

North East Derbyshire Local Plan

**Issues and Options (Regulation 18) Consultation
on Strategic Approach to the Location of
Development and Refined Sites**

Northern Trust Land Limited

Professional memberships and accreditations



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1. Introduction

- 1.1. These representations are prepared by Fisher German on behalf of our client Northern Trust Land Limited, in respect of their land interests at Stretton Road, Morton.
- 1.2. The site was submitted to the Council during the 2025 Call for Sites exercise and has since been the subject of Representations submitted to the initial Regulation 18 consultation carried out between June and August 2025.
- 1.3. The Council are now consulting on its latest material as part of the Issues & Options stage of Local Plan production. Specifically, the current consultation is focussed on the strategic approach to the location of development and a refined schedule of sites all of which have passed through both the initial desktop screening, and further detailed stages of assessment. Notably, these sites also align with the emerging strategy. Included within this refined schedule is our client's site identified as '**45105 – Land off Stretton Road, Morton, Derbyshire**' within the consultation document.
- 1.4. The NPPF and Standard Method were published on 12th December 2024 and the updated Local Housing Need for the district has significantly increased from 224 dwellings per annum (dpa) to 605 dpa. The Council will be required to allocate sufficient residential sites to deliver the housing need. The land off Stretton Road, Morton offers a site in a sustainable village not constrained by Green Belt designation. Green Belt release is expected if North East Derbyshire is to meet its development needs in full, however Green Belt remains a Footnote 7 protection and logically use of non-Green Belt land should be prioritised in the first instance.

2. Representations

45105 – Land off Stretton Road, Morton, Derbyshire

- 2.2. The consultation invites specific comments on sites which have been the subject of further testing and been included within the refined schedule. This section seeks to provide site specific commentary to promote its onward selection as a future allocation and this includes a consideration of relevant evidence base work carried out by the client to inform site strategy.
- 2.3. Whilst we note that the Council have not directly requested any specific additional evidence to support identification of the site for allocation (and have directly acknowledged the Framework Plan already provided, also included within these representations), our client has commissioned updated concept and access plans for the site in order to provide an update to the Council and clearly demonstrate how constraints identified will be addressed. We hope these will be of use to the Council and ultimately support its allocation. These will be provided to the Council ahead of the 1 June additional evidence deadline which has been stipulated by the Council in correspondence received 6 March 2026.

Site overview

- 2.4. The site comprises two parcels of land bounded by mature hedgerows. It is located immediately north west of the settlement boundary of Morton, a 'Level 2' settlement (settlement with good level of sustainability) in the spatial hierarchy of the North East Derbyshire Local Plan (2014-2034). Morton is located approx. 4.7 miles north of Alfreton and 7 miles south of Chesterfield and therefore benefits from access to employment opportunities, service and facilities in these settlements as well as further services and facilities at junction 28 of the M1. Morton is located in close proximity to the M1 offering good national transport links.
- 2.5. Development on site is proposed to be focussed to the eastern parcel and will avoid known constraints (primarily the presence of overhead electricity infrastructure and pylons - considered in more detail below) and will respond positively to the immediate landscape setting. The below Framework Plan is already known to the Council and it sets some of the core principles for the site that will drive its development. Notwithstanding this, an updated plan is being produced which will be submitted to the Council by the 1 June additional evidence deadline. This new plan will respond to some important factors which have emerged which need to be taken into account, and will provide an updated and clear position to the Council to aid the site's onward promotion.



