

North East Derbyshire Local Plan - Issues and Options Consultation on the Strategic Approach to the Location of Development and Refined Schedule of Sites (Regulation 18) (March 2026)

Response on behalf of the Devonshire Group

29th April 2026

Our Ref: 15.024 NED LP R18 Response 29-4-26

Introduction

This statement represents the considered response of the Devonshire Group to the Council's Regulation 18 consultation on the 'Local Plan - Issues and Options on the Strategic Approach to the Location of Development and Refined Schedule of Sites'. The Devonshire Group comprises businesses and charities throughout the UK and Ireland, including farming, sustainable forestry, retail, luxury accommodation and property development. The Group is custodian of heritage assets in Derbyshire, Yorkshire, Sussex and County Waterford, Ireland. The Devonshire Group's interests in North East Derbyshire extend across in-hand and tenanted farms and other rural enterprises, and residential and commercial properties.

The Group employs over 600 full time employees. It is committed to quality in all its activities and takes a responsible approach to development; as such, it measures performance in financial as well as social and environmental terms ('Triple Bottom Line - people, planet, profit'). The Devonshire Group's vision is 'Benefitting our heritage, our people, and our shared future'.

The Devonshire Group welcomes this consultation as an important step towards the adoption of a new Local Plan that is reflective of, and responsive to, the needs of the District, in all its facets, and is capable of helping the Council to deliver upon its statutory duties but, more critically, supporting progress, working with its partners and stakeholders, towards the achievement of sustainable development in all its forms.

Responses are provided on selected elements of the Consultation. Where silent, the Group has no specific view on the matter at this time, but reserves its right to comment on same or similar issues in any later consultation on the emerging Local Plan.

Should officers have any queries in respect of the responses provided, we would be pleased to provide any necessary clarity or confirmation.

Proposed Approach to the Location of Development and Development Needs

When examined, Local Plans are assessed against legal and procedural requirements and the tests of soundness. Plans are considered 'sound' where they are: positively prepared, justified, effective and consistent with national policy.

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To be positively prepared, a Local Plan must provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs. It must also be informed by effective cooperation with neighbouring authorities to ensure that unmet need is accommodated where it is practical to do so and consistent with achieving sustainable development.

To be consistent with national policy, a Local Plan must enable the delivery of sustainable development in accordance with the National Planning Policy Framework (NPPF) and other national policy guidance.

Accordingly, and in order to support the Government's objective of significantly boosting housing supply, it is essential that sufficient homes are planned for and that an appropriate range of sites is identified in sustainable locations. Paragraph 61 of the NPPF makes clear that the overarching objective is to meet identified housing need in full, including an appropriate mix of housing types to meet local requirements.

Strategic policies should be informed by a robust local housing need assessment using the standard method. Where needs cannot be met within neighbouring authority areas, this should also be reflected in the overall housing requirement.

It is also important to recognise that the current national policy position, reinforced by recent correspondence between the Secretary of State and Cotswolds District Council, confirms that the standard method figure represents a minimum starting point for plan-making rather than an advisory benchmark.

Although the Council is not inviting comments on the proposed overall housing target as part of this consultation, it is positive that the consultation is based on meeting the overall housing target set by the standard method, being 12,000 dwellings over the period 2024–2044. However, it is noted with some concern that within the 'Development Needs – Context' section, the Council reports on *'the majority of respondents to the previous consultation indicated a preference for lower levels of housing and employment within the district, which would involve seeking a lower than standard method housing target, and a lower, but within 'range' employment target'*. It is noted that *'no final decisions have been made around the amount of housing or employment development'* that the new Local Plan will provide for. Without very strong evidence otherwise, it is necessary to plan for meeting those needs 'in full'.

Clearly, with the in-hand Green Belt Review *'scheduled for completion in the Summer'*, the Council currently lacks a key piece of evidence that will be required to inform decision making around both the quantum and location of future development.

We strongly support the Council's commitment to meeting its full housing requirement. Any failure to do so would risk the Plan not being positively prepared and would undermine its consistency with national policy.

Spatial Distribution of Development

The Council's overall approach to the spatial distribution of development, which seeks to promote a sustainable pattern of growth across the district, is welcome. Based on the Settlement Role and Function Study, the Settlement Hierarchy Topic Paper, and the Issues and Options consultation, we concur that the proposed approach broadly reflects the established and 'sound' settlement hierarchy of the adopted Local Plan.

