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19 July 2016

To: All Councillors

As a Member of the **Local Plan Advisory Committee**, please treat this as your summons to attend the meeting on **Wednesday 27 July 2016 at 6.00 pm in the MEMBER'S ROOM, COUNTY HALL, Matlock. (PLEASE NOTE VENUE)**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sandra Lamb', with a stylized, cursive flourish.

Sandra Lamb
Head of Democratic Services

AGENDA

1. APOLOGIES

Please advise the Committee Team on 01629 761300 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence.

2. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING. NB: REPRESENTATIONS MUST RELATE SPECIFICALLY TO ITEMS BEING CONSIDERED BY THE COMMITTEE AT THIS MEETING.**

The District Council's Constitution limits Public Participation to a maximum of one hour, with individual "slots" limited to 3 minutes. The length of individual slots will, however, be reduced if the number of registered speakers means the 1 hour limit will be exceeded, we will liaise with speakers, after the deadline for registration, if a reduction of their allocated time is necessary.

3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

11 and 13 July 2016

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

Page Nos

5. DERBYSHIRE DALES LOCAL PLAN – PRE-SUBMISSION DRAFT PLAN 3 - 46

The purpose of this report is to set out for Members consideration the contents of a Derbyshire Dales Local Plan Pre-Submission Draft Plan. The report recommends that the Derbyshire Dales Local Plan Pre-Submission Draft Plan and a period of public consultation on its contents be recommended to Council for approval.

PLEASE NOTE: Appendix 1 & 2 have been published separately due to the size of the documents.

Members of the Committee: Councillors Martin Burfoot, Albert Catt, Ann Elliott, Tony Morley, Tony Millward, BEM, Garry Purdy, Mike Ratcliffe, Lewis Rose, OBE, Andrew Shirley, Andrew Statham, Peter Slack, Jacquie Stevens

Substitutes: Councillors Jason Atkin, Richard Bright, Deborah Botham, Sue Burfoot, Phil Chell, Richard FitzHerbert, Chris Furness, Alyson Hill, Susan Hobson, Neil Horton, Angus Jenkins, Joyce Pawley

LOCAL PLAN ADVISORY COMMITTEE
27TH JULY 2016

Report of the Corporate Director

DERBYSHIRE DALES LOCAL PLAN – PRE-SUBMISSION DRAFT PLAN

PURPOSE OF REPORT

The report sets out for Members consideration the contents of the Derbyshire Dales Local Plan Pre-Submission Draft Plan. The report recommends that the Derbyshire Dales Local Plan Pre-Submission Draft Plan and a programme of public be agreed and recommended to Council for approval.

RECOMMENDATION

1. That the contents of the Derbyshire Dales Local Plan Pre-Submission Draft Plan as set out in Appendices 1 and 2 to this report be recommended to Council for approval.
2. That the consultation proposals as set out in Section 3 of the report be recommended to Council for approval.
3. That the outcome of the public consultation be reported to a future meeting of the Local Plan Advisory Committee.

WARDS AFFECTED

All Wards outside the Peak District National Park

STRATEGIC LINK

The Derbyshire Dales District Council Local Plan will be a pivotal tool in the delivery of the Council's Corporate Plan and the Peak District Partnership Statement of Priorities.

1. BACKGROUND

- 1.1 Members will recall that at meetings of this Committee held on 22nd June 2016, 11th July 2016 and 13th July 2016 consideration has been given to reports in respect of the extent of the representations received during the public consultation on the Derbyshire Dales Draft Local Plan (Minute 77/16), an update on the Duty to Co-operate (Minute 78/16), the conclusions of the Derbyshire Dales Transport Evidence Base, an update on other aspects of the evidence base, a review of potential changes to the site allocations in the Local Plan, and a set of draft revised policies. Copies of all the Reports and Minutes can be found on the Members Portal and on the District Council's website.
- 1.2 All representations received during the public consultation on the Derbyshire Dales Draft Local Plan have been considered and consistent with the objective of presenting a plan which is in accordance with the advice contained within the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), policy amendments have been proposed. Furthermore, the plan has been revised to take into consideration the updated evidence base. A further revised version of the

Derbyshire Dales Local Plan has now been prepared for Members consideration, and is set out in Appendix 1 to this report.

2. DERBYSHIRE DALES LOCAL PLAN – PRE-SUBMISSION DRAFT PLAN

- 2.1 Advice in the National Planning Policy Framework (NPPF) states that:
“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.”
- 2.2 In accordance with this advice, the Derbyshire Dales Draft Local Plan was the subject of widespread consultation with local residents and other key stakeholders including the statutory consultation bodies such as the Environment Agency and Historic England. The next step in the preparation of the Local Plan is to publish a plan which the District Council considers is ready for scrutiny by an independent Inspector at an Examination in Public.
- 2.3 Having taken account of the representations received on the Derbyshire Dales Draft Local Plan and the resolutions of this Committee, a Pre-Submission Draft Plan has now been prepared, and is set out in Appendix 1 for Members consideration. The proposed changes to the Policies Map that support the Pre-Submission Draft Plan are set out in Appendix 2.
- 2.4 Members will note from Appendix 1 that since the publication of the Derbyshire Dales Local Plan in April for public consultation the majority of revisions to the policies in the Derbyshire Dales Local Plan Pre Submission Draft take account of comments made by the Environment Agency, Historic England and other key statutory stakeholders, as a means of strengthening the policies compliance with the National Planning Policy Framework (NPPF).
- 2.5 Whilst there are no recommended changes to the Settlement Hierarchy and the approach taken to the Settlement Development Boundaries in Tier 1 to 3, Policy S3 has been further revised in order to provide certainty that residential development will be acceptable in Tier 4 and Tier 5 settlements in accordance with policy criteria, notwithstanding their policy position as being “washed over” by countryside. The proposed amendment to Policy HC1 as considered at the meeting of the Committee on 13th July 2016 has therefore been deleted, in order to ensure that development within Tiers 1 to 3 of the settlement hierarchy is confined to the defined settlement limits.
- 2.6 In terms of the overall strategic level of housing development, Policy S6 now sets out that the plan will seek to fully achieve the identified Objectively Assessed Need for Housing of 6,440 dwellings, and allocates 3,208 dwellings to come forward over the plan period to meet this requirement.
- 2.7 Government policy in recent times has been to remove potential restrictions on developers that would result in additional costs having to be borne in bringing new homes forward. As such reference to the Code for Sustainable Homes and Lifetime Homes has been removed from the revised policies.
- 2.8 The proposed revisions to the policies relating to the historic and natural environment seek to ensure that they are in accordance with the NPPF and thereby give greater