Figure 1: Indicative Phase 1 Framework Plan – update to follow

Site feasibility

- 2.6. Access to the site would be achieved directly from Stretton Road with direct link to Tibshelf and the M1 to the east and A61 and Clay Cross to the west. In the 2017 Land Availability Assessment (LAA) conducted by the Council, the site was assessed as part of a wider area of land (LAA ref: MOR/2302), the east of which has been developed for housing (outline planning ref: 17/00826/OL followed by a reserved matters application for 100 dwellings (ref: 21/00525/RM). Derbyshire County Council Highways comments on the outline planning application confirmed that there were no issues with the site from a highway perspective subject to conditions being attached to a planning permission.
- 2.7. In other terms, the site is relatively unconstrained. It is located in Flood Zone 1 and it does not have any heritage or ecological assets located on site or in close proximity. It is not located within the 'Areas of Multiple Environmental Sensitivity' (AMES) identified by Derbyshire County Council which covers a significant portion of the district. The site lies in a Coal Authority Referral Area so a future development proposal would be accompanied by further risk assessment work and ground investigations to identify any potential risks and remedial measures required.
- 2.8. Landscape comments in the HELAA (2017) set out that development at this location is likely to affect long distance views of the countryside from residential properties. However, significant amounts of high-quality open space will be located on the western side of the site which will also provide ecological benefits as well as helping to assimilate the development's built environment into the landscape setting. The generous open space will maintain views of the countryside through the western side of the development and create an attractive entrance to Morton, minimising impacts on the character of the area by softening and filtering views of the development. It will also preserve the existing broadleaved trees and hedgerows on site and include enhanced landscaping and blue infrastructure to support biodiversity enhancements on site. Further to this, it will be beneficial to future and existing residents providing generous public open space including a woodland walk and cycle route.
- 2.9. The intention is to establish a high-quality residential development in a sustainable location, to expand sensitively upon the existing community. The site is able to accommodate a range of house types and a policy-compliant level of affordable housing as well as generous levels of public amenity open space, BNG and footpath and cycle links.
- 2.10. As a result of the Council's process of refinement of sites, the site is awarded an overall suitability rating of 'amber' within the Land Availability Assessment with some constraints identified. The constraints identified are addressed in turn further on in these representations.

Green Belt

- 2.11. A significant proportion of the District is designated Green Belt. Paragraph 146 of the NPPF confirms that meeting housing needs represents exceptional circumstances justifying Green Belt release (unless there is clear evidence that doing so would fundamentally undermine the purposes of the Green Belt, taken together). However, Green Belt does remain a Footnote 7 protection and therefore logically, the use of non-Green Belt land should be prioritised in the first instance. Land off Stretton Road, Morton offers an opportunity to prioritise non-Green Belt land in a sustainable village location.

Site constraint – site is at risk of some surface water flooding

- 2.12. The site is wholly within Flood Zone 1 however it is acknowledged that some limited areas of surface water flood risk are present within the site. Onward site promotion and evidence to inform a planning application would include a Flood Risk Assessment and the site would be underpinned with an approach which prioritised the avoidance of the development of areas identified as being at risk of surface water flooding, else the provision of suitable mitigation measures where this is not possible, not least supported by a comprehensive Sustainable Urban Drainage Strategy. The presence of some very limited areas of surface water flood risk is not, therefore, a constraint on development or on the site being suitable for allocation.

Site constraint – the presence of pylons and overhead powerlines crossing the site

- 2.13. The overall site is dissected by a 132kV overhead powerline and an associated pylon is also located within the site. Development of the site can be suitably facilitated to include appropriate buffering around this infrastructure asset and avoid interaction with development altogether. The presence of the overhead line is not, therefore, a constraint on development or on the site being suitable for allocation.

Site constraint – location within the Coal Authority 'High Risk' area

- 2.14. The coal mining 'high risk area' is an extensive designation covering the entirety of multiple local planning authority areas. It is not therefore unusual for sites to be located within it. A Coal Mining Risk Assessment will be forthcoming as an important evidence base component to support onward promotion of the site and, ultimately, a future planning application. Within this, the need for more detailed intrusive investigations would be identified – if required – and ultimately a mitigation strategy developed where required. The site's location within a coal mining 'high risk area' is not, therefore, a barrier to the site's delivery.

