provision above the requirement in the first five years of the Plan period. The Council has suggested that the same principle could be applied to any oversupply and, as a result, in calculating its five-year supply, it has deleted this surplus from the requirement over the next five years. Applying the revised figures in the table at paragraph 5.9 of the Local Plan, along with the amendments recommended to the housing trajectory, using this method the five year requirement would be 1,379²⁰ dwellings, as opposed to 1,428²¹ dwellings without taking away the surplus.

²⁰ $(272\text{dpa} \times 5) - 47 = 1,313 + 5\% = 1,379$

²¹ $272\text{dpa} \times 5 = 1,360 + 5\% = 1,428$

105. The Council set out the five-year housing land supply calculation²² as part of its investigative work on completions. This was based on the housing trajectory information considered during the Hearing sessions, but excluding new or lapsed permissions. It concludes that the Council can demonstrate a housing supply of 8.64 years. Although some changes are recommended to the allocated sites and the housing trajectory in this Report, I am satisfied that there is a good prospect that the Council would be able to demonstrate a five-year supply of deliverable housing land on adoption.
106. Paragraph 48 of the NPPF says that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. The Local Plan does not include an allowance for windfall sites, however, it is acknowledged that such sites can make a contribution to the housing supply. In order to be effective, I recommend that the supporting text in paragraph 5.12 of the Local Plan be amended to refer to the contribution that windfall sites make to housing supply being recorded by the Council through its annual monitoring of housing delivery. **[MM30]**

Affordable Housing

Does the Local Plan make appropriate provision for affordable housing?

107. Paragraph 50 of the NPPF requires local planning authorities to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. In order to do this local planning authorities should have a clear understanding of housing needs in their area. Local Plans should address the needs for all types of housing, including affordable housing. I have set out the findings of the OAN Update earlier in my Report, which indicates that the District has a substantial affordable housing need. For the reasons set out above, I consider that a 10% adjustment to the housing requirement would be justified and effective to support affordable housing delivery in the District. Although this would not meet the affordable housing needs of the District in full, given the scale of this need and the nature of the District, I am satisfied that the level of affordable housing proposed would be appropriate in this case.
108. Although the Plan is being assessed against the NPPF, decisions on planning applications in the future will also consider the policy contained in the Revised NPPF. Paragraph 71 of the Revised NPPF requires that local planning authorities support the development of entry level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's

²² Paragraphs 2.10 – 2.13 of Outcome of Bolsover Council's Completions Investigative Work, February 2019 [ED62]

area. The Local Plan evidence base indicates that the need for entry level housing at low cost is generally well met across the District, however, where a need is identified proposals for such development should be supported. As such, in order to be effective, I recommend that the supporting text to Policy LC2 be amended to include an additional paragraph setting this out.

[MM53]

109. Policy LC2 requires the provision of 10% affordable housing on all sites comprising 25 or more dwellings, subject to viability. The Council has undertaken a Whole Plan Viability Assessment [EB54] which indicates that 10% affordable housing should be deliverable on the majority of sites above the 25 unit threshold within the District. The exceptions to this are sites within the settlements of Shirebrook and Hodthorpe. It is apparent that viability in the District in relation to housing development is challenging, which impacts upon the ability to provide affordable housing. However, given the evidence before me, I am satisfied that the provision of 10% affordable housing on sites of 25 dwellings or more would be appropriate and achievable on the majority of sites and, as such, is justified.

110. Furthermore, the demographic evidence in the SHMA [EB26] and OAN update [EB23], including the local housing needs assessment, supports the need for affordable housing for rent, given that the District has an aging population, together with long term health problems or disabilities. As such, in order that the Local Plan is effective, I recommend that Policy LC2 be amended to reflect the need for this specific type of affordable housing.

[MM54]

Custom and Self Build Dwellings

Is the provision of at least 5% of the dwelling plots on sites for 10 or more dwellings, or with a gross area of 0.3ha or above, to be set aside as serviced plots for sale to Custom or Self Builders appropriate and justified?

111. Paragraphs 50 and 159 of the NPPF require local planning authorities to plan for the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes). Local Plan Policy LC4 aims to ensure that the aspirations of people who want to build their own homes can be met in accordance with the NPPF.

112. The Council's Custom and Self Build Register indicates that, on 30 October 2018, 17 people had expressed an interest in this type of housebuilding in the District over a 3 year period. Given the current limited demand for Custom and Self Build serviced plots in the District, the requirement in Policy LC4, that 5% of the plots on sites of 10 or more dwellings, or with a gross area of 0.3ha or above, should be set aside for sale to Custom or Self Builders, would not be justified.

113. I note that, between 1 April 2017 to 31 March 2018, planning permission was granted for 48 residential units on small sites of one or two plots, which could be suitable for this type of development. Nevertheless, there is no indication of how many of these sites were made available for Custom and

Self Builders. Although the number of people who have expressed an interest in this type of housebuilding is currently small, the Local Plan should provide opportunities for this form of development to occur in order to meet the demand for Custom and Self Build plots as it arises during the Plan period. In order for the Local Plan to be effective and justified in this regard, I recommend that Policy LC4 be deleted and changes be made to Policy LC3 to indicate support for Custom and Self Build plots coming forward based on evidence of need. **[MM55] [MM56] [MM57] [MM100] [MM102]**

Gypsy and Traveller Provision

Does the Local Plan make adequate provision for Gypsy and Traveller sites, having regard to evidence of need?

114. A Gypsy and Traveller Accommodation Assessment²³ [GTAA] was prepared on behalf of the Derbyshire and East Staffordshire Councils and the Peak District National Park Authority. It indicates that there is an additional need for 17 residential pitches and seven houses for Gypsies and Travellers and 13 plots for Travelling Showpeople in the Bolsover District between 2014 and 2034. The Planning Policy for Traveller Sites [PPTS] requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets; and to consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, amongst other things.
115. Since 2014, the Council has granted planning permission for a single pitch for a residential site consisting of one mobile home and two touring caravans at Pinxton. This planning permission has been implemented and the site is included as an existing permanent site in Policy LC7. Local Plan Policy LC5 allocates two sites²⁴ for Gypsy and Traveller pitches and one site²⁵ for Travelling Showpeople. However, although the need for Travelling Showpeople's plots is met, the number of pitches with planning permission and/or allocated for Gypsies and Travellers [six] only meets part of the need identified. The identified need in the District is not therefore fully met in the Local Plan. Where there is an unmet need, further sites should be allocated to meet that need.
116. A further pitch has been put forward within the same area covered by the planning permission for a single pitch at Pinxton. To ensure that the Local Plan is effective, I recommend that a MM be made to the Local Plan to include both of these pitches within Policy LC5 and that the supporting text

²³ Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment 2014, Final Report, June 2015 [EB29]

²⁴ a) 3 Pitches at Hilcote Lane, Hilcote and b) 2 Pitches at land adjacent to 255A Shuttlewood Road, near Shuttlewood

²⁵ c) 14 Plots at Beaufit Lane, Pinxton

to the policy be amended accordingly. A corresponding change is also recommended to Policy LC7 to delete this site from the list of existing permanent sites. **[MM58] [MM59] [MM61]**

117. When considering additional pitches for Gypsies and Travellers within the District, the Council has examined the potential for extending existing sites, issued a call for sites, reviewed its landholdings and asked Derbyshire County Council to consider whether any sites it owns would be suitable.
118. Following the consideration of existing sites, the Council identified the possibility for expansion at four sites. However, only the site at Shuttlewood Road, which is included as an allocation in the Local Plan, was considered acceptable, given that the others would become too large²⁶ and/or were not suggested by the landowner²⁷. The existing site at Pinxton has since come forward for another pitch, as referred to above.
119. In response to the call for sites, five sites were put forward. Of these, two were dismissed as being unsuitable, due to being substantially affected by HS2 and its safeguarding zone. The other sites were considered to be too large, with two also having highway constraints. I note the Council's attempts to bring forward smaller parts of these sites with the agreement of the landowners, however, this has not been forthcoming.
120. Of the 10 sites identified as being of an appropriate size in the Council's landholding, all have garages sited on them, which are still in use, and none was considered suitable, for a number of reasons, including the narrow nature of the access roads and the proximity of existing residential development which, in some cases, surrounds the sites.
121. The County Council has not made any land available for the Council to consider. The Council has also requested assistance in meeting the need for Gypsy and Traveller pitches from its seven neighbouring authorities. However, none has been able to assist.
122. Although the Local Plan does not allocate sufficient sites to meet the needs of Gypsies and Travellers, I acknowledge the work that has been undertaken by the Council to identify further sites, both within and in adjoining authority areas. In addition, I note that there have been no unauthorised encampments in the District since the start of the Plan period and that a large existing site²⁸ is currently vacant. Given this, along with the level of unmet need [10 pitches] in the District and the Council's past record of granting planning permission for sites coming forward, I do not consider that requiring a new assessment or additional sites for pitches to be found would be proportionate or necessary. Indeed, I am satisfied that the

²⁶ Blackbridge, near Pleasley

²⁷ Blackbridge, near Pleasley, The Paddocks, near Old Blackwell and Land to the rear of 3-5 Brookhill Lane, Pinxton

²⁸ Blackbridge Caravan Park, near Pleasley

criteria based policy [Policy LC6] in the Local Plan would enable further sites to come forward as and when needed.

123. Sites that come forward for Gypsy and Traveller pitches in the future should be in sustainable locations with access to local services and facilities, including public transport, and be retained for use by the Gypsy and Traveller community, whether this be by the imposition of a planning condition or through a legal agreement. I therefore recommend that Policy LC6 be modified to ensure that the Local Plan is effective in this regard.

[MM60]

Occupational Dwellings in the Countryside

Is Policy LC8 justified, effective and consistent with national policy in respect of agricultural, forestry and other occupational dwellings in the countryside?

124. Paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside, amongst other things. Policy LC8 sets out the criteria to be satisfied in order for planning permission to be granted for a new dwelling in the countryside, based upon the essential needs of agriculture and forestry. The supporting text to this policy recognises that there may be other rural based businesses which make it essential for someone to live on, or in close proximity to, the business. However, this is not reflected in the policy. I therefore recommend that Policy LC8 be modified to include other occupational dwellings in the countryside to ensure that the Local Plan is effective and consistent with national policy. **[MM62]**

Are the criteria included in Policy LC9 justified and effective in respect of the removal of agricultural and other occupancy conditions?

125. Where the need for agricultural, forestry and other occupational dwellings in the countryside no longer exists, Policy LC9 sets out the criteria for establishing that this is the case in order that a restrictive occupancy condition can be removed. This includes providing evidence that the property has been marketed locally for an appropriate period, at an appropriate price. The policy defines an appropriate period as being a minimum of 18 months. I note the concerns that have been expressed about the length of this process and the suggestion that a maximum period of 12 months would be more appropriate. However, the inclusion of a maximum period within the policy would not be effective as there would be no requirement for the marketing to take place over a specific period of time. In my opinion, a period of 12 months would be sufficient to establish whether or not a need remains. However, this should be expressed as a minimum and not a maximum period. I therefore recommend that Policy LC9 is modified to reflect this in order to ensure that the Local Plan is effective. **[MM63]**

Issue 3 - Is the Local Plan positively prepared, justified and effective in respect of employment?

Employment Requirement

Does the requirement for 92ha of employment land meet the economic development needs of the District and is it based on an appropriate assessment?

126. The Council's Economic Development Needs Assessment [EDNA] [EB18] identifies the need for employment land in the District as being between 65ha and 100ha during the Plan period. In coming to this conclusion, the EDNA had regard to the forecasting techniques contained in the PPG and developed four potential future scenarios, based upon a number of different methodological approaches, to provide a framework for assessing future B Class employment space requirements in Bolsover over the period 2015-2033. These four scenarios identified a gross land requirement of between 23.3ha and 129.5ha. Sensitivity testing was then carried out in order to identify an appropriate preferred requirement for the District. This was considered to comprise 10ha of land for B1a/b (office) uses, 20ha of land for B1c/B2 (manufacturing) uses and 35-70ha of land for B8 (warehousing and distribution) uses.

127. Policy SS2 of the Local Plan says that provision will be made for 92ha of employment land during the Plan period. From the evidence before me, I am satisfied that this level of employment need within the District for the period 2015-2033 is justified and is based on an appropriate assessment.

Employment Distribution

Does the distribution of employment in the Local Plan reflect the spatial strategy of focussing development on the more sustainable settlements, whilst also supporting regeneration needs and tackling deprivation?

128. In accordance with the Settlement Hierarchy Study [EB39], 61% of the employment land supply is sited close to three of the four most sustainable settlements, namely Shirebrook, South Normanton and Clowne. If the Large Villages are included, this rises to 75%. I am, therefore, satisfied that the distribution of employment development in the District reflects the spatial strategy and, as such, would be effective in focussing employment development in the most sustainable settlements.

Site Allocations

Strategic Sites:

Clowne Garden Village Strategic Site

129. As part of the allocation of this Strategic Site in Policies SS5 and WC1, it is anticipated that 20ha of employment land will come forward for B1, B2 and B8 uses. An application for outline planning permission, which included 20ha of employment uses, was submitted to the Council in December 2017. The Council resolved to approve the application, subject to a number of conditions and the signing of a Section 106 Agreement. The Council had

not issued the decision at the time of the Hearing sessions. However, it was apparent that progress on the Section 106 Agreement was being made and a decision was anticipated shortly afterwards.

130. This part of the Strategic Site is currently within the Green Belt. I consider this matter in detail in my assessment of Issue 4 below.

131. The SoCG Addendum [ED58] signed by the Council and the site promoters anticipates that 2ha per annum of employment development will take place each year from 2020/21 to 2029/30. From the evidence before me I am satisfied that this level and rate of employment development would be achievable on this site. As such, the allocation of employment uses on this Strategic Site is justified.

Coalite Priority Regeneration Area

132. The Coalite Priority Regeneration Area [PRA] comprises the 61ha site of the former Coalite Chemical Works. The PRA straddles the administrative boundary between Bolsover and North East Derbyshire District Council and benefits from outline planning permissions secured with both authorities for the remediation of the site and the provision of houses, employment and other uses. However, it is the employment uses which fall within Bolsover and amount to around 32ha. This site benefits from outline planning permission for general industrial, warehousing, open storage, a transport hub, an energy centre and a visitor centre/museum. It is not clear from Policy SS7, however, which uses would be considered acceptable on this site.

133. The site has had significant issues associated with funding and there are significant constraints in terms of remediation and the routing of HS2. As such, I consider that it is appropriate that the Council is not relying on the delivery of this site to meet any of its employment need. However, I note the indication from the site promoters that they would like to move forward with reserved matters applications for the northernmost plots on Buttermilk Lane and that a design framework for the buildings has been agreed. It is important, however, that the full reclamation of the site is achieved and this could be done through an agreed programme of work and a delivery plan.

134. In order for the Plan to be effective, therefore, I recommend that changes be made to the supporting text and Policy SS7 to reflect the current position with regards to the restoration of this site and the Safeguarding Zone for HS2; and to make it clear which uses would be appropriate in the Coalite PRA. Furthermore, in order to ensure that Policy SS7 is consistent with national policy, I recommend a modification in respect of how it would conserve or enhance the setting of heritage assets and reflect the importance of the biodiversity value of the site. I have amended the wording of the modification slightly in respect of heritage assets in response to a comment made about it during the consultation period, in order that it is consistent with national policy in the NPPF. **[MM23] [MM24]**

Pleasley Vale Priority Regeneration Area

135. The Pleasley Vale PRA is located within the conservation area and currently contains residential and employment uses, but it is the long term future of the area, especially in relation to the large Mill buildings, which is uncertain. The purpose of Policy SS8 is to encourage development proposals which would conserve and/or enhance the special appearance and character of the area, the historic environment, heritage assets and their setting. In order that the policy is consistent with national policy I recommend some changes to the wording to Policy SS8 to ensure that this is explicit. **[MM25]**

Employment Allocations:

136. Having regard to the evidence submitted and the discussions at the Hearing sessions, I consider whether the allocations are deliverable and/or developable below.

Explore Industrial Park, Steetley

137. Explore Industrial Park is around 10.7ha in size and is located in the north eastern corner of the District. The site extends across the administrative boundary into Bassetlaw District and benefits from outline planning permission, which allows for the submission of reserved matters applications by 2020. The SoCG [ED30] signed by the Council and the site promoters, indicates that the site is expected to deliver around 10.7ha of B1, B2 and/or B8 over the Plan period. From the evidence before me, I am satisfied that this would be achievable.

138. Policy WC1 supports the development of B2 and B8 uses on this allocated site. However, I acknowledge that the addition of B1 uses on this site would provide greater flexibility. In order that the Local Plan is effective, therefore, I recommend that a modification be made to Policy WC1 to include the full range of employment uses that would be acceptable on this site. **[MM65]**

Land between Brickyard Farm and Barlborough Links, Barlborough

139. The site at Land between Brickyard Farm and Barlborough Links is around 3.45ha in size and is located on the western side of Barlborough, adjacent to Barlborough Links Business Park. The site has planning permission for commercial development comprising an office building, workshop and manufacturing facility and an HGV Trailer Park. The SoCG [ED42], signed by the Council and the site promoters, states that the site is expected to deliver approximately 3.45ha of either B1, B2 or B8 development. Indeed, it now benefits from planning permission for B1/B2/B8 uses. I am satisfied, from the evidence before me, that the site is deliverable. However, in order that the plan is effective, I recommend that Policy WC1 and its supporting text are amended to reflect the up to date position and the full range of uses that would be acceptable on this site. **[MM64] [MM65]**

Wincobank Farm, South Normanton

140. This allocated site, which is well located to the strategic highway network, is considered by the Council to be suitable for a large scale logistics operation. It is currently the subject of a planning application for a retail park, on the southern part of the site, and B Class employment units on the northern part.

141. The NPPF requires that, in drawing up Local Plans, local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; and allocate a range of suitable sites to meet the scale and type of retail and leisure uses, amongst other things, needed in town centres. The development of a hotel, restaurant, retail, leisure and café uses at Wincobank Farm would not be consistent with national policy, given the location of this site. Furthermore, having regard to the evidence in the Retail and Town Centres Study [EB15], the allocation of a retail park in this out of town location would not be justified. In any event, the Local Plan includes edge of town centre allocations in Bolsover, Shirebrook and South Normanton which could accommodate such uses. In addition, the allocation of these retail and leisure uses on this site would reduce the effectiveness of the Local Plan with regard to the delivery of 92ha of employment land over the Plan period.

142. From the evidence before, I am satisfied that the allocation of this site for B2 and B8 uses is justified.

Employment Land Supply

Have sufficient sites been allocated in the Local Plan to meet the target of 92ha of B class employment land?

143. The Local Plan identifies 92ha of land for employment uses throughout the Plan period. This is made up of sites that have come forward and been developed since the start of the Plan period (around 20ha), as well as sites allocated for employment uses in Policy WC1 (around 72ha). The Council's Employment Land Availability Assessment [EB17] sets out the anticipated delivery on each of the allocated sites throughout the Plan period and, at my request, the Council produced an Employment Land Trajectory [ED10] which provides an indication about when the allocated employment sites are likely to come forward. From the evidence before me, I am satisfied that sufficient sites have been allocated to meet the employment land requirement.

Protection of Existing Employment Areas

Is the approach to the protection of existing employment areas in the Local Plan effective and justified?

144. Government policy in the NPPF says that planning policies should avoid the long term protection of sites allocated for employment use where there is no real prospect of a site being used for that purpose. The NPPF also says that Local Plans should identify areas where it may be necessary to limit

freedom to change the uses of buildings and support such restrictions with a clear explanation.

145. Policy WC2 seeks to protect important existing employment areas, which are identified on the Policies Map, from redevelopment for other uses. These employment areas are key economic drivers for the District, providing a large proportion of jobs and an important element of the District's employment portfolio. Furthermore, the protection of these existing employment areas allows for opportunities for some businesses to expand, depending on the availability of land around them. However, the policy allows for this protection to cease if it can be shown that the land or building is no longer physically suitable for employment uses and there is no realistic prospect of reuse or redevelopment for such uses. Given this, I am satisfied that the Policy WC2 is consistent with national policy.

Support for the Rural Economy

Is the support given to sustainable rural employment and diversification in villages and within the countryside consistent with national policy, justified and effective?

146. The NPPF says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. I am satisfied that Policy WC3 is consistent with national policy, given its support for sustainable rural employment and diversification in villages and within the countryside.

Rough Close Works, Normanton

Is the Local Plan effective in respect of the Rough Close Works?

147. The Rough Close Works is an Existing Employment Site which is designated as a hazardous substances site and an explosives site. Given the complex nature of the business, there are implications for the type and level of development that would be compatible with the employment use of the site over a wide area. As such, Policy WC4 in the Local Plan sets out criteria for protecting the existing use and expansion of the site, while protecting the public. Policy WC4 allows employment development within the Core Area subject to two criteria. To ensure that this policy is effective, the existing employment area should be more accurately defined in Policy WC2. I therefore recommend a modification to Policy WC2 to ensure that it is clear that the Existing Employment Area and the Core Area are one and the same. **[MM66]**

148. The Local Plan indicates that the Rough Close Works benefits from three Explosives Safeguarding Zones, however, from the evidence before me, it is

apparent that it benefits from two. The Council is proposing to update the Local Plan with an Additional Modification²⁹ on adoption to clarify this.

Issue 4 – Is the approach to the Green Belt justified, effective and consistent with national policy?

Has the Council's Local Green Belt Review been undertaken in a robust manner?