clarity about the weight given to these factors in the determination of planning applications. Similarly, the revisions to the policies on climate change and flood risk seek to ensure that they are more compliant with the NPPF, and the National Planning Practice Guidance (NPPG).

2.9 Whilst Policy PD10 Ashbourne Royal Shrovetide had support for its inclusion in the Derbyshire Dales Draft Local Plan during the public consultation, the landowners indicated that there were sufficient safeguards in place in the agreement with the Organising Committee to warrant the policy redundant. As such it is recommended that Policy PD10 Ashbourne Royal Shrovetide be deleted.

2.10 In terms of housing allocations the revised Policy HC2 it is recommended that the following changes be made;

- Whitelea Nursery, Tansley – New site included and allocated for 27 dwellings.
- Middlepeak Quarry, Wirksworth (Policy HC2(ff)) – Site area increased to 62 hectares and number of dwellings increased to 645 in light of further evidence received to substantiate developability and deliverability.
- Land at Bridge Garage, Darley Bridge (Policy HC2(j)) – Site Deleted (No evidence to substantiate deliverability in regard to flood risk).
- Slinger Mining, Cromford (Policy HC2(i)) – Site Deleted (No evidence to substantiate deliverability).
- Matlock Transport, Northwood (Policy HC2(z)) – Site Deleted (No evidence to substantiate deliverability).
- Land North of Main Road, Brailsford (Policy HC2(f)) – Site Deleted (No evidence to substantiate deliverability).
- Land at Royal Bank of Scotland/Bankhouse, Snitterton Road, Matlock – Site included and allocated for 24 dwellings.
- Land at Gritstone Road/Pinewood Road, Matlock (Policy HC2(v)) – Site area extended to approx. 24 hectares to enable necessary drainage infrastructure and open space but capacity reduced to 450 dwellings in order to reflect anticipated site capacity and infrastructure requirements.
- Land at Porter Lane, Middleton by Wirksworth (Policy HC2(y)) – Site area extended to approx. 1.53 hectares and allocation increased to 45 dwellings.
- Land at Snitterton Fields, West of Cawdor Quarry, South Darley (Policy HC2(aa)) – Site Deleted in response to revised Sustainability Appraisal assessment.
- Land at Normanhurst Park, Darley Dale (Policy HC2(n)) – Site area increased to incorporate adjacent land and capacity increased from 20 to 24 dwellings.
- Land at Old Hackney Lane, Darley Dale (Policy HC2(l) & HC2(x)) – Site combined into one allocation and number of dwellings increased from 48 to 57 to reflect evidence submitted to substantiate additional capacity.
- Land off Luke Lane, Brailsford (Policy HC2(g)) – Capacity increased to 35 dwellings to take account of recently submitted planning application.
- Land at Tansley House Gardens, Tansley (Policy HC2(dd)) – Whole site allocated for a capacity of 50 dwellings (net increase of 23 taking account of current planning permission for 27 dwellings)

- 2.11 On 11th May 2016, the Court of Appeal handed down judgment in the case of *R (West Berkshire District Council and Reading Borough Council) v. Secretary of State for Communities and Local Government* [2016]. The judgement was given in favour of the Secretary of State and as such re-instated the guidance provided in a Written Ministerial Statement of 28th November 2014 that all development of 10 units or more should not be required to provide any contribution towards affordable housing. Whilst this judgement will have a significant impact upon the District Council's ability to support the deliverability of affordable housing in the future, at this time there is little evidence to support a policy within the Derbyshire Dales Local Plan on affordable housing with a lower threshold. It is therefore recommended that Policy HC4 be revised to take account of the judgement and the changes that have been subsequently incorporated into the NPPG. There are also consequential changes to other policies where reference has been made to securing financial contributions from proposals that would inherently involve less than 10 dwellings.
- 2.12 Members will note that Policy HC6 – Gypsy and Traveller Provision in Appendix 1 has been subject to revision in order to satisfy the requirements of the Government's Planning Policy for Traveller Sites (PPTS).
- 2.13 References in the plan to the need to ensure that development accords with the defined parking standards are recommended for revision such that development now has to have regard to the parking standards. This recommended change takes account of a recent Ministerial Statement which again seeks to reduce the overall burden on developers by removing the need for development to strictly adhere to defined parking standards.
- 2.14 The proposed revisions to the policies relating to strengthening the economy seek to ensure that they are in accordance with the NPPF/NPPG and thereby give greater clarity about the weight given to these factors in the determination of planning applications.
- 2.15 Members will note that the existing employment site at Alcoa (formerly Firth Rixon), Darley Dale has been added to the sites included under Policy EC2A (now Policy EC4) – Retention of Key Employment Sites
- 2.16 Policy EC 5 (now Policy EC7) as set out in Appendix 1 maintains a requirement for major town centre uses of 200 sq. metres and above to be subject to the preparation of a retail impact assessment and sequential approach to site selection. However in light of the objections to the use of a threshold lower than that set out in the NPPF a review is currently being undertaken to establish whether this threshold is appropriate in the context of Derbyshire Dales. This work has yet to be completed. In the event that this work recommends further changes to the threshold then these will be reported to Council on 8th August 2016.
- 2.17 Revisions proposed to the Strategic Site Allocation policies seek to ensure that comments received from the Environment Agency in respect of ecological assessments, sewage capacity and flood risk assessments are adequately addressed in the determination of planning applications.
- 2.18 An additional Strategic Site Allocation policy is recommended for inclusion (*Policy DS9 – Land at Cawdor Quarry, Matlock*) to provide clarity of the proposed allocation for the redevelopment of Cawdor Quarry and the adjacent site at the former Permanite Works west of Cawdor Quarry, South Darley. The proposed policy allocates the site for mixed use development comprising approximately 470 dwellings and 1 hectare of