Site capacity

- 2.15. We note the Council's position set out within the consultation document which is stated as *"this site may be able to support approximately 130 dwellings, based on prevailing neighbouring densities. Mitigation measures have not been applied to this site capacity yet and may result in an altered total"*.
- 2.16. In terms of the prevailing neighbourhood densities, the recent Padley Wood View development immediately adjacent to the east of the site is the most logical comparator given its proximity and shared characteristics and relationship with Morton (reserved matters application ref: 21/00525/RM). The Padley View development has delivered 100 dwellings on a site of c.4ha (gross). This amounts to 25 dwellings per hectare. Notwithstanding an update will be forthcoming, the Framework Plan at Figure 1 includes a developable area of approximately 6.5ha. This would, on the same basis, be able to accommodate c.163 dwellings. Given the development area is already limited to reflect the presence of constraints, as explored above, we are confident the site is able to deliver in this range, notably above the 130 suggested by the Council. As discussed above, updated concept and access plans will be forthcoming and submitted to the Council by 1 June 2026 to provide an updated position to the Council.

Summary

- 2.17. These representations confirm that our client's site off Stretton Road, Morton is available and suitable for development. The site occupies a sustainable location and is very well related to the settlement of Morton, with residential development bordering two sides of the site and a Care Home and associated buildings on a third. It represents a logical extension to the village and is under the same land ownership as the recent Padley Wood View development immediately to the east. Critically, the site is without Green Belt constraint which effects a large proportion of the District and thus represents a logical and appropriate option to help the council to address its housing needs, as part of a balanced spatial strategy. As a result of the Council's process of refinement of sites, the site is awarded an overall suitability rating of 'amber' within the Land Availability Assessment with some constraints identified. The constraints identified have been addressed in turn above.

Development needs – Housing

Option 1 – Standard Method

- 2.18. The NPPF is clear at Paragraph 62 that ***"to determine the number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance"***; effectively, the housing need informed by the standard method is the 'policy-off' assessment of the minimum number of homes needed in an area. Plugging this into a consideration of wider environmental, economic and social factors, policies and constraints then determines the housing requirement. The NPPF is clear that ***"the overall aim should be to meet an area's identified housing need"***. There has to be a well evidenced and compelling argument set out by a plan making authority to justify planning for a lower housing requirement than the housing need identified using the Standard Method. The NPPG makes clear there are some 'specific circumstances' whereby this might be justified. The specific

circumstances set out at Paragraph 014 of the NPPG do not apply in the case of North East Derbyshire, and we do not consider that any insurmountable constraints exist within the District to justify the pursuit of a housing requirement which diverges negatively from the Standard Method informed housing need. Such an approach we consider would be found to be unsound.

- 2.19. In view of the above, as an absolute minimum, Option 1 as set out within the current consultation document should be pursued. In fact, as considered in more detail below, there is evidence in favour of planning for above the Standard Method derived housing need figure.

Option 3 – above Standard Method

- 2.20. Whilst the NPPF is clear that the overall aim of strategic policies relating to the delivery of a sufficient supply of homes should be to meet an area's identified housing need, it is also clear that a Standard Method derived housing need will identify the **minimum** number of homes needed. The NPPF empowers local planning authorities to apply a 'policy-on' approach which should factor in local and strategic ambitions (including economic) as well as general affordability pressures to inform their housing requirement, which may justify pursuit of an increased requirement. Such an approach is closely aligned with the latest Government ambitions to significantly boost the supply of new homes nationally.
- 2.21. North East Derbyshire is strategically well placed adjacent to Sheffield (the 4th largest city in England) and Chesterfield. Both Sheffield and Chesterfield are the focus of significant growth ambitions set out in their respective Combined Authority economic plans and from this a growth in a wide range of employment sectors is targeted. Long term ambitions for these cities places North East Derbyshire perfectly to benefit and, as part of this, react to likely further increase in demand for new homes. Given the spatial relationship between North East Derbyshire and the cities, the housing requirement eventually promoted should take into account these regional ambitions which indicate a need to advance beyond the Standard Method derived minimum.
- 2.22. As with the overall Standard Method derived housing need, affordable housing need has also significantly increased since adoption of the current Local Plan. The Housing Needs Assessment (2024) identifies an overall need of 356 affordable dwellings per annum – over 58% of the overall need – and makes clear that **"provision of new affordable housing is an important and pressing issue in the area"**. The new Local Plan could be proactive in addressing this, by planning to deliver more than the Standard Method derived housing need.