149. The Bolsover Green Belt forms part of the wider Derbyshire and South Yorkshire Green Belt, which was designated in 1955 with the purpose of limiting the sprawl of the Sheffield conurbation and to prevent it joining up with the settlements in the north eastern part of Derbyshire, including Barlborough and Clowne within Bolsover District. The Green Belt is located in the north western corner of the District extending around a large part of the built up area of Barlborough to the north, east and west; and a small part of Clowne to the north west.
150. The Council has undertaken a partial Green Belt Review [EB34] of the District as part of its evidence base. This assessed the area of Green Belt partially surrounding Barlborough and Clowne, in order to determine whether the land continues to fulfil Green Belt purposes. The Review also considered the opportunity for additional Green Belt land to be allocated immediately to the north of the proposed Clowne Garden Village Strategic Site and whether Green Belt status in the form of an extension to the existing Green Belt boundary is justified.
151. The assessment concluded that all parcels surrounding the urban areas of Barlborough and Clowne robustly serve Green Belt purposes and that, as such, the Council should consider whether there is a strategic rationale which demonstrates exceptional circumstances justifying the release of Green Belt land. Furthermore, it concluded that further work would be required to demonstrate the exceptional circumstances that make the designation of new Green Belt the only practical option.
152. In considering the allocation of the land to the north of Clowne as a Strategic Site, the Council undertook a Supplementary Assessment [EB33] of the land affected by the proposed allocation. This reassessed two Green Belt parcels, including revising their boundaries and subdividing them into four separate parcels that take account of the proposed landscaping detail included within the initial masterplan for the proposed allocation, on the basis that these have been planted and represent 'existing features' that provide strong boundaries for the definition of land parcels that can be used for assessment.
153. This assessment demonstrated that the parcels robustly fulfil Green Belt purposes, which is the same position as that set out in the original study.

²⁹ AM26 in the Proposed Additional Modifications to the Local Plan for Bolsover district (Publication Local Plan) [ED65]

However, following the Council's determination that there would be insufficient land that could be developed outwith the Green Belt to meet the needs of the area, a further assessment was undertaken as part of the Supplementary Assessment which removed Purpose 3 (To assist in safeguarding the countryside from encroachment) from the scoring, in accordance with the methodology. This resulted in two of the four parcels only partially meeting Green Belt purposes and led to the conclusion that they could be considered as deliverable sites, based on the proposed woodland planting included within the masterplan for the Strategic Option for North Clowne masterplan being considered as an existing strong landscape feature.

154. From the evidence before me, I am satisfied that the Green Belt Review has been undertaken in a robust manner.

Have exceptional circumstances been demonstrated to support the removal of sites from the Green Belt?

155. The Local Plan removes two parcels of land from the Green Belt, amounting to around 15ha, and allocates them as part of the Clowne Garden Village Strategic Site. They are located in the western portion of this large allocation and are separated from the wider Green Belt by existing woodland and trees/hedgerows. The Green Belt Position Paper considers the exceptional circumstances for the removal of these sites from the Green Belt, having regard to the Calverton judgement³⁰, which sets out a number of matters that should be considered.

156. As set out above, there is a significant employment need in the District. In order to accord with the spatial strategy which is to focus development on the more sustainable settlements, whilst also supporting regeneration needs and tackling deprivation, provision to meet employment, as well as housing needs, is required firstly in the Small Towns of Bolsover and Shirebrook and the Emerging Towns of South Normanton and Clowne. The Clowne Garden Village Strategic Site would provide a comprehensive mixed use scheme, which would include 20ha of B-use employment land as part of an integrated development in a sustainable location, close to local services and facilities, along with key public transport nodes. It would provide a logical extension to the north of Clowne in an area of the District where viability is better.

157. Although much of the District is outside the Green Belt, the limited supply of appropriate sites in sustainable locations to meet the employment need, along with the minimal harm to the Green Belt from the removal of these two parcels and the sustainable nature of the development proposed, which would be sited adjacent to Clowne in accordance with the spatial strategy,

³⁰ Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 1078

would amount to the exceptional circumstances required to remove them from the Green Belt.

Does the Plan provide a commitment to the maintenance of the Green Belt?

158. The Local Plan includes Policy SS10 which sets out the type and form of development which would be acceptable in the Green Belt. However, in order to accord with Government policy in the NPPF, I recommend that changes be made to this policy to set out the commitment to the maintenance of the Green Belt and to make it clear that only forms of development which would not be inappropriate would be acceptable.
[MM27]

Issue 5 - Is the Local Plan positively prepared, justified and effective in respect of transport?

Should the local parking standards be set out in the Local Plan?

159. The Regulations³¹ make it clear that development management policies which are intended to guide the determination of applications for planning permission should be set out as Local Plan policy. Paragraph 174 of the NPPF also indicates that policies on local standards should be in the Local Plan. However, Policy ITCR11 in the Local Plan requires compliance with the Local Parking Standards SPD. This would give development plan status to documents which are not part of the Local Plan and which have not been subject to the same process of preparation, consultation and Examination. This would not be compliant with the Regulations. Instead, where SPDs are prepared, they should be used to provide more detailed advice and guidance on the policies in the plan³².

160. The parking standards should be clearly defined in the Local Plan, given that the policy requires development proposals to meet the requirements for parking provision set out in this document. I therefore recommend modifications in respect of this matter, to ensure that the Local Plan is justified and effective, through the necessary amendment to the policy and by the inclusion of the parking requirements within a new appendix to the Local Plan. **[MM92] [MM99]**

Should the Local Plan be updated to reflect the current position at the Bolsover Edge of Town Centre Allocation?

161. The supporting text to Policy ITCR9, Local Transport Improvement Schemes, refers to the regeneration and redevelopment of the Bolsover Edge of Town Centre Allocation, which is known as the Sherwood Lodge Site, and the highway improvements associated with it. In order to reflect the current position with this site and for the Local Plan to be effective, I

³¹ Regulations 2 and 5

³² PPG ID 12-028-20140306

recommend that paragraph 8.57 of the supporting text be deleted.
[MM91]

Issue 6 - Is the retail development strategy positively prepared, justified and effective?

162. Paragraph 161 of the NPPF requires local planning authorities to assess the needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including for retail and leisure development. As part of the Council's evidence base, it has produced a Retail and Centres Study [EB15] which includes an appraisal of the retail/leisure needs and capacity in the period to 2033 and reviews the current performance of Town and Local Centres in the District.

163. The Study concludes that Bolsover District is forecast to generate capacity for between 1,400sqm and 2,100sqm (net) new convenience goods floorspace by 2033. However, in light of emerging commitments for new comparison goods floorspace, the Study does not forecast any quantitative capacity for new comparison retailer floorspace over the Plan period in the District.

164. Although there have been a number of concerns expressed in relation to the methodology and forecasts used, from the evidence before me, I am satisfied that the Study provides a robust and appropriate assessment of retail/leisure needs and capacity during the Plan period.

165. The Local Plan summarises the findings of the Study in the supporting text to Policy WC5, setting out details of the quantitative and qualitative needs, along with recent commitments. In order that the Local Plan is effective, I recommend that the section on quantitative need be amended to make it clear that there is insufficient capacity in the system for additional comparison goods floorspace until the end of the Plan period. **[MM67]**

166. Policy WC5 requires that retail development must demonstrate that it is appropriate in scale and function to its location. However, there is no such requirement in the NPPF. Therefore, I recommend that this criterion be deleted from Policy WC5 in order that it is consistent with national policy.
[MM68]

167. Policy WC5 also includes locally set floorspace thresholds for Retail Impact Assessments in edge of centre or out of centre locations. These thresholds are based on the tiered system of local impact thresholds recommended in the Retail and Centres Study, which considers that the Town and Local Centres are potentially vulnerable to convenience and comparison retail developments of both 'big box' retail park destinations and smaller, 'town centre parade' style units, that can directly compete with the smaller centre's retail offer. The Study concludes that such developments would jeopardise the vitality and viability of the centres and the thresholds should reflect the somewhat smaller floorplates of the existing retail facilities across the centres. I am satisfied that these locally set thresholds, which are less than the default threshold of 2,500sqm set out in paragraph 26 of

the NPPF, are proportionate, given the local circumstances. As such, Policy WC5 is justified in this regard.

Edge of Town Centre Allocations

168. The Local Plan supports the regeneration of the four Town Centres in the District at Bolsover, Clowne, Shirebrook and South Normanton. In Bolsover, Shirebrook and South Normanton this is undertaken by the allocation of Edge of Town Centre Allocations and, in respect of Clowne, its opportunities for expansion are provided for within the Clowne Garden Village Strategic Site.

Bolsover Edge of Town Centre Allocation

Is Policy WC6 effective in respect of the Bolsover Edge of Town Centre Allocation?

169. The Local Plan supports the regeneration of Bolsover Town Centre through the allocation of a site for mixed uses immediately to the north of the Town Centre, which may include retail, leisure, employment, residential or community facilities. Known as the Sherwood Lodge Site, planning permission was granted for the erection of a food store and retail terrace with associated car parking in September 2018. In order to ensure that the Local Plan is effective, I recommend that modifications be made to the supporting text and Policy WC6 to reflect the updated position. **[MM69]**
[MM70]

Shirebrook Edge of Town Centre Allocations

Is Policy WC7 effective in respect of the Shirebrook Edge of Town Centre Allocations?

170. Support is given to the regeneration of the Shirebrook Town Centre in the Local Plan through the allocation of two sites immediately to the south east. The western site is allocated for a specific retail use and currently has planning permission for a Lidl food store. The site to the east is considered suitable for a range of town centre uses, but also includes an equipped play area. Policy WC7 requires the provision of a replacement play area and a commuted sum to be agreed with the Council. However, in order for the Local Plan to be effective, I recommend that a modification be made to Policy WC7 to make it clear that a replacement play area or a commuted sum for alternative recreational facilities is required. **[MM71]**

South Normanton Edge of Town Centre Allocations

Is Policy WC8 effective in respect of the South Normanton Edge of Town Centre Allocations?

171. In order to encourage the regeneration of South Normanton Town Centre the Local Plan allocates two sites on its north western edge. The site to the north is allocated for new retail uses and the site to the west is allocated for a range of town centre uses that could include retail, offices, leisure, residential, extra care and community facilities. Given the location of these

sites, adjacent to the Explosive Safeguarding Zone, in order for the Plan to be effective I recommend that Policy WC8 be modified to include a requirement that any development proposals comply with the provisions of Policy WC4. **[MM72]**

172. I also recommend that modifications be made to the site boundaries of the allocations shown on Figure 6C and Figure xx) in Appendix 8.1 of the Local Plan, to ensure that these sites are outside the Explosive Safeguarding Zone. **[MM72] [MM98]**

Hot Food Takeaways

Is Policy WC9 justified in respect of the requirement that hot food takeaways should not be located within 400m of any school or college?

173. Paragraph 69 of the NPPF says that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Furthermore, the PPG states that there is a range of issues that could be considered through the plan making process in respect of health and healthcare infrastructure, including how opportunities for healthy lifestyles have been considered, for example by planning for an environment that supports people of all ages in making healthy choices³³. The Local Plan seeks to prevent the development of A5 uses within 400m of any school or college.

174. From the evidence before me, it is apparent that many hot food takeaways already exist within 400m of schools and colleges in the District. Although the Council is concerned about the potential link between the siting of hot food takeaways within walking distance of schools and the increase in childhood obesity, there is no substantial evidence to support this within Bolsover District. As such, the inclusion of Criterion a) in Policy WC9 is not justified in this case and I recommend that it be deleted, as well as making alterations to the supporting text, along with consequential changes to Appendices 10.1 and 10.2. **[MM73] [MM74] [MM101] [MM103]**

Issue 7 - Is the Local Plan justified, effective and consistent with national policy with regards to the historic environment, landscape character and the countryside?

Is the Local Plan and its policies consistent with national policy in respect of the test of harm in respect of heritage assets?

175. Government policy in paragraph 126 of the NPPF says that local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and

³³ Paragraph: 002 Reference ID: 53-002-20140306

conserve them in a manner appropriate to their significance. The Local Plan identifies the protection and enhancement of identified heritage and natural assets as one of its key issues. However, in order to be consistent with national policy, I recommend that this be extended to include their settings. **[MM3]** In addition, in order that the Local Plan is consistent with national policy, I recommend that it refers to conserving, rather than preserving, heritage assets. I have amended the wording of MM84 slightly to reflect a response made to it during the consultation period. **[MM80] [MM83] [MM84]**

Should reference to Historic Landscape Character data be referred to in Policy SC8?

176.Paragraph 156 in the NPPF says that Local Plans should include strategic policies for the conservation and enhancement of the natural and historic environment, including landscape. Policy SC8 sets out what development proposals should have regard to in respect of landscape character. In order to ensure that the Local Plan is effective, I recommend that Policy SC8 includes reference to Historic Landscape Character Data. **[MM77]**

Are Policies SC18 and SC19 consistent with national policy in respect of development affecting scheduled monuments and archaeological sites?

177.Bolsover District includes many sites of archaeological remains, some of which are of international significance. In addition, several settlements have been identified as having the potential for medieval archaeology. As a result, the Local Plan includes two policies which seek to sustain and enhance the significance of archaeological sites. Given the importance of these sites and to ensure that the Plan is effective, I recommend that changes be made to Policy SC18, to reflect the need for any archaeological assessment to be carried out prior to the consideration of a development proposal, and to Policy SC19, to ensure that an assessment is appropriate to the individual site's circumstances. Furthermore, I recommend that any archaeological assessment be undertaken by a suitably qualified archaeologist. **[MM81] [MM82]**

Is Policy SS9 consistent with national policy in respect of the countryside?

178.One of the core planning principles of the NPPF is recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it. In order to promote sustainable development in rural areas planning policies should support economic growth in order to create jobs and prosperity and housing should be located where it would enhance or maintain the vitality of rural communities. Isolated new homes in the countryside should be avoided, unless there are special circumstances. In order to ensure that Policy SS9 is consistent with national policy, I recommend that the reference to 'vacant or derelict' land is removed from the policy and reference is made to the requirement that development proposals in the countryside should be sustainable and sited in an appropriate location. **[MM26]**

Issue 8 - Is the Local Plan consistent with national policy in respect of open space, recreation and community facilities?

Does the Local Plan accurately reflect the route of the Archaeological Way and the Multi User Trails?

179. The Council has developed a Strategic Green Infrastructure Network within the District, through work it has undertaken with Derbyshire County Council and the Derbyshire Wildlife Trust. This comprises two distinct, but complementary networks of Multi User Trails; and, Wildlife Sites, RIGS, SSSIs and Wildlife Corridors. In order for the Plan to be effective and to accurately reflect the route of the Archaeological Way and to add an additional Multi User Trail, east of Hennemoor Farm to Hodthorpe, I recommend that modifications be made to Figure 8A and Figure xviii), in Appendix 8.1 of the Local Plan. **[MM85] [MM86] [MM97]**

Is Policy ITCR4 effective and consistent with national policy in respect of the protection of local shops and community facilities?

180. Government policy in the NPPF promotes the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. The Local Plan seeks to protect local convenience shops and community facilities. However, where any loss is proposed a number of criteria in Policy ITCR4 are required to be met. One of these refers to the facility being no longer viable and that it can be demonstrated that the current use of the premises has failed to produce a viable offer. In order to be effective, I recommend that the footnote to this policy be extended to include a reference to the rent or sale price for the existing use of the facility. **[MM87]** From the evidence before me, I am satisfied that this policy is consistent with national policy.

Is Policy ITCR5 justified and consistent with national policy in respect of the provision of green space and play provision?

181. Government policy in the NPPF says that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. It goes on to say that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

182. Policy ITCR5 sets out the standards to improve green space and play provision in the District. This is based upon the Council's Green Space Strategy [EB1] and the Green Space Quantity and Accessibility Report [EB2]. In order to be effective, I recommend that this policy be amended to clarify the contributions required from new residential developments in respect of green spaces. **[MM88]** I also recommend consequential changes to Policy ITCR7, which relates specifically to playing pitches, in this regard. **[MM90]**

Is Policy ITCR6 effective and consistent with national policy in respect of the protection of open space?

183. Policy ITCR6 seeks to protect green space in the District, however, development proposals would be permitted where they do not have any adverse effect upon, or loss of, existing green spaces. In order that this policy is consistent with Government policy, I recommend that it refers solely to development proposals that do not result in the loss of green spaces. **[MM89]**

Issue 9 - Is the Local Plan justified, effective and consistent with national policy in respect of the natural environment, biodiversity and geodiversity?

184. The planning system should contribute to, and enhance, the natural and local environment. The NPPF says that local planning authorities should, amongst other things, set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and managements of networks of biodiversity and green infrastructure. In order to be consistent with Government policy I recommend that protecting and enhancing sites designated for their biodiversity interest (for example SSSIs) is included within Objective C in the Plan's Vision and Objectives. I have extended this to include geological interest, in response to a comment made to this MM during the consultation period. **[MM4]**

Are the Wildlife Corridors and Stepping Stones designations accurately shown on the Policies Map?

185. I note the site at Ball Hill, South Normanton, currently benefits from planning permission and that the Council proposed the removal of the Wildlife Corridors and Stepping Stones designation from this site as part of the consultation on the Proposed Changes to the Submitted Policies map. However, I am not satisfied that such a change would be necessary as any development proposal should have regard to this designation in order to ensure that biodiversity is not harmed³⁴.

Issue 10 - Is the Local Plan justified, effective and consistent with national policy in respect of climate change, renewable energy, flood risk and water management?

186. Government policy in the NPPF says that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change by using opportunities offered by new development to reduce the causes and impacts of flooding,

³⁴ The Council's Proposed Changes to the Submitted Policies Map Consultation Document [ED64] includes this change as PMC13

amongst other things. Policy SC2 says that proposals for new development will be permitted where it has regard to flood risk and does not put new development in areas liable to flood or existing settlements at increased risk of flooding; and adopts sustainable drainage principles. In order that the policy is effective, I recommend that a footnote be added to include a reference to the drainage hierarchy set out in the PPG. **[MM75]**

187. The Local Plan supports development proposals for the generation of renewable energy, with the exception of large wind turbines, unless there would be 'significant' harm to the historic environment, amongst other things. In order for Policy SC6 to be consistent with national policy, I recommend that this be changed to refer to the 'harm' to the historic environment to allow for the consideration of proposals to be made in respect of substantial harm, less than substantial harm and the impact of a proposed development on the significance of a heritage asset. I have amended the wording of this MM slightly in this respect, having considered the responses to it during the consultation period. **[MM76]**

Issue 11 - Does the Local Plan provide adequate environmental protection in respect of land contamination, land stability and hazardous installations?

Should Policy SC14 refer to the historic environment as well as the natural and built environment?

188. The District includes land that has been affected by contamination from former uses, including mining. Policy SC14 seeks to ensure that any contaminated or unstable land issues would be addressed by mitigation measures as part of new development proposals. In terms of remediation, the policy refers to proposals for remediation only being permitted where the benefits of remediation outweigh any harm to the natural and built environment. In order that this policy is consistent with national policy, I recommend that this be extended to include the harm to the historic environment. **[MM78]**

Is Policy SC15 effective and consistent with national policy in respect of hazardous installations?

189. As referred to earlier in my Report, Rough Close Works is designated as a hazardous substances site and an explosives site. There are four further Hazardous Installations in the District, all of which have Hazardous Substances Consent Consultation Zones around them. Policy SC15 requires that, within the Health and Safety consultation zones around these five sites, planning permission will be granted, provided that the risks arising from the presence of the hazardous substance are acceptable in relation to the nature of the development proposed. In order for this policy to be effective, I recommend that reference be included to the requirement that the proposed development is compliant with the provisions of other Local Plan policies, including Policy WC4, which relates specifically to the Rough Close Works. **[MM79]**

Issue 12 - Is the Local Plan justified, effective and consistent with national policy in respect of Implementation and Monitoring?

190. The Plan sets out details for its implementation, monitoring and review. From the evidence before me, I am satisfied that the Local Plan has the appropriate mechanisms in place to achieve this and, as such, the Local Plan is consistent with national policy in this regard.

Assessment of Legal Compliance

191. My Examination of the legal compliance of the Local Plan is summarised below.

192. The Local Plan has been prepared broadly in accordance with the content and timetable set out in the Council's Local Development Scheme [KSD1]. However, the Local Plan was submitted for Examination around a month later than anticipated in the timetable for production and the Hearings were held between 2 and 3 months later than predicted. The MMs were published for consultation at around the time the submission of my Report was anticipated. As a result, the Report has been submitted later than planned, which will impact upon the suggested adoption date for the Local Plan which was in September 2019.

193. Consultation on the Local Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement [KSD2] and I am satisfied that the Council has met the standards set out in the Regulations. Indeed, it is apparent that these standards have been exceeded and the Council has sought to use a variety of means to ensure that interested parties have the opportunity to respond. I am satisfied, therefore, that the Council has carried out the appropriate consultation.

194. SA [SD3] has been carried out and is adequate. There have been some criticisms of the SA, including the alternatives considered. However, the PPG states that a SA does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the Local Plan. I am satisfied that the SA undertaken conforms to that guidance.

195. The Habitats Regulations Assessment Report [KSD4], April 2018, sets out that a full assessment has been undertaken. It concludes that most aspects of the Local Plan have no significant effects on any European sites, alone or in combination. It goes on to say that, where residual effect pathways remain, in respect of air quality and visitor/recreation pressures, appropriate policy-based mitigation measures have been incorporated into the Local Plan's policies to ensure that proposals coming forward under the Local Plan would either avoid affecting European sites (no significant effect) or would have no adverse effect on site integrity.

196. The Local Plan includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. These include policies which promote sustainable patterns of development, in line with the spatial strategy of focussing development on the more sustainable settlements,

whilst also supporting regeneration needs and tackling deprivation, and the sustainable use of resources, along with policies relating to renewable energy; flood risk; water management; and, protecting, enhancing and extending green infrastructure and ecological networks.

