BOLSOVER DISTRICT COUNCIL
LOCAL PLAN EXAMINATION

Matter 2: Soundness of the Local Plan

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

Rob Routledge and Chris McKinney on behalf of the Council
Issue 4: Is the approach to the Green Belt justified, effective and consistent with national policy? [Policy SS10]

Q17. Has the Council's Local Green Belt Review [EB33 and EB34] been undertaken in a robust manner?

Council Response

17.1 Yes, the Bolsover Partial Green Belt Review [EB33 and EB34] carried out by Lichfields for the Council has been undertaken in a robust manner and follows a consistent approach across the Sheffield City Region.

17.2 In ensuring the robustness of their work, Lichfields’ review firstly considered the purpose of the South Yorkshire and the North East Derbyshire Green Belt and the national and local policy context. Within this, the agreed common approach to local Green Belt reviews across the Sheffield City Region was used to develop a robust methodology that was objective and consistent with the assessments in other authorities across the wider Green Belt area.

17.3 The methodology used by Lichfields’ is set out in detail in Section 3 of the Bolsover Partial Green Belt Review: Methodology and Results report [EB34]. However, for convenience the aim of and stages within the Green Belt Review methodology are repeated below:

i) Assess whether parcels of land still meet the purposes of including land within the Green Belt;
ii) Identify parcels which may no longer fulfil the purposes as set out in the Framework;
iii) Identify any constraints and opportunities which would support or inhibit development; and
iv) Provide evidence that will support and establish an enduring and up to date Green Belt boundary.

To achieve this the Green Belt Review methodology comprises three stages, namely:

**Stage A – Identification of Parcels** - The Green Belt is divided into parcels using mainly existing strong physical boundaries and current land use characteristics as a guide to identify logical parcels that could then be assessed. The focus will be on the land designated as Green Belt surrounding the existing urban areas of Barlborough and Clowne.

**Stage B – Assessment of Parcels** - The defined parcels are assessed against a set of criteria in order to measure how well land contributes to the purposes of including land within the Green Belt. Some purposes such as "to preserve the setting and special character of historic towns" have only one criterion in order to assess whether parcels do or do not fulfil it. Others such as "to check the unrestricted sprawl of urban areas" have two criteria as it is considered there is more than one important measure requiring consideration.
Stage C – Assessment of Constraints - The parcels considered not to robustly fulfil at least one purpose of the Green Belt will then be assessed against broad deliverability criteria categorised as ‘prohibitive’, ‘restrictive’ and ‘limiting’ development constraints and ‘availability’ criteria. The conclusion of this stage identifies the capacity of each parcel to support development over the plan period and for 5 – 10 years beyond this.

17.4 The results of the Lichfields’ assessment are set out in Section 3 of the Bolsover Partial Green Belt Review: Methodology and Results report [EB34] and Section 3 of the Bolsover Partial Green Belt Review: Supplementary Assessment [EB33] and are discussed in the Council’s Position Paper relating to the Green Belt in Bolsover District [PP4].

17.5 The Council is clear that its Green Belt evidence has been undertaken in an objective manner by independent and well respected planning consultants and that their work follows a robust methodology that has been developed in co-operation with the authorities of the Sheffield City Region to ensure a consistent approach across the wider Green Belt area. Furthermore, the Council is also clear that its Green Belt evidence means that its Local Plan is based on adequate, up-to-date and relevant evidence.

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

Council Response

18.1 The Bolsover Partial Green Belt Review: Supplementary Assessment [EB33] subdivides each of the two parcels considered within the Bolsover Partial Green Belt Review: Methodology and Results report [EB34] into two smaller parcels to enable assessment of the parcels of land that form part of the Clowne Garden Village Strategic Site Allocation. The Supplementary Assessment then sets out the assessment of these smaller parcels and this is discussed in the Council’s Position Paper relating to the Green Belt within Bolsover District [PP4] and Position Paper relating to the Clowne Garden Village Strategic Site Allocation [PP5].

18.2 The Bolsover Partial Green Belt Review: Supplementary Assessment [EB33] advises that the sites being removed from the Green Belt fulfil the Green Belt purposes in so far as they assist in safeguarding the countryside from encroachment. However, unlike the larger parcels of land considered in the Partial Green Belt Review: Methodology and Results Report [EB34], the sites being removed from the Green Belt were considered to not contribute to preventing neighbouring towns merging into one another and to only partially contribute to checking the unrestricted sprawl of the large built-up area.

18.3 The Council informed Lichfields that there is insufficient land that could be developed outside the Green Belt to meet the employment needs of the area. As a consequence, in accordance with the methodology in the Supplementary Assessment [EB33] a further assessment was undertaken, acknowledging that all Green Belt land assessed at Stage B of the Green Belt Review performs a function
consistent with Purpose 3. Applying this approach, the sites being removed from the Green Belt were considered, overall, to only partially meet Green Belt purposes rather than robustly fulfilling them. This assessment involved the proposed woodland planting included within the masterplan for the Clowne Garden Village masterplan being considered as an existing strong landscape feature.

