

Ref:

(For office use only)

**REPRESENTATION FORM**

**NORTH EAST DERBYSHIRE LOCAL PLAN**

**PUBLICATION DRAFT**

**General Information**

This stage of the consultation is focussed on whether the Publication Draft version of the Local Plan is legally compliant and sound, rather than the wider ranging questions that we have asked in previous consultations on the Local Plan.

* The deadline for representations is 5pm on Wednesday 4 April 2018. Late representations will not be accepted.
* Be clear about which policy, paragraph or Map of the Local Plan you are responding to.
* Be clear whether you are supporting or objecting to the Local plan. If you think the Local plan is not **legal** or **sound**, be clear why. Please refer to the Guidance Note for more details.
* Try to support you representation(s) with evidence.
* Be clear about any changes you want to see.
* Briefly and precisely cover all information and evidence to support or justify your representation(s). Once the consultation closes there is unlikely to be a further opportunity to provide further information or evidence.
* The Council has also published supporting documents to accompany the Publication Draft Local Plan. They are the Sustainability Appraisal, Policies Map and Consultation Statement and are available to view on the Council’s website, and at deposit venues (the Council Offices on Mill Lane and libraries throughout the District). A range of evidence base studies that underpin the policies within the Plan are also available to view on the Council’s website.

If you wish to make comments on this Plan you may fill in this form. Additional copies of the form are available on line at [www.ne-derbyshire.gov.uk/localplan](http://www.ne-derbyshire.gov.uk/localplan) and can be submitted by e-mail to [local.plan@ne-derbyshire.gov.uk](mailto:local.plan@ne-derbyshire.gov.uk). Or by post to:

**Planning Policy Team,**

**North East Derbyshire District Council,**

**2013 Mill Lane, Wingerworth,**

**Chesterfield, Derbyshire,**

**S42 6NG**

**All comments must be received by 5pm**

**on Wednesday 4 April 2018**

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| **Submitting your representation online**  Submitting your representation online is a quicker way of getting involved.   * You will receive an instant confirmation email to give you a receipt so that you know your representation has been successfully delivered and that your comments will be considered. * Go to <https://bolsover.jdi-consult.net/localplan/> for more information.   *(If you don’t yet have an account, you can set one up easily from this web address)* |

**Filling in the form**

* **PLEASE READ THE GUIDANCE NOTE BEFORE COMPLETING THIS FORM**
* **Your comments are classed as formal representations on the Local Plan.**
* **This form has two parts:**

**Part A: Personal and contact details**

**Part B: Your Representations**

* **Please fill in a separate sheet for each representation you wish to make**

Only the content of your representation and your name will be available for public inspection, and will be published online and in public reports and documents.

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| **PART A – PERSONAL AND CONTACT DETAILS** |

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| --- | --- | --- | --- |
| **Personal Details** | |  | **Agents Details (if applicable)** |
|  |  |  |
| Rep ID (if known  from previous |  |  |
| consultations) |  |  |
| Title | Mr. |  |
|  |  |  |
| First Name | Paul |  |
|  |  |  |
| Last Name | Johnson |  |
|  |  |  |
| Job Title |  |  |
| (where relevant) |  |  |
| Organisation |  |  |
| (where relevant) |  |  |
| Address Line 1 | Rose Cottage |  |
|  |  |  |
| Line 2 | 1 Spinkhill Road, |  |
|  |  |  |
| Line 3 | Killamarsh, |  |
|  |  |  |
| Line 4 | Sheffield. |  |
|  |  |  |
| Post Code | S21 1EH |  |
|  |  |  |
| Telephone Number | 0114-248-2929 |  |
|  |  |  |
| E-mail Address | pjassociatespaul@aol.com |  |

If you do not complete this section, your comments cannot be registered or considered as part of the process.

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| **PART B – YOUR REPRESENTATION** |

Please use a separate form for each representation/ point you wish to raise and firmly attach these to part A which contains your contact details.

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| **Question 1** (See page 3 of the Guidance Note) |

To which part of the Local Plan does your representation relate?

(Please quote paragraph or policy reference)

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| Chapter 9 – Infrastructure and Delivery. |

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| **Question 2** (See page 3 of the Guidance Note) |

Do you wish to state your support or objection to this part of the Local Plan?

|  |  |
| --- | --- |
| SUPPORT | ☐ |
| OBJECT | X☐ |

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| **Question 3** (See page 3 of the Guidance Note) |

Please enter your representation here. This should explain why you either support this part of the Local Plan or why you think the Local Plan is or is not legally compliant or sound (see guidance note for an explanation of legally compliant and sound). Please be as precise as possible (in no more than 100 words).

If your representation requires more than 100 words, please attach any additional sheets securely to this form and use the box below to summarise your representation.