197. The Local Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations. Once adopted the policies in the Local Plan will replace all of the saved policies in the Bolsover District Local Plan, February 2000. The Regulations require that, where a Local Plan is intended to supersede another policy in an adopted development plan, this must be stated, and the superseded policy should be identified. I therefore recommend that modifications be made to include an additional paragraph in the Introduction to the Local Plan, along with the provision of a new Appendix to ensure that the Local Plan is legally compliant in this respect. **[MM1] [MM93]**

198. In reaching my conclusions against the issues identified above, I have had due regard to the aims expressed in Section 149(1) of the Equality Act 2010. This has included my consideration of several matters during the Examination including the provision of sites for Gypsies and Travellers and Travelling Showpeople.

Overall Conclusion and Recommendation

199. The Local Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above. In coming to this conclusion, I have had regard to all of the responses made to the Local Plan consultation, the evidence presented at the Hearing sessions and the responses made to the MMs.

200. The Council has requested that I recommend MMs to make the Local Plan sound and legally compliant and capable of adoption. I conclude that, with the recommended Main Modifications set out in the Appendix, the Local Plan for Bolsover District satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

Karen L Baker

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

**APPENDIX: MAIN MODIFICATIONS TO THE
LOCAL PLAN FOR BOLSOVER DISTRICT
(PUBLICATION LOCAL PLAN)**

CHAPTER 1 – INTRODUCTION

Mod. No.	Policy/Para No.	Main Modification
MM1	New Paragraph	<p>Add a new paragraph after paragraph 1.8 to read as follows:</p> <p><u>“Once adopted, this Local Plan will supersede the adopted Bolsover District Local Plan and all of the policies within that document as listed in Appendix 1.2.”</u></p> <p>See MM93 below, for the consequential addition to the Appendices.</p>
MM2	New Paragraph	<p>Add a new paragraph after the new paragraph set out in MM1 above to read as follows:</p> <p><u>“It is important to understand what the Strategic Policies are within the Plan. Strategic policies are essentially those which address each local planning authority’s priorities for the development and use of land in its area. A full list of the strategic policies within the Local Plan is set out in Appendix 1.3.”</u></p> <p>See MM94 below, for the consequential addition to the Appendices.</p>

CHAPTER 2 – SPATIAL PORTRAIT

Mod. No.	Policy/Para No.	Main Modification
MM3	Paragraph 2.41	<p>Amend Paragraph 2.41 to read as follows:</p> <p>b) “Protect and enhance identified heritage and natural assets <u>and their settings”</u></p>

CHAPTER 3 – VISION AND OBJECTIVES

Mod. No.	Policy/Para No.	Main Modification
MM4	Objective C: Countryside, Landscape Character and Wildlife	Amend Objective C by adding an additional Criterion to read as follows: g) <u>“Protecting and enhancing sites designated for their biodiversity and geological interests (for example SSSIs)”</u>

CHAPTER 4 – THE SPATIAL STRATEGY

Mod. No.	Policy/Para No.	Main Modification
MM5	New Paragraph	Insert a new paragraph after Paragraph 4.4 to read as follows: <u>“Policy SS1 sets out the criteria against which the Council will consider the sustainability of a proposal. For clarity, it is recognised that proposals may be able to positively address some of the criteria, to a greater or lesser degree, but not others. The Policy does not require any proposal to achieve a benefit against every criterion, but it seeks to provide a basis on which to recognise the various sustainability costs and benefits of a proposal, which will then be considered by the Council in the overall ‘Planning Balance’.”</u>
MM6	Paragraph 4.7	Amend Paragraph 4.7 to read as follows:

		"4.7...As a result, the Council will plan for <u>a minimum of 5,168 dwellings</u> for the period 2014 to 2033."								
MM7	Policy SS2: Scale of Development	Amend Policy SS2 to read as follows: "During the plan period, the Local Plan will accommodate new growth and investment in Bolsover District by making provision for a) Sufficient land to accommodate the delivery of <u>a minimum of 5,168 dwellings</u> (272 new homes per year) to meet the Council's Housing Objectively Assessed Need across the period 2014 to 2033..."								
MM8	Policy SS3: Spatial Strategy and Distribution of Development	Amend the fourth paragraph of Policy SS3 to read as follows: "The Small Settlements in the Countryside are considered to not be sustainable settlements and the Local Plan will not support urban forms of development beyond infill development on single plots and conversion of agricultural buildings to employment uses where appropriate."								
MM9	Policy SS3: Spatial Strategy and Distribution of Development	Amend the table within Policy SS3 to remove Stanfree from the list of Rural: Small Villages and add 1 dwelling to the Non-Settlement total to read as follows: <table border="1" data-bbox="638 1058 1554 1217"> <tr> <td>Rural: Small Village</td> <td>Stanfree</td> <td>1</td> <td>0 ha</td> </tr> <tr> <td>Non-Settlement</td> <td></td> <td>33-34</td> <td>21.54 ha</td> </tr> </table>	Rural: Small Village	Stanfree	1	0 ha	Non-Settlement		33-34	21.54 ha
Rural: Small Village	Stanfree	1	0 ha							
Non-Settlement		33-34	21.54 ha							
MM10	Paragraph 4.26	Amend Paragraph 4.26 to read as follows:								

		<p>"4.26 From testing of this suggested strategic site, the site is expected to accommodate approximately</p> <p>a) 950 dwellings (<u>880 during the Plan period</u>)..."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM11	Paragraph 4.27	<p>Amend Paragraph 4.27 to read as follows:</p> <p>"4.27 ... The proposal is expected to be delivered over <u>14</u> 11 years via 6 phases following a start in <u>2020</u> 2019. A reserved matters application is being prepared <u>has been submitted</u> for the first phase of the development which will <u>incorporates</u> approximately 300 <u>240</u> dwellings and related highway improvements."</p>
MM12	Paragraph 4.29	<p>Amend Paragraph 4.29 to read as follows:</p> <p>"4.29 The Council has previously prepared a Bolsover North Strategic Allocation Design Brief to guide the general planning principles for the development of the site. This will be updated in light of the approved masterplan and prepared as a Supplementary Planning Document <u>to provide more detailed advice and guidance on the requirements of Policy SS4. to ensure the planning principles can respond in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the above masterplan.</u>"</p>
MM13	Policy SS4: Strategic Site Allocations – Bolsover North	<p>Amend Criteria a) and c) of Policy SS4 to read as follows:</p> <p>a) "Enable completion of the site by 2033"</p> <p>c) "Provide in the region of 950 dwellings (880 during the Plan period)"</p>

		<p>Delete the last paragraph of Policy SS4 as follows:</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the approved masterplan. In the event that the masterplan needs to be revised, this will be considered and approved by the Council through the initial preparation or review of the Supplementary Planning Document."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM14	Paragraph 4.31	<p>Amend Paragraph 4.31 to read as follows:</p> <p>"4.31 From testing of this suggested strategic site, the site is expected to accommodate approximately</p> <p>a) 1,500 dwellings (1,000 <u>1,050</u> during the plan period) ..."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM15	Paragraph 4.32	<p>Amend Paragraph 4.32 to read as follows:</p> <p>"4.32 As stated above, the Clowne Garden Village proposal will provide <u>around 450</u> at least 500 further dwellings beyond the plan period. This land will be reserved within the Local Plan for this future use."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>

MM16	Paragraph 4.36	<p>Amend Paragraph 4.36 to read as follows:</p> <p>“4.36 The Council will incorporate the indicative masterplan and the planning principles behind this proposal within a Design Brief. This will be prepared as a Supplementary Planning Document <u>to provide more detailed advice and guidance on the requirements of Policy SS5.</u> so that the proposals can respond in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the above masterplan.””</p>
MM17	Figure 4C: Clowne Garden Village - Indicative Masterplan	<p>Amend Figure 4C: Clowne Garden Village - Indicative Masterplan to show the Conservation Area boundary as shown in Appendix 3a).</p>
MM18	Policy SS5: Strategic Site Allocation - Clowne Garden Village	<p>Amend Criteria i), m) and n) of Policy SS5 to read as follows:</p> <ul style="list-style-type: none"> i) “Provide greenways <u>multi-user trails</u> through the site that connect to the enhanced Clowne Linear Park proposal <u>and the wider proposed multi-user trail network.</u>” m)“Contribute towards conserving and enhancing the biodiversity of the District through the protection and incorporation of existing hedgerows, and <u>woodlands, wetlands and grasslands</u> within the site's general layout, design and orientation.” n) “Contribute towards the efforts to tackle climate change through its approach to sustainable construction, <u>flood risk reduction, sustainable drainage</u>

		<p><u>systems, renewable energy and energy conservation within the site’s general layout, design and orientation.”</u></p> <p>Add two new Criteria after Criterion n) to Policy SS5 to read as follows:</p> <ul style="list-style-type: none"> o) <u>“Conserve and/or enhance the historic environment, heritage assets and/or their setting and be informed by a Heritage Impact Assessment.”</u> p) <u>“Demonstrate that adequate sewage infrastructure and capacity exists or can be provided as part of the development.”</u> <p>Delete the last paragraph of Policy SS5 as follows:</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the indicative layout diagram. In the event that the masterplan needs to be revised, this will be considered and approved by the Council through the initial preparation or review of the Supplementary Planning Document.”</p>
MM19	Paragraphs 4.37 to 4.39 and New Paragraph	<p>Amend paragraphs 4.37, 4.38 and 4.39 to read as follows:</p> <p>“4.37 The former Whitwell Colliery site is approximately 13 <u>47</u> hectares in size and ...”</p> <p>“4.38 From testing of this suggested strategic site, the proposal is expected to involve:</p> <p>... c) A minimum of 200 dwellings <u>within the Plan period</u> ...”</p> <p>“4.39 At this stage, the land owner is preparing <u>has submitted</u> a minerals</p>

		<p>application to Derbyshire County Council as the minerals authority. An outline planning application is also been prepared <u>has also been submitted</u> for the built development elements of this proposal for submission to the District Council as local planning authority.”</p> <p>Insert a new paragraph after paragraph 4.40 to read as follows:</p> <p><u>“The northern ‘Transitional’ zone shall provide for a landscaped area where the form, layout and density of housing development shall reflect the need to respond positively to the countryside edge and the Important Open Break between Whitwell and Hodthorpe. The detailed design of this area will be addressed through the SPD and reserved matters planning submissions.”</u></p>
MM20	Figure 4D: Former Whitwell Colliery site - Indicative Masterplan	<p>Amend Figure 4D: Former Whitwell Colliery site - Indicative Masterplan as shown in Appendix 3b).</p> <p>A consequential change is also required to Figure xvi) in Appendix 8.1 (See MM96 below).</p>
MM21	Paragraph 4.41	<p>Amend Paragraph 4.41 to read as follows:</p> <p><u>“4.41 The Council will incorporate the indicative masterplan and the planning principles behind this proposal within a Design Brief. This will be prepared as a Supplementary Planning Document to provide more detailed advice and guidance on the requirements of Policy SS6. so that the proposals can respond in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the above masterplan.”</u></p>
MM22	Policy SS6: Strategic Site Allocation -	<p>Amend Criteria i) and m) of Policy SS6 to read as follows:</p> <p>i) “Contribute towards conserving and enhancing the biodiversity of the District</p>

	Former Whitwell Colliery site	<p>through the protection and incorporation of existing hedgerows, and woodlands, watercourses and the creation and enhancement of open flower rich grassland, wetland and scrub habitats within the site's general layout, design and orientation"</p> <p>m) "Protect <u>Conserve and/or enhance the setting of</u> heritage assets, <u>including their setting</u>, in particular the Belph Conservation Area and the wider setting of Creswell Crags"</p> <p>Add two new Criteria after Criterion m) of Policy SS6 to read as follows:</p> <p>n) <u>"Due to the historic use of the site and the underlying principal aquifer, a detailed site investigation and remediation report shall be provided and any necessary works undertaken"</u></p> <p>o) <u>"Provide for a landscaped Transitional Zone to the north of Station Road where the form, layout and density of housing development shall reflect the need to respond positively to the countryside edge and the important open break between Whitwell and Hodthorpe"</u></p> <p>Delete the last paragraph of Policy SS6 as follows:</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the indicative layout diagram. In the event that the masterplan needs to be revised, this will be considered and approved by the Council through the initial preparation or review of the Supplementary Planning Document."</p>
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MM23	Paragraph 4.47 and New Paragraph	<p>Amend Paragraph 4.47 to read as follows:</p> <p><u>"...The approved scheme, based on both planning permissions, includes the remediation of the site. Within Bolsover District the 32 ha site benefits from permission for uses including general industrial, warehousing, open storage, a transport hub, an energy centre, and a visitor centre/museum. In North East Derbyshire District the approved scheme includes the provision of approximately 660 dwellings; 70,000 m² of employment land, a transport hub; energy centre; visitor centre / museum; a local centre and land for a new primary phase school."</u></p> <p>Insert a new paragraph after paragraph 4.49 to read as follows:</p> <p><u>"The Priority Regeneration Area within Bolsover District amounts to 32 hectares and this includes an additional 3.5 hectares to the north-west of the site that is not included in the planning permission but was included within the Development Envelope of the Adopted Bolsover District Local Plan (2000). The 32 hectares excludes the 2.2 hectare area covered by the HS2 line and safeguarding zone at the southern tip of the site."</u></p>
MM24	Policy SS7: Coalite Priority Regeneration Area	<p>Amend Criteria b), c) and d) of Policy SS7 to read as follows:</p> <p>b) "Enable the full reclamation of the site prior to the development commencing, in line with an agreed programme of work and delivery plan"</p> <p>c) "Protect <u>Conserve and/or enhance the setting</u> of heritage assets, including their setting, in particular the Grade I listed Bolsover Castle and Sutton Scarsdale Hall"</p>

		<p>d) "Protect and enhance the biodiversity value of the Doe Lea Corridor <u>within the site</u> and promote linkages to the wider green infrastructure network <u>where possible</u>"</p> <p>Add a new paragraph to the end of Policy SS7 to read as follows:</p> <p><u>"The following are considered acceptable main uses for the site either individually or in combination, subject to meeting the requirements above</u></p> <ul style="list-style-type: none"> a) <u>Employment development (comprising B1, B2 and B8) for up to 32 ha</u> b) <u>Transport hub</u> c) <u>An energy centre</u> d) <u>A visitor centre/museum</u> <p><u>Proposals for other employment uses will be considered on their merits."</u></p>
MM25	Policy SS8: Pleasley Vale Regeneration Area	<p>Amend the first paragraph of Policy SS8 to read as follows:</p> <p><u>"The Council will encourage development proposals for the Pleasley Vale area which preserve <u>conserve</u> and / or enhance the special appearance and character of the area, <u>the historic environment, heritage assets and their setting</u> and provides a long term future for the existing buildings, preferably featuring employment, commercial, and tourism uses...."</u></p>
MM26	Policy SS9: Development in the Countryside	<p>Amend Criteria a), b) and c) of Policy SS9 to read as follows:</p> <ul style="list-style-type: none"> a) <u>"Involve a change of use or the re-use of vacant, derelict or previously developed land, provided the proposed use is sustainable and appropriate to the location"</u>

		<p>b) "Are necessary for the efficient or viable operation of agriculture, horticulture, forestry and <u>or</u> other appropriate land based businesses, including the diversification of activities on an existing farm unit"</p> <p>c) "Are small scale employment uses related to local farming, forestry, recreation, or tourism"</p> <p>Delete Criterion h) and re-establish wording as new paragraph at end of Policy SS9 to read as follows:</p> <p>h) "In all cases, where development is considered acceptable it will be required to respect the form, scale and character of the landscape, through careful location, design and use of materials"</p> <p><u>In all cases, where development is considered acceptable it will be required to respect the form, scale and character of the landscape, through careful location, design and use of materials."</u></p>
MM27	Policy SS10: Development in the Green Belt	<p>Insert a new paragraph at the beginning of Policy SS10 to read as follows:</p> <p><u>"The purposes of the North East Derbyshire Green Belt are supported and will be maintained during the plan period and beyond. In achieving this, the openness of the land within the Green Belt as defined on the Policies Map will be preserved."</u></p> <p>Amend the first paragraph of Policy SS10 to read as follows:</p> <p>"Within the Green Belt as defined on the Policies Maps, the The construction of new buildings within the Green Belt will be regarded as inappropriate..."</p> <p>Amend the second paragraph of Policy SS10 to read as follows:</p>

		<p><u>"Certain other forms of development which may not be inappropriate in the Green Belt, provided it they preserves the its openness and does not conflict with its the purposes of including land within it. These include:....."</u></p>
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CHAPTER 5 – LIVING COMMUNITIES

Mod. No.	Policy/Para. No.	Main Modification				
MM28	Paragraph 5.9	<p>Amend paragraph 5.9 to read as follows:</p> <p><u>"5.9 The Government's definition of a completed dwelling is one that is 'ready for occupation'. Historically, the Council has included dwellings that were at the 'wind and water tight' stage as 'completed' in its Annual Monitoring Report. The Council resurveyed all dwellings it had recorded as 'completed' since 1 April 2014, between 4 and 8 February 2019, to ensure that these dwellings are 'ready for occupation'. The annual survey was then undertaken in April 2019. Based on this updated information, which confirms the actual completions, using the 'ready for occupation' definition, between 1 April 2014 and 31 March 2019, the The following elements can be seen as making up this the 5,700 dwellings requirement:</u></p> <table border="1"> <tr> <td>Completions 2014/15 to 2016/17 <u>2018/19</u></td> <td>872 1,407 dwellings</td> </tr> <tr> <td>Expected completions 2017/18</td> <td>303 dwellings</td> </tr> </table>	Completions 2014/15 to 2016/17 <u>2018/19</u>	872 1,407 dwellings	Expected completions 2017/18	303 dwellings
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MM29	Paragraph 5.10	<p>Delete paragraph 5.10 in its entirety as follows:</p> <p>"5.10 In addition to this planned supply of land to meet the OAN of 272 dwellings per year, there are a number of sites with planning permission that are not supported within the Local Plan due to either being not in accordance with the Council's Spatial Strategy or due to viability concerns. Despite this and questions over deliverability, it is acknowledged that the 300 dwellings they have permission for could in theory be delivered and they could also contribute to meeting the OAN of 272 dwellings per year."</p>								
MM30	Paragraph 5.12	<p>Amend Paragraph 5.12 to read as follows:</p> <p>"5.12 The NPPF advises that local planning authorities may make an allowance for windfall sites in their five year supply assessments, if there is compelling evidence to do so. Whilst the Council acknowledges the contribution to housing supply that windfall sites can make, the Council has made no allowance for windfall sites to help meet its Housing OAN of 272 dwellings per year within this plan <u>but records their contribution through its annual monitoring of housing delivery.</u>"</p>								

MM31	Paragraph 5.16	<p>Amend Paragraph 5.16 to read as follows:</p> <p>"5.16 Bolsover North Strategic Site – This strategic site is described in more detail in Chapter 4. However, it is expected to deliver approximately <u>880</u> 950 dwellings between 202019 and 2031 <u>2033</u>."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM32	Paragraph 5.17	<p>Amend Paragraph 5.17 to read as follows:</p> <p>"5.17 a) Land off Langwith Road and Mooracre Lane – This site is situated to the east of Bolsover, and is Approximately <u>approximately</u> 18.3 hectares in size. <u>The site is expected to come forward in two phases, the first of which has detailed planning permission. The site delivered 21 dwellings in 2018/19 and it is expected to deliver the remaining approximately 460</u> 442 dwellings between between 2019<u>8</u> and 2031 <u>2033</u>. The site is expected to come forward in two phases, the first of which has detailed planning permission. To achieve sustainable development,..."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM33	Paragraph 5.18	<p>Amend Paragraph 5.18 to read as follows:</p> <p>"5.18 b) Former Courtaulds factory site, Oxcroft Lane – This approximately 1.4 hectares site, is situated to the north of Bolsover. <u>The site has detailed planning permission and is currently under construction. The site delivered 17 dwellings in 2018/19</u> And is expected to deliver <u>the remaining 18</u> 35 dwellings <u>in 2019/20</u> between 2018 and 2020. The site has detailed planning permission and is expected to contribute to affordable housing and off-site green space improvements."</p>

		See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.
MM34	Paragraph 5.19	<p>Amend Paragraph 5.19 to read as follows:</p> <p>“5.19 c) Land between Shuttlewood Road and Oxcroft Lane – This site is situated to the north of Bolsover, just to the north of the former Courtaulds factory site and is approximately 11.2 hectares in size and is expected to deliver approximately 230 dwellings between 2024 <u>2020</u> and 2032. The majority of the site has outline <u>detailed</u> planning permission but the remainder of the site does not yet have permission. To achieve sustainable development, the site will be required to come forward in a comprehensive manner. The following requirements will be made:</p> <ul style="list-style-type: none"> a) Facilitate the reprioritisation <u>provision of a distributor road link to Shuttlewood Road through the site and connect to Oxcroft Lane</u>, so increasing the capacity and traffic flow of the local highway network b) Contribution to increasing the capacity of both primary and secondary phase schools c) Provision of green space within the site d) 10% affordable housing provision e) <u>Contribution to the development of the Bolsover Town cycle and walking networks”</u> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM35	Paragraph 5.21	Amend Paragraph 5.21 to read as follows:

		<p>"5.21 e) Land at Brookvale – This site is situated to the south of Shirebrook, and is approximately 24 hectares in size. <u>The whole site has outline planning permission, with the development coming forward in phases. The site and delivered 84 dwellings in 2018/19 and is expected to deliver the remaining 600 approximately 560 dwellings between 2018 2019 and 2031 2033.</u> The whole site has outline planning permission and the first <u>second</u> phase of the development is now under construction <u>being readied for commencement.</u> A reserved matters application is being prepared for the <u>second phase of the development.</u> The site is expected to contribute to providing a substantial green space within the site, a SuDS scheme and a small area of commercial development in the south west corner of the site. It will also provide a highway connection to Bracken Road to the north and footpath/greenway connections to the Archaeological Way on the east of the site."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM36	Paragraph 5.22	<p>Amend Paragraph 5.22 to read as follows:</p> <p>"5.22 f) Land at Station Road, Langwith Junction – This site is situated in Langwith Junction in the northern part of Shirebrook and is approximately 2 hectares in size. The site has full planning permission and <u>is currently under construction. The site delivered 14 dwellings in 2018/19 and is expected to deliver the remaining 54 58 dwellings between 20198 and 20221.</u>"</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM37	Paragraph 5.23	<p>Amend Paragraph 5.23 to read as follows:</p> <p>"5.23 g) Land to the rear of 1 to 35 Red Lane – This site is situated to the south-west of South Normanton, is approximately 1.6 hectares in size and is expected to deliver approximately 50 dwellings between <u>2018 2020 and 2020 2022.</u> The site has</p>

