

**Consultation Responses**  
**Brackenfield Neighbourhood Plan**  
**Submission Draft 2019**

Respondents

1. Mr Alan Craw, Chesterfield CAMRA
2. Mr Alex Lawrence
3. Anne Edgar
4. Christine Edwards
5. Melanie Lindsley, Coal Authority
6. Byron Manning
7. Carolyn Jennings
8. Elaine Kerry
9. Steve Freek, Highways England
10. Mr Joseph Drewry, Environment Agency
11. Keith and Alison North
12. Keith Purvis
13. Mark Whittington
14. Mavis and Mark Bradley
15. Mike Edwards
16. Alice Watson, Natural England
17. Neal Steeper
18. David Wakefield
19. Caroline Wakefield
20. Helen Fairfax, NEDDC

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**Respondent 1:**

Alan Craw, Chesterfield CAMRA

**Response:**

Thank you for the opportunity to comment. What I have to say is here:

**Assets of community value; #s 169, 170/1.**

Noted that it is sought to list the church hall. To this should be added the Plough Inn as too many pubs are closed on flimsy excuses to the detriment of local life.

It would be useful to include a recommendation of the threat of compulsory purchase to #169. There is precedent for parishes to do this.

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**Respondent 2:**

Mr Alex Lawrence

**Response:**

I wish to comment on the above of which I agree with and fully support the plan that has been put forward.

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**Respondent 3:**

Anne Edgar

**Response:**

I would like to comment on the Brackenfield Neighbourhood plan and say that I am in full support of the plan in its current form.

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**Respondent 4:**

Christine Edwards

**Response:**

All members of the NP Steering Group have demonstrated a high level of interest and involvement in developing the Brackenfield Neighbourhood Plan, from its inception right up to the submission draft. There have also been many opportunities for wider community consultation and comment. Consequently, I believe that the Plan and supporting documents accurately reflect the character of the plan area and the aspirations of the local community.

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**Respondent 5:**

Melanie Lindsley, Coal Authority

**Response:**

**Brackenfield Neighbourhood Plan**

Thank you for the notification of the 1 March 2019 consulting The Coal Authority on the above NDP.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware the Neighbourhood Plan area lies within the current defined coalfield.

According to the Coal Authority Development High Risk Area Plans, there are recorded risks from past coal mining activity in the area including; 1 mine entry, recorded and likely unrecorded coal workings at shallow depth and areas of past surface mining activity.

It is noted that the Neighbourhood Plan does not propose to allocate any sites for future development and therefore we have no specific comments to make.

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**Respondent 6:**

Byron Manning

**Response:**

I have viewed the plan and as a resident of Brackenfield, I live on School Lane, I am in agreement of its contents.

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**Respondent 7:**

Carolyn Jennings

**Response:**

Submission of Neighbourhood Plan Proposal – Brackenfield

Crich Parish Council discussed the above Item at their Full Council Meeting of 2nd April 2019 and it was

Resolved: The Clerk to contact North East Derbyshire District Council and advise them that Crich Parish Council has no comment to make.

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**Respondent 8:**

Elaine Kerry

**Response:**

I am in favour of the above Neighbourhood plan submission which reflects the consideration of wildlife and birds in this rural area.

It would be an awful shame if areas like Brackenfield were over developed like so many other places have been where horse riders, walkers and dog walkers can still enjoy.

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**Respondent 9:**

Steve Freek, Highways England

**Response:**

**Consultation on the Brackenfield Neighbourhood Plan**

Highways England welcomes the opportunity to comment on the Brackenfield Neighbourhood Plan which covers the period 2017 to 2034. It is noted that the document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Brackenfield Neighbourhood Plan, Highways England's principal interest is safeguarding the A38 and M1 which route 3 miles to the south and 4 miles to the east of the Plan area respectively.

We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for Brackenfield is required to be in conformity with the emerging North East Derbyshire (NED) Local Plan (2014-2034) and this is acknowledged within the document.

We note that Brackenfield is defined as a Level 4 Settlement with very limited sustainability in the emerging NED Local Plan and therefore is not expected to accommodate any further development other than existing commitments or windfall developments which will be of appropriate scale on unallocated sites within the built-up areas of the Parish.

Highways England was consulted in October 2018 by the Parish Council on the draft Pre-Submission version of the Brackenfield Neighbourhood Plan. Our response to this consultation concluded that due to the limited level of growth expected to come forward within the Neighbourhood Plan area, it is not considered that there will be any impacts on the operation of the SRN.

