

**By Email**

9<sup>th</sup> October 2020

Our Ref: P&D/Apps/CBC/MM/WK

Director of Planning  
Chesterfield Borough Council  
Town Hall  
Rose Hill  
Chesterfield S40 1LP

Dear Sirs

**Residential development of up to 650 dwellings, a residential care facility with extra care, a Local Centre (including local retail, health facilities, leisure facilities, other local facilities and services, offices), open space, community garden extension, community building, parking and associated infrastructure and earthworks. Planning Portal Reference: PP-09110730**

I am writing on behalf of the Trustees of the Chatsworth Settlement (also known as the Chatsworth Settlement Trustees, CST, which includes Devonshire Property (Mastin Moor) Limited as the owners of the application site) to submit the above application with all matters reserved except access. As such, I herein outline key matters and documentation as referenced below.

### **Applicant**

The Chatsworth Settlement, known internally as the Devonshire Group, owns the land and estates of the Dukedom of Devonshire. Its main estates are in the vicinity of Chatsworth in Derbyshire and Bolton Abbey in North Yorkshire. It also runs visitor and other businesses on these estates, including: hotels; retail and catering outlets; forestry; livestock and arable farming. It employs over 650 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.

Together with the Chatsworth House Trust (registered charity no.1511149), CST's Derbyshire Estate provides over 450 full time equivalent jobs and contributes c.£50m of enabled Gross Value Added to the local economy each year (Source: New Economics Foundation 2014). Its income funds socio-economic facilities and environmental management activities (e.g. architectural conservation) without grant support. CST therefore provides benefits far beyond "just the estate".

CST has a range of interests in the Mastin Moor area including: agricultural land supporting modern farming; commercial properties supporting local employment; farmsteads supporting smaller scale rural enterprises; most of the former Staveley Works site which it is seeking to redevelop and thereby help regenerate the area.

## Site context

The site is located at Mastin Moor, to the south of Worksop Road (A619), and to both the east and west of Bolsover Road, with part of it extending southwards to Woodthorpe Road. It encompasses some 46.2 ha of mainly agricultural land. The overall site forms a shallow valley sloping from the ridge lines along Worksop Road and Woodthorpe Road towards a watercourse that runs in a westerly direction through the site. The highest part of the site is around 119m AOD in the north-east with the lowest part in the south-west at around 56m AOD.

The site mainly comprises undulating arable fields. Its main attributes include:

- an unnamed watercourse which flows in a westerly direction through it
- Bolsover Road which runs through it on a north-south axis
- exclusion of Pumphouse Farm (dwelling and curtilage)
- field boundaries comprising hedgerows, stone walls and woodland
- isolated trees
- located entirely in Flood Zone 1
- not subject to any statutory or other (non-planning) designations.

The site is located south of the main part of the settlement of Mastin Moor (on the northern side of Worksop Road), and to the east of the settlement of Woodthorpe; the site abuts a limited number of residential properties, as well as the Mastin Moor Community Garden. The Council has recognised Mastin Moor as being within the top twenty percent of the most deprived areas in England in terms of measures including income, employment, education skills and training, and health and disability; adopted Local Plan policy therefore seeks to address these issues.

## Planning History

An outline planning application for 650 dwellings and other development, broadly comparable to the current proposals, was submitted to Chesterfield Borough Council (ref. CHE/17/00469/OUT) in June 2017. Contrary to the Officer's report recommending approval, and despite no objections being received from any statutory consultees, the application was refused by the Council's Planning Committee in October 2019. An appeal against that refusal remains extant; the Council has determined not to oppose the appeal.

Prior to that application, there was no planning history on the site of relevance to the current proposals. The longstanding use of the site has been agriculture. The site's agricultural appearance however belies historic site activities that pre-date the modern planning system, including: open cast mining (during World War Two); deep shaft mining (for coal and related drainage) at/around Pumphouse Farm; shallow/bell pit mining (various locations); early railway (connecting site of Pumphouse Farm to Norbriggs Cutting canal extension).

## Design process

CST first considered residential development options for its land at Mastin Moor in 2011 when it was identified in the Strategic Housing Land Availability Assessment by Chesterfield Borough Council as the local planning authority (LPA). This formed part of the evidence base for the emerging Local Plan: Core Strategy. CST appointed planning and masterplan specialists to explore these options. Related outputs formed part of CST's response to consultation on the Local Plan: Core Strategy.