		<p>previously had detailed reserved matters permission but needs a new permission. and is <u>It will be</u> expected to contribute to increasing the capacity of local schools, and to provide sufficient green space within the site and contribute to the provision of affordable housing.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM38	Paragraph 5.24	<p>Amend Paragraph 5.24 to read as follows:</p> <p>“5.24 h) Land at Rosewood Lodge Farm, Alfreton Road – This site is situated to the south-west of South Normanton, is approximately 6.2 hectares in size and is expected to deliver approximately 143 <u>145</u> dwellings between 2019 and 2024 <u>2025</u>. The site has outline <u>detailed</u> planning permission and is expected to provide sufficient green space within the site. It will also contribute to off-site formal recreation facilities, affordable housing and to increasing the capacity of local schools and GP surgery. <u>Due to the proximity of Carnfield Hall, the Carnfield Hall Conservation Area and the Carnfield Wood Local Wildlife Site, any alterations to the existing scheme will be expected to conserve and/or enhance the heritage assets, including their setting, and conserve the biodiversity of the wildlife site.”</u></p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM39	Paragraph 5.26	<p>Amend Paragraph 5.26 to read as follows:</p> <p>“5.26 Clowne Garden Village Strategic Site – This strategic site is described in more detail in Chapter 4. It is expected to deliver approximately 1000 <u>1,050</u> dwellings between 2021<u>0</u> and 2033. The site as a whole has capacity for greater levels of development which will support future development in the area and adds flexibility to the Plan.”</p>

		See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.
MM40	Paragraph 5.27	<p>Amend Paragraph 5.27 to read as follows:</p> <p>“5.27 j) Land to rear of 169-207 Creswell Road – This site is situated in the north-east of Clowne and is approximately 0.77 hectares in size. The site has full planning permission and is currently under construction. <u>It and is expected to deliver its 28 remaining 27 dwellings by 2021 between 2024 and 2027.</u>”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM41	Paragraph 5.28	<p>Amend Paragraph 5.28 to read as follows:</p> <p>“5.28 k) Land west of Homelea and Tamarisk, Mansfield Road – This site is situated in the south-west of Clowne, is approximately 0.8 hectares in size and is expected to deliver 15 dwellings by 2019 <u>2020</u>. The site has outline <u>full</u> planning permission and <u>is expected to contribute to increasing the capacity of local schools.</u> a full planning application is currently being considered by the Council.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM42	Paragraph 5.29	<p>Amend Paragraph 5.29 to read as follows:</p> <p>“5.29 l) Land at High Ash Farm, Mansfield Road – This site is situated in the south-west of Clowne, and <u>is</u> approximately 1.8 hectares in size. <u>The site has detailed planning permission and is currently under construction. It is expected to deliver 42 41 dwellings between 2018 and 2020 and 2021.</u> The site has outline planning permission and a reserved matters application has recently been granted by the Council.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>

MM43	Paragraph 5.30	<p>Amend Paragraph 5.30 to read as follows:</p> <p>“5.30 m) Land north of Chesterfield Road – This site is situated to the west of Barlborough, is approximately 4.67 hectares in size and is expected to deliver approximately 150 dwellings between 2018 <u>2020</u> and 2024 <u>2026</u>. The site has reserved matters permission and is expected to contribute to increasing the capacity of local schools and to contribute to green space provision and affordable housing. As part of the development, the cessation of the scaffolding business use is also required.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM44	Paragraph 5.31	<p>Amend Paragraph 5.31 to read as follows:</p> <p>“5.31 n) Land rear of Skinner Street – This site is situated to the north of the centre of Creswell, <u>and is approximately 3.79 hectares in size. The site has full planning permission and is currently under construction. The site delivered 30 dwellings in 2018/19 and is expected to deliver the remaining 43 82 dwellings between 2019</u>8 and 2021. The site has full planning permission and is expected to provide vehicular access to Creswell Church of England Infant School and provision of a footpath across Derbyshire County Council land to the town <u>village centre.</u>”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM45	Paragraph 5.32	<p>Amend Paragraph 5.32 to read as follows:</p> <p>“5.32 o) Land south of Creswell Model Village – This site is situated to the south of Creswell, <u>and is approximately 6 hectares in size. The site has full planning permission and is currently under construction and is expected to deliver</u></p>

		<p>approximately 190 <u>197</u> dwellings between 2019 and 2029. The site has full planning permission. Due to the site being adjacent to the Creswell Conservation Area, any alterations to the existing scheme will be expected to preserve the setting of the conservation area through the relationship with and the creation of appropriate green spaces, between the new buildings and the Model Village properties.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM46	Paragraph 5.33	<p>Amend Paragraph 5.35 to read as follows:</p> <p>“5.33 p) Land at Croftlands Farm – This site is situated to the north of Pinxton, is approximately 3.14 hectares in size and is expected to deliver approximately 50 <u>65</u> dwellings between 2022 and 2024 <u>2025</u>.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM47	Paragraph 5.34	<p>Amend Paragraph 5.34 to read as follows:</p> <p>“5.34 q) Land south of Overmoor View – This site is situated to the east of the northern half of Tibshelf and is approximately 7.25 hectares in size. The site has detailed planning permission and is currently under construction. <u>The site delivered 17 dwellings in 2018/19</u> and is expected to deliver its remaining 103 <u>78</u> dwellings by 2021 <u>2022</u>.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM48	Paragraph 5.35	<p>Amend Paragraph 5.35 to read as follows:</p> <p>“5.35 r) Land west of Spa Croft – This site is situated to the west of the southern half of Tibshelf, <u>and is</u> approximately 1.8 hectares in size. The site has full planning</p>

		<p>permission and is currently under construction. The site delivered 17 dwellings in <u>2018/19</u> and is expected to deliver its remaining 25 <u>27</u> dwellings in 2018 <u>2019/20</u>.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM49	Paragraph 5.37	<p>Delete the heading and Paragraph 5.37 in its entirety as follows:</p> <p>“Small Village – Glapwell”</p> <p>“5.37 s) Land at Glapwell Nurseries – This site is situated to the north of Glapwell and is approximately 0.45 hectares in size. The site has detailed planning permission and is expected to deliver its 16 dwellings by 2021.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p> <p>Corresponding change proposed to the Policies Map [PMC5]</p>
MM50	Paragraph 5.40	<p>Delete the heading and Paragraph 5.40 in its entirety as follows:</p> <p>“5.40 v) Land east of Pleasley Pit – This site is situated within Pleasley and is approximately 0.96 hectares in size. The site has detailed planning permission and is expected to deliver its 19 dwellings between 2019 and 2021.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p> <p>Corresponding change proposed to the Policies Map [PMC6]</p>
MM51	Figure 5A: Housing Allocations	<p>Amend Figure 5A to read as follows:</p>

	breakdown by size	<table border="1"> <thead> <tr> <th>Size</th> <th>Number</th> <th>% of sites allocated</th> </tr> </thead> <tbody> <tr> <td>100 ha. +</td> <td>1</td> <td>4%</td> </tr> <tr> <td>50 ha < 100 ha</td> <td>0</td> <td>0%</td> </tr> <tr> <td>20 ha < 50 ha</td> <td>2</td> <td>8 9%</td> </tr> <tr> <td>10 ha < 20 ha</td> <td>3</td> <td>12 13%</td> </tr> <tr> <td>5 ha < 10 ha</td> <td>3</td> <td>12 13%</td> </tr> <tr> <td>2 ha < 5 ha</td> <td>4</td> <td>16 18%</td> </tr> <tr> <td>1 ha < 2 ha</td> <td>7</td> <td>28 30%</td> </tr> <tr> <td>< 1 ha</td> <td>5 3</td> <td>20 13%</td> </tr> <tr> <td>Total</td> <td>25 23</td> <td>100%</td> </tr> </tbody> </table>	Size	Number	% of sites allocated	100 ha. +	1	4%	50 ha < 100 ha	0	0%	20 ha < 50 ha	2	8 9%	10 ha < 20 ha	3	12 13%	5 ha < 10 ha	3	12 13%	2 ha < 5 ha	4	16 18%	1 ha < 2 ha	7	28 30%	< 1 ha	5 3	20 13%	Total	25 23	100%	
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Total	25 23	100%																															
MM52	Policy LC1: Housing Allocations	<p>Amend Policy LC1 to read as follows:</p> <p>“Policy LC1: Housing Allocations</p> <p>In addition to the strategic sites, the following sites are allocated on the Policies Map to deliver the housing land requirement set out in policy SS2: Scale of Development and in accordance with the strategy set out in Policy SS3: Spatial Strategy and Distribution of Development:</p> <ul style="list-style-type: none"> a) Land off Langwith Road and Mooracre Lane, Bolsover (<u>442</u>)* b) Former Courtaulds factory site, Oxcroft Lane, Bolsover (<u>18</u>)* c) Land between Shuttlewood Road and Oxcroft Lane, Bolsover (<u>227</u>) d) Land off Oxcroft Lane, Bolsover (<u>45</u>) e) Land at Brookvale, Shirebrook (<u>600</u>)* f) Land at Station Road, Langwith Junction, Shirebrook (<u>54</u>)* g) Land to the rear of 1 to 35 Red Lane, South Normanton (<u>50</u>) h) Land at Rosewood Lodge Farm, Alfreton Road, South Normanton (<u>143</u>) 																															

		<p>i) Land at Town End Farm, Lees Lane, South Normanton (40) j) Land to rear of 169-207 Creswell Road, Clowne (27) k) Land west of Homelea and Tamarisk, Mansfield Road, Clowne (15) l) Land at High Ash Farm, Mansfield Road, Clowne (41) m) Land north of Chesterfield Road, Barlborough (157) n) Land at Skinner Street, Creswell (43)* o) Land south of Creswell Model Village, Creswell (197) p) Land at Croftlands Farm, Pinxton (65) q) Land south of Overmoor View, Tibshelf (78)* r) Land west of Spa Croft, Tibshelf (27)* s) Land at Glapwell Nurseries, Glapwell t) Land at Queens Road Allotments, Hodthorpe (38) u) Land between 11 and 19 Back Lane, Palterton (11) v) Land east of Pleasley Pit, Pleasley</p> <p>In order to achieve sustainable development, the local planning authority will impose conditions on planning permissions or seek to enter into a planning obligation under S106 of the Town and Country Planning Act 1990, to secure the expected requirements for each site set out in paragraphs 5.14 to 5.40 and where relevant elsewhere in this Plan.</p> <p><u>*These sites are currently under construction and the number of dwellings remaining to be completed on each site, at 1 April 2019, is listed in this policy.*</u></p>
MM53	New Paragraph	<p>Add a new paragraph after paragraph 5.49 to read as follows:</p> <p><u>“The evidence base for the Local Plan indicates that the need for entry level housing at low cost, as provided for by Paragraph 71 of the 2018 NPPF, is generally well met across the district. Where exceptional circumstances apply and a proposal can clearly</u></p>

		show that a specific need is being met and the dwellings will provide for that need over the long term, proposals will be supported.”
MM54	Policy LC2: Affordable Housing Through Market Housing	Amend Policy LC2 to read as follows: “The Council will require applications for residential development comprising of 25 or more dwellings (or which form part of a larger development site with a potential capacity of 25 or more dwellings) to provide 10% as affordable housing on site. Where this is stated to not be viable, a detailed site viability appraisal of the development proposal shall be required to inform an alternative level of provision. This should be in the form of affordable housing for rent. Where an applicant considers that this requirement would lead to the development becoming unviable, this should be demonstrated through the submission of a detailed viability assessment which should accompany the planning application. ”
MM55	Policy LC3: Type and Mix of Housing	Add the following paragraph to the end of Policy LC3: “The Council will encourage the inclusion of plots suitable for self and custom build dwellings in areas where the Council’s Self and Custom Build Register shows that there is a demand.”
MM56	Paragraph 5.58	Amend paragraph 5.58 to read as follows: “5.58 The <u>G</u> overnment wants to enable more people to build or commission their own homes. The Council has set up a register of individuals and associations who are looking for serviced plots of land in the district on which to build their own homes. To date, very few people have expressed an interest in this type of house building. However, the register has only recently been set up (April 2016), and it is therefore considered that it would be appropriate to make provision to enable this type of house building. Policy LC4 aims to ensure that the aspirations of people who want to build their own homes can be met in accordance with governmental

		<p><u>guidance However, the Council’s evidence base shows that, whilst at the present time it is difficult to demonstrate concrete evidence of demand at a local level, there is some potential to encourage developers of larger schemes to designate parts of these sites as plots available for custom and self-builders, and this is provided for by Policy LC3.”</u></p>
<p>MM57</p>	<p>Policy LC4: Custom and Self Build Dwellings</p>	<p>Delete Policy LC4 in its entirety as follows:</p> <p>“Policy LC4: Custom and Self-Build Dwellings</p> <p>Planning permission for ten or more dwellings, or for sites with a gross area of 0.3 hectares or above, will be granted if at least 5% of the dwelling plots (or a minimum of one) are set aside as serviced plots for sale to custom or self builders, unless the development is for apartments or involves the change of use / conversion of existing buildings.</p> <p>Plots will be made available and marketed appropriately* for at least 12 months and if they have not been sold, the plot(s) may either remain on the open market as custom build or be offered to the council or a housing association before being built out by the developer as an affordable housing unit.</p> <p>*Marketing should be through an appropriate agent as well as through the council’s website. Evidence of the results of the sustained marketing strategy will need to be submitted with any planning application.”</p> <p>See MM100 and MM102 below, for the consequential changes to Appendix 10.1 - Which Policies contribute towards which Objectives; and to Appendix 10.2 - How the policies will be monitored.</p>

<p>MM58</p>	<p>Paragraphs 5.62, 5.63 and 5.64</p>	<p>Amend Paragraph 5.62 to read as follows:</p> <p><u>"5.62 Since 2014, 1 pitch has been granted planning permission on land to the rear of 3-5 Brookhill Lane at Pinxton, for a residential traveller site for 1 mobile home and two 2 touring caravans. This planning permission has been implemented and reduces the district's requirement over the plan period from 17 to 16 pitches. In addition, 3 pitches were granted planning permission on land at Hilcote Lane in Hilcote. Together, these permitted sites meet 4 of the required 17 residential pitches."</u></p> <p>Amend Paragraph 5.63 to read as follows:</p> <p><u>"5.63 In 2016, 3 pitches were granted planning permission on land in Hilcote. Based on the Council's Gypsy and Travellers Land Availability Assessment, A a 2 pitch extension to an existing site off Church Road, near Shuttlewood has also been promoted. An additional 1 residential pitch has also been suggested to the Council within the permitted site on land to the rear of 3-5 Brookhill Lane at Pinxton. These sites is are allocated along with the permitted sites in the policy below along with the site at Hilcote."</u></p> <p>Amend Paragraph 5.64 to read as follows:</p> <p><u>"5.64 To meet the remaining requirement of 10 residential pitches, Ffurther sites have been suggested to the Council by private landowners, however, the initial interest expressed by landowners has not been sustained and those sites suggested are not considered to be available. The District Council has not been able to identify any suitable and available sites after reviewing its landholdings. Derbyshire County Council hasve not identified any sites from its landholdings within the District. Neighbouring Authorities have not been able to assist the District Council to meet its need. As a result, Fthe Council will rely on the criteria based policy set out in policy LC6 which allows sufficient flexibility to meet need where it might arise."</u></p>
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<p>MM59</p>	<p>Policy LC5: Site Allocations for Gypsies, Travellers, and Travelling Showpeople</p>	<p>Amend Policy LC5 to read as follows:</p> <p>“The following sites are allocated for a maximum number of Gypsy and Traveller pitches as shown on the Policies Map.</p> <ul style="list-style-type: none"> a) 3 Pitches at Hilcote Lane, Hilcote. b) 2 Pitches at Land adjacent to 255A, Shuttlewood Road, near Shuttlewood. c) <u>2 Pitches at Land to the rear of 3-5 Brookhill Lane, Pinxton.</u> <p>The following site is allocated for a maximum number of Travelling Showpeople’s plots as shown on the Policies Map.</p> <ul style="list-style-type: none"> d) e) 14 plots Beaufit Lane, Pinxton” <p>See MM61 below, for the consequential change to Policy LC7.</p>
<p>MM60</p>	<p>Policy LC6: Applications for Gypsies, Travellers and Travelling Showpeople</p>	<p>Amend Criteria a) and c) of Policy LC6 to read as follows:</p> <ul style="list-style-type: none"> a) <u>“Proposals should be within development envelopes or on other suitable development land as provided for within the Plan unless they can be shown to meet a need identified in an independent assessment”</u> c) <u>“Is located within a reasonable distance one kilometre (preferably within 2 kilometres) of a convenience food store, a primary school, and a doctor’s surgery, or of access to public transport”</u> <p>Delete Criterion i) in its entirety as follows:</p>

		<p>i) “Provides for a S106 agreement that ensures that the future use of the site shall only be to meet the identified need”</p> <p>Insert a new paragraph below Criteria a) to h) to read as follows as follows:</p> <p><u>“Acceptable proposals will be subject to a condition or agreement that ensures that the future use of the site shall only be to meet the needs of the Gypsy and Traveller community.”</u></p>
MM61	Policy LC7: Safeguarding sites for Gypsies, Travellers and Travelling Showpeople	<p>Amend Policy LC7 to read as follows:</p> <p>“Existing permanent sites, listed below, are identified on the Policies Map and will be safeguarded for use by Gypsies and Travellers, unless it is demonstrated the site is no longer suitable for such a use.</p> <p>Gypsies and Travellers</p> <p>a) Land to the rear of 3-5 Brookhill Lane, Pinxton – I pitch ...”</p> <p>See MM59 above, for the consequential change to Policy LC5.</p>
MM62	Policy LC8: Agricultural, Forestry and Other Occupational Dwellings in	<p>Amend the first paragraph of Policy LC8 to read as follows:</p> <p>“Planning permission for a new dwelling in the countryside based upon the essential needs of agriculture and, forestry <u>or other rural business</u> shall only be granted planning permission...”</p>

	the Countryside	
MM63	Policy LC9: Removal of Agricultural and Other Occupancy Conditions	Amend Criterion c) of Policy LC9 to read as follows: c) "The property has been marketed locally for an appropriate period (minimum 18 <u>12</u> months) at an appropriate price and evidence of marketing is demonstrated."