The principle of directing growth towards the most sustainable settlements is clearly appropriate. This is further strengthened by the proposed cascade approach, which prioritises higher-order settlements within the hierarchy for the majority of development.

However, firm conclusions on the priority that should be given to locational options are not yet possible, pending the completion of further analysis of individual site options and the Green Belt Review. As an example of the criticality of the latter, the inclusion of land on the 'edges of Chesterfield and Sheffield' within the Priority 1 tier raises unresolved spatial planning concerns. Whilst, in principle, this approach is supported due to the proximity of these locations to major urban areas, in practice the identified land (accommodating approximately 1,600 dwellings) is constrained by its designation within the Green Belt. A similar issue arises in respect of the Eckington South strategic site, which has an indicative capacity of 1,500–2,500 dwellings and is also located within the Green Belt.

National policy attaches great importance to Green Belt land. Paragraph 145 of the NPPF (2024) makes clear that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the plan-making process. Such circumstances will generally only arise where identified development needs cannot reasonably be met through alternative, non-Green Belt locations.

Before concluding that exceptional circumstances exist, the Council must demonstrate that it has fully examined all reasonable alternatives for meeting its development needs. At present, and pending the outcome of the Council's Green Belt Review, such exceptional circumstances have not been demonstrated. In these circumstances, the Council should continue to prioritise and maximise development within and adjacent to sustainable locations that are not constrained by Green Belt designation.

It is noted, and strongly supported, that the Council's spatial strategy seeks to maximise allocations outside the Green Belt, including within Level 1 settlements and sustainable Level 2 and Level 3 settlements. This represents a clear and sound direction of policy travel.

Accordingly, it is essential that the Council fully examines all reasonable alternatives outside the Green Belt before any consideration is given to boundary alteration. Only where this exercise demonstrates a clear shortfall in deliverable supply should Green Belt release be considered.

Failure to properly test and prioritise reasonable alternatives would render the Plan unsound on the basis that it is neither justified nor consistent with national policy.

In this context, land around Holmewood and Heath provide opportunities to contribute to meeting housing need, supporting the Council's spatial strategy. Some flexibility will almost certainly be required around the detailed final quantum of development that will be directed to specific settlements if maximum advantage is to be taken of non-Green Belt opportunities. Collectively, additional land release around lower order settlements (outside of the Green Belt) could make a meaningful contribution to housing delivery across the Plan period, whilst also reducing pressure for unnecessary Green Belt release and ensuring that land designated as Green Belt remains permanently open in accordance with its intended function.

On the matter of meeting employment needs, it is noted that the 'Bolsover, Chesterfield and North East Derbyshire Economic Needs Assessment Study - Final Report', prepared by Lichfields for Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council is now over a year old (dated 6th March 2025). It references cross-boundary influences on the demand for employment land across the three authorities. Ongoing demand for additional employment land is identified. The opportunity to make provision for additional logistics/distribution floorspace is also identified; if not provided within the three authorities such floorspace could be 'lost' to other regional locations (along with the employment opportunities thus created).

Settlement Hierarchy

All plans should promote a sustainable pattern of development that seeks to: meet the development needs of an area; align growth and infrastructure; improve the environment; and mitigate and adapt to climate change. In doing so, they must play an active and central role in directing development towards sustainable spatial solutions.

Strategic policies should establish a clear and robust framework for the pattern, scale and design quality of development. It is therefore essential that a coherent and effective spatial strategy is adopted, ensuring the efficient and equitable distribution of growth across all levels of the settlement hierarchy. The existing settlement hierarchy provides a well-established, tested and proven framework, forming a sound and appropriate starting point for directing sustainable growth. It provides a clear and logical structure which appropriately balances development across settlements with varying levels of infrastructure, services and accessibility.

The proposed settlement hierarchy, as set out in Table 8, clearly identifies settlements that are demonstrably sustainable. The methodology underpinning these conclusions is supported.

Within Chapter 5 of the NPPF, paragraphs 81 to 83 set out clear guidance that planning policies should be responsive to local circumstances and should support housing delivery which reflects local needs. In promoting sustainable development in rural areas, housing should be directed to locations where it will enhance or maintain the vitality of communities. Furthermore, authorities should identify opportunities for settlements to grow and thrive,

particularly where this will sustain or enhance local services. Importantly, where groups of smaller settlements exist, development in one settlement can appropriately support and reinforce services in another.