18.4 On this basis, it is considered that the development of the Green Belt sites would not compromise the key local purpose of preventing Barlborough and Clowne from merging. Furthermore, the development of the sites would not compromise the wider strategic purposes of the North East Derbyshire Green Belt to assist in the urban regeneration of Sheffield and Rotherham.

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

Council Response

19.1 Yes, the Council has examined the case as to whether exceptional circumstances exist and the Council’s case is set out in its Position Paper relating to the Green Belt within Bolsover District [PP4].

19.2 In setting out its case, the Council has noted that there is no definition of what constitutes ‘exceptional circumstances’ in the first NPPF or in the accompanying planning practice guidance. The Council therefore utilised the five tests set out in the Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 1078 case as an appropriate framework for considering whether ‘exceptional circumstances’ exist to justify amending the Green Belt boundary.

19.3 Based on its examination of whether exceptional circumstances exist to alter the Green Belt boundary, it is the Council’s contention that there are exceptional circumstances to justify this release of Green Belt land. Furthermore, it is considered that whilst not central to the tests facing the submitted Local Plan for Bolsover District, the case outlined above also meets the additional considerations outlined in the new NPPF.

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

Council Response

20.1 The Council has noted the suggestion made by Derbyshire County Council that policy SS10: Development in the Green Belt should include a clear commitment that the principal role of the North East Derbyshire Green Belt will be maintained (representation ref. 8956).

20.2 As part of its consideration of the Regulation 19 representations, the Council has proposed a modification to policy SS10 to address Derbyshire County Council’s representation above and this is set out as modification number PM21 within its
Proposed Modifications to the Submitted Local Plan [ED5]. Based on discussions with Derbyshire County Council, they agree that their representation ref. 8956 to the Publication Local Plan for Bolsover District has been addressed and can be withdrawn subject to modification number PM21 being made to the Plan. This agreement is set out in the Statement of Common Ground with Derbyshire County Council [ED21].

20.3 Modification PM21 would see the first paragraph of policy SS10: Development in the Green Belt reading:

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.

Within the Green Belt as defined on the Policies Maps, the construction of new buildings within the Green Belt will be regarded as inappropriate…"

20.4 In relation to reaffirming the commitment to the maintenance of the role of the Green Belt within policy SS9: Development in the Countryside as well as policy SS10, it is the Council’s view that modification number PM21 sufficiently addresses this issue and that policy SS10 represents the most appropriate place to reaffirm this commitment.

Note: Representation references refer to the unique reference within the Council’s JDi consultation database system

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

Council Response

21.1 No, the changes proposed to the Green Belt would not lead to Clowne and Barlborough coalescing or being closer together than they currently are.

21.2 The narrowest gap of the Green Belt between Barlborough and Clowne is approximately 0.3km and is situated between properties on Clay Pit Way in Barlborough and properties on Monnies End in Clowne. This strategic gap broadens out to 0.6km along the A616 Clowne Road / Barlborough Road.

21.3 During the work on the Bolsover Partial Green Belt Review [EB33 and EB34] carried out by Lichfields, interim findings were produced in September 2016 which advised that the strategic gap between Clowne and Barlborough would be reduced if the Clowne Garden Village site was developed on its originally proposed western boundary. In light of these interim findings, the site promoter made revisions to their original proposal in order to:

a) reduce further the extent of the development within the Green Belt; and
b) strengthen the proposed future Green Belt boundary.
21.4 This is discussed in the Council’s Position Paper relating to the Green Belt within Bolsover District [PP4] and Position Paper relating to the Clowne Garden Village Strategic Site Allocation [PP5].

21.5 As a result of the changes made by the site promoter mentioned above, the strategic gap between Barlborough and Clowne will remain 0.6km along the A616 Clowne Road / Barlborough Road. On this basis, the Council is clear that the changes proposed to the Green Belt would not lead to Clowne and Barlborough coalescing or being closer together than they currently are.

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

Council Response

22.1 Yes, it is the Council’s contention that policy SS10: Development in the Green Belt is consistent with national policy. In relation to the particular point of this question, it is noted that within the second paragraph the policy states “Other forms of development which may be appropriate in the Green Belt, provided it preserves the openness and does not conflict with its purpose include:” and that an ‘s’ is missing from the word ‘purpose’. The first and new NPPFs both confirm that Green Belt serves five purposes, rather than a singular purpose.

22.2 As a result, the Council propose a further modification to the Submitted Local Plan to correct this typographical error and to improve the sentence structure that would ensure a greater consistency with national policy. This further modification would see the second paragraph of policy SS10 being amended to read (as relevant text to be deleted shown as strikethrough and new text to be inserted shown as underlined):

Certain Other forms of development which may be appropriate in the Green Belt, provided they preserve the openness and does not conflict with its the purposes of including land with it. These include:

22.3 Should this further modification address the particular point of question 22, the Council will add it to its schedule of modifications.