CHAPTER 6 – WORKING COMMUNITIES

Mod. No.	Policy/Para. No.	Main Modification									
MM64	Paragraph 6.13	Amend Paragraph 6.13 to read as follows: "6.13 Land between Brickyard Farm and Barlborough Links, Barlborough -- The site has outline detailed planning permission for B1/B2/B8 uses. although a new application is currently being considered. "									
MM65	Policy WC1: Employment Land Allocations	Amend the table in Policy WC1 to read as follows: <table border="1" data-bbox="638 1093 1534 1366"> <thead> <tr> <th>Sites with Planning Permission</th> <th>Ha</th> <th>Use</th> </tr> </thead> <tbody> <tr> <td>Explore Industrial Park, Explore Way (off A619), Steetley</td> <td>10.70</td> <td><u>B1/B2/B8</u></td> </tr> <tr> <td>Land between Brickyard Farm and Barlborough Links</td> <td>3.45</td> <td>B1/<u>B2</u>/B8</td> </tr> </tbody> </table>	Sites with Planning Permission	Ha	Use	Explore Industrial Park, Explore Way (off A619), Steetley	10.70	<u>B1/B2/B8</u>	Land between Brickyard Farm and Barlborough Links	3.45	B1/ <u>B2</u> /B8
Sites with Planning Permission	Ha	Use									
Explore Industrial Park, Explore Way (off A619), Steetley	10.70	<u>B1/B2/B8</u>									
Land between Brickyard Farm and Barlborough Links	3.45	B1/ <u>B2</u> /B8									

MM66	Policy WC2: General Principles for Economic Development	Amend the existing employment area xxiii) in Policy WC2 to read as follows: xxiii) " <u>Core Area of EPC-UK Explosives, Rough Close Works, South Normanton</u> "
MM67	Paragraph 6.36	Amend Paragraph 6.36 to read as follows: "6.36 The floorspace requirements range for comparison goods are negative figures because the amount already developed within the study period has exceeded the need identified. In essence, in quantitative modelling terms, the District has too much comparison floorspace, and effectively would need to lose at least 3,087 m² before any new Comparison goods floorspace is needed. This is mainly due to the 4,669 m ² Retail store granted permission and nearly complete (December 2017) at Brook Park, Shirebrook. <u>There is therefore insufficient capacity in the system for additional comparison goods floorspace, right through until the end of the plan period.</u>
MM68	Policy WC5: Retail, Town Centre and Local Centre Development	Amend Policy WC5 to read as follows: "...Retail development must demonstrate that it is: a) Appropriate in scale and function to its location; ... A sequential <u>test</u> and retail or leisure impact assessment will be required for applications in edge-of-centre or out-of-centre locations which include ..."
MM69	Paragraphs 6.51, 6.52,	Amend Paragraph 6.51 to read as follows:

<p>6.53 and 6.55</p>		<p>"6.51 Development of the Sherwood lodge site is a major undertaking that necessitates Local Plan support. The site, between Town End (the 'high street') and Oxcroft Lane to the north is a large potential redevelopment area. An extant planning permission exists for development of a large Supermarket on the site, with a road connection through from Town End to Oxcroft Lane, however the developer (Morrisons) is no longer proceeding with the scheme. <u>A large vacant site, (Sherwood Lodge) close to the town centre was recognised as a potential retail based development site. Planning permission for the erection of a food store and retail terrace with associated car parking was granted planning permission (17/00615/FUL), on 26th September 2018.</u>"</p> <p>Amend Paragraph 6.52 to read as follows:</p> <p>"6.52 The development of the 'Sherwood Lodge site' is seen by the Council as an important objective in delivering significant improvements within Bolsover town centre. The site will play two important roles: <u>provide town centre retail development opportunities.</u></p> <p>a) Provide a vehicular link to help mitigate against potential congestion due to traffic generated within and around the town centre;</p> <p>b) Provide town centre retail development opportunities, potentially with residential or community facilities as well."</p> <p>Amend Paragraph 6.53 to read as follows:</p> <p>"6.53 Figure 6A. below shows the main area of the development. However, it is accepted that provided that the site helps to provide for a link road and enhances the retail provision within the town centre, other forms of town centre development would be welcomed as part of the overall development site."</p>
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		<p>Delete Paragraph 6.55 in its entirety as follows:</p> <p>“6.55 Whilst the allocated land is largely not within the Council’s ownership, there have been discussions with the landowners over potential redevelopment schemes.”</p>
MM70	Policy WC6: Bolsover Edge of Town Centre Allocation	<p>Amend Policy WC6 to read as follows:</p> <p>“As part of the regeneration and redevelopment of Bolsover town centre, the area known as the Sherwood Lodge site, as indicated in Figure 6A and defined on the Policies Map is allocated as an edge of town centre allocation within the Local Plan. Proposals for the development of this site will be permitted where they are comprehensive, guided by an approved masterplan for the site and:</p> <ul style="list-style-type: none"> a) Provide for an acceptable two way vehicular access road between Town End and Oxcroft Lane; b) Ensure the provision of pedestrian access and linkage between Cavendish Walk and the site; c) Provide for at least one Convenience retail store in excess of 1,200m²; d) Provide for other town centre related uses which may include retail, leisure, employment, residential or community facilities; e) Ensure that a suitable level of public parking is made available as part of the scheme; f) Give special consideration to the historic grounds and remaining building on the western side of the site, as identified heritage assets;

		<p>g) Contribute to the planned Bolsover town cycle network through the provision of cycling facilities within the site;</p> <p>h) Contribute towards place-making through the delivery of a high quality designed development that creates an attractive and locally distinctive new urban neighbourhood utilising public art as appropriate;</p> <p>i) Contribute towards the efforts to tackle climate change through its approach to sustainable construction, renewable energy and energy conservation within the site's general layout, design and orientation;</p> <p>j) Mitigate the loss of the green space through a financial contribution to be towards the improvement of a green space within Bolsover Town.</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the approved masterplan."</p>
MM71	Policy WC7: Shirebrook Edge of Town Centre Allocations	<p>Amend Criterion e) of Policy WC7 to read as follows:</p> <p>"e) Provide <u>for</u> a replacement play area <u>and</u> <u>or</u> provide a commuted sum to be agreed with the Council <u>for alternative recreational facilities.</u>"</p>
MM72	Policy WC8: South Normanton Edge of Town Centre Allocations	<p>Amend Criterion c) of Policy WC8 to read as follows:</p> <p>c) "Comply with <u>the provisions of Policy WC4 and</u> current Health and Safety Executive (HSE) land use planning guidance in relation to the nearby Rough Close Works"</p>

		<p>Amend Figure 6C – South Normanton Edge of Town Centre Allocations to keep the site boundary outside of the Explosive Safeguarding Zone (See Appendix 3(c)).</p> <p>A consequential change is also required to Figure xx) in Appendix 8.1 (See MM98 below).</p> <p>Corresponding change proposed to the Policies Map [PMC10]</p>
MM73	<p>Paragraphs 6.73, 6.75, 6.76 and 6.77</p>	<p>Amend Paragraph 6.73 to read as follows:</p> <p><u>“6.73 Action on the food environment is supported by the NICE public health guidance, ‘Prevention of Cardiovascular Disease’. NICE recommends restricting planning permission for takeaways and other food retail outlets in specific areas (for example, within walking distance of schools). However, there is no substantial evidence to support a link between childhood obesity and the siting of hot food takeaways within walking distance of schools in Bolsover District at present.”</u></p> <p>Amend Paragraph 6.75 to read as follows:</p> <p>“6.75 The NPPF says that planning should “take account of and support local strategies to improve health, social and cultural wellbeing for all” (paragraph 17), and it “can play an important role in facilitating social interaction and creating healthy, inclusive communities” (paragraph 69).”</p> <p>Amend Paragraph 6.76 to read as follows:</p> <p>“6.76 A condition may be imposed which removes permitted development rights in cases where the size and / or location of the proposed hot food takeaway could undermine the district's retail hierarchy should a change of use occur. The Council is also considering further work alongside Public Health to develop A Supplementary</p>

		<p>Planning Document (SPD) to support / inform decision making in relation to fast food outlets and therefore aid the implementation of the policy."</p> <p>Add a new paragraph after paragraph 6.76 to read as follows:</p> <p><u>"The Council will continue to work with partners in the Public Health sector to monitor and develop its policies in relation to hot food takeaways."</u></p> <p>Delete Paragraph 6.77 in its entirety as follows:</p> <p>"6.77 Whilst it is recognised that this policy cannot have a retrospective impact on existing outlets, it can reduce the potential for saturation of outlets in locations near to schools and colleges. Therefore, it is seen useful to have a policy that will help limit the worsening of an identified issue by preventing proliferation of hot food takeaway outlets and preventing new outlets opening in undesirable locations if existing ones close."</p>
MM74	Policy WC9: Hot Food Takeaways	<p>Delete Criterion a) from Policy WC9 as follows:</p> <p>a) "They are not within 400m* of an access point to any school or college"</p> <p>Delete the corresponding footnote to Policy WC9 as follows:</p> <p>"*400m radius around the proposal—based on an approximate ten minute walking time."</p> <p>Delete the second part of Policy WC9 as follows:</p> <p>"Where planning permission is forthcoming for hot food takeaways the following actions may be pursued to minimise impact:</p>

		<p>a) S106 contribution to support local healthy eating programmes</p> <p>Conditions restricting opening hours during school term time, for example at the start/end of a school day; break and lunchtimes"</p> <p>See MM101 and MM103 below, for the consequential changes to Appendix 10.1 - Which Policies contribute towards which Objectives; and to Appendix 10.2 - How the policies will be monitored.</p>
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CHAPTER 7 – SUSTAINABLE COMMUNITIES

Mod. No.	Policy/Para. No.	Main Modification
MM75	Policy SC2: Sustainable Design and Construction	<p>Add a footnote to Criterion f) of Policy SC2 to read as follows:</p> <p>f) "Adopts sustainable drainage principles* and avoids detrimental changes to the characteristics of groundwater drainage and surface water run-off, and protects the capacity of natural surface water drainage systems and access to them for maintenance and improvement"</p> <p><u>"* Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:</u></p> <ol style="list-style-type: none"> 1. <u>into the ground (infiltration);</u> 2. <u>to a surface water body;</u> 3. <u>to a surface water sewer, highway drain, or another drainage system;</u> 4. <u>to a combined sewer."</u>

MM76	Policy SC6: Renewable and Low Carbon Energy	Amend Criterion d) of Policy SC6 to read as follows: d) " Significant harm to the historic environment, including the effect on the significance of heritage assets and their setting and <u>significant harm to important views associated with valued landscapes and townscapes.</u> "
MM77	Policy SC8: Landscape Character	Amend the second paragraph of Policy SC8 to read as follows: "Development proposals should have regard to the Derbyshire Landscape Character Assessment, <u>Historic Landscape Character Data</u> and the Areas of Multiple Environmental Sensitivity ² and contribute, where appropriate, to the conservation and enhancement, or restoration and re-creation of the local landscape."
MM78	Policy SC14: Contaminated and Unstable Land	Amend the third paragraph of Policy SC14 to read as follows: "Proposals for the remediation of contaminated or unstable land will only be permitted where the benefits of remediation outweigh any harm to the natural, and built, <u>and historic</u> environment."
MM79	Policy SC15: Hazardous Installations	Amend Policy SC15 to read as follows: "Planning permission will be granted for development within the Health and Safety consultation zones provided that the risks arising from the presence of the hazardous substance are acceptable in relation to the nature of the proposed development, <u>and the development is compliant with the provisions of other Local Plan policies, including Policy WC4.</u> "
MM80	Paragraph 7.106	Amend Paragraph 7.106 to read as follows:

		"7.106 Policy SC18 below, aims to ensure that these settlements and all other important sites are preserved <u>conserved</u> and where possible enhanced."
MM81	Policy SC18: Scheduled Monuments and Archaeology	Amend the second paragraph of Policy SC18 to read as follows: "...In some cases this will require archaeological desk based assessment and / or field evaluation of the site <u>which should be submitted as part of a development proposal and should be undertaken by a suitably qualified archaeologist</u> . Provision should then..."
MM82	Policy SC19: Bolsover Area of Archaeological Interest	Amend Criterion 1) of Policy SC19 to read as follows: 1) "Planning applications involving ground disturbance should be accompanied by the results of an archaeological desk based assessment, or heritage impact assessment <u>or other site evaluation assessment method</u> , as appropriate to the scale and type of development. <u>The assessment work should be undertaken by a suitably qualified archaeologist</u> "
MM83	Paragraph 7.109	Amend Paragraph 7.109 to read as follows: "7.109 Policy SC20 below aims to ensure that these assets are preserved <u>conserved</u> , whilst development proposals which conserve and offer opportunities to enhance the character, appearance and significance of such assets are treated positively."
MM84	Paragraph 7.112	Amend Paragraph 7.112 to read as follows: "7.112 Policy SC21 below aims to ensure that these <u>heritage</u> are assets <u>and their setting are</u> preserved <u>conserved</u> , whilst development proposals which conserve and offer opportunities to enhance the character, appearance and significance of such assets are treated positively."

CHAPTER 8 – INFRASTRUCTURE, TRANSPORT, COMMUNITY AND RECREATION PROVISION

Mod. No.	Policy/Para. No.	Main Modification
MM85	Figure 8A: Strategic Green Infrastructure Network	<p>Amend the route of the Archaeological Way shown on Figure 8A: Strategic Green Infrastructure Network as follows:</p> <ol style="list-style-type: none"> 1) Show Mag Lane as part of the existing route (Solid Green). 2) Show Sookholme Road as part of the existing route (Solid Green). 3) Change Frithwood Lane from an existing route to a proposed route, (Dotted green line). <p>(See Appendix 3d)</p> <p>A consequential change is also required to Figure xviii) in Appendix 8.1 (See MM97 below).</p>
MM86	Policy ITCR2: The Multi-User Trails Network	<p>Amend Policy ITCR 2 to read as follows:</p> <p>“Planning permission will be granted for proposals providing that they would not prejudice the use of the following sites as existing Multi-User Trails (a-y) and proposed Multi-User Trails (1-38 <u>39</u>) as shown on the Policies Map:</p> <p>Proposed Multi-User Trails</p> <p>...</p>

		<p>3) Archaeological Way Link from Frithwood Lane Bridleway and link to Gypsy Lane, Creswell</p> <p>....</p> <p>39) <u>East of Hennymoor Farm to Hodthorpe</u>"</p> <p>A consequential change is also required to Figure xviii) in Appendix 8.1 (See MM97 below).</p>
MM87	Policy ITCR4: Local Shops and Community Facilities	<p>Amend the second footnote of Policy ITCR4 to read as follows:</p> <p>"** Marketing should be through an appropriate agent as well as through the Council's regeneration service facility. The applicant should agree the marketing strategy, including any marketing period (<u>with a rent or sale price for the existing use of the facility</u>), with the Local Planning Authority in advance. Evidence of the results of the sustained marketing strategy will need to be submitted with any planning application. Marketing should not be restricted to just the building's last use but also other potential community uses."</p>
MM88	Policy ITCR5: Green Space and Play Provision	<p>Amend Policy ITCR5 to read as follows:</p> <p>"...Quality Improvements to Green Spaces</p> <p>In addition new residential developments of more than 10 units will be expected to make reasonable financial contributions, either for new green spaces, playing pitches, or to improve green spaces, or playing pitches falling within the following walking distances.</p> <ul style="list-style-type: none"> • Spaces of a minimum size of 10 ha. within 7.5 km; • Spaces of a minimum size of 4 ha. within 2 km; • Spaces of a minimum size of 2 ha. within 800 metres;

		<ul style="list-style-type: none"> • Spaces of a minimum size of 0.5 ha. or equipped play areas within 400 metres. • <u>Equipped Play Areas within 400 metres</u> • <u>Amenity Green Space within 500 metres</u> • <u>Recreation Grounds or Semi-Natural Green Space within 800 metres</u> <p>The Council will prioritise contributions to achieve minimum quality standards of 60% for Green Spaces and an 'Average' standard for Playing Pitches."</p> <p>A consequential change is also required to Policy ITCR7 (See MM90 below).</p>
MM89	Policy ITCR6: Protection of Green Space	<p>Amend the first paragraph of Policy ITCR6 to read as follows:</p> <p>"Development proposals will be permitted where they do not have any adverse effect upon, or result in the loss of, existing green spaces, including allotments and village greens, as identified on the Policies Map or in the Council's Green Space Strategy, and associated documents, or any future green space..."</p>
MM90	Policy ITCR7: Playing Pitches	<p>Amend Policy ITCR7 to read as follows:</p> <p>"Existing Playing Pitches</p> <p>Development proposals will be permitted <u>supported</u> where they do not have an adverse effect <u>upon</u> or <u>result in the loss of</u> Playing Pitches or <u>Playing Field Land</u>, as identified on the Policies Map or within the Council's Playing Pitch Strategy and associated documents. Proposals resulting in a loss will need to provide a replacement <u>facility provision equivalent or better in terms of quantity and quality in a suitable location.</u></p> <p>Need for new Playing Pitches</p>

		<p>When considering development proposals the Council will use the Sports England Playing Pitch Calculator and the Playing Pitch Strategy and Assessment to consider whether new playing pitch provision or improvements to existing pitches will be needed.</p> <p><u>Quality Improvements to Playing Pitches</u></p> <p><u>If improvements to existing pitches are needed, new residential development of more than 10 dwellings will be expected to make financial contributions to the improvement of playing pitches and/or their ancillary facilities. The Playing Pitch strategy and assessment will be used to consider the most appropriate site for enhancements. The site must be well-related to the development. The Council will prioritise contributions to achieve minimum quality standards of 'average' for playing pitches."</u></p>
MM91	Paragraph 8.57	<p>Delete Paragraph 8.57 in its entirety as follows:</p> <p>"8.57 Related to these improvement schemes, as set out in policy WC6, the Bolsover Town Centre Regeneration site should come forward during the plan period. In this case, the regeneration and redevelopment of the site will be required to deliver an acceptable two way vehicular access road between Town End and Oxcroft Lane in order to help mitigate against potential congestion due to traffic generated within and around the town centre."</p>
MM92	Policy ITCR11: Parking Provision	<p>Amend Policy ITCR11 to read as follows:</p> <p>"Planning permission will be granted where there is appropriate provision for vehicle and cycle parking as outlined set out within Appendix 8.2 – Parking Standards the Local Parking Standards Supplementary Planning Document.</p> <p>Parking provision should</p>

		<p>a) Relate well to the proposed development</p> <p>b) Be well designed, taking account of the characteristics of the site and the locality</p> <p>c) Provide a safe and secure environment</p> <p>d) Minimise conflict with pedestrians and / or cyclists</p> <p>e) Make provision for service and emergency access”</p> <p>See MM99 below, for the consequential addition to the Appendices.</p>
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CHAPTER 9 – IMPLEMENTATION AND INFRASTRUCTURE DELIVERY - No Main Modifications

CHAPTER 10 – MONITORING – No Main Modifications

CHAPTER 11 – APPENDICES

Mod. No.	Policy/Para. No.	Main Modification
MM93	New Appendix	Include a list of superseded policies as a new Appendix to the Local Plan as shown in Appendix 1.
MM94	New Appendix	Include a list of strategic policies as a new Appendix to the Local Plan as shown in Appendix 2.
MM95	Appendix 5.1	Update the Housing Trajectory as shown in Appendix 4.
MM96	Appendix 8.1	Update Figure xvi) as shown in Appendix 3e).

MM97	Appendix 8.1	Update Figure xviii) as shown in Appendix 3f).
MM98	Appendix 8.1	Update Figure xx) as shown in Appendix 3g).
MM99	New Appendix	Include the Parking Standards as a new Appendix to the Local Plan as shown in Appendix 5.
MM100	Appendix 10.1	Delete the reference to Policy LC4 in Appendix 10.1 as shown in Appendix 6.
MM101	Appendix 10.1	Amend the assessment of Policy WC9 in Appendix 10.1 as shown in Appendix 6.
MM102	Appendix 10.2	Update the Monitoring Indicators for Policy LC3 and delete the reference to Policy LC4 in Appendix 10.2 as shown in Appendix 7.
MM103	Appendix 10.2	Update the Monitoring Indicators for Policy WC9 in Appendix 10.2 as shown in Appendix 7.

Appendices

Appendix 1 – Main Modification [MM93] – New Appendix: List of superseded policies

Appendix 1.2 - Policies in the adopted Bolsover District Local Plan which would be replaced by the policies in the Local Plan for Bolsover District if they were to be adopted.

The following table identifies those previously saved policies in the Bolsover District Local Plan (February 2000) which would be replaced by the policies in the Local Plan for Bolsover District if they were to be adopted.

<u>POLICY NO.</u>	<u>POLICY TITLE</u>
<u>GEN 1</u>	<u>Minimum requirements for development</u>
<u>GEN 2</u>	<u>Impact of Development on the Environment</u>
<u>GEN 3</u>	<u>Development Affected by Adverse Environmental Impacts from Existing or Permitted Uses</u>
<u>GEN 4</u>	<u>Development on Contaminated Land</u>
<u>GEN 5</u>	<u>Land Drainage</u>
<u>GEN 6</u>	<u>Sewerage and Sewage Disposal</u>
<u>GEN 7</u>	<u>Land Stability</u>
<u>GEN 8</u>	<u>Settlement Frameworks</u>
<u>GEN 9</u>	<u>Development in the Green Belt</u>
<u>GEN 10</u>	<u>Important Open Areas</u>
<u>GEN 11</u>	<u>Development Adjoining the Settlement Framework Boundary</u>
<u>GEN 12</u>	<i><u>Expired September 2007</u></i>
<u>GEN 13</u>	<u>Provision for People with a Disability</u>
<u>GEN 14</u>	<i><u>Expired September 2007</u></i>
<u>GEN 15</u>	<u>Telecommunications Development</u>
<u>GEN 16</u>	<i><u>Expired September 2007</u></i>
<u>GEN 17</u>	<u>Public Art</u>
<u>HOU 1</u>	<i><u>Expired September 2007</u></i>
<u>HOU 2</u>	<u>Location of Housing Sites</u>
<u>HOU 3</u>	<u>Housing Allocations</u>
<u>HOU 4</u>	<i><u>Expired September 2007</u></i>
<u>HOU 5</u>	<u>Outdoor Recreation and Play Space Provision for New Housing Developments</u>
<u>HOU 6</u>	<u>Affordable Housing</u>
<u>HOU 7</u>	<u>Low Cost Housing in Small Settlements in the Countryside</u>
<u>HOU 8</u>	<u>Replacement or Extension of Existing Dwellings in the Countryside</u>
<u>HOU 9</u>	<u>Essential New Dwellings in the Countryside</u>
<u>HOU 10</u>	<u>Removal of Conditions Limiting Occupancy of Essential Dwellings in the Countryside</u>
<u>HOU 11</u>	<u>Houses in Multiple Occupations and Hostels</u>

<u>HOU 12</u>	<u>Conversions of Building to Flats</u>
<u>HOU 13</u>	<u>Residential Care Homes and Nursing Homes</u>
<u>HOU 14</u>	<u>Residential Caravans and Mobile Homes</u>
<u>HOU 15</u>	<u>Sites for Gypsies and Travellers</u>
<u>HOU 16</u>	<u>Mobility Housing</u>
<u>HOU 17</u>	<i>Expired September 2007</i>
<u>EMP 1</u>	<u>Key Employment Site on Land Adjoining Pinxton Castle</u>
<u>EMP 2</u>	<u>South Shirebrook Mixed Development Package Providing a Key Employment Site.</u>
<u>EMP3</u>	<u>Local Employment Sites</u>
<u>EMP 4</u>	<i>Expired September 2007</i>
<u>EMP 5</u>	<u>Protection of Sites and Buildings in Employment Use</u>
<u>EMP 6</u>	<u>Non-industrial Employment Sites</u>
<u>EMP 7</u>	<i>Expired September 2007</i>
<u>EMP 8</u>	<i>Expired September 2007</i>
<u>EMP 9</u>	<i>Expired September 2007</i>
<u>EMP 10</u>	<u>Sites for Large Firms</u>
<u>EMP 11</u>	<u>Rough Close Works, South Normanton, Core Area</u>
<u>EMP 12</u>	<u>Rough Close Works, South Normanton; Area of Wider Operations</u>
<u>EMP 13</u>	<u>Rough Close Works Inner Development Control Zone</u>
<u>EMP 14</u>	<u>Rough Close Works Outer Development Control Zone</u>
<u>EMP 15</u>	<u>Coalite Chemicals, Bolsover; Area of Existing Operations</u>
<u>EMP 16</u>	<u>Coalite Chemicals Inner Development Control Zone</u>
<u>EMP 17</u>	<u>Coalite Chemicals Middle and Outer Development Control Zones</u>
<u>EMP 18</u>	<u>New Hazardous and Pollutant Industries</u>
<u>EMP 19</u>	<i>Expired September 2007</i>
<u>SAC 1</u>	<u>Shopping Development in South Normanton, Shirebrook, Bolsover and Clown Town Centres.</u>
<u>SAC 2</u>	<u>Expansion of South Normanton Town Centre</u>
<u>SAC 3</u>	<u>Non-retail uses in Town Centres</u>
<u>SAC 4</u>	<u>Upper Floor Development in Town Centres</u>
<u>SAC 5</u>	<u>Rear servicing in Town Centres</u>
<u>SAC 6</u>	<u>Car Parking in Town Centres</u>
<u>SAC 7</u>	<u>Local Centres and Shopping Frontages</u>
<u>SAC 8</u>	<u>Individual Local Shops</u>
<u>SAC 9</u>	<u>Hot Food Shops, Cafes, Restaurants, Public Houses and Social Clubs</u>
<u>SAC 10</u>	<u>Retail Development at Industrial or Warehousing Sites</u>
<u>SAC 11</u>	<u>Retail uses at Horticultural Nurseries, Farms and Factories</u>
<u>SAC 12</u>	<u>Retail Development on the Edge of Defined Town and Local Centres</u>
<u>SAC 13</u>	<u>Retail Development Outside Defined Town and Local Centres</u>