Following adoption of the Local Plan: Core Strategy in 2013, which confirmed Mastin Moor as a focus for regeneration and growth, CST appointed an expanded team of specialists. Resulting technical surveys and reports contributed to a detailed appreciation of the development opportunity and potential constraints. These informed a masterplan-led approach that fully explored design options. This process had regard to the site's wider setting and existing development in the area.

The previous draft proposals were subject to extensive consultation with Chesterfield Borough Council, Derbyshire County Council, Staveley Town Council and statutory stakeholders. Meetings were held with groups representing local residents and interest groups including the Friends of Mastin Moor, the Woodthorpe Village Community Group and Mastin Moor Gardens and Allotments (MMGaA, formerly Mastin Moor Allotments Association). The proposals were presented at two well-attended community consultation events in July 2016, held at the Eventide Rest Room (Mastin Moor) and the Albert Inn (Woodthorpe), and were also made available to view at the same time on a dedicated website.

CST has had regard to feedback and advice it has received from all sources, and sought to incorporate amendments wherever possible to address concerns and enhance the development scheme. This includes feedback received up to, during and after the submission of the previous application. In particular, the earlier masterplan has been amended as a result of discussions with MMGaA, and CST and MMGaA have now agreed Heads of Terms for a related lease.

Whilst the design and consultation processes that have informed the proposals have therefore been extensive, CST recognises that the submission of this outline planning application is just one stage in the process towards new development. Community participation in the detailed design and future use and operation of the development (in particular the significant areas of open space) will be important if its benefits are to be maximised and reach all sections of local communities.

As such, CST intends to establish a forum, the membership of which will include representatives from the local communities and developer(s), to help inform local residents on progress with the development proposals, guide decision making on the same, enhance awareness of related benefits (including employment opportunities and training) and address any queries or issues that arise during the course of the development. The forum will also have input into the design and management of the open spaces. CST therefore remains committed to ongoing dialogue with local residents and other stakeholders.



## Development proposal

The proposal responds positively to the advice of the LPA, and comprises: residential development of up to 650 dwellings, a residential care facility with extra care, a Local Centre (including local retail, health facilities, leisure facilities, other local facilities and services, offices), open space, community garden extension, community building, parking and associated infrastructure and earthworks.

The proposal comprises a high quality development scheme designed to: address multiple deprivation issues at Mastin Moor; help regenerate the area in line with related Local Plan policy; respect but integrate with the distinct communities of Woodthorpe and Mastin Moor; acknowledge and address the specific physical challenges and constraints of the site (e.g. drainage).

The current proposal is broadly the same as that in the previous application as determined. Changes include the more explicit inclusion of 'extra care' as part of the residential care facility and provision for leisure facilities and offices within the Local Centre. These changes allow the opportunity for local community needs to be better met, including additional on-site employment opportunities, and for improved commercial flexibility, to ensure deliverability.

## Planning policy

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning application is undertaken in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration. Development Plan Documents (DPDs) which form part of the statutory development plan for Chesterfield Borough include the Chesterfield Local Plan (Adopted July 2020).

## Local policy

Relevant provisions in the adopted Chesterfield Local Plan 2020 include:

- Key Diagram - identifies Mastin Moor as a Regeneration Priority Area
- policy CLP1 Spatial Strategy - seeks to *concentrate new development within walking distance of a range of Key Services...and to focus on...Regeneration Priority Areas*; it states *The council will maximise regeneration benefits to existing communities offered by development opportunities in the...Eastern Villages – Barrow Hill, Duckmanton, Mastin Moor, Poolsbrook and that The council will make provision for the delivery of a minimum Objectively Assessed Need (OAN) of 240 new dwellings per year, (4,080 dwellings over the period 2018 to 2035)*