The smaller settlements logically score more modestly than the larger settlements in relation to facilities and services, as higher populations underpin the economic and social viability of such facilities and services. In considering opportunities around the lower order settlements, such as Heath, it should be borne in mind that the allocation of additional housing growth to those settlements, with consequential rise in resident population, could help to support the retention of existing services and facilities and / or the introduction of new services and facilities, thereby reinforcing a settlement's inherent 'sustainability'. Any affirmative decision to not allocate growth to such settlements can serve to reinforce existing patterns of 'poor sustainability'.

Effective decision making around these issues requires an understanding of the functional relationship between neighbouring settlements (catchments for services and facilities) alongside any within-settlement catchments.

The Council's overarching strategy to maximise development in areas outside of the Green Belt and the proposed use of a cascade approach to the distribution of housing allocations is supported. This approach is of critical importance to ensuring housing delivery across the Plan period. Whilst the focus is appropriately directed towards Level 1 settlements, it is recognised that capacity within these locations is constrained in by the presence of extensive Green Belt designations, with the exception of Clay Cross.

It is important to recognise that the settlement hierarchy represents a theoretical assessment of settlement capacity and does not, in itself, account for the practical constraints imposed by planning designations and environmental limitations. In reality, even higher-order settlements, including Priority 1 locations, may be significantly constrained in their ability to accommodate development.

Given the Government's clear commitment to the protection of Green Belt land, and the requirement that any alteration to Green Belt boundaries must be fully justified by exceptional circumstances, it is considered that the proposed cascade approach may require a greater proportion of development to be directed to unconstrained, sustainable settlements. As referenced above, this includes Level 2 settlements such as Holmewood and Level 3 settlements such as Heath.

In this context, it is essential that the Council fully examines and maximises all reasonable alternatives outside of the Green Belt before any consideration is given to Green Belt release. Only once all reasonable opportunities have been fully exhausted should the Council then consider any release of land currently designated as Green Belt.

Sustainability Appraisal

We recognise that the Local Plan must be informed throughout by a Sustainability Appraisal (SA) that fully complies with the relevant legal and procedural requirements. Having reviewed the SA, it is evident that it has sought to provide a comprehensive assessment of how the emerging Plan has considered and addressed economic, social, and environmental objectives to date. That said, the document presented for review as part of the consultation ('Sustainability Appraisal of the North East Derbyshire Local Plan 2022-2044 - Regulation 18: Addendum to the Issues and Options SA') acknowledges that it is not the final SA-type assessment that will be undertaken to inform decision making around the final form of the emerging Plan.

At section 3.2.4 it states that *'It should be noted that for the purpose of this SA report, all assessments have been prepared without consideration of detailed mitigation, which can be factored in at the next stage once the Local Plan policies have been drafted'*. Assessment outcomes may therefore be subject to change, which could result in sites that have not been preferred to-date being identified as offering development advantages.

In addition, the SA acknowledges that it was prepared on the basis of incomplete information, with an expectation that additional data on some matters will be available to inform later SA stages. For example, at section B.4.2.6, the SA states that *'No specific mapped information regarding the setting of heritage assets has been available to inform the assessments; it is recommended that site-specific evaluations are carried out by qualified professionals to determine this and inform any development proposals'*. The Local Plan consultation as a whole (including its evidence base) makes reference to a number of heritage assets as influential to the selection of potential development sites. In the assessment of site ref. 45123 'Land to south of Church Lane, Stockley (north of Doe Lea)' in the Employment Land Availability Assessment, the 'landscape' comments state that *'Although the land itself has little inherent strength of character, it is visible in the wider landscape and does play an important role in protecting the rural setting to the Grade 1 listed buildings of Bolsover Castle, Hardwick Hall and Sutton Scarsdale Hall, effectively forming part of the 'heritage triangle' between these properties'*. The SA would not appear to offer any direct 'mapping' of this 'rural setting', with mapped analysis within the SA not extending beyond the District's boundaries. It is therefore not entirely clear on what basis the assessor has reached that view or to what extent there may be opportunity to avoid or mitigate any potential adverse effects. Without clarity on such matters, the SA will not provide an as effective or reliable tool as would otherwise be the case, to best inform decision making.

Whilst it is acknowledged that the SA has necessarily undertaken a high-level appraisal of in excess of 300 sites, it is essential that the underlying data and conclusions remain accurate, robust, and consistently evidenced. This is particularly important given that inaccuracies or inconsistencies in the SA process may result in the unjustified discounting of otherwise suitable and deliverable sites, or conclusions being reached on the basis of incomplete or unsubstantiated evidence. Accordingly, it is imperative that the SA forms a robust and

transparent component of the plan-making process, capable of withstanding scrutiny and supporting sound decision-making.