<u>SAC 14</u>	<u>Retention of Existing Shop Fronts</u>
<u>SAC 15</u>	<u>Design of New Shops Fronts and Alterations to Existing Shop Fronts</u>
<u>SAC 16</u>	<u>Amusement Centres</u>
<u>CLT 1</u>	<u>Protection of Existing Buildings which Serve the Community</u>
<u>CLT 2</u>	<u>New Community Facilities</u>
<u>CLT 3</u>	<u>Reservation of Land for Social and Community Projects</u>
<u>CLT 4</u>	<u>Indoor Sport and Recreation Facilities</u>
<u>CLT 5</u>	<u>Large Scale Indoor Sport and Recreation Facilities</u>
<u>CLT 6</u>	<u>Existing Outdoor Playing Space and Amenity Open Space</u>
<u>CLT 7</u>	<u>New Outdoor Playing Space and Amenity Open Space</u>
<u>CLT 8</u>	<u>New Golf Courses</u>
<u>CLT 9</u>	<u>Protection of Existing Allotments</u>
<u>CLT 10</u>	<u>Countryside Recreation Facilities</u>
<u>CLT 11</u>	<u>New Countryside Recreation Facilities</u>
<u>CLT 12</u>	<u>Water-based Recreation and Natural History Interests</u>
<u>CLT 13</u>	<u>Location of Major New Leisure and Entertainment Developments</u>
<u>CLT 14</u>	<u>Hotel Development</u>
<u>TRA 1</u>	<u>Location of New Development</u>
<u>TRA 2</u>	<u>Protection of Rail Routes</u>
<u>TRA 3</u>	<u>Protection of Sites for Railway Stations</u>
<u>TRA 4</u>	<u>Protection of Existing Railway Stations</u>
<u>TRA 5</u>	<u>Safeguarding Potential Railway Sidings</u>
<u>TRA 6</u>	<i>Expired September 2007</i>
<u>TRA 7</u>	<u>Design for Accessibility by Bus</u>
<u>TRA 8</u>	<i>Expired September 2007</i>
<u>TRA 9</u>	<u>Mill Street Relief Road, Clowne</u>
<u>TRA 10</u>	<u>Traffic Management</u>
<u>TRA 11</u>	<i>Expired September 2007</i>
<u>TRA 12</u>	<u>Protection of Existing Footpaths and Bridleways</u>
<u>TRA 13</u>	<u>Provision for Cyclists</u>
<u>TRA 14</u>	<i>Expired September 2007</i>
<u>TRA 15</u>	<u>Design of Roads and Paths to Serve New Development</u>
<u>CON 1</u>	<u>Development in Conservation Areas</u>
<u>CON 2</u>	<u>Demolition of unlisted Building or Structures in Conservation Areas</u>
<u>CON 3</u>	<u>Important Open Areas within Conservation Areas</u>
<u>CON 4</u>	<u>Development Adjoining Conservation Areas</u>
<u>CON 5</u>	<i>Expired September 2007</i>
<u>CON 6</u>	<i>Expired September 2007</i>
<u>CON 7</u>	<u>Extension and Alteration of Listed Buildings</u>
<u>CON 8</u>	<u>Demolition of Listed Buildings</u>
<u>CON 9</u>	<u>Change of Use of Listed Buildings</u>
<u>CON 10</u>	<u>Development Affecting the Setting of Listed Buildings</u>

<u>CON 11</u>	<u>Documentary Archives relating to all Listed Buildings and to Unlisted Buildings of Merit in Conservation Areas</u>
<u>CON 12</u>	<u>Historic Parks, Gardens, Graveyards and Cemeteries</u>
<u>CON 13</u>	<u>Archaeological Sites and Ancient Monuments</u>
<u>CON 14</u>	<u>Bolsover Area of Archaeological Interest</u>
<u>ENV 1</u>	<u>Agricultural Development</u>
<u>ENV 2</u>	<u>Protection of the Best and Most Versatile Agricultural Land and the Viability of Farm Holdings.</u>
<u>ENV 3</u>	<u>Development in the Countryside</u>
<u>ENV 4</u>	<u>Re-Use and Adaption of Rural Buildings</u>
<u>ENV 5</u>	<u>Nature Conservation Interests Throughout the District</u>
<u>ENV 6</u>	<u>Designated and Registered Nature Conservation Sites</u>
<u>ENV 7</u>	<u><i>Expired September 2007</i></u>
<u>ENV 8</u>	<u>Development affecting trees and hedgerows</u>
<u>ENV 9</u>	<u><i>Expired September 2007</i></u>
<u>ENV 10</u>	<u><i>Expired September 2007</i></u>
<u>ENV 11</u>	<u><i>Expired September 2007</i></u>

Appendix 2 – Main Modification [MM94] – New Appendix: List of strategic policies

Appendix 1.3 - Strategic policies of the Local Plan for Bolsover District

The following table identifies the strategic policies of the Local Plan for Bolsover District which address the Council's priorities for the development and use of land in Bolsover District.

POLICY NO.	POLICY TITLE	STRATEGIC OR NOT
SS1	Sustainable Development	Strategic
SS2	Scale of Development	Strategic
SS3	Spatial Strategy and Distribution of Development	Strategic
SS4	Strategic Site Allocation - Bolsover North	Strategic
SS5	Strategic Site Allocation - Clowne Garden Village	Strategic
SS6	Strategic Site Allocation - Former Whitwell Colliery site	Strategic
SS7	Coalite Priority Regeneration Area	Strategic
SS8	Pleasley Vale Regeneration Area	Strategic
SS9	Development in the Countryside	Strategic
SS10	Development in the Green Belt	Strategic
SS11	Development in Important Open Breaks	Strategic
LC1	Housing Allocations	Strategic
LC2	Affordable Housing Through Market Housing	Strategic
LC3	Type and Mix of Housing	Not Strategic
LC5	Site Allocations for Gypsies, Travellers and Travelling Showpeople	Strategic
LC6	Applications for Gypsies, Travellers and Travelling Showpeople	Strategic
LC7	Safeguarding sites for Gypsies, Travellers and Travelling Showpeople	Strategic
LC8	Agricultural, Forestry and Other Occupational Dwellings in the Countryside	Not Strategic
LC9	Removal of Agricultural and Other Occupancy Conditions	Not Strategic
WC1	Employment Land Allocations	Strategic
WC2	General Principles for Economic development	Strategic
WC3	Supporting the Rural Economy	Strategic
WC4	Rough Close Works, South Normanton	Not Strategic
WC5	Retail, Town Centre and Local Centre Development	Strategic
WC6	Bolsover Edge of Town Centre Allocation	Strategic

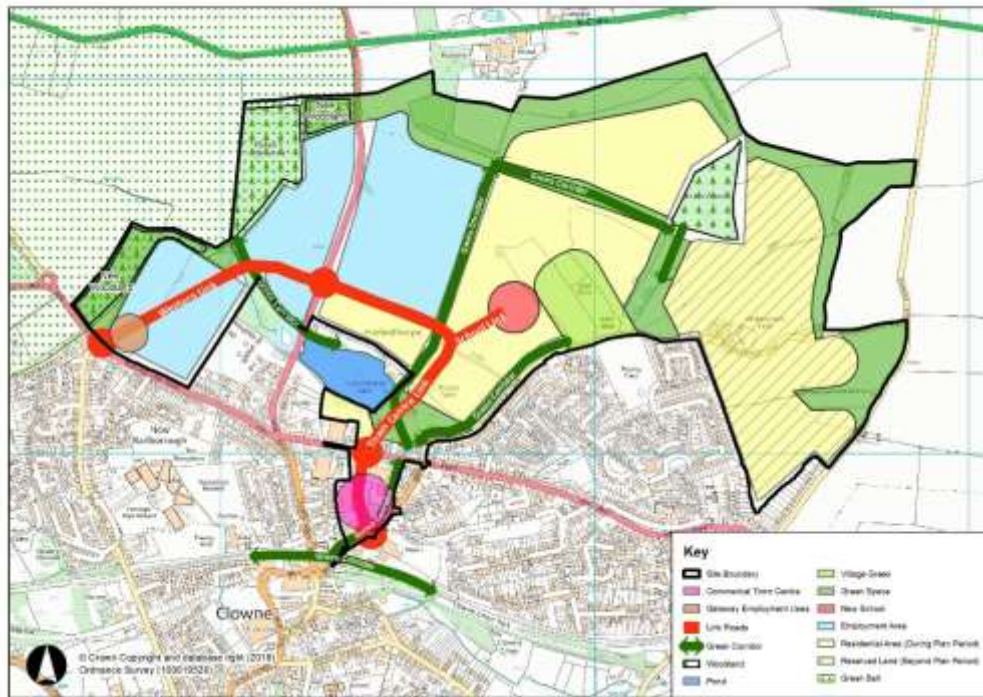
WC7	Shirebrook Edge of Town Centre Allocations	Strategic
WC8	South Normanton Edge of Town Centre Allocations	Strategic
WC9	Hot Food Takeaways	Strategic
WC10	Tourism and the Visitor Economy	Strategic
SC1	Development within the Development Envelope	Strategic
SC2	Sustainable Design and Construction	Strategic
SC3	High Quality Development	Strategic
SC4	Comprehensive Development	Strategic
SC5	Change of Use and Conversions in the Countryside	Strategic
SC6	Renewable and Low Carbon Energy	Not Strategic
SC7	Flood Risk	Not Strategic
SC8	Landscape Character	Not Strategic
SC9	Biodiversity and Geodiversity	Not Strategic
SC10	Trees, Woodland and Hedgerows	Not Strategic
SC11	Environmental Quality (Amenity)	Not Strategic
SC12	Air Quality	Not Strategic
SC13	Water Quality	Not Strategic
SC14	Contaminated and Unstable Land	Not Strategic
SC15	Hazardous installations	Not Strategic
SC16	Development Within or Impacting upon Conservation Areas	Not Strategic
SC17	Development affecting Listed Buildings and their Settings	Not Strategic
SC18	Scheduled Monuments and Archaeology	Not Strategic
SC19	Bolsover Area of Archaeological Interest	Not Strategic
SC20	Registered Parks and Gardens	Not Strategic
SC21	Non Designated Local Heritage Assets	Not Strategic
ITCR1	Strategic Green Infrastructure Network	Strategic
ITCR2	The Multi-User Trails Network	Strategic
ITCR3	Protection of Footpaths and Bridleways	Not Strategic

<u>ITCR4</u>	<u>Local Shops and Community Facilities</u>	<u>Not Strategic</u>
<u>ITCR5</u>	<u>Green Space and Play Provision</u>	<u>Strategic</u>
<u>ITCR6</u>	<u>Protection of Green Space</u>	<u>Strategic</u>
<u>ITCR7</u>	<u>Playing Pitches</u>	<u>Strategic</u>
<u>ITCR8</u>	<u>New and Existing Indoor Sports Facilities</u>	<u>Not Strategic</u>
<u>ITCR9</u>	<u>Local Transport Improvement Schemes</u>	<u>Strategic</u>
<u>ITCR10</u>	<u>Supporting Sustainable Transport Patterns</u>	<u>Strategic</u>
<u>ITCR11</u>	<u>Parking provision</u>	<u>Strategic</u>
<u>ITCR12</u>	<u>Information Communication Technology and Telecommunications</u>	<u>Not Strategic</u>
<u>II1</u>	<u>Plan Delivery and the Role of Developer Contributions</u>	<u>Strategic</u>
<u>II2</u>	<u>Employment and Skills</u>	<u>Strategic</u>

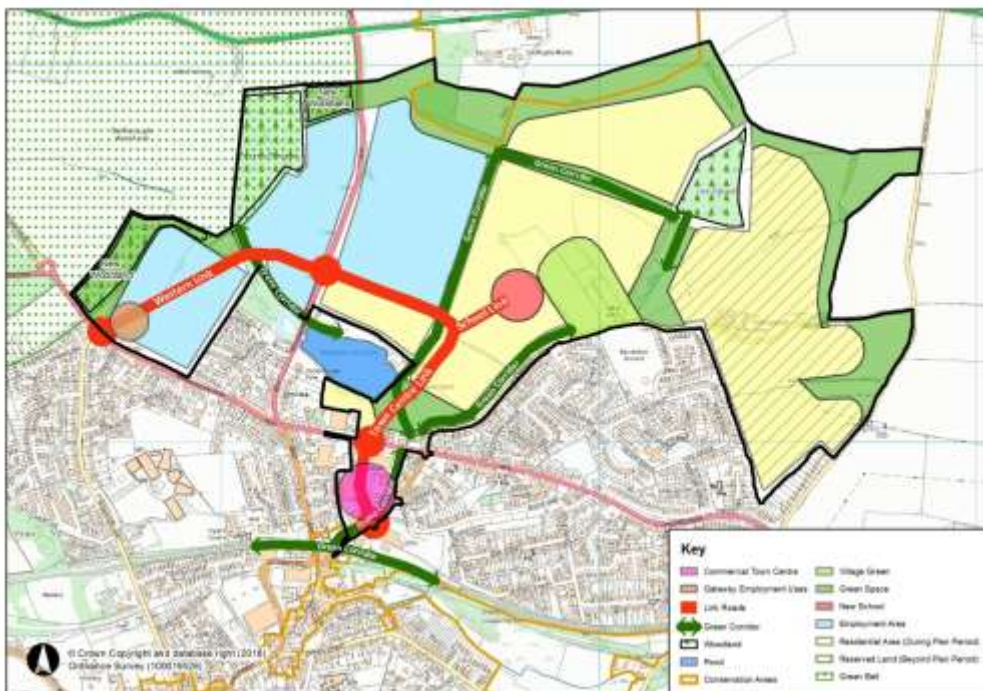
Appendix 3 – Main Modifications to Figures / Diagrams

a) Figure 4C: Clowne Garden Village - Indicative Masterplan (Policy SS5)

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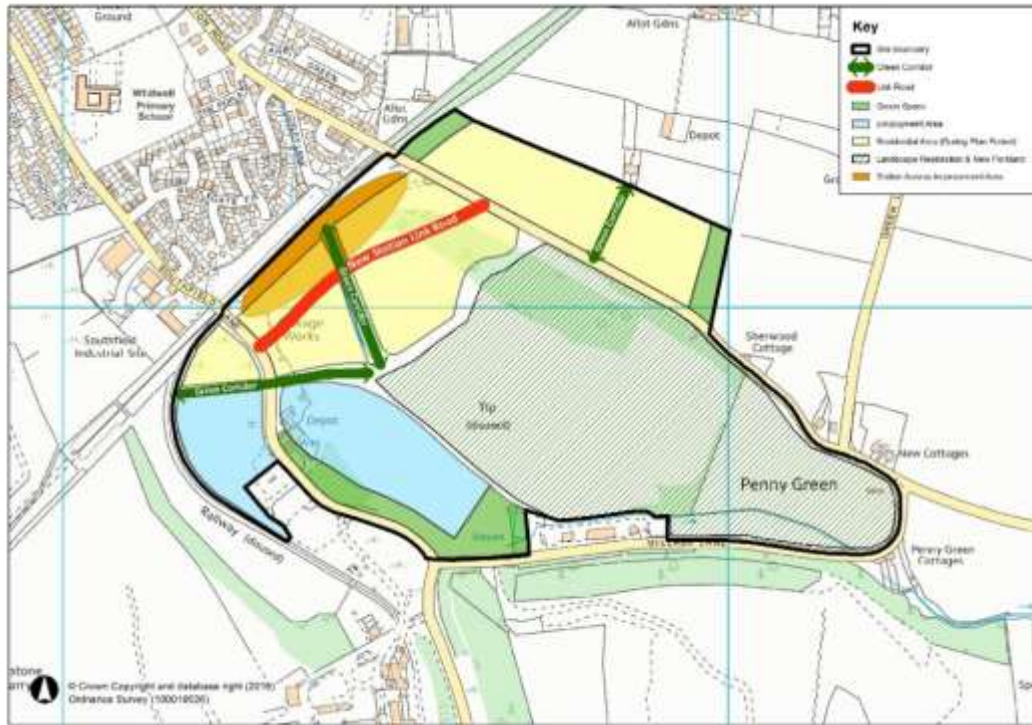


Main Modification [MM17]

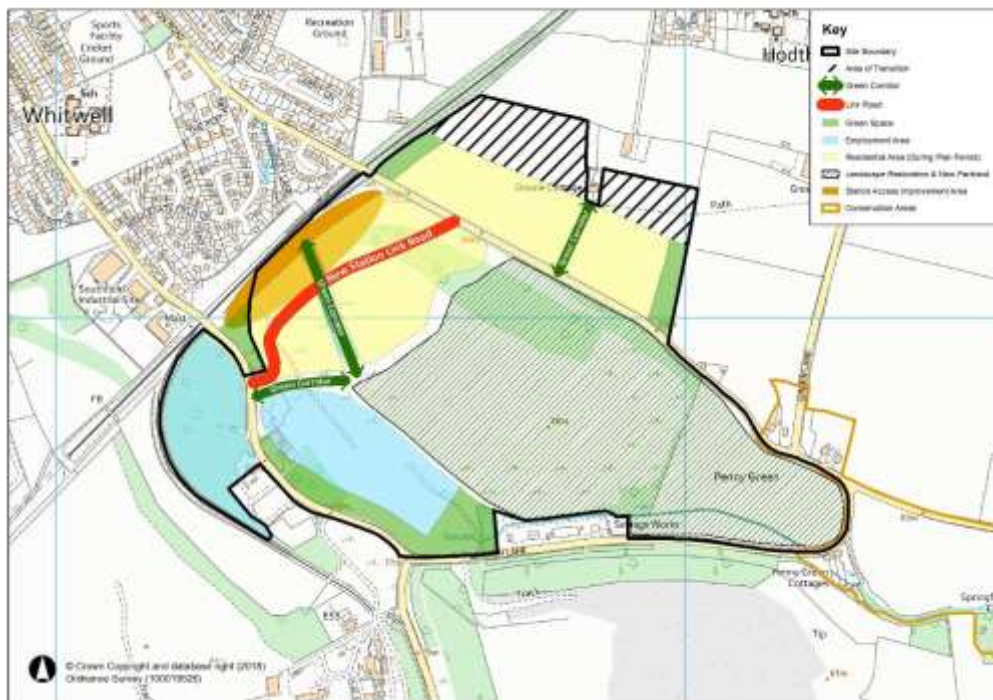


b) Figure 4D: Former Whitwell Colliery site - Indicative Masterplan (Policy SS6)

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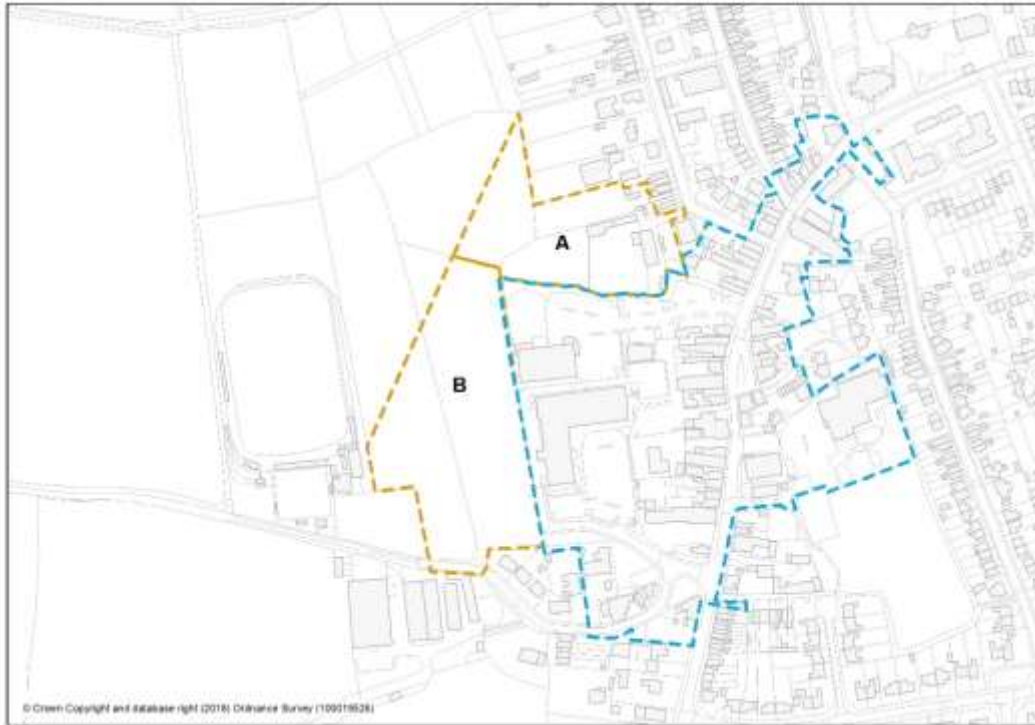