Following review of the updated Neighbourhood Plan, there are no significant changes to the details provided in the October 2018 consultation documents with regards to potential implications on the operation of the SRN.

Highways England's position therefore remains unchanged, and we have no further comments to provide, and trust the above is useful in the progression of the Brackenfield Neighbourhood Plan.

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**Respondent 10:**

Mr Joseph Drewry, Environment Agency

**Response:**

**Brackenfield Submission Neighbourhood Plan**

Thank you for consulting us on the submission version of the Brackenfield Neighbourhood Plan.

As no growth is proposed the Environment Agency does not have any detailed comments to make on the Neighbourhood Plan.

## **Housing Policy**

We note that any housing will have to adhere to the requirements of the Local Plan and the policies within it such as flood risk.

## **Biodiversity Policy**

As previously mentioned within our response to the pre submission version of the Neighbourhood Plan, we welcome the requirement for biodiversity to be protected and enhanced to achieve an overall net gain in biodiversity

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### **Respondent 11:**

Keith and Alison North

#### **Response:**

We are writing to express our support for this Plan. We think it paints an accurate picture of the Neighbourhood Plan Area and we agree with the Policies.

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### **Respondent 12:**

Keith Purvis

#### **Response:**

I am writing in support of the Brackenfield Neighbourhood Plan.

I believe the document reflects the views and aspirations of the local community who support its introduction.

In particular I am supportive of the 10 objectives of the plan.

It is important that the area retains its rural charm and I certainly want to see that retained by avoiding any moderate or significant scale housing development in the area. It is also important that Brackenfield and Wessington retain their identities and that any development does not affect this.

Ensuring we maintain the natural environment of the area is a priority from my perspective as well.

I believe the plan sets out a clear direction for the area over the next 20 years and it has my support.

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### **Respondent 13:**

Mark Whittington

#### **Response:**

Policy H1 Housing

Housing development proposals for small scale infill will be supported subject to proposals being well designed and meeting all relevant requirements set out in other policies in this plan and the Local Plan

I am fully supportive of the above comments found in the Brackenfield Neighbourhood Plan. I have lived in Brackenfield for just over a year and it's a wonderful place to live.

Allowing for minor infill would, in my opinion, enhance the village by bringing different people from different backgrounds together and enjoy what Brackenfield has to offer - a friendly, welcoming community.

I don't believe allowing for minor infill would have a negative impact as one has the technology to work from home, order groceries on line etc etc. Offering minor infill may offer someone the opportunity to afford to buy/rent in Brackenfield and not just allow for expensive barn conversions.

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**Respondent 14:**

Mavis and Mark Bradley

**Response:**

Fully support this plan

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**Respondent 15:**

Mike Edwards

**Response:**

The NP process has facilitated focused, constructive engagement within our community. As a dispersed hamlet, we have endeavoured to reach a settled consensus.

Our community represents simply one of the little pieces of a complex jigsaw, which contribute to make the full picture of the English Countryside. I trust we have balanced development and preservation and the tensions inherent therein.

Community led housing responses to local need, effective rural business diversification, local green tourism and transport partnerships allied to a review of infrastructure may yield a future as envisioned in our plan.

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**Respondent 16:**

Alice Watson, Natural England

**Response:**

**Submission of Neighbourhood Plan for Brackenfield**

Thank you for your consultation on the above dated 01 March 2019

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on this draft neighbourhood plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact:  
consultations@naturalengland.org.uk.

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**Respondent 17:**

Neal Steeper

**Response:**

As residents of Brackenfield for 30 years my wife and I support this neighbourhood plan wholeheartedly. The information therein appears to be well researched and evidence is clear. Through thorough consultation we feel that our views have been well represented.

The historic rural character of this area is of high value for the region. Many features draw residents from adjacent parishes to enjoy the peaceful escape from busy roads and urban areas. Modest development of existing properties has allowed accommodation of new families in line with the modest facilities available to us.

We hope that the District Council can support this plan to help guide future development.

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**Respondent 18:**

David Wakefield

**Response:**

This is an excellent, thoroughly researched neighbourhood plan and a true reflection of the views of the community.

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**Respondent 19:**

Caroline Wakefield

**Response:**

I think this a very professional and well thought out plan which seems to have met the approval of everyone I know locally.