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| There are no substantial, or even minor, infrastructure proposals for Killamarsh in either the Infrastructure Study and Delivery Plan, 2018, or the Derbyshire Infrastructure Plan (2013). Everything is left to Section 106 agreements, backed by the usual get-out clause of viability. NEDDC and the DCC will have money in their particular ‘pots’ from the New Homes Bonus and the Affordable Homes Bonus, but local residents in Killamarsh will have 10-15 years worth of stress, dirt and disruption with the eastern family play area and the western greenway totally dependent on s.106 agreements and the probity of developers.  **Supporting Comments,**  Many previous comments throughout my responses deal with infrastructure issues. I will not repeat them.  The Infrastructure and Delivery Plan Report, 2017, states that ***‘much of the infrastructure needed to support the growth in the Local Plan is capable of successful delivery through the current S 106 regime’ (Paragraph 9.13 of the Draft Publication Local Plan, 2018).***  Once again, the residents of Killamarsh, and other areas in the north of the District, will be waiting for infrastructure development until many new dwellings have been built. This may be more than 15 years, and is by no means certain to happen. Site-specific issues will be dealt with in the planning stage, so .the newly-arrived residents will be fine. The current residents will just have to cope with the massive disruption that building the two large proposed sites in Killamarsh will bring. This is totally unfair.  The building of a children’s park in the east of Killamarsh is welcome, but long overdue. Similarly the new western Greenway will be a welcome addition to enhance the meagre recreational opportunities available within Killamarsh. The Infrastructure Plan indicates (in table 81)  However, the draft Plan contains a note of caution that a cynical person (where developers are concerned, I am one such cynic) might be concerned about.  Paragraph 9.15 states, ***“Given the viability assessment found relatively tight margins of development viability across significant parts of the district it is considered that the flexibility afforded through the S 106 regime is of particular benefit to the successful delivery of development in the district.”*** The viability get-out clause rears its head yet again.  Paragraph 9.20 appears to give a measure of comfort in stating, ***In cases where essential/critical site specific infrastructure and mitigation cannot be secured because of viability concerns and the infrastructure is an essential prerequisite to enable the development to proceed, schemes will not be supported.***  Paragraph 9.18 says where the viability of a development is in question a ***‘site specific financial evaluation’*** will be undertaken to the Council’s satisfaction at the earliest stage in the application process. Paragraph 9.19 goes further in saying ***‘where a scheme is agreed to be unviable or marginal the Council will review…..the timing or phasing of payments to assist the financial viability of the scheme’.***  I suggest that the highly paid lawyers employed by rich developers will have a wonderful time arguing about the definition of the underlined phrases. Essentially, local people will have the mess, disruption and chaos, over at least a ten-fifteen year period, without any substantial guarantee of the small mitigation areas promised in terms of green infrastructure. Even then the mitigation will not make up for the Green Belt land lost.  Within the NEDDC infrastructure Plan and that of the Derbyshire County Council there is no acknowledged need to enhance the road system around Killamarsh, despite the acknowledged out-commuting by current and future residents of Killamarsh. Local people are fully aware of the problems on the B 6105 Sheffield Road and the A618 Rotherham Road, but apparently those carrying out The Transport Study are not.  A recent extension to the Killamarsh doctor’s surgery is, a short time later, proving inadequate due to the continual building in Killamarsh and the ability of patients to register with a doctor outside their own practice area. This will not improve.  There is a plan to utilise Children’s Centres to enhance Early Years educational provision, which is excellent, but the funding mechanism and timescale are both shown as ‘***unknown’*** in the Infrastructure Study and Delivery Plan, 2018 (ISDP), Table 76.  The Killamarsh Leisure Centre is shown as an important facility for Killamarsh which should be maintained ***‘to ensure ongoing availability to the general public.’***  The delivery mechanism and funding are show as unknown again. The Killamarsh Leisure Centre is different to similar Centres in Eckington and Dronfield. The latter two are District Council-owned, while the former is owned by the Parish Council. In the absence of external funding the only source of money are the council tax payers of Killamarsh (Table 79 ISDP).  The Killamarsh Leisure Centre is a loss-making entity, as evidenced by the ever-increasing Parish precept for Killamarsh, making the Council tax payable by Killamarsh residents the most expensive in North East Derbyshire. There is no sign of any change to this situation as the pattern shows an inexorable rise. The Leisure Facility lost £180,000 in the past financial year and is estimated to lose in excess of £200,000 in the next one. Is this fair? Killamarsh Council tax payers would say no.  Killamarsh deserves the family play area to the east and the new western greenway, to supplement the Chesterfield canal restoration, because of historic overdevelopment without infrastructure enhancement. Its residents should not have to suffer more unwelcome development to fund it. This should be funded by the District Council through the non-ring fenced New Homes Bonus and affordable Homes bonus in acknowledgement of the previous planning damage done to Killamarsh (Table 81 ISDP).  At least the initial stages of the Chesterfield canal restoration are funded and properly planned. This restoration will be a bonus and will give a boost to almost non-existent tourism in Killamarsh (Table 81 ISDP).  The Derbyshire County Council Infrastructure Plan, 2013, contains nothing in terms of infrastructure enhancement for Killamarsh except the restoration of the Chesterfield canal through Killamarsh. The DCC is a partner, with other Councils and agencies, in this scheme, so this commitment is not exactly a revelation or a game-changer. |

If you have stated your support for this part of the Local Plan, please move to Question 5. If you have stated your objection for this part of the Local Plan, please move to Question 4.