Main Modification [MM20]

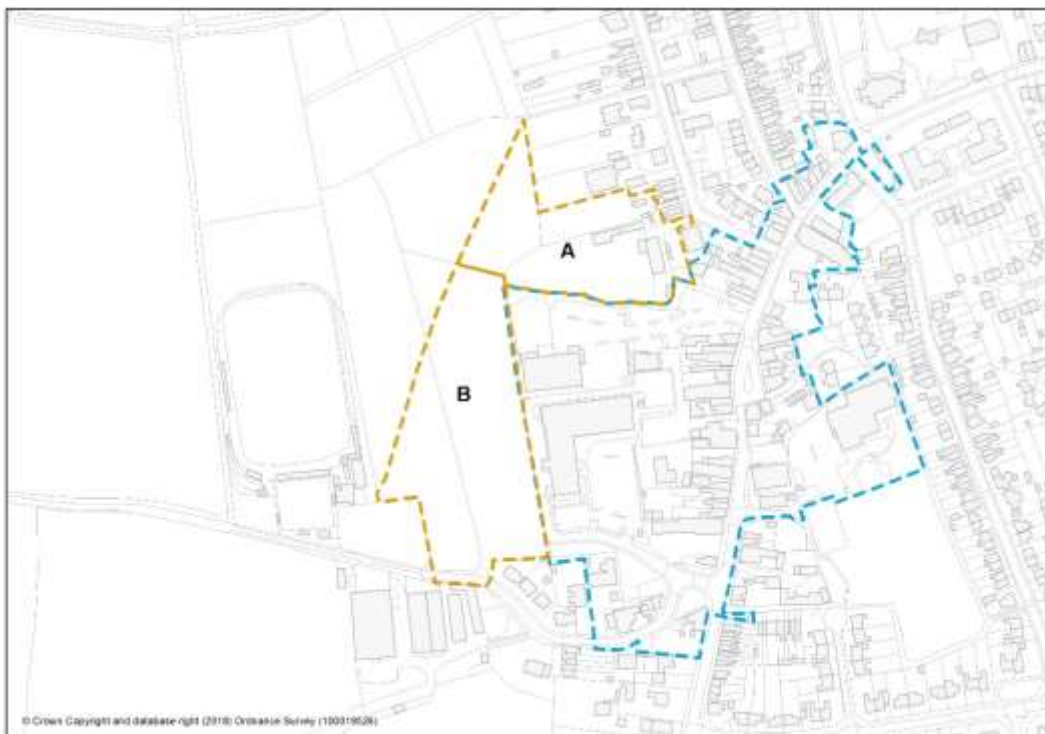


c) Figure 6C - South Normanton Edge of Town Centre Allocations (Policy WC8)

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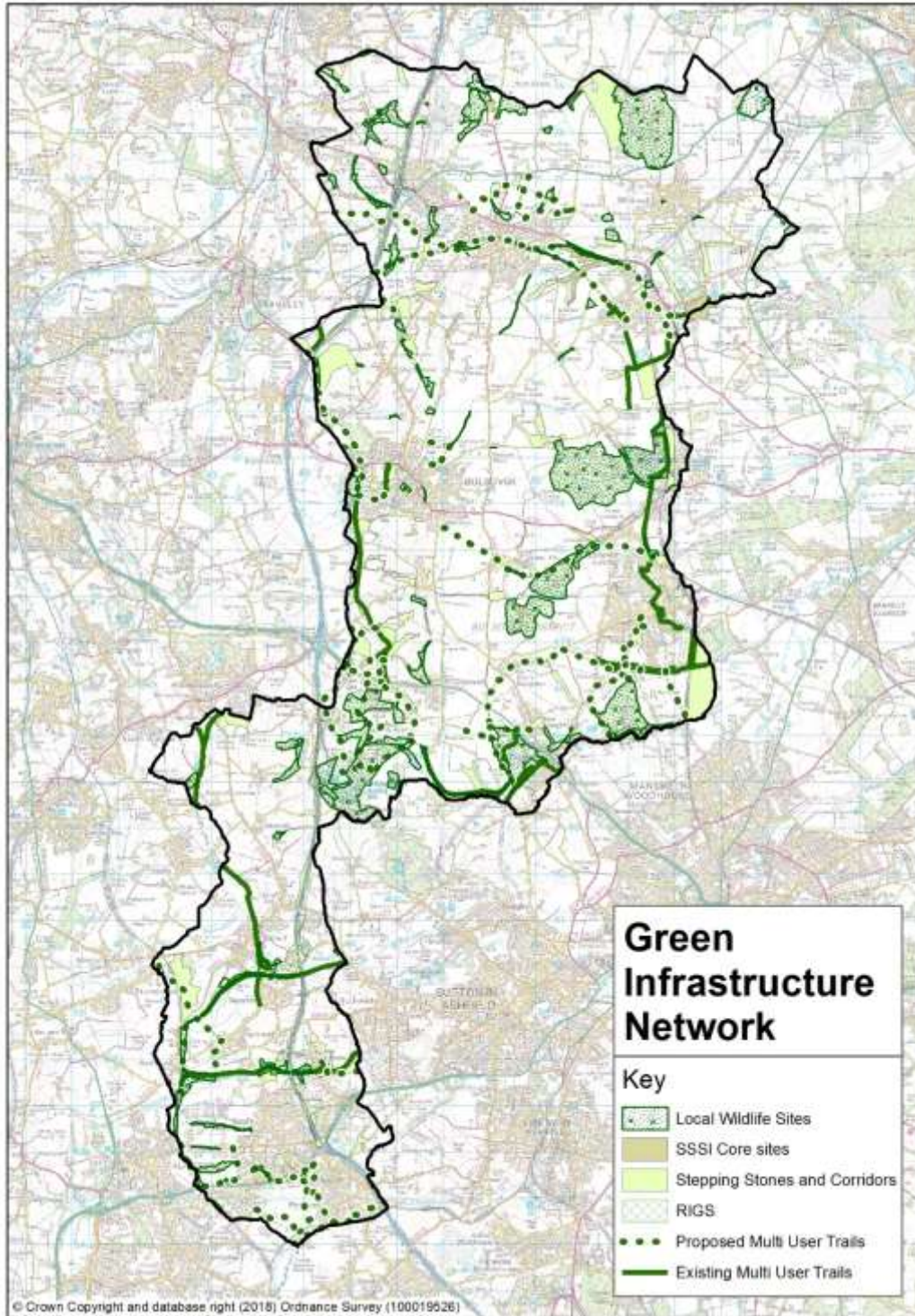


Main Modification [MM72]

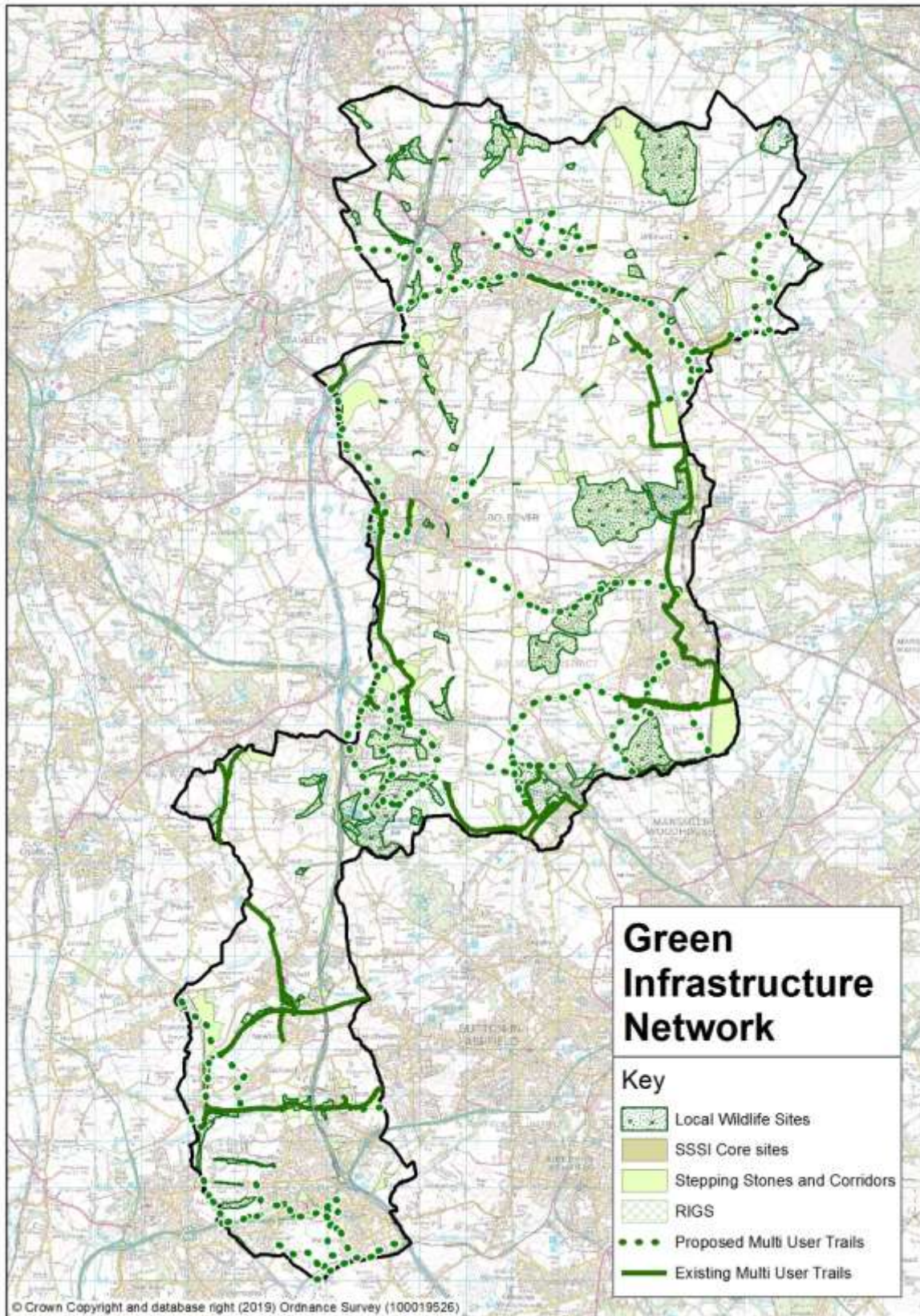


d) Figure 8A: Strategic Green Infrastructure Network (Policy ITCR1)

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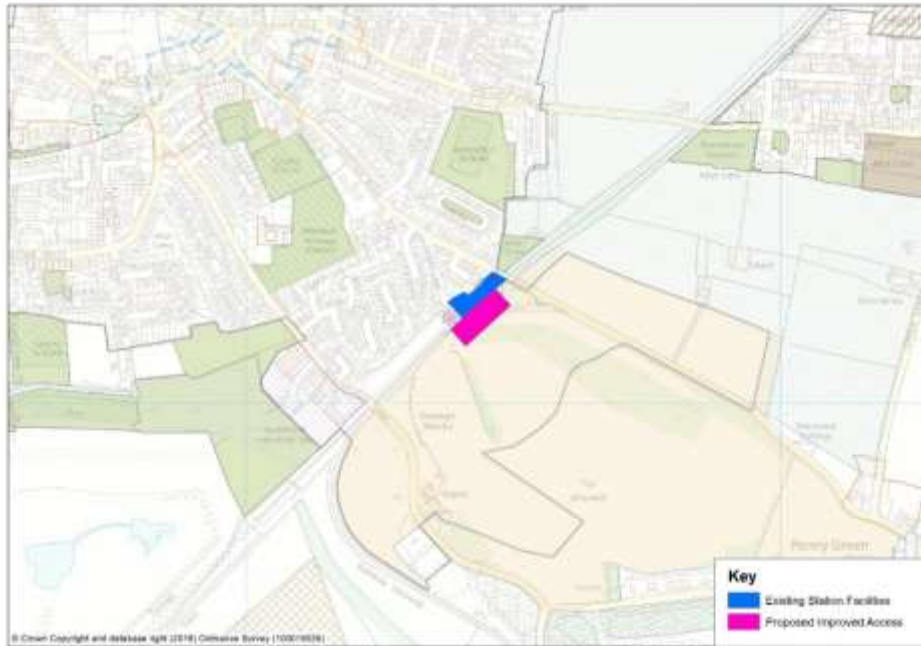


Main Modification [MM85]

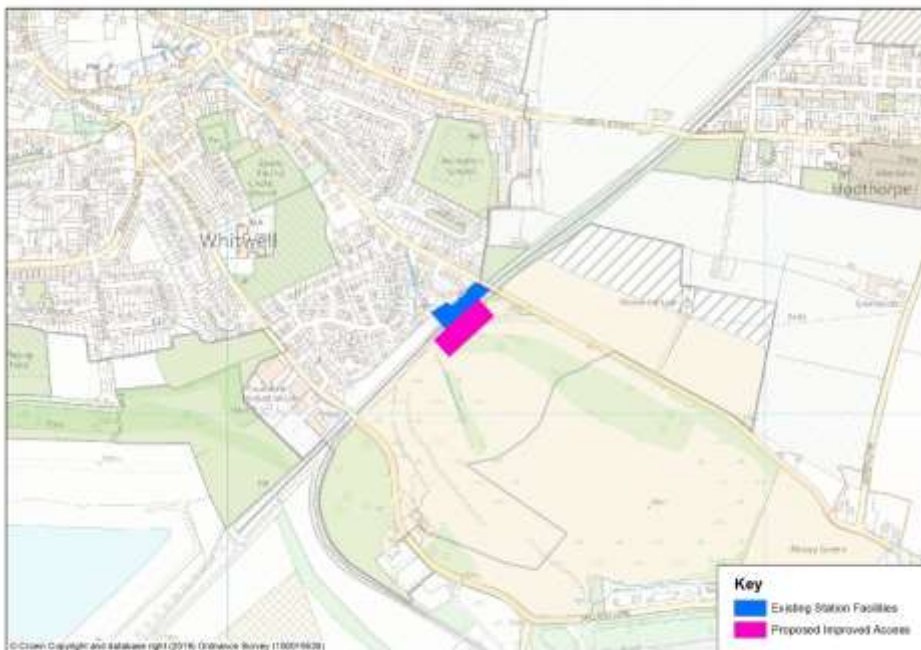


e) Figure xvi) of Public transport route alteration and improvements (Appendix 8.1)

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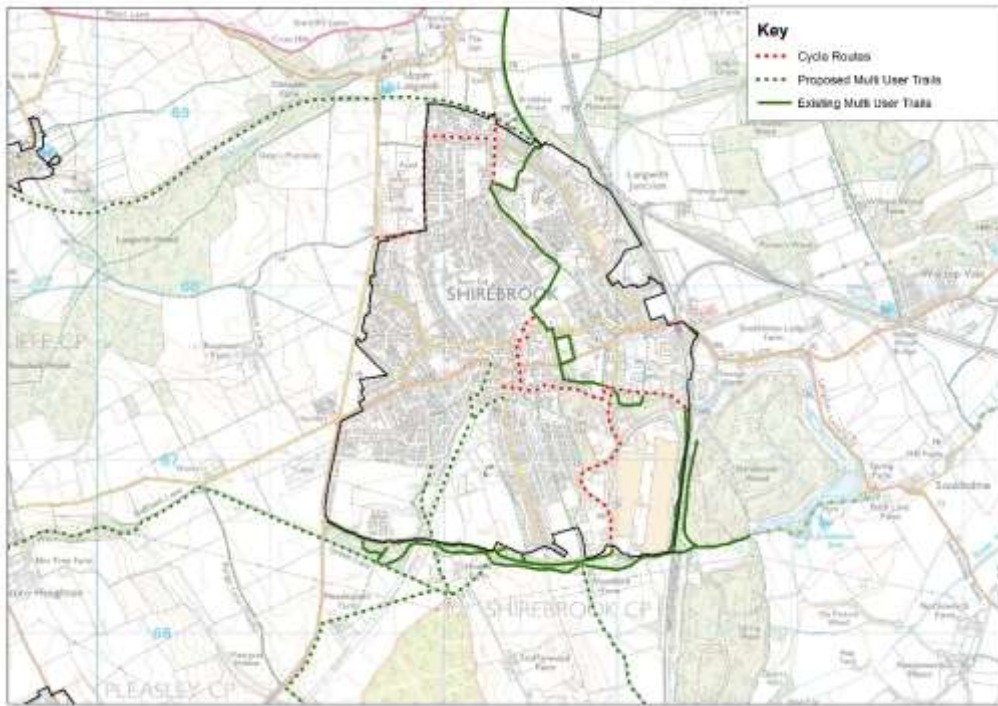


Main Modification [MM96]

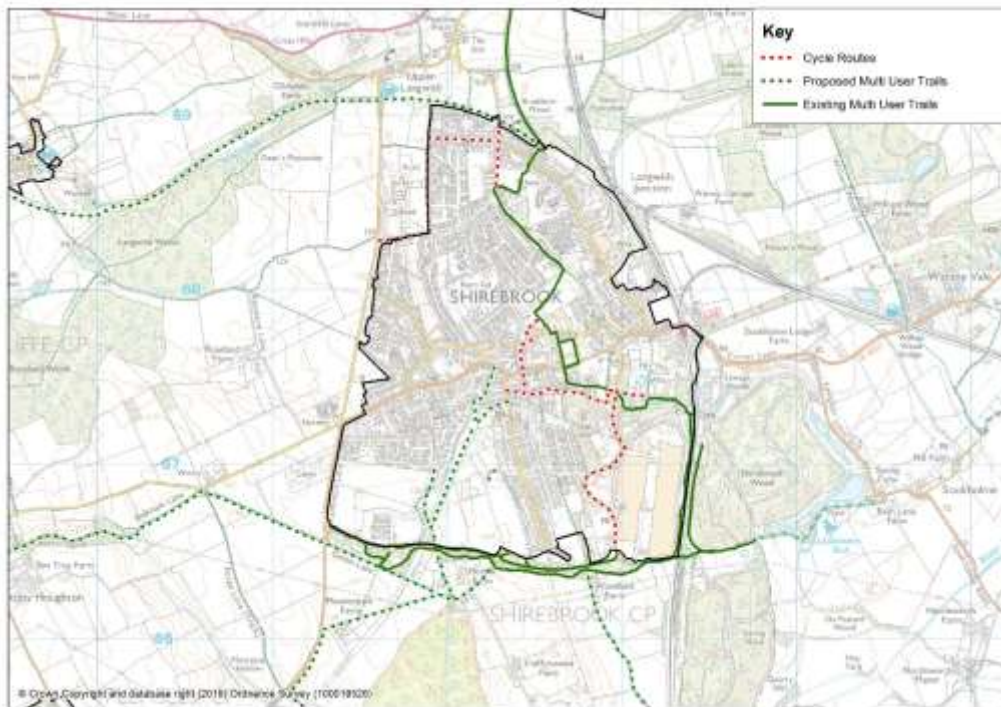


f) Figure xviii) Cycling and walking networks (Appendix 8.1)

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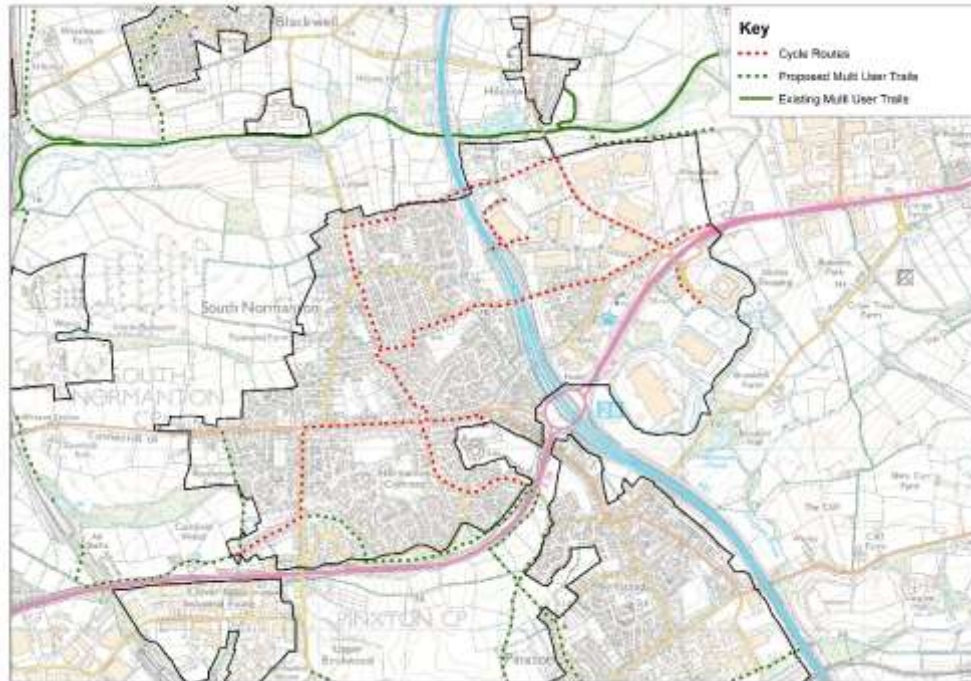


Main Modification [MM97]