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**Respondent 19:**

Helen Fairfax, NEDDC

**Response:****North-East Derbyshire District Council - Officer Comments on the Brackenfield Neighbourhood Plan**

These comments are provided by North-East Derbyshire planning officers in response to the consultation by Brackenfield Parish Council on the Submission Draft Brackenfield Neighbourhood Plan under the requirements of the Localism Act 2011 and Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

The comments start with a general overview and are followed by specific points with reference to page and paragraph numbers where appropriate.

The Plan was submitted on the 21 January, prior to the 24 January 2019 cut-off date for Plans to be examined against the policies in the 2012 NPPF. However, the submission was not confirmed as fulfilling the statutory requirements until 6 February. While not significant in this instance, whenever reference is made to the NPPF the relevant date (2012, 2018 or 2019) is made clear.

Similarly the comments in this response refer to both the adopted Local Plan and the Submission Draft Local Plan, which is currently at examination, (referred to as the emerging Local Plan). The preparation of the Neighbourhood Plan has recognised the need for conformity with policies in the emerging District Plan when it is adopted. In particular some policies anticipate the Local Plan, which is not yet adopted, and while they may need to demonstrate that that they are necessary, an additional local justification may not be needed.

**General comments**

Overall, the draft Plan is well presented, and scoped appropriately, dealing with relevant local issues, leaving more strategic matters, to the Local Plan. In the main, policies are consistent, well-evidenced and clear. The supporting documents are a particularly valuable resource.

**Specific Comments:****p.5**

It would be useful for the Introduction to the Plan to reference the status of the emerging Local Plan, which is currently going through examination; and to acknowledge that there will be some need for conformity with its strategic policies when it is adopted, which is likely during the life span of this Neighbourhood Plan.

It is noted that the emerging Local Plan is referenced in paragraph 16 of the Plan however it would be useful to include some reference to it in paragraph 4

## **p.11**

Para 37, there is a typographical error, a space required between 'to' and '19<sup>th</sup>.

## **p.16**

### **Objectives**

Objective O7 could be more positively worded for example: "Work with Derbyshire County Council, other transport bodies and community transport groups to deliver sustainable transport solutions."

Para. 57 Suggest that the wording is strengthened by amending:

"... seek to **influence** planning and development outcomes" to "... seek to **deliver** planning and .....,"

## **p. 18**

Para. 65, 3<sup>rd</sup> bullet point

"Open agricultural land" – the term 'open' in this context will be subject to interpretation and could be deleted from the text without undermining the intention.

## **p.20**

### **Policy CH1 Protecting the Countryside and Landscape**

NP Policy CH1 complements Policy GS6 in the Adopted Local Plan and Policy SS9 in the emerging Local Plan, but adds detail of the local landscape characteristics of the NP area. The Policy may however benefit from the following amendments:

The second sentence could begin:

*"Where appropriate important ..."*

The second part of the Policy could be re-phrased to make it more effective:

"Development proposals that have the potential to significantly impact on the established character of the Plan area will be required to respect Brackenfield's historic character and important views, by taking full account of the Brackenfield Historic Character Assessment and Brackenfield Important Views Report, if necessary this should be made clear as part of the design and access statement."

The policy could be further strengthened by the inclusion of a map within the NP that identifies the important views.

### **Supporting Text:**

Policy CH1 may be afforded greater weight by cross referencing relevant Local Plan policies, GS6 & NE1 of the adopted Local Plan and SS9 & SDC3 of the emerging Local Plan.

**p.23**

**Policy CH2 Protecting Local Character and Distinctiveness**

Development in small village and hamlets is restricted to infill development in the emerging Local Plan Policy SS8. Policy CH2 helps clarify what the plan means by 'local character'. However, the second sentence may be more effective by amending the wording to:

"Where proposals will have a significant effect on the character of the area full reference should be made in any ..."

**p. 24**

Para. 87 may be afforded greater weight by referring to the Local Plan Policy SDC9: Non-designated Local Heritage Assets (there is no equivalent policy in the adopted Local Plan).

**p.25**

**Policy CH3 Local Character Buildings, Structures and Archaeology**

The Policy would be strengthened by listing the buildings HA1 – HA12 within the policy itself and cross referencing to a map which identifies the location of these "Locally Valued Heritage Assets".