employment land, taking account of the extant planning permission and the proposed extended area. The proposed policy sets out the criteria which a subsequent planning application for the site would be required to address. This policy along with all strategic site allocation policies should be read in conjunction with relevant policies contained elsewhere in the Local Plan.

- 2.19 The Derbyshire Dales Local Plan Pre Submission Draft now includes an additional section on Implementation and Monitoring. A Housing Trajectory is also included within the Derbyshire Dales Local Plan Pre Submission Draft, which indicates how residential development is anticipated to come forward over the plan period. A separate Infrastructure Delivery Plan has been prepared and will be published at the same time the Derbyshire Dales Local Plan Pre Submission Draft is published for consultation.
- 2.20 The policies set out in Appendix 1, where appropriate have been revised to take into account the results of a Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA), as well as an Equalities Impact Assessment.
- 2.21 Members will be aware that prior to the consideration of a Pre-Submission Draft Plan, it was essential to receive the formal views of Derbyshire County Council who are a strategic consultee. The response from Derbyshire County Council was received on 21st July 2016 and is attached in full at Appendix 3.

3. DERBYSHIRE DALES PRE-SUBMISSION DRAFT PLAN – CONSULTATION PROPOSALS

- 3.1 The District Council has a statutory requirement under the terms of the Planning and Compulsory Purchase Act 2004, to prepare a Statement of Community Involvement (SCI).
- 3.2 The purpose of the SCI is to explain to local communities and stakeholders how they will be involved in the preparation, alteration and review of Local Plans and also in the determination of planning applications. The SCI helps to ensure that local communities have greater ownership over local planning decisions and are better able to shape the places where they live. The SCI defines the standards to be met by the District Council in terms of community involvement and stakeholder engagement.
- 3.3 As part of the future Examination in Public of the Derbyshire Dales Local Plan, the Inspector appointed to consider the plan will consider whether it has been prepared in accordance with all the relevant legal requirements, including the Statement of Community Involvement.
- 3.4 The revised SCI identifies different methods the District Council will adopt to ensure that as wide a range of the community and stakeholders are engaged in the planning process. In respect of the Derbyshire Dales Local Plan Pre Submission Draft these include:
- Newsletters and leaflets
 - Media – local press, TV, radio
 - Exhibitions and displays
 - Website
 - Questionnaire and surveys
 - Public meeting and surgeries
 - Focus Groups

- Workshops
- Participative planning activities
- Community forums or liaison groups

3.5 It is therefore important to ensure that the consultation undertaken in respect of the Derbyshire Dales Draft Local Plan Pre Submission Draft is in accordance with that set out in the Statement of Community Involvement.

3.6 It is recommended that consultation on the Derbyshire Dales Pre Submission Draft Local Plan run for a six-week period from 11th August 2016 to 22nd September 2016 and consist of the following:

Date	Events	
11 th August to 18th August	Exhibition Ashbourne Leisure Centre Reception Area – Staffed by Officers 1pm to 6pm 16 th August 2016	Monday 16 th August 2016; Public Meeting Elim Church, Waterside Park, Ashbourne 7pm-9pm
18th August to 25th August	Exhibition Imperial Rooms, Reception Area – Staffed by Officers 1pm to 6pm 22 nd August 2016	Tuesday 22 nd August 2016; Public Meeting, Sports Hall Highfield School, Matlock 7pm -9pm
25th August to 1 st September	Exhibition Wirksworth Leisure Centre Reception Area – Staffed by Officers 1pm to 6pm 1 st September 2016	
2 nd September to 22 nd September	Exhibition Matlock Town Hall Reception Area – Unstaffed exhibition.	

3.7 At this stage the purpose of the consultation is to seek views on the extent to which Derbyshire Dales Local Plan Pre Submission Draft is considered to be “sound” and legally compliant. The NPPF defines the soundness of a Local Plan to be one that is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3.8 To be legally compliant the Local Plan has to demonstrate:

- The Local Plan is identified in the current Local Development Scheme (LDS) and that the key stages have been followed.
- The Community Consultation has been carried out in accordance with the Council's Statement of Community Involvement (SCI).
- The Council has consulted the appropriate Statutory Consultees that it should consult.
- The Council has fulfilled its Duty to Cooperate with other Local Planning Authorities, County Councils and other bodies with Statutory Functions.
- The Local Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended).
- The Local Plan complies with The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012
- An adequate Sustainability Appraisal Report (SA) is published to accompany the Local Plan.

3.9 In order to be considered a part of a subsequent Examination in Public (EIP), the legislation requires representations to be formally lodged during the period of statutory public consultation (11th August – 22nd September). Representations submitted as part of earlier consultations cannot be carried forward for consideration and must be formally lodged afresh.

3.10 Respondents to the consultation will be encouraged to adopt a 'digital by default' approach whereby all comments should be submitted online through the District Council's website. This will enable Officers to formally record and analyse the responses in a more effective and efficient manner in order to maintain progress on the preparation of the plan in accordance with the agreed timetable.

3.11 However whilst 'digital by default' is the preferred approach it does not preclude submissions being made by other means including letter and e-mail.

4 RISK ASSESSMENT

4.1 Legal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Not having an up to date Local Plan in place which provides adequate land for housing places the District Council at risk to residential development being brought forward on appeal rather than on a plan-led basis.

