Bolsover District Local Plan Examination in Public
Statement on Behalf of Derbyshire County Council

Matter 2: Issue 4: Is the approach to Green Belt justified, effective and consistent with national policy (Policy SS10).

Derbyshire County Council’s statement below addresses the following questions raised by the Inspector on Green Belt issues.

Q17. Has the Council’s Local Green Belt Review (EB33 and EB34) been undertaken in a robust manner?

Q18. How would development of the sites removed from the Green Belt affect Green Belt Purposes?

Q19. Have exceptional circumstances been demonstrated to support the removal of sites from the Green Belt?

Q20. Should the Local Plan reaffirm the commitment to the maintenance of the role of the Green Belt in both Policies SS9 and SS10?

Q21. Would changes proposed to the Green Belt lead to Clowne and Barlborough coalescing?

Q22. Is Policy SS10 consistent with National Policy? In particular, should Policy SS10 refer to the ‘purposes’ rather than ‘purpose’ of the Green Belt?

Derbyshire County Council’s Statement

1.1 This statement has been drafted on behalf of Derbyshire County Council’s officers to support their views that the approach to Green Belt policy in the Bolsover District Local Plan Submission as set out in Policy SS10 is soundly based and consistent with national policy in the National Planning Policy Framework (NPPF) and the Sheffield City Region Green Belt Review Common Approach.

1.2 Derbyshire County Council’s officers have provided comments on the District Council’s approach to Green Belt policy and Green Belt review on three separate occasions during the preparation of the Local Plan as set out below.
• Comments on Bolsover District Local Plan – Identified Strategic Options (ISO) (21 December 2015).
• Comments on Consultation Draft Local Plan for Bolsover District (CDLP) (13 December 2016)
• Comments on Bolsover District Publication Local Plan (PLP) (15 June 2018).

1.3 Further details of Derbyshire County Council’s comments on each of these stages of preparation of the Local Plan and the approach to Green Belt policy and Green Belt review are set out below in this statement. From the analysis below, it is evident that Derbyshire County Council’s concerns that were raised on the approach to Green Belt policy and Green Belt review in its comments on the ISO and CDLP, have been appropriately and satisfactorily addressed by Bolsover District Council in its preparation of the PLP and in the subsequent preparation of a Statement of Common Ground setting out an agreed position between Derbyshire County Council and Bolsover District Council on a proposed modification to Policy SS10: Development in the Green Belt (see further details in paragraph 1.11 to 1.13 below).

Origins of Green Belt in North East Derbyshire

1.4 The origins of the designation of a Green Belt covering Bolsover District dates back to around 1955, when local authorities were first required by Government to consider the designation of Green Belt in their areas. In Derbyshire, three Green Belts were created at this time in North-West, North-East and South East Derbyshire.

1.5 In 1980, the approved Derbyshire Structure Plan (July 1980) reaffirmed the need for Green Belt in these areas of the County. Then in April 1986, Derbyshire County Council published the North East Derbyshire Green Belt Local Plan which, for the first time, defined the precise areas of the Green Belt covering North East Derbyshire included within the administrative areas of Bolsover District, Chesterfield Borough and North East Derbyshire District. The broad extent of Green Belt covering North East Derbyshire has remained largely the same since 1986.

Sheffield City Region Combined Green Belt Review – A Common Approach (August 2014)

1.6 In 2014, to fulfil the requirements of the Duty to Cooperate, the constituent local authorities in the Sheffield City Region came together to develop a common methodology for undertaking Green Belt Reviews in their areas. These local authorities included Derbyshire County Council, Bolsover District Council, Chesterfield Borough Council, North East Derbyshire District Council and the Peak District National Park Authority in Derbyshire; Sheffield City Council, Barnsley Metropolitan Borough Council, Doncaster Metropolitan Borough Council and Rotherham Borough Council in South Yorkshire; and Bassetlaw District Council in Nottinghamshire. At that time a number of the local authorities
in the City Region had commenced preparation of their Local Plan Reviews and were either in the process of carrying out or proposing to undertake Green Belt Reviews as part of that process.

1.7 The common approach took as its starting point a combination of existing phase 1 Green Belt Reviews that were being undertaken across the City Region at that time and took the component parts of those Green Belt Reviews, which were considered to be most transferrable to other local authorities across the City Region. The common approach which was developed set out a methodology for undertaking three key stages of Green belt Reviews as follows:

- Stage 1: Identify general areas within the Green Belt;
- Stage 2: Technical Site Assessment (including a common scoring mechanism)
- Stage 3: Re-appraisal of resultant land parcels.