**p.26**

**Policy CH4 Protecting and Enhancing Archaeological Sites**

Archaeology is protected through adopted Local Plan Policy BE6 and emerging Local Plan Policy SDC7, therefore this policy may result in duplication.

**p.30**

**Policy NE1 Biodiversity**

The opening sentence of the Policy reads as a statement of intent and could be strengthened by rewording to focus on encouraging a net gain in biodiversity through development proposals.

The term 'ecological enhancements' is open to interpretation. It would be beneficial to the effectiveness of the plan if the term were defined clearly in the supporting text at para. 108.

NPPF (2018) states that development plans, in order to protect and enhance biodiversity and geodiversity, should:

- (a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; ...

The Submission Draft Local Plan Policy SDC4 aims to protect and enhance the District's natural environment and increase the quantity and quality of biodiversity and geodiversity. Policy SDC4, point 1 offers protection to "*designated national and local*

sites of nature conservation importance and geodiversity value including SSSI's, LNR's, LWS's, and RIGS's as shown on the Policies Map". Point 2 promotes the enhancement of LWSs and suggests that this can be extended to 'other sites with protected or priority species' and supports similar measures to those outlined in NE1.

The Neighbourhood Plan policy seeks to protect a further 5 Locally Important Wildlife Sites. These sites are protected in a similar way to the wording of Local Plan Policy SDC4, which may lead to some confusion over the level of protection given. It would therefore, be beneficial to refer to Local Plan Policy SDC4 in the supporting text of NE1 and to clarify the level of protection given to local sites.

Reference to Figure 4 in para 106 appears to be incorrect.

### **p.30**

Para 111 refers to the Council for the Preservation of Rural England's (CPRE) 'night blight map', which illustrates that Brackenfield NPA is an area of relatively dark skies. For the sake of clarity, a footnote with a link to this document would be useful at the bottom of this page.

### **p.31**

#### **Policy NE2 Dark Skies**

The effectiveness of the policy could be strengthened by reference to mitigation measures to minimise the impact of essential lighting; and some minor changes to wording such as '**promoting**', rather than '**maintaining**' dark skies

### **p.34**

#### **Policy NE3 Woodland, Trees and Hedgerows**

Policy NE3 reflects the content of Local Plan Policy SDC2. However, it is noted that not all features listed at paragraph 123 of the NP benefit from specific protection.

Criterion 2 of Local Plan Policy SDC2 states that:

*"Development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of protected trees, hedgerows, orchards, veteran trees or woodland (including those not protected but considered worthy of protection), will not be permitted."*

It is therefore suggested that Policy NE3 would be strengthened by making reference to the Local Plan policy to clarify that they apply to both protected and unprotected features that are worthy of protection.

### **p.35**

#### **Policy NE4 Protecting Important Local Green Spaces**

Policy NE4 designates two Local Green Spaces. Whilst evidence to support both designations is set out in Appendix C of the Plan, the supporting text to Policy NE4 only refers to Brackenfield Green. This may give the impression that one site is more important than the other. It would therefore be beneficial to include a paragraph justifying the special characteristics of Holy Trinity Churchyard.

**p. 37**

**Policy REE1 Rural Tourism and Employment**

This policy appears to be compatible with both the adopted Local Plan Policy E10 and emerging Local Plan Policy WC6.

**p. 39**

**Policy REE2 Working from Home**

This policy appears to duplicate elements of the Local Plan's countryside and rural employment policies but does not contradict them.

**p.41**

**Policy H1 Housing**

Policy H1 is consistent with emerging Local Plan Policy SS8. Brackenfield is a level 4 settlement (as defined in the Local Plan) where development is restricted to minor infill development (allocated by Neighbourhood Plans) to help meet local needs for housing.

**p.43**

**Policy HW1 Protection and Enhancement of Community Facilities**

This policy duplicates emerging Local Plan policies ID4 and ID5 which seek to protect community facilities. In addition the Policy identifies a number of protected community facilities. It is considered that the Policy would be strengthened by the inclusion of a map identifying the location of the community facilities.

**P45**

**Policy HW3 Road Safety Measures**

The policy is contrary to Local Plan Policy ID2 and ID3 (Sustainable Travel), in that cumulative impacts cannot be considered.

In addition the second paragraph could be more suitably worded along the following lines:

“Development proposals that incorporate measures to improve localised issues of vehicular and pedestrian safety and movement will be encouraged.”