Deliberations by the Local Plan Advisory Committee are 'without prejudice' to the formal determination of any pending or future application for planning permission by the Local Planning Authority or to an appeal pending decision by the Planning Inspectorate.

4.2 Financial

The cost of preparing the Derbyshire Dales Local Plan, including any consultation is contained within the District Council's budget. The financial risk is, therefore, assessed as low.

4.3 Corporate Risk

The Derbyshire Dales Local Plan will be a pivotal tool in the delivery of the Council's Corporate Plan and the Derbyshire Dales and High Peak Sustainable Communities Strategy. In order to fulfil this role it is necessary to ensure that robust evidence-based and "sound" documents are prepared. Failure to do so will undermine the ability of the District Council to achieve its key aims and objectives. In light of the Inspector's Report the Corporate Risk associated with the preparation of the Local Plan has been reviewed and identified as Medium Risk.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

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7 BACKGROUND PAPERS

Description	Date	File
Report and Minutes to Local Plan Advisory Committee Meetings	12th January 2016	G/5/P1
	18th January 2016	
	20th January 2016	
	11th February 2016	
	29 th February 2016	
	22 nd June 2016	
	11 th July 2016	
Individual Responses to Key Issues Consultation	13 th July 2016	G/5/P1
	November-December 2015	
	April-May 2016	
Response to Derbyshire Dales Draft Local Plan	8th July 2015	G/5/P1
	21st September 2015	
	28 th September 2015	
Report and Minutes to Council	16 th March 2016	G/5/P1
Report and Minutes to Council	12 th October 2015	G/5/P1
Report and Minutes to Council	2 nd October 2014	G/5/P1
National Planning Policy Framework	March 2012	G/5/P1

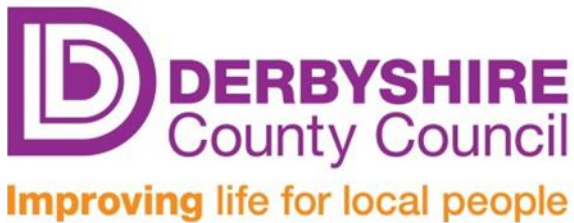
APPENDIX 1

PRE-SUBMISSION DRAFT PLAN

**PUBLISHED SEPARATELY DUE TO SIZE
OF DOCUMENT**

APPENDIX 2 – MAPS

**PUBLISHED SEPARATELY DUE TO SIZE
OF DOCUMENT**



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Date: 21 July 2016

Paul Wilson
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Also for the Attention of Mike Hase

Dear Mr Wilson

Derbyshire Dales Draft Local Plan Consultation

I write to confirm that, at the Cabinet Member Meeting - Highways, Transport and Infrastructure (HTi) held on 12 July 2016, it was resolved to send a formal response to your Council on the above consultation in line with:

- a) my informal response of 20 May 2016 referred to in the HTi report; and
- b) the comments made at the meeting by Local Members and members of the public.

I have also included additional technical highway comments referred to in the HTi report on the findings of the AECOM Transport Study dated June 2016, which was jointly commissioned by our Councils and considered at your Local Plan Advisory Committee meeting held on 11 June 2016. I should be grateful, therefore, if you would consider the detailed comments set out below to be Derbyshire County Council's (DCC) formal comments on the Derbyshire Dales Draft Local Plan (DDDLP).

On 14 December 2015, DCC also submitted extensive comments to Derbyshire Dales District Council (DDDC) on its Key Issues Consultation (KIC). Reference is made to these comments where appropriate below.

Member Comments

Local County Councillors with electoral divisions in Derbyshire Dales District were consulted on the DDDLPL.

Councillor Irene Ratcliffe, Local County Council Member for Wirksworth Electoral Division, has made the overall comments below. Her more detailed statement is in Appendix 1 to this letter.



PUBLIC

Page 1 of 34



'The Government Inspectorate in refusing the previous draft plan asked Derbyshire Dales District Council to revise their housing figures upwards to meet the objectively assessed need total of some 6400 homes to be constructed over the plan period. But as the draft plan states it excludes all of the land in DDDC under the Peak District National Park Authority, some 40% of the geographic area. Unless the District's partnering authorities like Derbyshire County Council and the PDNPA or the Government's own Planning Inspectorate recognise and assist the 400 shortfall it will make it difficult to reach this level. This would have a greater impact and give open season for "strategically unplanned" development within the area of Derbyshire Dales that sits outside the PDNPA without the District Council's other policies within the local plan which aims to promote and protect development control under its democratically elected members.

The impact on the honey pot villages and the market towns of Ashbourne, Matlock and Wirksworth of such rapid increase in growth will have a detrimental impact on residents and visitors alike without the infrastructure improvements, resources and protection needed.

I support DCC's response and appreciated being able to contribute to it as the elected Member for the Wirksworth Division'.

Councillor Ratcliffe reiterated her comments at the Cabinet Member Meeting – HTi on 12 July 2016 relating to:

- Her support for the overall housing target but emphasising that the Peak District National Park (PDNP) area of the District should contribute its fair share of new housing growth and, in so doing, help provide for more sustainable settlements in the PDNP. If not, the number of houses in the District should be reduced because of its special landscape and character.
- The level of growth needs to be matched by the timely planned provision of supporting infrastructure including, for example, highways and doctors' surgeries.
- In view of the rural nature of the District, impact assessments should be required for proposed housing sites of less than 50 dwellings.
- Land at The Meadows in Wirksworth should be protected as Public Open Space.
- Her support for the proposed allocation of a site for Gypsies and Travellers.