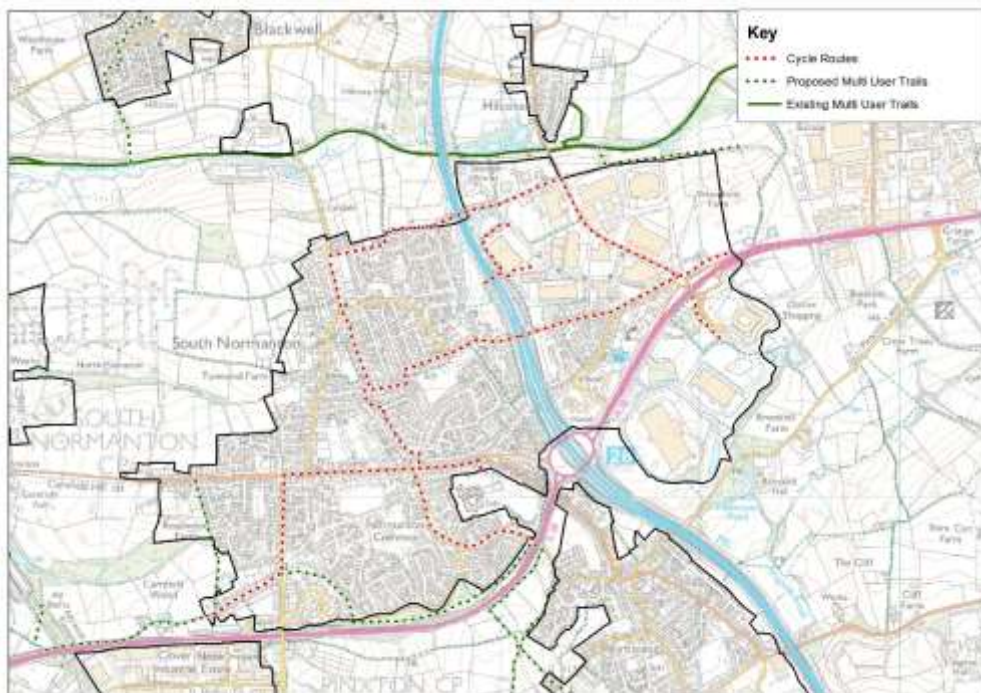


g) Figure xx) Cycling and walking networks (Appendix 8.1)

Publication Local Plan for Bolsover District



Main Modification [MM98]



Appendix 4 – Main Modifications to Appendix 5.1 - Housing Trajectory [MM95]

Appendix 5.1 - Housing Trajectory

RESIDENTIAL SITE ALLOCATIONS	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total	Beyond
Bolsover																	
Bolsover North Strategic Site	0	30	60	120	90	90	100	100	100	70	60	50	50	30	0	950	70
Land off Langwith Road and Mooracre Lane	30	40	40	45	40	30	30	30	30	30	30	30	30	28	0	463	
Former Courtaulds factory site	15	20	0	0	0	0	0	0	0	0	0	0	0	0	0	35	
Land between Shuttlewood Road and Oxcroft Lane	0	0	0	0	0	0	17	30	30	30	30	30	30	30	0	227	
Land off Oxcroft Lane	0	20	25	0	0	0	0	0	0	0	0	0	0	0	0	45	
Sub-total	45	110	125	165	130	120	147	160	160	130	120	110	110	88	0	1720	
Shirebrook																	
Land at Brookvale	45	24	45	45	45	45	45	45	45	45	45	45	47	0	0	566	
Land at Station Road, Langwith Junction	20	20	18	0	0	0	0	0	0	0	0	0	0	0	0	58	
Sub-total	65	44	63	45	45	45	45	45	45	45	45	45	47	0	0	624	
South Normanton																	
Land to the rear of 1 to 35 Red Lane	20	30	0	0	0	0	0	0	0	0	0	0	0	0	0	50	
Land at Rosewood Lodge Farm, Alfreton Road	0	30	30	30	30	25	18	0	0	0	0	0	0	0	0	145	
Land at Town End Farm, Lees Lane	0	0	0	0	0	25	15	0	0	0	0	0	0	0	0	40	
Sub-total	20	60	30	30	30	50	33	0	0	0	0	0	0	0	0	235	
Clowne																	
Clowne Garden Village Strategic Site	0	0	60	60	90	90	100	100	100	100	90	60	60	60	60	1000	500
Land to rear of 169-207 Creswell Road	0	0	27	0	0	0	0	0	0	0	0	0	0	0	0	27	
Land west of Homelea and Tamarisk, Mansfield Road	15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15	
Land at High Ash Farm, Mansfield Road	21	21	0	0	0	0	0	0	0	0	0	0	0	0	0	42	
Sub-total	36	35	87	60	90	90	100	100	100	100	90	60	60	60	60	1084	
Total																1133	

RESIDENTIAL SITE ALLOCATIONS	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total	Beyond
Barlborough																	
Land north of Chesterfield Road	7	30 0	30 15	30	30	30	30	0	0	0	0	0	0	0	0	157	
Sub-total	7	30 0	30 15	30	30	30	30	0	0	0	0	0	0	0	0	157	
Creswell																	
Land at Skinner Street	20	36 25	26 18	0	0	0	0	0	0	0	0	0	0	0	0	82 43	
Land south of Creswell Model Village	20	20	20	20	20	16	16	16	16	16	7	0	0	0	0	187 197	
Sub-total	40	56 45	46 38	20	20	16 20	16 20	16 20	16 20	16 20	7 17	0	0	0	0	269 240	
Pinxton																	
Land at Croftlands Farm	0	0	0	0	25	25	0	0	0	0	0	0	0	0	0	50 65	
Sub-total	0	0	0	0	25	25	0	0	0	0	0	0	0	0	0	50 65	
Tibshelf																	
Land south of Overmoor View	42	44 30	17 30	0	0	0	0	0	0	0	0	0	0	0	0	103 78	
Land west of Spa Croft	25	0	0	0	0	0	0	0	0	0	0	0	0	0	0	25 27	
Sub-total	67	44 57	17 30	0	0	0	0	0	0	0	0	0	0	0	0	128 105	
Whitwell																	
Former Whitwell Colliery Strategic Site	0	0	0	0	0	0	0	0	20	30	35	35	30	30	20	200	200
Sub-total	0	0	0	0	0	0	0	0	20	30	35	35	30	30	20	200	
Glapwell																	
Land at Glapwell Nurseries	0	0	16	0	0	0	0	0	0	0	0	0	0	0	0	16	
Sub-total	0	0	16	0	0	0	0	0	0	0	0	0	0	0	0	16	
Hodthorpe																	
Land at Queens Road Allotments	0	10	10	10	8	0	0	0	0	0	0	0	0	0	0	38	
Sub-total	0	10	10	10	8	0	0	0	0	0	0	0	0	0	0	38	
Palterton																	
Land between 11 and 19 Back Lane	0	0	5	6	0	0	0	0	0	0	0	0	0	0	0	11	
Sub-total	0	0	5	6	0	0	0	0	0	0	0	0	0	0	0	11	

Pleasley																		
East of Pleasley Pit, Pit Lane, Pleasley	0	9	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19
Sub-total	0	9	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19
TOTALS	280	384	439	366	368	366	323	321	341	321	287	250	247	178	80	4551	700	
	280	300	339	373	358	425	368	312	307	310	302	285	280	267	222	4448	720	
																Plan period	4551	
																4448		
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total		

Appendix 5 – Main Modification [MM99] New Appendix: Parking Standards

Residential Development

1. Minimum number of parking spaces required for all new residential development, including extensions and changes of use. The design of parking areas should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017)** and **Successful Places SPD (2013)** documents, or any superseding documents that replaces them:

<u>Number of bedrooms</u>	<u>Number of spaces</u>
<u>1 bed and aged persons residence</u>	<u>1 space per unit plus 1 space per 2 units for visitors</u>
<u>2/3 bed</u>	<u>2 spaces per unit</u>
<u>4+ bed</u>	<u>3 spaces per unit (with a preference of no more than 2 in-line*)</u>

*This includes circumstances where a garage meets the minimum internal dimensions to count as a parking space. Having more than 2 vehicles in tandem will only be allowed where not doing so would lead to an unsatisfactory design scheme.

2. Whilst it is acknowledged that there may be a limited number of exceptional circumstances where a departure from the standards may be acceptable, the departure must be fully justified and not lead to negative impacts on health and safety or unacceptably impact upon amenity. Any material considerations that may justify such a departure must be clearly demonstrated by the applicant, including evidence of how the proposal will not detract from the objectives of these standards.

Residential garages and Cycle parking

3. The provision of residential garages and cycle parking should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017)** and **Successful Places SPD (2013)** documents, or any superseding documents that replaces them.

Non-Residential Development

4. Minimum number of parking spaces required for non-residential developments (and residential institutions). Uses not listed in the table will be assessed individually. Where it is anticipated that a development will generate a particularly high number of users, a

higher parking provision may be sought. If it is not possible for a development to provide the provision set out in these standards; for example due to its historic setting or it being a change of use of a building on an existing high street where it is not possible to provide off-street parking provision, the Council will consider whether the surrounding local provision can accommodate the anticipated demand. The design of parking areas should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017) and Successful Places SPD (2013)** documents, or any superseding documents that replaces them:

(Measured in gross floor area (GFA) unless otherwise stated)

Shops	General Shops & Individual Superstores	Less than 1000sqm - 1 space per 25m ² 1000-3000sqm - 1 space per 14m ² Above 3000sqm - 1 space per 9m ²
	Individual non-food retail warehouses (DIY stores, garden centres, etc.)	1 space per 20m ² (Covered area for garden centres, + 1 space per 50m ² open display area)
	Retail parks	To be assessed as per specific uses
Financial and Professional Services	Public services offices, banks, estate agents, employment agents, etc.	1 space per 35m ² (minimum of 2 spaces)
Food & Drink	Restaurants, cafes and hot food takeaways	1 space per 4m ² dining area or waiting space in takeaway
	Transport Cafes	1 lorry space per 2m ² (size 15mx3m and can enter and leave site forwards)
	Pubs, clubs & bar areas of restaurants	1 space per 2m ² drinking area + consider outside area on individual basis (+ residential dwelling standards if accommodation included)
Business (B1)	Administrative offices, high tech industry and science parks	1 space per 25m ² (minimum of 2 spaces. A reduction amount may be considered on floor spaces over 2500sqm)
General Industry (B2)	Industrial Processes	1 space per 40m ² (additional consideration if significant amount of associated office space. A reduction amount may be

		<u>considered on floor spaces over 2500sqm)</u>
	<u>Vehicle service, repair and parts stores</u>	<u>1 space per 15m² + tow vehicle space where relevant</u>
<u>Special Industry</u>	<u>Groups A to E</u>	<u>Assessed individually based on activity, periods of production and max. employees per shift</u>
<u>Storage & Distribution (B8)</u>	<u>Warehousing</u>	<u>Below 250sqm – 1 space per 25m² Above 250sqm – 7 spaces + 1 space per 100m² internal + 200m² external storage area</u>
	<u>Wholesale cash & Carry</u>	<u>Below 250sqm – 1 space per 25m² Above 250sqm – 2 spaces + 1 space per 30m²</u>
<u>Hotels, Hostels and Holiday Residences</u>	<u>Hotels, boarding and guest houses</u>	<u>1 space per bedroom + staff consideration (Individually assess coach provisions. No. of bedrooms include staff bedrooms. If bar and restaurant, parking for these must meet half the appropriate food and drink standards, If conference facilities; 1 space per 3m² of rooms)</u>
	<u>Residential hostels and community homes</u>	<u>1 space per 4 bedrooms</u>
	<u>Holiday residences</u>	<u>1 space per 1 & 2 sleeping room units 2 spaces per 3+ sleeping room units</u>
	<u>Caravan</u>	<u>1 space per caravan + restaurant, bar and office facilities to comply with relevant food and drink / business requirements</u>
<u>Residential Institutions</u>	<u>Aged persons care homes</u>	<u>1 space per 3 bedrooms + 1 space for each member of staff (maximum number of staff on site at one time)</u>
	<u>Sheltered accommodation</u>	<u>2 spaces + 1 space per 3 residential units</u>
	<u>Residential schools, colleges, training centres, hall of residences, hospitals and community housing for disabled people</u>	<u>To be assessed individually</u>

Non-Residential Institutions	<u>Medical surgeries / Dentists / vets</u>	<u>2 spaces per consulting room + 1 space for each member of staff (maximum number of staff on site at one time)</u>
	<u>Crèches & day nurseries</u>	<u>1 space + 1 space per 10m² (0-3yrs old) 1 space + 1 space per 20m² (3+-8yrs old) of accommodation/internal play area + 1 extra if licence for 20+ children (the higher provision to be used where age is not specified. Facilities should be clear of highway, avoiding the need for vehicles to reverse unless location is safe to set down / pick up without affecting free and safe flow of traffic).</u>
	<u>Day centres</u>	<u>1 space per 2 staff + appropriate turning, standing and parking for coaches/minibuses. Additional needs to be considered for extra spaces and accessibly spaces depending on users of facility.</u>
	<u>Infant, primary & secondary school</u>	<u>2 spaces per classroom / teaching area + 1 space per 15 sixth form students + sufficient hard-standing to provide for play areas / sports pitches etc. for out-of-hours parking by parents / mature students (facilities enabling pupils to enter / leave parked coaches and cars safely and clear of the highway, without vehicles reversing)</u>
	<u>Colleges of further and higher education</u>	<u>Assessed individually, based on type, number of staff/students (full or part-time) and location</u>
	<u>Art galleries, museums, libraries</u>	<u>To be assessed individually</u>
	<u>Places of worship & religious instruction</u>	<u>1 space per 5 seats or 5m² public floor area</u>
	Assembly & Leisure	<u>Cinemas</u>
<u>Concert halls</u>		<u>1 space per 3 seats or 3m² gross auditorium floor area, whichever is greater</u>

	<u>Bingo halls</u>	<u>1 space per 3 seats or 3m² gross auditorium floor area</u>
	<u>Casinos</u>	<u>1 space per 5m² public floor area</u>
	<u>Swimming baths</u>	<u>20 spaces + 1 space per 10m² water area</u>
	<u>Skating rinks</u>	<u>Assessed individually</u>
	<u>Sports halls & multi-purpose sports venues</u>	<u>Assessed individually having regard to an aggregate of the different facilities</u>
	<u>Multigyms & sport dance venues</u>	<u>1 space per 5m² gross floor area</u>
	<u>Racquet clubs</u>	<u>4 spaces per court</u>
	<u>Outdoor sports grounds</u>	<u>15 spaces per pitch</u>
	<u>Golf clubs</u>	<u>150 spaces per 18 hole course (smaller courses assessed individually and club house facilities assessed on appropriate food and drink standards)</u>
	<u>Driving ranges</u>	<u>2 spaces per bay</u>
	<u>Bowls and bowling</u>	<u>15 spaces per green or 4 spaces per lane</u>
	<u>Snooker halls</u>	<u>2 spaces per table</u>
	<u>Camp sites</u>	<u>1 space per pitch</u>
	<u>Water sport venues</u>	<u>Assessed individually with regard to intensity and type of use and private / public access</u>
	<u>Specialist sports facilities (e.g. dry-ski slopes)</u>	<u>To be assessed individually (restaurant, bar and office facilities require extra provision in accordance with food and drink, and business standards)</u>
<u>Non-Schedule Uses</u>	<u>Theatres</u>	<u>1 space per 3 seats or 3m² gross auditorium if seats not fixed</u>
	<u>Amusement arcades or centres and funfairs</u>	<u>To be assessed individually with regard to opening times and seasonal use</u>
	<u>Coin-operated launderettes and dry cleaners</u>	<u>1 space per 30m²</u>
	<u>Retail fuel filling stations</u>	<u>1 space per 30m² + extra for car wash and with regard to size of retail provision</u>
	<u>Sale and display of motor vehicles</u>	<u>1 space per 40m² gross display area, whether internal or external</u>

	<u>Sale and display of boats and caravans</u>	<u>Assessed individually, with regard to the sale of motor vehicle standards</u>
	<u>Taxi and vehicle hire businesses, including driving schools</u>	<u>1 space per vehicle operated (1 space required if just an office receiving orders with vehicles being kept elsewhere, with additional spaces assessed individually)</u>
	<u>Scrapyards, mineral storage or distribution yards, earth moving plant, depots, motor vehicle breakers and plant hire firms</u>	<u>To be assessed individually with regard to public access</u>
<u>Criteria Not Mentioned Elsewhere</u>	<u>Abattoirs, auction rooms, car valeting, cemeteries, livery stables and riding schools, livestock markets and ambulance, fire and police stations, etc. will be assessed individually with particular regard to periods and frequency of use</u>	<u>To be assessed individually with regard to periods and frequency of use, public access and anticipated need</u>

Cycle and Motorcycle Parking

5. Cycle and motorcycle parking should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017)** and **Successful Places SPD (2013)** documents, or any superseding documents that replaces them.

Accessible (Disabled) Parking

6. Where residential development is intended for disabled occupiers, off-street and on-street parking spaces should be on a suitably stable ground surface with level or as shallow a gradient as possible, and on a step free route to the dwelling. There should be adequate lighting to enable safe access after dark. Part M4(2) of the Building Regulations provides more information on accessible and adaptable dwellings. Spaces should have the minimum dimensions set out in below and the minimum internal dimensions of garages should be in accordance with the guidance set out in the **Delivering Streets and Places (2017)** document.

Consideration also needs to be given to the provision of storage and charging facilities of mobility equipment.

7. **For non-residential developments, a minimum of 6% of the total number of spaces should be designated for disabled use.** Where there may be a higher anticipated demand, for example at care facilities, an appropriate additional provision will be required. These spaces should be as close as possible to the facilities they serve (preferably within 50m), have adequate signage and lighting, have sufficient space to the sides and rear to safely manoeuvre mobility equipment, have suitable dropped kerbs with tactile paving and a suitable route to the facilities they serve.

8. Accessible spaces should be larger than standard spaces. For spaces perpendicular to the pavement or access strip, an additional 1.2m behind the space and 1.2m either side (which can be shared between spaces) should be provided as hatched margins. For spaces parallel to the pavement or access strip, the length of the space should be 6.8m and the width should preferably be 3.8m, but a minimum of 2.9m (depending on the suitability of the pavement or access strip for use as access and manoeuvrability space). For further guidance on specific technical requirements, refer to British Standards BS 8300-1:2018, 'Design of an accessible and inclusive built environment. External environment. Code of practice'.

Parking Space Dimensions

9. The minimum parking space dimensions for standard and accessible spaces, for both bay and parallel parking situations:

	<u>Bay space</u>	<u>Parallel space</u>
<u>Standard</u>	<u>5m x 2.6m</u>	<u>6.2m x 2m</u>
<u>Disabled</u>	<u>6.2m x 3.8m</u>	<u>6.8m x 3.8m (2.9m min.)</u>

Ultra-Low Emission Vehicles

10. At this stage, there is no specific requirement for electric vehicle charging facilities to be installed. However, as it is recognised that this will become more important in the coming years, it is necessary for proposals to consider the future. Therefore, it is necessary for all new homes to, as a minimum,

have a suitable electricity circuit that allows for the future fitment of charging facilities with minimum work and disruption.

11. As it is impossible to predict future innovations and technology is ever improving, planning applications should demonstrate the ability to retrofit a charging facilities to the exterior wall of a dwelling or safe, suitable and convenient place within its parking area. This may include design features such as landscaped areas adjacent to parking spaces where the necessary cabling can easily be installed and hidden with minimal work and visual impact. Such features may be particularly useful where parking is provided off-street or in communal parking areas. We cannot determine exactly what infrastructure will be needed in the future but it seems prudent to not create unnecessary barriers that may make future adaption more difficult than it needs to be.

12. For non-residential uses; particularly those generating high volumes of visitors such as supermarkets and other shopping complexes, similar regard should be had to 'future proofing' parking areas by a design that facilitates future adaption to accommodate growing demand. Where it is anticipated that non-residential development would benefit now from the provision of charging facilities; such as uses attracting large numbers visitors, the provision of charging facilities is encouraged.

Transport Statements and Travel Plans

13. The requirement for Transport Statements and Travel Plans is set out in policy **ITCR10: Supporting Sustainable Transport Patterns** of the Local Plan.

Appendix 6 – Proposed Main Modifications [MM100 and MM101]

Appendix 10.1 – Which Policies contribute towards which Objectives

	Objective A: Sustainable Growth	Objective B: Climate Change	Objective C: Countryside, Landscape Character & Wildlife	Objective D: Historic Environment	Objective E: Regeneration	Objective F: Tourism	Objective G: Infrastructure and New Facilities	Objective H: Sustainable Transport	Objective I: Green Spaces and Green Infrastructure	Objective J: Rural Areas	Objective K: Health and Wellbeing	Objective L: Economic Prosperity	Objective M: Employment Opportunities	Objective N: Meeting Housing Needs	Objective O: Place Making	Objective P: Town Centres
POLICIES																
Living Communities																
LC4 Custom and Self Build Dwellings	X													X	X	
Working Communities																
WC9 Hot Food Takeaways											X				X	X

Appendix 7 – Proposed Main Modifications [MM102 and MM103]

Appendix 10.2 – How the policies will be monitored

Policy No.	Policy Title	Indicators	Targets	Review Trigger	Monitoring Mechanisms
LC3	Type and Mix of Housing	<ul style="list-style-type: none"> No. of dwellings delivered by type <u>No. of custom and self-build plots delivered</u> 	<ul style="list-style-type: none"> Dwelling requirements identified by SHMA met <u>No. of delivered custom and self-build plots exceeds the number on the Council's interest register</u> 	<p>Dwelling requirements identified by SHMA not met for 3 consecutive years</p> <p><u>Number of people on the Council's custom and self-build register increasing</u></p>	<ul style="list-style-type: none"> SMART reports SHMA <u>Housing Completion Survey</u>
LC4	Custom and Self Build Dwellings	<ul style="list-style-type: none"> No. of custom and self-build plots delivered 	<ul style="list-style-type: none"> No. of delivered custom and self-build plots exceeds the number on the Council's interest register 	<p>Number of people on the Council's custom and self-build register increasing</p>	<ul style="list-style-type: none"> Housing Completion Survey SMART reports
WC9	Hot Food Takeaways	<ul style="list-style-type: none"> No. of hot food takeaways granted per year No. of S106 agreements to support healthy eating programmes 	<ul style="list-style-type: none"> Zero planning permissions contrary to the policy 	<p>Planning permissions granted contrary to policy with no exceptional circumstances</p>	<ul style="list-style-type: none"> Liaising with Development Management