Refined Schedule of Sites:

Priority 2 – Level 2 Settlements – Larger Villages

Holmewood

45152 – Land to West of Slack Lane, Holmewood

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

Site 45152 offers the opportunity for ‘organic’ growth of Holmewood that is close to key local services (primary school within easy walking distance) and unencumbered by major constraints. The proposed National Grid overhead electricity line referenced within the consultation does not directly impact the site in-so-far as pylons would not be located within the site and transmission lines would not cross it. Dwellings could be positioned so as to avoid direct or otherwise detrimental views of/towards the pylons and lines, if the new line is commissioned. Site masterplanning could address any landscape sensitivities, through avoiding development on more prominent parts of the site and / or through the introduction of structural landscaping/tree planting. Other matters, including surface water drainage and provision of access, can also be addressed through masterplanning.

45192 – Land to north of Mansfield Road, Doe Lea (within Heath & Holmewood Parish)

The site is fully owned by the Devonshire Group and its allocation for employment use is supported.

The site’s location within the ‘heritage triangle’ is acknowledged. As identified by the referenced Landscape Assessment, the site is screened in the local landscape due to its low lying levels relative to the M1 motorway and the A617 Mansfield Road together with extensive boundary vegetation. Additional landscape screening could be introduced as part of site masterplanning. The site does not present any technical constraints that could not be overcome, including avoiding areas identified as being at an elevated level of flood risk. The site is very well located to take advantage of transport connectivity provided by the M1.

Priority 3 – Level 3 Settlements – Smaller Villages

Heath

The Devonshire Group welcomes the continued identification of a significant number of sites around Heath as potential housing sites. The Group owns either in full or in large part the identified sites. Through the current Local Plan period, and in recent times before that,

7

very limited new development has been supported at Heath. Its designation as part of a Conservation Area and relatively limited range of services and facilities have been factors in that restraint. The settlement continues, however, to present development opportunities of varying scales and locations that could make a useful contribution to meeting the District's housing needs, support the vitality and sustainability of the village, without detriment to characteristics of recognised importance.

Beyond smaller-scale development, there remains the opportunity for a more significant expansion of the settlement, making use of land to the west of the main built up area. The quantum of development that could result from such a scheme would support the vitality and viability of existing services and facilities and could allow for the (re)introduction of additional services and facilities. As an experienced developer with commitment to long term beneficial outcomes, the Devonshire Group could, with Council and community support, take a lead role in the comprehensive masterplanning and overall conduct of such a proposal. Other more modest schemes could also be progressed under the umbrella of a masterplan-led framework with community input. Such an approach might be suitable, for example, should a cluster of sites be supported, that could include those sites identified at the north-western edge of the village, including Smithy Farm, land to its east and land to the south of Mansfield Road. Development of land in that area would extend the 'ribbon' form of development characteristic of Heath, without detriment to its historic core.

45120 – Smithy Farm, Mansfield Road, Heath

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

The site is previously developed land. The Council has previously supported residential development by way of the grant of outline planning permission for 8 dwellings. Comprehensive evidence demonstrating its suitability, capacity and deliverability was submitted under previous planning applications, confirming that there are no technical barriers to the site's redevelopment (see planning applications ref. 18/00287/OL and 23/00286/FL). As identified in the consultation document, the site could be combined with neighbouring site 45122 to the east to deliver a larger residential allocation. Development of the site, on a stand alone basis or with the adjacent site to the east, would be consistent with the established 'ribbon' development character established by the village's growth over time.

45122 – Land to East of Smithy Farm, Heath

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

The site represents an infill opportunity on a modest paddock, the frontage of which is already broken by residential development. The site could be developed independently or in

conjunction with Smithy Farm, to the west. The site wraps around one existing dwelling ('Rose Cottage'), with the A617 to the north and residential uses to the east and south. The former farmstead and commercial yard of Smithy Farm is to the west. Connections to all mains utilities are available or could be provided to an appropriate standard. There is an existing field access on to Mansfield Road. A new / improved access point could be created onto Mansfield Road.

Development would link existing residential development to previously developed land (Smithy Farm – see site 45120), thereby maintaining the linear character of the village.

