

LOCAL PLAN REPRESENTATION (REGULATION 19 STAGE)

Submitted to: North East Derbyshire District Council

For completeness and to ensure appropriate evidential weight is given, the original supporting text of the Council's discussion on the Local Plan is appended to this representation to retain the context of local engagement; this section also includes photographic evidence to assist in illustrating site characteristics and constraints.

Part B – Representation

1. Plan / Policy / Site Reference

- Site 45011 – Land rear of Station Road
- Site 45234 – Land rear of Queen Street / Station Road
- (and wider Pilsley / Lower Pilsley allocations)
- Dark Lane is one of the oldest routes in the village and development proposed in that area will have an adverse impact on the route

2. Summary of Representation

This representation objects to the allocation of the above sites on the basis that the Local Plan is **unsound**.

Specifically, the Plan fails the following tests of soundness (as defined in the National Planning Policy Framework):

- **Not justified** – not based on proportionate or robust evidence
- **Not effective** – significant deliverability constraints remain unresolved
- **Not consistent with national policy** – fails to achieve sustainable development

These are the core tests used by the Planning Inspectorate when examining Local Plans

3. Detailed Objection

3.1 Strategic Unsoundness

The scale of development proposed across Pilsley and Lower Pilsley represents an approximate **50% increase in settlement size**, which is disproportionate to the capacity of local infrastructure.

3.1.1 Failure – Justified

The Plan is not based on robust or proportionate evidence because:

- Infrastructure constraints (health, transport, education) are already severe
- No clear mitigation strategy is demonstrated
- Alternative, less harmful options do not appear to have been adequately assessed

3.1.2 Failure – Effective

The Plan is not deliverable because:

- Highway access constraints remain unresolved
- Flood risk and drainage issues are known but not mitigated
- Ground contamination risks may significantly affect viability

3.1.3 Failure – Consistent with National Policy

The proposals conflict with sustainable development principles by:

- Failing to protect environmental assets (PRoW network, landscape character)
- Increasing reliance on private car use
- Placing development in locations without adequate services

3.2 Site-Specific Objections

Site 45011 – Land Rear of Station Road

Access and Highway Safety

Recent engagement with local residents indicates that:

- A potential primary access may exist between properties on Station Road
- Secondary access routes may be possible via:
 - The Paddocks
 - Gaps within Station Road frontage

However, this does **not resolve the fundamental issue**, namely:

- The surrounding road network is not designed to accommodate increased traffic
- Station Road is constrained by on-street parking and limited carriageway width
- Estate roads such as The Paddocks are unsuitable for significant additional vehicle movements

Conclusion:

Whilst access may be technically achievable, it is **not suitable or safe**, and therefore the site is not deliverable.

Ecology

It has been reported that:

- A [REDACTED] exists in proximity to Dark Lane

Whilst unverified, this is a **material planning consideration**, requiring:

- Full ecological survey
- Potential mitigation or restriction of development

Site 45234 – Land Rear of Queen Street / Station Road

Ground Conditions and Contamination

Consistent local recollection indicates:

- Historic presence of **Japanese knotweed**
- Possible **asbestos-containing material** deposited on site
- Anecdotal evidence of **ground contamination**, including possible arsenic traces

Whilst not formally evidenced at this stage, these concerns are:

- Repeated across multiple independent accounts
- Consistent with the site's known planning history

Conclusion:

The site is subject to **significant potential abnormal costs and risks**, affecting viability and deliverability.

Access Constraints

Residents confirm that:

- Previous attempts (circa 2013–14) were made to acquire properties to enable access

This indicates:

- Longstanding access difficulties
- Potential reliance on third-party land assembly

Conclusion:

Access remains uncertain and constrained, further undermining deliverability.

3.3 Flood Risk and Drainage

Both sites contribute to:

- Increased pressure on culverted watercourses
- Known blockages and flooding affecting Bridge Street

Development would:

- Increase surface water runoff
- Exacerbate existing flooding issues

Conclusion:

The Plan fails to demonstrate that flood risk can be adequately mitigated.