Comments on Bolsover District Local Plan – Identified Strategic Options (ISO)

1.8 Derbyshire County Council submitted comments on the ISO on 21 December 2015. Comments were provided on the approach to Green Belt as follows:

Local Plan Vision

*It is of concern that no mention is made in the Vision of the aim that the principle of the North Derbyshire Green Belt will have been maintained and that it will have been protected from harmful development. The lack of reference to, and consideration of, the Green Belt is a key concern generally in relation to the ISO.*

Local Plan Objectives

*It is of concern that none of the objectives make any specific reference to the Green Belt and the need to maintain the principle of the North East Derbyshire Green Belt, which covers the north-western part of the District, and to seek to protect the Green Belt from inappropriate development. This should be included as a specific objective in Objective A: Sustainable Growth or Objective I: Green Spaces and Green Infrastructure.*

The area of Green Belt, which is confined to the north-west of the District, is relatively limited but it does form part of a wider North East Derbyshire Green Belt that covers the northern part of North East Derbyshire and parts of Chesterfield. These relate to, and adjoin, the South Yorkshire Green Belt. The Sheffield City Region authorities, including Derbyshire County Council and Bolsover District Council, came together in 2013 and 2014 to develop a common methodology for undertaking Green belt Reviews of their areas within the City Region. The importance of the Green Belt in Bolsover District needs to
be more widely recognised in the Local Plan and the strategy and strategic options for Growth.

Strategic Sites

The Clowne North strategic site was not identified in the previously withdrawn Local Plan Submission and consequently Derbyshire County Council has not previously commented on the merits of the allocation. That said, it would appear to form a logical sustainable urban extension to the settlement and could provide up to 1,800 houses. However, it is of concern that the western and north-western part of the proposed allocation are currently located within the Green Belt. Derbyshire County Council considers, therefore, that this allocation for 1,800 houses could disproportionately large in comparison with the existing scale, role and function of Clowne and that there may not be a justification for the scale of the allocation to be so large if it requires the take up of a sizeable area of Green Belt land. Bolsover District Council should therefore give further consideration to this issue and whether the scale of the allocation can be justified in terms of viability and deliverability and the requirement for a sizeable area of Green Belt to be released. This need for Green Belt release would have to be taken through future stages of consultation on the Local Plan if Green Belt boundaries are to be revised as a result of the allocation. A Green Belt Assessment would need to be carried out to assess whether the loss of Green Belt would be likely to harm any of the five Green Belt purpose set out in the National Planning Policy Framework.

Comments on Consultation Draft Local Plan for Bolsover District (CDLP)

Derbyshire County Council submitted comments on the CDLP on 13 December 2016. In respect of the approach to Green Belt matters and the concerns highlighted by Derbyshire County Council on the ISO, the County Council’s comments were as follows:

Green Belt Policy SS9

Policy SS9: Green Belt sets out a detailed policy for the assessment of the impacts of new development on the Green Belt, which is fully compatible with the policy for Green Belt in the NPPF and appropriately sets out the range of appropriate uses within the Green Belt and the exceptions to the normal policy of development constraint. The inclusion of this policy is fully supported as it will give increased certainty and clarity to developers and the public on to the application of Green Belt policy at the local level.

However, Derbyshire County Council’s previous concerns made on the ISO dated 21 December 2015 are reaffirmed that the Local Plan should set out a clear commitment that the principal role of the North East Derbyshire Green Belt will be maintained. It is suggested that this commitment is set out in the first paragraph of Policy SS9.

In its comments above on the Clowne Garden Village allocation, concern was expressed that the allocation included a sizeable area of land within the Green
Belt and that the need for Green Belt release would have to be taken through future stages of consultation of the Local Plan if Green Belt boundaries were to be revised as a result of the allocation. A Green Belt assessment would need to be carried out to assess whether the loss of Green Belt would be likely to harm any of the five Green Belt purposes set out in the NPPF.

In the context of the comments above, it is noted and supported that in paragraph 4.58 of the CDLP it is stated that:

- ‘the Council has commissioned a local review of whether land currently within the Green Belt as defined on the adopted Local Plan but adjacent to the settlement framework fulfils any of the five Green Belt purposes stated in the NPPF’.

Paragraph 4.59 goes on to add that:

- ‘The findings of this review alongside further work and considerations will inform the next stage of the plan making process, the Regulation 19 Publication Version of the Local Plan for Bolsover District’.

Strategic Sites: Clowne Garden Village

In the context of the County Council’s comments made on the ISO consultation, it is noted that the background text to the proposed allocation at paragraph 4.35 states that:

‘This proposal has the potential to create a new western gateway to Clowne through locating employment development within the Green Belt. At this stage of the Plan making process, the case as to whether ‘exceptional circumstances’ exist to justify this release of Green Belt land is being explored and no decision has yet been reached. However, in reaching its decision, the Council will take into account the consultation responses received on this part of the Draft Local Plan’.

In the context of the County Council’s previous comments of 21 December 2015, this recognition of the need for Bolsover District Council to give further consideration to the potential impacts of the proposed allocation on the Green Belt is welcomed and supported.