- policy CLP3 Flexibility in Delivery of Housing - states *Planning permission will be granted for residential development on the sites allocated on the Policies Map and as set out in Table 4, provided they accord with other relevant policies of the Local Plan; Table 4 identifies site H35 Land South of Worksop Road and East and West of Bolsover Road, Mastin Moor as having a capacity of 650 dwellings; the application boundary matches that of allocation site H35*
- policy CLP4 Range of Housing – states *the council will seek a range of dwelling types and sizes based on...evidence of housing needs and the location and characteristics of the area; in the ‘low’ CIL charging zone, 5 per cent Affordable Housing provision is required; subject to caveats, 25% of dwellings should be built to building regulations standard M4(2); Proposals for housing for older people will be permitted subject to caveats; Registered care facilities will not be expected to provide affordable housing on site or as an off-site contribution*
- policy CLP6 Economic Growth - states *Planning permission will be granted for new employment developments where they accord with the council’s overall spatial strategy; it asserts *For all major development proposals, the council will seek to negotiate agreements with developers and occupiers covering recruitment, training and procurement**
- Table 11 Hierarchy of Centres - identifies a new Local Centre at Mastin Moor
- policy CLP8 Vitality and Viability of Centres - identifies *The council will support the role of...local centres in providing shops and local services in safe, accessible and sustainable locations, that New...centres shown on the Policies Map should make a positive contribution to the centre’s viability and vitality and that main town centre uses including health, leisure, entertainment, community facilities, sports, offices, art, food and drink, cultural and tourism facilities will be supported*
- policy CLP10 Social Infrastructure - states *Social infrastructure facilities will be permitted in...local service centres where they are accessible by public transport, walking and cycling; it encourages co-location and multi-use of facilities and states such proposals should be well related to existing...settlements and public transport infrastructure, and...provide high standards of accessibility for all sectors of the community*
- policy CLP11 Infrastructure Delivery - states *Developer contributions will be used to mitigate the impact of new development and ensure that appropriate infrastructure is in place to support growth*
- policy CLP13 Managing the Water Cycle - requires flood risk to be managed for all development, and that *Sustainable Drainage Systems (SuDS) and clear*

*arrangements for their ongoing maintenance...should be incorporated into all major development*

- policy CLP14 A Healthy Environment – seeks to protect and enhance *environmental quality*, taking into account *noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight and glare[)] and other environmental impacts*; proposals should contribute positively to the water environment and its ecology, and those on contaminated or unstable land may need prior remediation
- policy CLP15 Green Infrastructure – requires the protection, enhancement, linking, management and supplementation of *the borough's green infrastructure network*, including the need for clear funding and delivery mechanisms for the long-term management and maintenance of new green infrastructure
- policy CLP16 Biodiversity, Geodiversity and the Ecological Network - expects proposals to *protect, enhance and contribute to the management of the borough's ecological network of habitats and provide a net measurable gain in biodiversity*
- policy CLP17 Open Space, Play Provision, Sports Facilities and Allotments – requires a contribution to the same where a development results in a need for new open space and outdoor sports facilities
- policy CLP20 Design - states *The Council will support outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area* and seeks to support reduced carbon dioxide emissions on major developments
- policy CLP21 Historic Environment – provides for *the conservation of designated heritage assets and their setting*, including the protection of historic environment features
- policy CLP22 Influencing the Demand for Travel – seeks to *maximise walking, cycling and the use of public transport through the location and design of development and parking provision* with priority given to *measures to encourage more sustainable travel choices*; the Council will expect proposals to include: *site specific and area wide travel demand management; improvements to walking and cycling facilities and public transport services; optimisation of the existing highway network to prioritise walking, cycling and public transport; provision of opportunities for charging electric vehicles*
- section 10.1 - notes that the identification and designation of Regeneration Priority Areas (RPAs) *reflect multiple deprivation and spatial concentrations of deprivation, expressed by the national IMD data as well as other spatial issues such as concentrations of social housing stock, proximity to major new employment development at Markham Vale, and dwindling local services and*

*facilities; it recognises that New development can help provide jobs and homes for local people, improve the environment and introduce new and potentially more active households to a deprived area and states the Council will seek to address related needs by Rebalancing the housing market...Negotiating local labour agreements...Ensuring that new development contributes to the enhancement of the area...Seeking new facilities and improvements to existing facilities...Adding value by drawing in public subsidy where possible...Working in partnership with the local community and others*