4. Overall Conclusion on Soundness

The Local Plan is **unsound** in respect of these allocations because it:

- Is not supported by robust evidence (**not justified**)
- Cannot be delivered without unacceptable impacts (**not effective**)

- Conflicts with sustainable development principles (**not consistent with national policy**)

5. Requested Modification

It is requested that:

- Sites 45011 and 45234 are **removed from allocation**, or
- The Plan is modified to:
 - Reassess site suitability based on infrastructure capacity
 - Require full evidence on access, contamination, and flood risk prior to allocation

Summary of Discussion

Pilsley

- 2021 census states that there were 1,543 properties in the parish. The population was relatively stable between 2011 and 2024 rising from 3,487 people to 3963. A 13% increase. If all sites in the consultation document were to be granted they would add 245 properties to Pilsley and 490 properties to Lower Pilsley, approximating to a 50% increase in the size of the village.
- Poor infrastructure – no doctors or dentists and the ICB only recently has made clear it has no plans for reopening GP provision within the parish. The 2025 Indices of Multiple Deprivation revealed that health outcomes for people in Pilsley had deteriorated significantly since the last data set was published in 2019, meaning some residents of the village had some of the worst health outcomes of any community in NED.
- Last year the parish temporarily lost its bus service, and the replacement service is only an hourly service, with no evening or Sunday/Bank Holiday service.
- Impact on schools – data on the Gov.UK website states Pilsley Primary School has a capacity of 206 pupils but had 220 pupils on its roll, whilst Park House Primary had a capacity of 215 with 207 pupils on its roll. Applying recently used DCC S106 funding formula, the developments at the two large sites in Pilsley add 55 primary aged pupils to the area. Many of Park House Primary's pupils travel to school by private vehicle from neighbouring parishes, causing serious congestion and highway safety issues on the roads around the school. Developments of all four sites in Lower Pilsley could be expected to add 123 primary aged children to the area.
- Formal recreation space for the parish is located in Pilsley and, whilst it has been modernised and improved, it would be insufficient to accommodate usage from further large-scale housing developments.
- Pilsley Parish is well served by a PRoW network that links into the Five Pits Trail and the wider countryside beyond. The 2025 Indices of Multiple Deprivation, "livening environment" domain was the only category in which the village was less deprived than the English average. That in part is due to access to the countryside and the PRoW network. Virtually every one of the

major development sites being consulted upon impact on that PRow network and, therefore, it involves an adverse risk to the health deprivation levels in the village if they are granted.

- Lower Pilsley has its own identity and is separated from Pilsley by open space – farmland and recreation land. It has few communal facilities – a children’s play park, a café and pub – and residents travel, mainly by private car, to access services. The Parish Council divested itself of the management of Pilsley Village Hall and would be unlikely to be willing to adopt the ongoing responsibility and upkeep of any halls or communal buildings built because of development in Lower Pilsley.
- Both villages have few employment opportunities, secondary education is split between Tupton Hall School and Tibshelf Community School (both a bus ride away), whilst post-16 education is predominantly provided at Tupton Hall School and Chesterfield College.

Pilsley

Site specific comments

Site 45011 land to the rear of Station Road

This site is visible from the Five Pits Trail and Bridle Way 41, known as Dark Lane. Development of the site will impact on views of the village centre and St. Mary’s Church, looking from the east, and impact on the character of the area.



View looking south towards Pilsley from the Five Pits Trail



View looking south towards Pilsley from the BW 41 Dark Lane

Highway access to the site is unclear. Access from Warren Close would require access over private land, whilst access from The Paddocks is restricted and may also involve crossing private land.



View of entrance to site 45011 from The Paddocks



View looking eastwards from top of The Paddocks towards site entrance

Access to that entrance is through an established estate that was never designed to take the additional volumes of vehicles associated with a development of this size. Back Lane and Slacks Lane are unsuited for significant extra traffic movements, meaning Forrest Drive may have to take the bulk of any additional movements if access to the site was solely from The Paddock's entrance. Alternative access off Station Road is currently limited to a farm track next to an electricity sub-station. As it runs westwards, towards Pilsley, Station Road in effect becomes a single carriageway for much of its length as you approach the village centre due to the lack of off-street parking for the terraced properties on that section of carriageway.

The site contains a stream, the start of the River Rother, which is culverted twice, once as it passes the Sampson playing fields and secondly as it approaches Bridge Street, where it passes under properties until it reappears into the open south of Lansbury Avenue. Maintenance of the second culvert as it passes under private properties is a genuine issue which, so far, has yet to need addressing but could become a greater risk if required to carry additional water flows because of development of this site and/or site 45234. Both culverts are currently regularly subject to blocking, causing localised flooding and, during heavy rainstorms, this has led to flooding of residential properties on Bridge Street.

Site 45234 land to the rear of 2 to 68 Queen Street and 19 to 57 Station Road

This site is immediately south of site 45011 and suffers from many of the same constraints as that site in terms of visual impact from the Five Pits Trail and BW 41 Dark Lane, and the risk of flooding to neighbouring properties on Bridge Street. Indeed, the cumulative impact would be greater if both sites were to be developed.