Councillor Simon Spencer, Local County Council Member for Dovedale Electoral Division, expressed the following concerns at the Cabinet Member Meeting:

- More housing should be provided in the PDNP area. Each settlement in the PDNP area of the District should contribute, for example, three or four affordable dwellings per year that, cumulatively, would contribute a fair share towards housing provision in the District.
- The number of dwellings proposed in the DDDL at Ashbourne would double its size, thus increasing the need for a by-pass. The proposed allocation of a site at Watery Lane would adversely affect his preferred route for an



PUBLIC

Page 2 of 34



Ashbourne by-pass (DCC supports a feasibility study for a by-pass being undertaken).

- Key issues are infrastructure provision to address traffic growth and lack of public transport.

Comments from Members of Tansley Parish Council and the Public

The Chair and a member of Tansley Parish Council who attended the Cabinet Member Meeting - HTi made the following comments:

- There were significant concerns about the increased scale of the proposed housing allocations at Tansley from 99 to 137 dwellings, which were seen as unfair and did not take highway safety and congestion into account.
- In particular, there were serious concerns about the proposed allocation of a housing site opposite The Royal Oak because of the risk to highway and pedestrian safety.
- There was the need to provide sufficient capacity at Doctors' surgeries, which was seen as not being addressed in a planned way.

A member of the public submitted a written statement commenting on the Transport Study regarding trip distribution, journey purpose and traffic growth.

DCC's Highways Officer who attended the Cabinet Member Meeting, addressed many of the points raised above relating to the highways impact implications of the DDDL. In summary, his views were that that the level of highways and transportation analysis applied to the consultation so far had been reasonable and proportionate given the information available from DDDC. DCC's responses to date (either for individual sites or for the wider strategic network) had considered pertinent issues including pedestrian movement where appropriate but more detailed assessment has not been requested or possible at this stage as it requires the support of further data which would only be provided via a Transport Statement or Assessment (as appropriate) and these were not generally provided (and had not been in this case) to the Highway Authority as part of Local Plan consultations.

Officer Comments

1) Housing Policies and Objectively Assessed Housing Need (OAHN)

Strategic Objectives

In its comments on the KIC, DCC's officers expressed concern that Strategic Objective S010 did not adequately meet the requirements of the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), which requires local planning authorities (LPAs) to seek to meet the full OAHN of their areas through their development plans. DCC's comments highlighted the importance of the need for the Local Plan to seek to meet the OAHN of the District and that this should be a Key Strategic and Sustainability



PUBLIC

Page 3 of 34



Objective of the Local Plan. DCC's comments suggested a proposed wording for the Strategic Objective as follows:

'To meet the objectively assessed housing needs of the District, subject to consideration of other Strategic Objectives of the Local Plan'.

It is welcomed and supported that Strategic Objective SO6 of the DDDLPP includes this suggested wording in full, which is consistent with the requirements of the NPPF and NPPG.

Objectively Assessed Housing Needs and Housing Land Provision and Supply

The Inspector presiding over the examination of the withdrawn Derbyshire Dales Local Plan Submission (DDLPS) raised fundamental soundness concerns that the level of housing provision proposed in the Local Plan was considerably below that required to meet the full OAHN of the District (about 6,400 dwellings) based on the most up-to-date population and household projections that were available at the time. New evidence in the Assessment of Housing and Economic Development Needs (AHEDN) has been commissioned by DDDC to address the Inspector's concerns, particularly that the approach taken by DDDC to setting its OAHN in the DDLPS did not adequately take account of the requirement for the affordable housing needs, and economic aspirations for growth, to be addressed. The new evidence concludes that the OAHN of the District, which takes into account future demographic growth in population and households, the requirement to meet affordable housing needs, and to meet the economic growth potential of the District, would justify an OAHN of 6,440 dwellings over the Plan period to 2033.

It is supported that this OAHN for the District is appropriately set out in paragraph 4.30 of the DDDLPP. In its comments on the KIC, DCC's officers considered that the AHEDN was fully compliant with the requirements of the NPPF and NPPF and that the study was a comprehensive and robust piece of evidence.

It is noted that paragraphs 4.30 and 4.32 make reference to the Derbyshire Dales Strategic Housing Land Availability Assessment (SHLAA), which indicates that:

- There are insufficient sites in suitable locations to meet this OAHN requirement;
- To release additional land for housing would have a significant impact upon the high quality environment of the plan area;
- There is capacity on sites of 10 or more dwellings to accommodate 2,877 dwellings up to 2033; and
- Taking account of the contribution of completions from the Peak District National Park area, existing completions and commitments in Derbyshire Dales, and windfall development on sites of less than 10 dwellings, the District Council has identified sufficient land for 6,015 dwellings up to 2033, leaving a shortfall of 425 dwellings against the OAHN.



DCC's officers fully support DDDC's intentions to seek to meet as much of the OAHN requirement as is possible within the District, given the land supply and significant environmental constraints that exist in the area. The District's proposed housing provision target of 6,015 is set out in Policy S6: Strategic Housing Development. This housing target would meet over 93% of the District's OAHN, the vast majority of the requirement.

Under the requirements of the 'Duty to Cooperate' set out in the Localism Act 2011 and NPPF, it is welcomed and supported that paragraph 4.33 indicates that DDDC is in discussion with its neighbouring LPAs to determine the extent to which these LPAs are able to accommodate some of the identified shortfall of 425 dwellings.