- section 10.2 - confirms that RPAs are key areas for growth as set out in the Spatial Strategy and are identified on the Policies Map
- sections 10.15 to 10.21 - outline some of the history and characteristics of Mastin Moor that have led to it being identified as an RPA; these include the loss of local employment opportunities through mine closure, reduced local services, limited variety of housing stock and challenges of education, skills, health and disability; it also identifies some of the opportunities in the area, including employment at Markham Vale
- policy RP1 Regeneration Priority Areas - sets out general guidance for development within RPAs and specific requirements within the Mastin Moor RPA; for major developments *the Council will expect a masterplanned approach to deliver sustainable high quality residential development, respecting the constraints of the area and sensitive to the adjoining open countryside and existing residential communities; moreover, Masterplans are expected to investigate the potential to, and support projects that, improve the quality of the area and the existing housing stock*; also, within RPA boundaries, the Council will grant planning permission for development which supports regeneration and where it would: ...a) extend the type, tenure and quality of housing...b) deliver environmental and biodiversity benefits...c) support or enhance existing services and community facilities...d) provide recruitment, training and procurement to benefit the local economy...e) increase trees and tree groups to enhance landscape character...f) have an acceptable impact on the wider highway network...and provide...mitigation
- policy RP1 Regeneration Priority Areas – also states that within the Mastin Moor RPA, *development is expected to: ...i. deliver up to 670 new homes on sites H1, H6 and H35...ii. provide safe and convenient walking and cycling access to job opportunities at Markham Vale, the community garden and Norbriggs and Woodthorpe Primary Schools...iii. provide a new Local Centre with additional community facilities and the opportunity for provision of health facilities...iv. provide safe and convenient walking and cycling*



*connections to the surrounding rights of way network...v. promote design that positively contributes to the surrounding area, and conserves or enhances the significance of heritage assets including the former pumping engine and tramway...vi. deliver a new and/or improved pedestrian and cycle crossing over the A619...vii. protect and enhance the setting of and access to the community garden...viii. minimise visual impact on the ridgelines along Worksop Road and Woodthorpe Road...ix. provide a defined edge of development and a clear break to prevent continued coalescence and extension of ribbon development along Worksop Road...x. maintain the distinct identities and settings of Mastin Moor and Woodthorpe through the use of landscaping and open space*

- Appendix F Indicative Housing Delivery Trajectory - identifies the application site as contributing to the Council's Five Year Housing Supply, with the completion of 50 dwellings on the site in 2023/24, rising to 60 dwellings the following year with 650 dwellings in total being delivered by 2033/34.

Other relevant planning documents by the Council include the Residential Design Supplementary Planning Document (July 2013), the Designing Out Crime Supplementary Planning Document (June 2007) and the Chesterfield Community Infrastructure Levy (CIL) which came into effect on 1<sup>st</sup> April 2016. Funds generated through CIL are used to support infrastructure that the Council, local communities and neighbourhoods have identified as required through the Local Plan process.

[Notably, CBC's CIL will be used to make provision for additional pupil capacity in existing schools to address shortfalls in capacity arising from new housing growth.]

The proposed development would be liable for CIL.

#### National Planning Policy Framework (NPPF)

The NPPF (February 2019) *sets out the Government's planning policies for England and how these should be applied.* Relevant provisions include:

- paragraph 7 - states that the purpose of the planning system is to contribute to the achievement of sustainable development
- paragraph 11 - establishes a general presumption in favour of sustainable development, for both plan-making and decision-taking; in terms of determining applications, this means Approving development proposals that accord with an up-to-date development plan without delay



- paragraph 15 - requires the planning system to be genuinely plan-led, with plans providing a positive vision for the future of an area and a framework for addressing economic, social, and environmental priorities
- paragraph 38 - stipulates that LPAs should approach decisions on proposals in a positive and creative way, and decision makers should seek to approve applications for sustainable development where possible
- chapter 5 - sets out a range of measures to support the Government's objective of significantly boosting the supply of homes, including meeting the identified affordable housing needs of specific groups
- chapter 8 - seeks to promote healthy and safe communities
- chapter 9 - promotes sustainable transport and seeks to reduce the need to travel; development should only be refused on highway grounds where safety impacts are unacceptable or the residual cumulative impacts on the network would be severe
- chapter 11 - promotes the effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions
- chapter 12 - considers what comprises good design and states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve
- chapter 14 - identifies the need to address climate change, support the transition to a low carbon future and take account of flood risk
- chapter 15 - seeks to conserve and enhance the natural environment by ensuring planning policies and decisions contribute to and enhance the natural and local environment (including the provision of net biodiversity gain); it also seeks to ensure ground conditions are suitable for a site's development, with remediation and stabilisation where necessary
- chapter 16 - addresses the historic environment, requiring applications to describe the significance of any heritage assets affected.