Mix of scale and type of housing sites should be sought

- 2.23. The refined schedule of sites evidences that the Council intend to include within the new Local Plan a range of site sizes, also commensurate with the level of sustainability of the varied locations for growth also being supported. We support this approach in principle; the NPPF is clear at Paragraph 72 that **"planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability"**. The provision of a range of site allocations sizes will help to boost housing delivery by limiting the reliance on large strategic sites which in turn will support flexible and phased delivery from a range of providers. Critically, the provision of a range of site allocation sizes across multiple locations is a major factor in sustaining a robust and deliverable housing pipeline and five-year housing land supply. Our client's site is at the lower end of the large sites scale and would be in a position as a result of this to contribute directly to the Council's five-year housing land supply, as well as requirements of plan years beyond.
- 2.24. Linked to this also, we continue to support an approach which seeks to allocate a range of types of sites. Although not a topic of this consultation, the 2025 consultation identified seven site type options which between them would provide a varied range of potential impacts (eg. sites within the Green Belt, sites with some landscape harm and higher density sites). Development in any location, by its very nature, will result in some level of impact on its immediate context. However the key, in our view, is to focus on delivering housing in the locations where it is most needed whilst minimising impacts and maximising potential benefits. We agree therefore with the findings of the Sustainability Appraisal which, at paragraph E20 summarises that **"it is likely that a combination of different site type options will allow for the most**

sustainable development strategy, informed by a robust evidence base to determine the capacity of different locations in the district to accommodate proposed growth that is aligned with the relative scale and character of existing settlements”.

Development needs - employment

2.25. As set out in our previous representations, the new Local Plan should be aspirational and a key component of this will be the district's ability to accommodate ambitious employment growth. As such, the Council should plan for the district's employment land requirements at the upper end of the 15-31 ha as recommended in the Employment Needs Assessment (Option 2 in the current consultation document). The upper end of the estimate quite rightly takes account of the 'policy on' scenario, recognising the district's local economic growth aspirations and key growth sectors of the economy. Given the significantly increased Standard Method derived housing need for the district and the need for it to be met as a minimum, it is also correct that labour supply resulting from new housing is taken into account when identifying the quantity of employment land that will be required to service the district going forward. Not adopting this approach risks artificially constraining economic growth which would be in direct contravention of NPPF ambitions, particularly its call for the planning system to build a strong, responsive and competitive economy. We do not consider the district to be so constrained that the identified quantum of employment land within the upper estimate would be undeliverable, particularly when you consider its relationship with the economic growth ambitions of the wider area, including neighbouring Sheffield.

Spatial distribution of development

2.26. In principle we support the Council's proposed approach to the location of development. Specifically, that the level of priority of location for accommodating growth correlates with the level of sustainability and role of the type of settlement. We agree that 'Priority 1 Locations' should include as indicative locations those listed i.e. the edge of Chesterfield/ Sheffield, new settlement/ strategic sites and level 1 settlements – main towns. It is notable that the Sustainability Appraisal does not envisage any major negative effects from accommodating development at the main towns. Indeed, providing growth to the main towns represents a sustainable growth strategy which would, critically, leverage existing infrastructure and services provided by the them, support the vitality and viability of their centres and facilitate access to enhanced sustainable transport options they provide.

2.27. However, it is also critical that smaller settlements are able to accommodate commensurate levels of growth to support their own need for housing and existing and onward viability and vitality and with this in mind we agree with the proposed 'cascade' approach. Through this approach, the higher priority locations are likely to receive higher levels of growth which is logical and supported in evidence, albeit the Council will need to remain cognisant of factors which may determine slight divergence from this if necessary, for example in providing for strongly evidenced localised need or responding to key constraints which, for example, may determine that lower priority locations, at least in some scenarios, represent the more suitable location for growth. We note that the consultation responses received are largely in favour of such an approach also.