In this context, you will be aware that Councillor Lewis Rose, Leader of DDDC, wrote to Councillor Anne Western, Leader of DCC on 19 April 2016, setting out the issues above, to ask DCC to formally consider whether the County Council was able to assist DDDC by accommodating some or all of the identified housing shortfall in the District. Councillor Western's letter of response dated 13 May 2016 indicated that the County Council would be able to assist DDDC in the following ways:

- Although DCC does not have statutory responsibilities for the production of Local Plans or Core Strategies that make provision for new housing development, under the requirements of the Duty to Cooperate, DCC works jointly with the city and all the district and borough councils in Derbyshire to assist them prepare their Local Plans and Core Strategies, particularly relating to housing provision;
- In this context, DCC's officers are represented on the Northern Housing Market Area (HMA) Local Plan Liaison Group (LPLG) with officers from Bolsover District, Chesterfield Borough, North East Derbyshire and Bassetlaw District Councils. At its meeting on 26 April 2016, DCC's officers had raised the housing shortfall issue for discussion and further consideration of the LPLG. On 5 May 2016, DCC's officers also contacted officers at Amber Valley Borough, Derby City and South Derbyshire District Councils on the Derby HMA Core Strategy Coordination Group (CSCG) to ask the Group to consider the issue further with a view to providing an indication to DDDC whether there was scope in the Derby HMA to accommodate some or all of the housing shortfall; and
- More directly from DCC's point of view, the Authority's officers have assessed the land and property in DCC's ownership with a view to identifying any that might be suitable to accommodate new housing development. On 13 May 2016, DCC's officers provided an assessment to DDDC of four potential sites that might be suitable to accommodate housing (and/or employment) development for further consideration by DDDC.

Through its representation on the LPLG and CSCG, DCC's officers will continue to work jointly with city, district and borough councils' officers on these Groups to consider the housing shortfall in Derbyshire Dales further.



PUBLIC

Page 5 of 34



The AHEDN included a review of the District's HMA and functional economic market area (FEMA). This issue had been the subject of extensive discussions during the EIP into the withdrawn DDLPS. The AHEDN indicates that the northern part of the District should be defined as falling within a Sheffield-focused HMA/FEMA with some inter-relationships between the north of the District and High Peak, particularly Buxton. The southern part of the District is considered to fall within a wider Derby-focussed HMA/FEMA. The central part of the District is considered to fall within an 'area of overlap' between the northern and southern HMAs/FEMAs with influences from Sheffield, Chesterfield and Derby.

In this context, it is considered to be a justified approach that DDDC has contacted all those local authorities in adjoining areas in the Northern HMA and Derby HMA to investigate whether any of the District's housing shortfall could be accommodated in their areas, given the evidenced HMA and FEMA linkages between Derbyshire Dales District and these nearby areas.

Local Plan Housing Allocations

Policy HC2: Housing Land Allocations identifies 32 sites which are proposed to be allocated to accommodate a total of 3,177 dwellings up to 2033. Many of these sites will have implications for a range of infrastructure requirements that will be required to ensure that they are delivered in a timely manner. Many of the sites will also have potential environmental impacts that may need to be mitigated to ensure that the sites provide for sustainable development. More detailed comments are provided below on the key strategic infrastructure implications of many of the sites and potential implications and impacts for key environmental constraints, particularly relating to landscape and landscape character and the Derwent Valley Mills World Heritage Site (DVMWHS) and its buffer zone. A number of the proposed allocations are in existing quarry sites, which will also raise issues relating to existing mineral reserves on the sites and requirements to potentially safeguard the sites for future minerals extraction.

Each of the above factors will have implications for the delivery of the proposed housing sites within the Plan period up to 2033 and potential need for on and off-site mitigation.

Affordable Housing

The need for affordable housing has been a long-standing key issue in the District due to the high cost of housing in the area relative to other areas in Derbyshire and the wider East Midlands. DCC has been very supportive of the policy approach adopted by DDDC to address this important need over the last few decades in successive Local Plans.

Evidence provided in the AHEDN indicates that there continues to be a significant need for affordable housing in the District of around 100 dwellings per annum. It is also noted in Paragraph 6.8 that the conclusions of the Local Plan Strategic



Housing Land Availability and Community Infrastructure Levy (CIL) Viability Study (Sept 2015) indicated that in the high and medium value areas of the District, delivering 33% to 45% affordable housing would not have any undue impact upon the potential to introduce a CIL but by reducing the policy requirement for the provision of affordable housing to 30%, the potential introduction of CIL across the whole Plan area would not undermine development viability.

In this context, Policy HC4: Affordable Housing is fully supported, which requires all residential developments of 3 dwellings or more or on sites of 0.1 ha or more to provide at least 30% of the net dwellings proposed as affordable housing; and that where the proposed provision of affordable housing is below the requirements, DDDC will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision.

The provision of necessary infrastructure to support new housing development, and the viability of development, particularly when other infrastructure costs are taken into account, is an important consideration for DCC, whether new development is funded through developer contributions or CIL (see below). In this context and the extensive evidence set out above, the approach to affordable housing in Policy HC4 is fully supported.

2) Settlement Hierarchy

The definition of a Settlement Hierarchy in Policy S3 and the supporting text in paragraphs 4.12 to 4.21 is well conceived, justified and based on analysis of the range of services and facilities available within each settlement, which could support potential growth. Five tiers are identified in the hierarchy, which includes the market towns of Ashbourne, Matlock and Wirksworth being the first tier where larger scale growth will be accommodated; and Darley Dale being a second tier settlement, where growth of a lesser scale could be accommodated. A range of other settlements are identified in tiers 3, 4 and 5 where more limited scales of growth would be appropriate. The Settlement Hierarchy is fully supported as it should ensure that new development, and particularly the scale of new development, will be directed towards the most sustainable locations in the District, which should help to reduce the need to travel.

Although DCC's officers would not wish to comment on the detailed definition of the physical extent of the Settlement Framework boundaries for settlement tiers 1,2 and 3 in the Proposals Maps, the principle of the definition of settlement boundaries is fully supported. It should provide more clarity and certainty to the public and development industry as to which areas of land fall within and outside the settlement boundaries and the appropriate policy approach which will be applied in Policies S4 and S5.

3) Highways

As you know, since responding to you on 19 May 2016 our Councils have received the AECOM Transport Study jointly commissioned of your behalf which



PUBLIC

Page 7 of 34



assesses the implications of future land use development and its likely impacts upon the strategic transport network in the District (outside the National Park). Its findings and recommendations on the scope of mitigation work that would seek to ameliorate potential impacts arising from the development were considered at the Highways Transport and Infrastructure Cabinet Member meeting on 12 July, together with representations made at the meeting which are referred to later in this letter.