## Assessment

The development proposal will implement relevant Local Plan policies, especially policies CLP1 Spatial Strategy, CLP3 Flexibility in Delivery of Housing and RP1 Regeneration Priority Areas since the development proposal has been informed by a masterplanned approach (including the investigation of the potential to support development of Affordable Housing on under-used garage sites within Mastin Moor) and will:

- deliver sustainable high quality residential development and enhanced community facilities
- respect the constraints of the area and is sensitive to adjoining open countryside and existing residential communities
- extend the type, tenure and quality of housing
- deliver environmental improvements
- provide additional community facilities
- provide training and employment opportunities to existing residents
- increase trees and tree groups to enhance landscape character
- have an acceptable impact on the wider highway network and provide any necessary mitigation
- provide safe and convenient walking and cycling access to job opportunities at Markham Vale, the community garden and Norbriggs Primary School
- provide a new Local Centre with additional community facilities and the opportunity for provision of health facilities
- provide safe and convenient walking and cycling connections to the surrounding rights of way network, including connections to The Cuckoo Way and Chesterfield Canal
- promote building designs that positively contribute to the surrounding area
- deliver a new pedestrian and cycle crossing over the A619
- enlarge and enhance the Community Garden and access to it
- minimise visual impact on ridgelines
- help to provide a defined edge of development
- help to maintain the distinct identities and settings of Mastin Moor and Woodthorpe through the use of landscaping and open space.

It is therefore very much in accordance with the Local Plan. It also accords with the provisions of the NPPF. It will also have no significant adverse impacts (on traffic, air quality, land quality, water quality, flood risk, ecology, heritage, landscape) since it has been designed to mitigate any such effects. Moreover, benefits include:

- up to 650 dwellings located on land to the south of Worksop Road (east and west of Bolsover Road) extending to Woodthorpe Road
- a residential care home (80 bedrooms) with extra care facilities
- a new Local Centre (including local retail, health facilities, other local facilities and services, offices) located adjacent to Worksop Road
- a new signal controlled junction on Worksop Road providing access to the new Local Centre and residential areas, incorporating pedestrian and cyclist crossing facilities

- new priority controlled junctions on Bolsover Road and Woodthorpe Road
- an extension to the Community Garden (broadly doubling its existing size), including provision for a new community building and car park
- c.20 hectares of new parkland, play areas and other open space
- retention of existing hedgerows and trees wherever possible
- additional landscape planting (c.8,500 trees planted) and ecological enhancements (resulting in c.40% Net Biodiversity Gain)
- improved walking and cycling links towards Markham Vale
- new drainage infrastructure including surface water storage ponds
- financial contributions (expected to include £247,260 for expanded GP services, c.£1,250,000 Community Infrastructure Levy for the expansion of existing local services including Norbriggs Primary School, and £400,000 for public transport and highway contributions)
- opportunities for skills and learning through training programmes during construction and operational phases of the development (i.e. c.10 years)
- new employment opportunities during construction and operational phases of the development (c.150 construction jobs, 75 supply chain jobs and 50 jobs in Local Centre).

The development will help to address the regeneration needs of the local area for the benefit of all. In particular it will help to overcome issues that can lead to deprivation and contribute to regeneration in line with Local Plan objectives.

### **Other**

The application comprises the information listed below. No application fee is payable, as the application is of the same character or description as the previously refused application, and is submitted within one year of the decision on that application. An application fee was paid in respect of the previous application..

I trust this application is in order, and look forward to hearing from you.

Yours faithfully



WILL KEMP  
Planning and Development Manager

Enc: Completed Application Form  
Certificate B

Site Location Plan  
Topographical Survey  
Indicative Masterplan  
Detailed Access Designs  
Design and Access Statement  
Supporting Planning Statement  
Historic Environment Desk-Based Assessment  
Overarching Written Scheme of Investigation for Archaeological  
Programme  
Geo-Environmental Assessment  
Extended Phase 1 Ecology Survey Report  
Bat Survey Report  
Breeding Bird Assessment Report  
Badger Survey Report (Confidential)  
Flood Risk Assessment incl. Drainage Strategy  
Transport Assessment  
Travel Plan  
Noise and Vibration Assessment  
Air Quality Assessment  
Landscape and Visual Assessment