2.28. In our previous representations we highlighted that we considered options to focus growth around Sheffield and Chesterfield as not being the most sustainable approach. We considered that such a focus would fail to address the localised need evidenced across the district and undermine local opportunity within the district. We consider that the approach now put forward by the Council – specifically to dilute this focus into a broader 'Priority 1 Locations' level alongside, in particular, level 1 settlements – main towns as a sustainable and well-balanced approach. Such an approach alleviates concerns we had that the future distribution of growth would be directed overwhelmingly toward Sheffield and Chesterfield at the expense of other settlements across the district, and this we consider would have been an unsound approach.

Settlement hierarchy

2.29. We agree with the principle of the approach taken by the Council to identify and group together settlements with similar levels of sustainability which perform similar roles, amounting to a settlement hierarchy. We agree this should feed directly into deciding the spatial distribution of development discussed above.

Morton as a location for growth

- 2.30. However, we are concerned that Morton has been placed within the settlement level 'Level 3: Settlements with limited sustainability'. In particular, it is notable that this represents a shift from the position set out within the adopted Local Plan, within which Morton is identified as falling within the more sustainable category 'Level 2: Settlements with good level of sustainability'. Whilst we acknowledge that the current scoring and placement of Morton only really matters insofar as it relates to and performs against other settlements as part of the current Local Plan cycle (and the proposed approach to cascading), given that Morton has expanded in population since adoption of the Local Plan, we are nonetheless surprised to see a deterioration in its ranking. It is unclear as to what has led to this change, particularly in the context of the village's recent expansion and general merits of the location we explore within these representations, including below. Ultimately, we consider that Morton should continue to be recognised as a 'Level 2 Settlement' i.e., a settlement with good levels of sustainability which Morton can demonstrate.
- 2.31. Indeed, Morton provides a good range of services and facilities and its specific location also benefits from strong transport links to nearby larger settlements including Chesterfield, as well as further afield via J28 of the M1 motorway located nearby. As outlined above, a strategy which proportionately allocates growth to settlements within and across the district based on their level of sustainability represents a sustainable strategy for growth and on this basis, Morton continues to be well positioned to contribute to this, particularly given its exclusion from Green Belt designation.
- 2.32. Related to this also is the role housing development – particularly in rural areas – can play in elevating areas out of deprivation. Morton is located within the North East Derbyshire 013A Lower Super Output Area (LSOA) used to quantify levels of relative deprivation using the Indices of Deprivation (ID). In 2019 this LSOA was rated as broadly average for deprivation relative to North East Derbyshire district and Derbyshire more widely. Clearly, there is scope for improvement in this regard and the regenerative benefits which are associated with new development should not be overlooked with regards to Morton specifically therefore.
- 2.33. More widely however, a number of adjacent LSOAs are rated as significantly more deprived. 011E LSOA to the east is rated as being within the top 50% most deprived neighbourhoods in the country. 012C LSOA to the north is amongst the top 40% most deprived and 012D LSOA – also to the north – is amongst the 20% most deprived neighbourhoods nationally. Morton is effectively surrounded by areas which experience heightened levels of relative rural deprivation. Given the attractive local market present around Morton – evidenced by the recent delivery of Padley Wood View development to the east – yet the close proximity of significantly deprived areas, Morton has a crucial role to play in delivering regenerative benefits associated with housing development to the wider area.