The site falls within Heath Village Conservation Area. An appropriately high quality design / layout could be achieved having regard to the special character and appearance of the local area. Existing boundary trees and hedgerows could be retained. Noise from the A617 to north can be satisfactorily addressed through appropriate design (see technical details submitted in support of planning applications at Smithy Farm site ref. 45120).

45144 – Land to North of Main Road/South of Main Road/West of Main Road, Heath

This site is largely owned by the Devonshire Group and its allocation for residential development is supported. Other landowners are understood to include Derbyshire County Council. The Devonshire Group would work positively with other landowner(s) to explore and deliver development across the site.

The site represents an opportunity for comprehensive, masterplan-led development to allow the westwards extension of Heath, with an opportunity to make a significant contribution to meeting local housing need and enhancing provision of local services and facilities, including greenspace.

45145 – Ivy Farm, Heath

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

Although located on the edge of the village, the immediate locality is characterised by residential development to the north, east and west (field intervening), with agricultural land to the south and immediate west.

The site could be developed independently or development of the site could be considered as part of a wider 'cluster' of sites around this western edge of the village. This could include land to the east, south and west.

The site offers the opportunity for conversions and new build in-keeping with village character/form.

There are no technical constraints to the site's development that could not be overcome through appropriate design.

The site is within the Heath Village Conservation Area. Appropriate high quality design / layout could be achieved having regard to the special character and appearance of the local area.

Existing boundary trees could be retained.

45148 – Land to South and West of Ivy Farm, Heath

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

Although located on the edge of the village, the immediate locality is characterised by residential development to the north west, the former Smity Farm farmstead to the north, and Ivy Farm farmstead to the east, along with agricultural land.

The site could be developed independently or development of the site could be considered as part of a wider 'cluster' of sites around this western edge of the village.

An existing access track extends from Mansfield Road through the paddock to a yard area. That access could be retained and improved or a new access provided on to Mansfield Road.

There are no technical constraints to the site's development that could not be overcome through appropriate design.

The site is within the Heath Village Conservation Area. Appropriate high quality design / layout could be achieved having regard to the special character and appearance of the local area.

Existing boundary trees could be retained.

45151 – Land to the South East of Main Road, Heath

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

Although located at the 'entrance' to the village, the site is characterised by residential development to the east and north-east and a residential care home to the west. The site is visually separated from the wider countryside by the main road leading into the village and the A6175, resulting in the land being 'read' as part of the village. Development of the site would maintain the linear character of the village.

There is an existing gated access on Main Road, which could be improved or alternative access provided. There are no technical constraints that could not be addressed as part of comprehensive design.

The site is within the Heath Village Conservation Area, so appropriate high quality design / layout would be achieved having regard to the special character and appearance of the local

area. Existing boundary trees and hedgerows could be retained. Internal trees and hedgerows could be integrated into layout. Noise from A6175 to south would not limit the site's development potential.

45184 – Land to the Rear of Village Hall, Heath

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

The site comprises traditional buildings, associated unused or underutilised undeveloped land. The previous use of the site was a former workshop, domestic garden and agriculture (small paddock, possibly previously associated with domestic use).

The site has residential development to the north, east and south, with agricultural land to the west. Connections to all mains utilities are available or could be provided to an appropriate standard.

Access is available to Main Road via an existing shared drive. The opportunity exists to create a new access point into paddocks north of Mattark Cottage.

The site presents an opportunity for modest and sensitive infill development and 'rounding off' of the settlement boundary.

The former workshop is suitable for conversion to residential use.

Development could be planned holistically though developed out as one, two or three separate parcels, making use of two access points, offering design and delivery flexibility.

The site is within Heath Village Conservation Area. Appropriate high quality design / layout could be achieved having regard to the special character and appearance of the local area, including the setting of the former workshop. Boundary trees and hedgerows could be retained. Design / layout would seek to retain other trees of importance

45197 – Land to South of Wilson Lane and East of Main Road, Heath

The site is fully owned by the Devonshire Group and its allocation for residential development is supported.

The site offers the opportunity for a modest eastward extension of the village in a location that is enclosed by existing urban development to the west and the A6175 to the east, with limited wider landscape impact.

Comprehensive consideration of design and technical issues, including the need to ensure appropriate means of access and landscape planting, would help to ensure the resulting development did not detract from the Conservation Area in which it is located.

The development capacity of '16 dwellings' suggested in the consultation document is likely under representative of the site's true capacity, being '*based on prevailing neighbouring densities*' (which are generously sized plots) rather than a full consideration of design opportunities and constraints, which would take into account wider village characteristics.

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