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| **Question 4** (See page 3 of the Guidance Note) |

If you are objecting to this part of the Local Plan, please let us know what changes you think are needed to make the Local Plan legally compliant and / or sound (see guidance note for an explanation of legally compliant and sound).

You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible (in no more than 100 words)

If your representation requires more than 100 words, please attach any additional sheets securely to this form and use the box below to summarise your representation.

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| Remove the two main sites from the local plan as being totally unsustainable development. |

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| **Question 5** (See page 4 of the Guidance Note) |

Do you consider that the Local Plan is legally compliant?

|  |  |
| --- | --- |
| YES | ☐ |
| NO | X☐ |

If you have stated no, please make sure this links back to your response in Questions 3 and 4 (the meaning of ‘legally compliat’ is explained in the guidance note).

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| **Question 6** (See page 5 of the Guidance Note) |

Do you consider Local Plan is sound?

|  |  |
| --- | --- |
| YES | ☐ |
| NO | X☐ |

If you have stated no, please make sure this links back to your response in Questions 3 and 4 and let us know which of the ‘tests of soundness’ it has failed (Questions 6A – 6D below).

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| **Question 6A** (See page 5 of the Guidance Note) |

Do you consider that the Local Plan is unsound because it is not ‘positively prepared’?

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| --- | --- |
| YES | X☐ |
| NO | ☐ |

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| **Question 6B** (See page 6 of the Guidance Note) |

Do you consider that the Local Plan is unsound because it is not ‘justified’?

|  |  |
| --- | --- |
| YES | X☐ |
| NO | ☐ |

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| **Question 6C** (See page 6 of the Guidance Note) |

Do you consider that the Local plan is unsound because it is not ‘effective’?

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| --- | --- |
| YES | X☐ |
| NO | ☐ |

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| **Question 6D** (See page 6 of the Guidance Note) |

Do you consider that the Local Plan is unsound because it is not ‘consistent with national policy’?

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| --- | --- |
| YES | ☐ |
| NO | ☐ |

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| **Question 7** (See page 6 of the Guidance Note) |

Do you consider that the Local Plan complies with the Duty to Co-operate?

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| --- | --- |
| YES | ☐ |
| NO | X☐ |

If you have stated no, please make sure this links back to your response in Questions 2 and 3 (remember to look at the requirements in the guidance note).

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| **Question 8** (See page 7 of the Guidance Note) |

If you are objecting to this part of the Local Plan, please let us know if you raised this matter at an earlier stage of the plan making process such as the Consultation Draft Local Plan in February/March 2017.

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| --- | --- |
| YES | X☐ |
| NO | ☐ |

If yes, please move to Question 9. If no, please move to Question 10.

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| **Question 9** (See page 7 of the Guidance Note) |

If you raised this matter at an earlier stage of the plan making process, which stage was it?

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| --- | --- |
| Consultation Draft Local Plan (February-March 2017) | X☐ |
| Initial Draft Local Plan (Part 1) (February-March 2015) | X☐ |
| Local Strategy Consultation (August-September 2012) | X☐ |
| Core Strategy Issues and Options Consultation (April-June 2009) | ☐ |

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| **Question 10** (See page 7 of the Guidance Note) |

If your representation is seeking a change, do you consider it necessary for you to participate at the Hearing Sessions should the Inspector wish to discuss your representation / issue at the Hearing?

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| --- | --- |
| YES | X☐ |
| NO | ☐ |

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| **Question 11** (See page 7 of the Guidance Note) |

If you wish to participate at the Hearing Sessions, please outline why you consider this to be necessary?

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| To emsure that the views of local people are heard. |

Please note that the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing sessions.

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| **Question 12** (See page 8 of the Guidance Note) |

Would you like to be notified of one or more of the following (please tick the relevant boxes)

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| --- | --- |
| When the Local Plan is submitted for independent examination? | X☐ |
| When the Inspector’s report is published? | X☐ |
| When the Local Plan is adopted? | X☐ |

Please return the completed form by 5pm Wednesday 4 April 2018 to:

By email:

[local.plan@ne-derbyshire.gov.uk](mailto:local.plan@ne-derbyshire.gov.uk)

By post:

Planning Policy Team

North East Derbyshire District Council

2013 Mill Lane

Wingerworth

Chesterfield

Derbyshire

S42 6NG

If you have any questions, please contact us on 01246 217171/ 7694/ 7169/ 7180

Next Steps

Following the close of consultation we will prepare a summary of the main issues raised by representations. The representations, summary of issues, Local Plan and other supporting documents and evidence base studies will then be submitted to the Independent Inspector for examination in May 2018.

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| All personal information provided to North East Derbyshire District Council will be held and treated in confidence in accordance with the Data Protection Act 1998. It will only be used for the purpose for which it was given, which is to ensure your representation is recorded, and to contact you regarding your representation. However, the content of your representation including your name and address will be available for public inspection, and will be published online and in public reports and documents. |