The Highway Authority is mindful of the housing growth requirements being proposed for the District which were highlighted by the Planning Inspectorate during consideration of the earlier iteration of the Local Plan and in the current consultation. Having carefully considered the content of the latest Transport Study, individual site assessments and other available evidence, the Highway Authority does not consider that it could sustain an objection to the quantum of development proposed in the current draft Local Plan or successfully demonstrate that the Plan was unsound as a consequence of the likely level of harm caused to the local highway network in the context of the wider Derbyshire network.

For the avoidance of doubt, the Highway Authority is not suggesting that the impact of the proposed level of development will be without consequences and that whilst there will be mitigating interventions (both physical and in terms of travel management) which will help limit the effects of the additional traffic, nonetheless an increase in congestion in some locations is probable. Rebalancing of development locations could help lessen the impact of traffic on certain parts of the network and is something which the Highway Authority continues to be open to considering in conjunction with the District Council, however it is appreciated that the choice of potential site locations rests with the Local Planning Authority and traffic impact is only one factor under consideration. Against the background of the District's Local Plan preparation to date, what the Highway Authority cannot demonstrate is that the significance of the extra congestion would have consequences so great as to constitute severe harm and that a subsequent rejection of the proposals or justification for a lesser quantum of development on technical highway and transport grounds would be defensible.

There are clearly measures which can be taken to help ameliorate traffic impacts and improve connectivity which the District Council may wish to consider for inclusion within its emerging Local Plan policies. These were referred to in the above mentioned Cabinet Member meeting together with the following comments and actions:

- The Transport Study presents a number of potential scenarios for consideration by DDDC as it develops the emerging Local Plan, and identifies a number of constraints on the highway network across the district. Increases in development related traffic inevitably will adversely affect congestion and, all things being equal, would be undesirable. However, in assessing whether the level of impact of development proposed in the Local Plan was unsustainable on transportation grounds, DCC would need to consider this in



PUBLIC

Page 8 of 34



the context of the whole of its highway network. Whilst there is evidence in the Transport Study indicating that congestion would worsen in some locations, overall, in balancing the needs for housing and, bearing in mind the conditions on its road network in other parts of Derbyshire, it is highly unlikely that DCC will contest the soundness of the Local Plan on the basis of localised congestion alone.

- The Transport Study identifies a possible mitigation strategy and this inevitably depends upon the effectiveness of sustainable travel interventions that could be developed through the Local Plan, for example seeking to minimise the number of vehicular trips generated, ensuring good access by sustainable transport modes, and travel plans. This strategy could be extended through the Local Plan to include initiatives to influence travel behaviour in existing communities, a process referred to in the Report as ‘trip banking’, whereby personal travel planning is used to reduce existing trips, and produce additional network capacity that could be used to accommodate development-related traffic. Such wider sustainable travel interventions could further reduce the level of capacity reduction identified in the Transport Study, although this could also be supplemented by local junction improvements.
- Chapter 4 of the DDDL P sets out its proposed Spatial Strategy, citing the strategic approach to development across the plan area. The Spatial Strategy seeks to concentrate development in the Market Towns, focusing as much development as is feasible on previously developed sites. The Market Towns are the largest settlements in the plan area comprising of Matlock, Ashbourne and Wirksworth, and these accommodate the majority of the District’s population, services and facilities. The Spatial Strategy seeks to focus future growth in these settlements. However, and as the Transport Study suggests, the transport network in Matlock and Ashbourne would give rise to increased levels of congestion. In view of this, DDDC should give consideration to the potential rebalancing of the proposed distribution of housing across the three Market Towns.
- Highway officers will continue to work jointly with DDDC in more detail based upon the above principles.

Based upon the findings of the Transport Study, DCC as Highway Authority does not consider that it could sustain an objection to the proposed levels of development in the DDDL P solely on technical grounds. However, inevitably there will be consequences in the operation of the transport network as a result of the traffic generated from new development. These consequences will require management and mitigation that could take a number of forms, the timing of which would need to be determined in response to decisions regarding individual planning applications.

The Transport Study indicates that physical engineering interventions alone may not fully mitigate the additional traffic generated by the proposed Local Plan developments. The Highway Authority concurs with the view that the primary



method of trip generation mitigation should be required via sustainable travel interventions developed through Local Plan policies. Not only should this cover modal shift strategies for each new development, but potentially a wider Local Plan strategy to introduce or fund initiatives to influence travel behaviour in existing communities (a process referred to in the Transport Study as 'trip banking', whereby personal travel planning is used to reduce existing vehicle trips and create additional network capacity).

Further advice can be provided via the following links:

<http://www.ratransport.co.uk/images/MakingPTPworkCaseStudies.pdf>

<http://webarchive.nationalarchives.gov.uk/20101124142120/http://www.dft.gov.uk/pgr/sustainable/travelplans/ptp/practitionersguide.pdf>

Policy 14: Managing Travel Demand in Erewash Borough Council's Core Strategy (2014) may offer further insight into how policies to manage travel demand could be developed.

In providing consultation advice, the Highway Authority accepts that, in order to facilitate economic growth and meet future housing needs, inevitably some impact upon the highways network may have to be tolerated. Even allowing for all mitigating effects of the above mentioned interventions, some increases in congestion can still be anticipated. However, based upon all the data and evidence available, the Highway Authority is not in a position to demonstrate that this would constitute severe harm to the operation of the network (particularly in the contexts of other parts of DCC's transport network) and for this reason objection has not been raised to the quantum of development proposed in the Draft Local Plan.

During the Cabinet Member meeting, the Cabinet Member was asked whether allocation of the proposed Watery Lane Gypsy and Traveller's site would conflict with the potential route of a possible Ashbourne Bypass. Clearly any feasibility study into a possible Ashbourne Bypass would need to consider the transportation, economic, engineering, environmental and existing land use and travel considerations. These, by definition, would need to consider potential impacts upon existing land and its users.