Morton as part of a cluster

- 2.34. The Settlement Hierarchy Topic Paper (March 2026) builds upon the findings of the Settlement Role and Function Study (2026) and tests whether small rural settlements would more accurately be represented when considered collectively; particularly where groups of settlements demonstrate strong relationships (not just geographic proximity). Identified clusters were required to meet a set of criteria considering issues such as spatial proximity, shared access to services and facilities and overlapping public transport provision. In principle, we support the identification of clusters, particularly when taking account the reality that one village may provide service and facility support to neighbouring settlements, the principle of which is supported in the NPPF (Paragraph 83) and plays out in the real-world.
- 2.35. Whilst we consider that Morton performs strongly as an independent settlement, we note with interest the proposed identification of the Shirland Cluster which includes within it the small rural settlements of Stonebroom, Shirland, Mickley and Higham (see figure 2 below). Of particular note is the effective recognition of the cluster (and, thus, the group of small rural settlements within it) as an independent entry within the 'Level 2 Settlement Level' of the updated settlement hierarchy table, scoring 25 overall compared with Morton's 10.

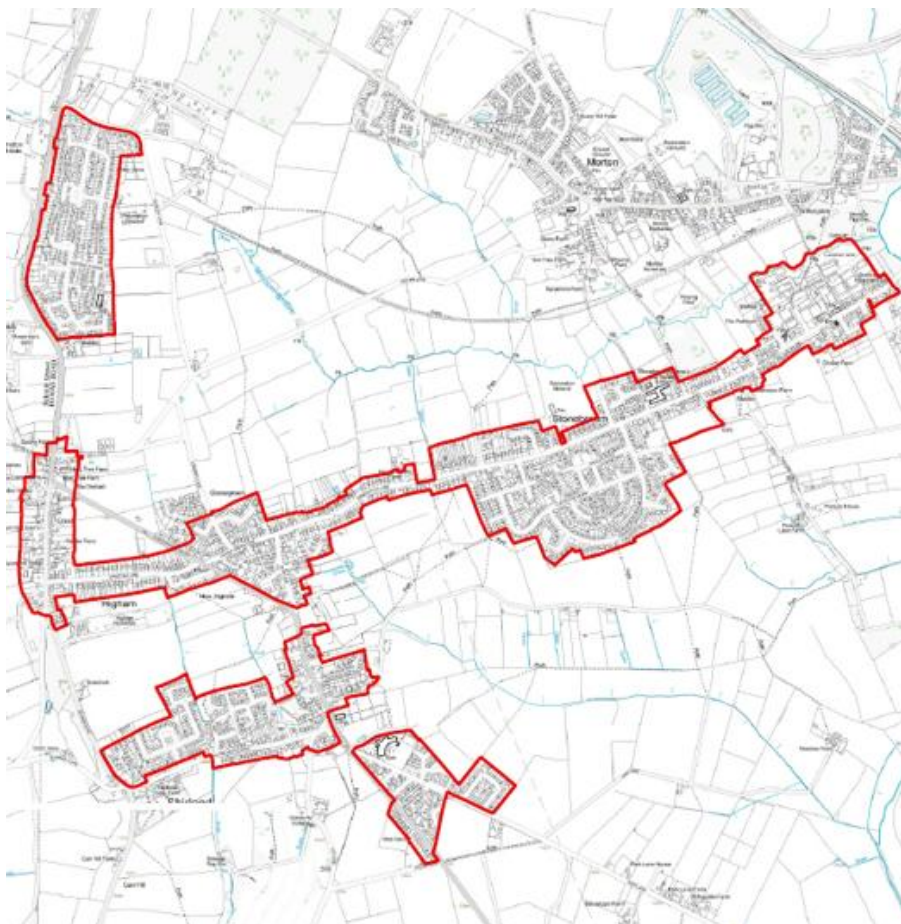


Figure 2: Proposed Shirland Cluster with Morton located immediately to the north east

- 2.36. In our view, whilst Morton is a higher order settlement than any of the individual small rural settlements identified within the Shirland Cluster, we consider that Morton could also satisfy the criteria required to justify its inclusion within it. Morton is well related to the small rural settlements contained within the cluster and in close physical proximity; in theory it could form a logical part of the wider cluster therefore, acting as the core settlement for accommodating growth within it, for example.
- 2.37. However, we acknowledge that the key role of the clusters is to recognise the potential roles of small rural settlements where there is strong sense of grouping and logic to justify it. Given Morton's higher order status compared with the individual small rural settlements identified within the cluster, we recognise there are valid reasons for its exclusion. However, as a minimum Morton's relationship with the cluster and inevitable -albeit potentially arms-length- role in contributing to its function justifies, in our view, some positive recognition within the score applied to Morton within the settlement hierarchy.