Comments on Bolsover District Publication Local Plan (PLP)

1.10 Derbyshire County Council submitted comments on the PLP on 15 June 2018. In respect of the approach to Green Belt matters and the concerns highlighted by Derbyshire County Council on the ISO and CDLP, the County Council’s comments were as follows:

Policy SS10: Development in the Green Belt sets out a detailed policy for the assessment of the impacts of new development on the Green Belt, which is fully compatible with the policy for Green Belt in the NPPF and appropriately sets out the range of appropriate uses within the Green Belt and the exceptions to the normal policy of development constraint. The inclusion of this policy is
fully supported as it will give increased certainty and clarity to developers and the public on to the application of Green Belt policy at the local level.

However, DCC’s previous concerns made its response on the CDLP are reaffirmed that the Local Plan should set out a clear commitment that the principal role of the North East Derbyshire Green Belt will be maintained. It is suggested that this commitment is set out in the first paragraph of Policy SS9.

As noted in the comments set out below, the County Council's previous concerns about the amendment to Green Belt boundaries in association with the Clowne Garden Village allocation have been largely addressed by the District Council's Green Belt Review, which has concluded that the parcels of land within the Green Belt forming part of the scheme to accommodate new employment land would not compromise the main purpose of the North East Derbyshire Green Belt in preventing the coalescence of settlements in North East Derbyshire.

Strategic Sites: Clowne Garden Village

In the context of the County Council's previous concerns above relating to the allocation of land at Clowne Garden Village site that is located within the Green Belt, it is noted from paragraph 4.67 of the PLP that the District Council has commissioned a Green Belt Review in accordance with the agreed Sheffield City Region Green Belt Methodology that was developed by all officers of all the City Region local authorities including the County Council. The Review was published in November 2017 and assessed land currently defined as Green Belt in the adopted Local Plan and whether that land continues to fulfil the five main Green Belt purposes set out in the NPPF. It is noted from paragraph 4.68 of the PLP that the Review concluded that the majority of the parcels assessed serve one or more of the five Green Belt purposes. In respect of the Clowne Garden Village allocation, however, it is noted from paragraph 4.68 that those parcels of land required to facilitate the Clowne Garden Village strategic site do not affect the key purpose of the North East Derbyshire Green Belt, which is to prevent the settlements of North Derbyshire from merging into one another.

In the context of the County Council's previous concerns regarding the potential impact of the Clowne Garden Village strategic site on the main purposes of the North East Derbyshire Green Belt, it is considered that the District Council's Green Belt Review has largely addressed those concerns and demonstrated that that part of the site within the Green Belt proposed for employment uses could be accommodated on the site without compromising the main Green Belt purposes. However, it will still be important as part of the masterplanning of the site and through the planning application process to ensure that the layout and design of the site, including necessary landscape mitigation should ensure that the development of the site will have no significant impact on the wider area of Green Belt outside that area which is to be released. In this context it is noted that the indicative layout set out in the PLP indicates an extensive area of new woodland planting along the majority of the western part of the site adjoining the remaining area of Green Belt.
The NPPF requires local planning authorities to review or amend Green Belt boundaries only in exceptional circumstances. In this context, it is noted from paragraph 4.33 of the PLP that the District Council considers that the site’s potential to create a new western employment gateway to Clowne provides the ‘exceptional circumstances’ to justify the release of land from the Green Belt. Whilst this position is accepted in principle, a more thorough and extensive justification to demonstrate ‘exceptional circumstances’ is likely to be required to be provided by the District Council as part of its evidence to the Local Plan Inspector, particularly to demonstrate that the quantum of employment land proposed can be provided both viably and for which there is likely to be a market demand.

Statement of Common Ground

1.11 From the assessment above, it is noted that Derbyshire County Council has previously raised concerns on the ISO, CDLP and PLP that the Green Belt policy in the Local Plan should set out a clear commitment from the District Council that the principal role of the North East Derbyshire Green Belt will be maintained.

1.12 In this respect, it should be noted that prior to drafting this Statement, Derbyshire County Council’s officers have held discussions with Bolsover District Council’s officers regarding the preparation of a Statement of Common Ground on an agreed proposed modification to Policy SS10: Development in the Green Belt as follows:

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 Proposals Map will be preserved.

1.13 Derbyshire County Council’s Strategic Director for Economy, Transport and Environment signed the Statement of Common Ground on behalf of the Council on 21 December 2018 (as attached), which sets out the County Council’s position that the proposed modification appropriately addresses the Council’s previous concerns on this matter in respect of Policy SS10.

Conclusions

1.14 On the basis of the assessment above, Derbyshire County Council’s officers consider that the approach to Green Belt policy and Green Belt review set out in policy SS10 of the Bolsover District Local Plan Submission and in the Statement of Common Ground signed by Derbyshire County Council relating to the proposed modification to Policy SS10, is soundly based and consistent with national policy in the recently revised NPPF and the Common Approach to Green Belt Review developed by the Sheffield City Region local planning authorities in 2014.