This site previously received permission for housing about a decade and a half ago but work never commenced. Local recollection suggests that the site was subject to Japanese knotweed, and there is even a suggestion that there may be asbestos on the site.

Access to the site is unclear but appears to be off Station Road. At this point access along Station Road is starting to become restricted due to on-street parking which would restrict visibility for any vehicle exiting the site. Previous suggestions for a roundabout associated with that earlier planning permission proved impracticable on highway engineering grounds.

Site 45015 Land to the rear of Manor House, Manor Close

Access to this site appears to be via the existing narrow unadopted single track which has a bungalow on either side. It already serves a number of properties and will service the additional dwellings currently under construction. At the point it accesses Station Road the road is generally a single carriageway, including

immediate opposite Manor Close, due to on-street parking for the terraced properties that line the road.



View of entrance into Manor Close from Station Road



View of exit from Manor Close onto Station Road



View of Station Road looking east from junction with Manor Close

Lower Pilsley

Site specific comments

Site 45542 land at Lower Pilsley

This site involves a significant intrusion into the countryside and would be out of character with the area. It would be visible from North Wingfield and Clay Cross. The site includes, at its northern extreme, an area of Settlement Gap land and were this site to be granted it would amount to a significant narrowing of the Settlement Gap between Lower Pilsley and North Wingfield and between Lower Pilsley and Danesmoor. The current parish boundary between Pilsley and Clay Cross is subject to a Community Governance Review conducted by NEDDC that is likely to see the parish boundary move eastward towards Lower Pilsley.

The site's northeastern boundary is marked by PRoW NE FP 24 for its entire length. NE FP 23 runs the entire length of the site on a north-south axis, generally following the current hedge line. Access to the site would appear to be from Pilsley Road. This is a narrow, two-lane carriageway that quickly drops away down a blind bend at its western end down Hagg Hill. The road is used for parking by parents collecting children from Park House School, reducing it to a single carriageway for most of its length with few passing places, and causing congestion and highway

safety issues. The roads northern boundary runs parallel with a children's park and play area. A second access is possible from Park House Road, but it is narrow and may have highway safety issues due to the nature of the road at that location.



View looking north
towards North Wingfield



View looking north along
route of PRow 23



View looking south uphill
towards Pilsley Road



View looking to
entrance from Park
House Road



View of Pilsley Road
looking east towards
Park House Road



View of Pilsley Road
looking west towards
Hagg Hill

Site 45884 East of Rupert Street and South of Green Lane

Development of this site results in a narrowing of the undeveloped land between Lower Pilsley and Pilsley. Although part of the same parish, they are separate communities, with their own sense of history and place. The site rises to the south, which is one of the highest points in the village and so any development has the potential to be visible from some distance, and the site will overlook the neighbouring properties. Access off Green Lane would not be without highway issues. Green Lane is a narrow country lane that has a "pinch point" just before

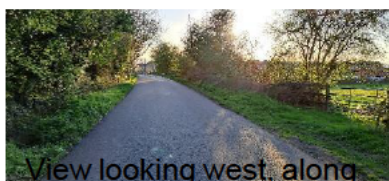
the junction with Rupert Street where it ceases to be wide enough for vehicles to pass. Immediately opposite the site is Barnetts Way, which feeds onto Green Lane, and running parallel to Green Lane, on the south-east carriageway, is a drainage ditch. The ditch is culverted as it approaches Rupert Street, with water carried under the carriageway and neighbouring properties before reappearing in the fields to the south of Rupert Street where it is discharged into the water course. Damage/blockage of that ditch is believed to be the cause of flooding of property cellars on Rupert Street and garden ponding of properties on Hazel Avenue. The purpose of the ditch is unclear, but it is likely to include catching water that drains off from this site, so as to prevent flooding of the neighbourhood and, therefore, a full assessment of this issue and flooding risks would be needed. Running through the site at the eastern end are electricity pylons, which are likely to be unaffected by the National Grid upgrade programme. PRow 19 runs through this site and gives views into the distance to north and west over North Wingfield, and towards the hills at the edge of the Peak District.