Strategic sites and new settlements

- 2.38. Whilst we do not object to the principle of identifying strategic sites and new settlements as part of 'Priority 1 Locations' for growth, we maintain reservations around the suitability of strategic site 'Duckmanton Moor' (now merged from previous sites 45227 and 45541) which is expected to be able to accommodate 2000-3000 dwellings.
- 2.39. The southern element of the strategic site (45227) does not directly relate to any existing settlement form and as such would represent an illogical and significant intrusion into the open countryside at this location. The nearest settlement – Arkwright Town to the north – is distant from this element of the site without any sense of continuity. Similarly, whilst technically attached to Arkwright Town to its north west and Long Duckmanton to its north east, the northern element of the site (45541) would result in an illogical and incongruent built form exclusively to the south of A632, awkwardly conjoining both settlements with notable impacts on the countryside at this location including its openness and any landscape value.

- 2.40. Both Arkwright Town and Long Duckmanton offer limited provision of services, facilities and employment as highlighted also by the previous Settlement Hierarchy Study and more recently the Settlement Hierarchy Topic Paper, with a significant number of settlements rated as being more sustainable locations for growth. Whilst settlements such as Arkwright Town and Long Duckmanton could accommodate some growth (and, indeed, a distribution of growth across the district we consider to be a sustainable approach), the scale of growth being considered through the delivery of this newly merged strategic site would be entirely at odds with their scale and offer and such an approach we consider to be unsustainable.
- 2.41. A significant proportion of the site is occupied by established woodland and this represents a substantial development constraint. Given the likely ecological value of the woodland area, its inclusion within the site will establish a considerable BNG baseline to address which has the potential to undermine viability of the site as a whole. Retention of the asset would significantly reduce the actual developable area provided by the potential allocation and limits the extent to which the site could contribute to delivering the district's housing needs. Reducing the extent of the site to exclude the woodland area would result in the same outcome, preventing the delivery of a critical mass of dwellings required to fund and maintain new service provision necessary to make new free-standing communities viable and sustainable, particularly in this location where existing infrastructure provision is so limited.

Sustainability Appraisal (SA) Addendum March 2026

- 2.42. The SA Addendum has been produced to assess 271 reasonable alternative sites for residential use which have been identified by the Council – following a comprehensive assessment and filtering process – as being genuinely capable of being selected as allocations within the emerging Local Plan. This assessment does not take into account any mitigation, which of course, as explored in more detail above for our client's site, can and will be forthcoming where required.
- 2.43. Whilst we have not carried out an exhaustive review of the SA Addendum, we do have some points we would like to raise which should help to demonstrate how the site will directly address some of the issues identified within the report.
- 2.44. In terms of landscape character against which the site scores a minor negative, we believe that the site is able to mitigate this score, at least to a neutral basis, in the event that it provides for the significant area of landscaped green space in the western half of the site, not least driven by the presence of overhead powerlines effectively splitting the site, as proposed on the submitted Framework Plan. Similarly we consider that in the event that the site delivers this asset alongside current intentions to provide public access to this land including via a cycleway, that the site will be able to deliver a net positive impact in terms of 'loss of green space'. The site will provide publicly accessible and high quality green space on land which is currently unable to be enjoyed providing little by way of tangible value normally associated with green spaces. The Council does, of course, have within its remit the ability to draft allocation specific policies which require these interventions, thus effectively mitigating concerns raised by the SA. To inform policy requirements to mitigate issues identified within the SA is of course a core purpose of the SA process.