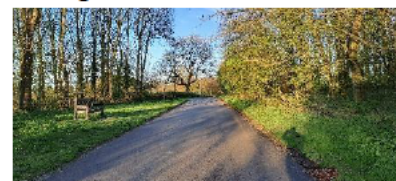
View looking north along route of PRow 19



View looking north west along route of PRow 19



View looking west, along Green Lane from the junction with PRow 19



View looking east, along Green Lane from the junction with PRow 19



View of Green Lane from Rupert Street



View of site from Rupert

- **Site 45092 Tregarthyan House Green Lane and land adjacent to Mulberry Walk**

In some respects, this is four sites, two off Locko Road and two off Green Lane and involves a substantial extension eastward, into the countryside, of the existing settlement development limit. The western end of the site is traversed by pylons and PRow NE FP 20 cuts the site in two, along a north south access. Development would have an impact on the character of the countryside and aspects of the site are visible from some distance around, including from the Five Pits Trail. The site, including PRow NE FP 20 also give views into the distance north and westwards towards North Wingfield and to the hills at the edge of the Peak District. PRow NE FP 20 itself would cease to run through open farmland and would become a ginnel through a housing estate. Access from the south

would be from Green Lane and so the highway commentary relating to site 45884 would also apply to this site. If both sites were included in the new Local Plan there would be a cumulative traffic impact. Access from the north would be from Locko Road. At this point Locko Road has left the current settlement limit of the village and becomes a country lane as it descends downhill to become Locko Lane. Some properties on Barnetts Ways have been subject to water flowing from this site, causing water ponding in gardens and, therefore, there may be a flooding issue if the development proceeds.



View of entrance to PRow 20 from Green Lane looking north.
Tregarthyn House to right of picture



View from PRow 20 looking south. Barnetts Way to right of picture. Site 45884 rising in distance



View from PRow 20 at brow of site looking north towards Locko Road



View from PRow 20 looking east towards Five Pits Trail



View from brow of PRow
20 looking northwest.
towards Mulberry Walk



View looking south,
uphill, across site from
Mulberry Walk with
PRow 20 on left



View from junction of
Locko Road and PRow
20 looking west towards
Lower Pilsley



View from junction of
Locko Road and PRow
20 looking east towards
Locko Lane

- **Site 45240 land behind Upper Croft**

This site involves an intrusion into the countryside and would be approximately 370m from the land recently granted permission for a battery storage facility. Consequently, the cumulative effect of the two developments would not be insubstantial, and it would have a visible impact on the character of the countryside. PRow NE FP 26 is in close proximity to the site and may be impacted if any access were to be via the Park House Farm development. Alternatively, access may be via the new Upper Croft development which, like the Park House Farm access, would be off Pilsley Road and subject to the same comments and highway concerns as detailed in the commentary on site 45542.



View of site 45240 looking
north from PRow 26

General Comments

Whilst opposing further large-scale development in the village the Parish Council would ask for the review process:

- Includes a review of the current local settlement gap designations as they affect the parish to ensure that they are robust, preventing further urban sprawl and the merging of villages. In particular, the designation should prevent the:
 - merging of Lower Pilsley and North Wingfield by extending the current settlement gap to prevent development on the land west of Park House Road;
 - merging of Lower Pilsley and Pilsley by extending the current settlement gap designation as far north as Green Lane and to PRow 19;
 - expansion of Lower Pilsley westwards towards Danesmoor by including a settlement gap designation at the boundary of the two parishes.
- Takes account of the need for additional school places, including the capacity of the two village primary schools to expand, should that become necessary. It should also recognise the impact on the surrounding roads and consequent highway safety associated with additional vehicle movements caused by the school run, especially at Park House School. Currently, land off Lansbury Avenue has a designation protecting it as a site for possible educational purposes.
However, that designation should not be relied upon with full reassessment as to whether the site is still a suitable and feasible location for a new school.
- Recognises the need for recreational facilities in the parish and prevents the ad hoc allocation of pocket handkerchief sized sites that meet the needs of individual planning applications but fail to meet the needs of the community. The Local Plan should identify sites for recreation as well as sites for housing. The Parish Council would ask to be fully consulted before any decisions are taken on this issue.
- Protects the PRow network, including the wider impact on the tranquillity and amenity of the Five Pits Trail, and recognises the long-term implications new largescale developments may have on health deprivation in levels in the village if the current PRow network is affected to the extent these sites would result in.
- Includes adequate provision of additional social (i.e. council) housing so as to meet local need for good quality rented property.

- Consults with the ICB so that the ICB understands the implications for GP provision in the village resulting from any additional housing. This should include consulting with Bolsover DC to understand the implications of their Local Plan for the Staffa Health patient catchment area which covers Pilsley, and include the proposals for Holmewood, Stonebroom, Shirland and Morton, so that both the ICB and Staffa Health understand the scale of development proposed by the Draft Local Plan. Depending on the on the outcome of that consultation, if necessary, land should be identified for a GP surgery in Pilsley.