The consideration of sustainable transportation intervention measures, and development of policies through the Local Plan to encourage them, is actively recommended by DCC in its response to the Transport Study.

Individual high level appraisals carried out by the Highway Authority in support of the emerging Local Plan conducted through individual site consultations from the District Council included the proposed sites in Tansley. Mention was made of the need to consider pedestrian movement as the gross quantum of development was unknown at this stage. Clearly, progressing the development of these sites will require further supporting analysis through the submission of transportation



statements or assessments and travel plans where the scale of development warrants this as set out in Policy HC17: Accessibility and Transport of the Draft Local Plan.

In summary, the Highway Authority fully understands and appreciates the tensions and anxieties which Local Plan development proposals cause both the District Council and Local Communities in terms of impact upon the highway network. In its role as a consultee and advisor to the Local Planning Authority tasked with preparing the Local Plan, it seeks to provide balanced and objective technical advice to assist the District Council in its decision making process. The level of technical analysis carried out to date in support of the Local Plan process has been considerable but it is important to remember that the process is not yet complete and each development proposal will warrant further assessment in the form of Transportation Statements or Assessments to properly establish development impacts and local mitigation. The Highway Authority will continue to work closely with the District Council to assist in further development of its Local Plan.

4) Infrastructure

Policy S11: Local Infrastructure Provision and Developer Contributions helpfully covers a wide range of strategic infrastructure and services including health and social care; education; transport; energy and utilities; telecommunications; flood management; open space, sports and recreation, new waste management; and waste. This is welcomed.

The policy goes on to state that development will only be permitted where necessary infrastructure is available or provided via planning obligations or conditions attached to a planning permission. This is fully supported.

The policy also states that a Community Infrastructure Levy (CIL) will support investment in infrastructure required to address the cumulative impact of household and population growth. Further clarity on how DDDC envisages a CIL operating in conjunction with site specific Section 106 planning obligations, however, would be helpful. Only infrastructure that is not provided via Section 106 planning obligations can be funded by CIL, and therefore it would be helpful if DDDC could clarify exactly what infrastructure is expected to be delivered via Section 106 obligations, and for which sites. Any Section 106 planning obligations must relate to a very specific project to ensure that there is still scope for CIL to fund more general projects that address a wider need or cumulative impact.

Waste

DCC is currently reviewing its assessment of waste management services in relation to new housing development. Its approach to advising on the need for financial contributions to mitigate the impact on existing waste management facilities is also under review. However, both Ashbourne and Northwood Household Waste Recycling Sites are facilities which operate well and have



sufficient capacity. It is likely that both facilities would have sufficient surplus capacity to accommodate additional demand from new housing development in the future.

Travel Plans

The strategic site allocation policies DS1 to DS8 include the need for the development to provide suitable means of access, and for applicants or site promoters to prepare a transport assessment and travel plan. However, the policies should also seek to make sure that provision should be made for the monitoring of any travel plan that is put in place.

Broadband

The Digital Derbyshire programme in conjunction with BT is investing in the delivery of high speed broadband connections for existing residents and businesses in Derbyshire. The Government has recently announced funding available to developers via BT Openreach to enable developers to provide high speed fibre connections to serve new housing development. Developers should be encouraged to take up this provision through the Local Plan, pre-application discussions, and advisory / informative notes attached to planning permissions.

Education

The following comments provide a summary with regards to education provision in each settlement of the District. DCC's officers provided detailed comments on education provision relating to each of the proposed housing allocations to Fore Consulting Limited (consultants acting for DDDC) on 31st March 2015.

In Ashbourne, housing development within the normal area of Hill Top Infant and Nursery School and Parkside Community Junior School will probably trigger the need to provide additional places at both schools, secured either via Section 106 planning obligations or CIL. DCC has already responded to planning applications for residential development at a number of the proposed site allocations requesting contributions towards the provision of primary school places at these schools. Queen Elizabeth's Grammar School (QEGS) is the designated normal area secondary school (see comments below).

In Doveridge, it is likely that current planning applications will utilise the available surplus and projected surplus capacity at the primary school. In future, any further residential development will likely result in a requirement for the provision of additional primary school places, to be funded by developers. At secondary level, QEGS is defined as the normal area school (although exercising parental preference for places in Staffordshire may be the usual practice – see comments below).

In Hulland Ward, any further development will result in a requirement for additional primary school places at Hulland Primary School. QEGS is the normal area secondary school.



PUBLIC

Page 12 of 34



In Brailsford, construction of a new primary school will provide accommodation for new primary school pupils from development already benefitting from planning permission. Any further development in this area may result in a need for additional places at Brailsford Primary School or contributions towards additional provision at the new school site. QEGS is the designated normal area secondary school.

QEGS is projected to have a small amount of surplus capacity and could accommodate some additional secondary pupils from a small level of housing development. However, significant housing growth within the normal area of QEGS would see the small amount of projected surplus capacity taken up. There would be a need for developer contributions (secured either via Section 106 planning obligations or CIL) to provide additional secondary places in order to mitigate the cumulative impact of housing development in the QEGS normal area.

The primary schools serving the Darley Dale planning area are all at capacity or over-subscribed currently, and projections are showing rising pupil numbers for all but one primary school in this area. Therefore, any residential development in this area will result in a need for the provision of additional primary places, to be funded either via Section 106 planning obligations or CIL. Highfields School is the normal area school for secondary provision (see below).

In Matlock, further housing development would result in the need for provision of additional primary school places at All Saints Infant School, All Saints Junior School and Castle View Primary School. However, the site of All Saints Infant School is limited in its potential for expansion. Therefore, there may be a requirement for an alternative site for the provision of either an infant school or primary school for Matlock. Highfields School is the normal area school for secondary provision.

In Tansley, housing development would result in the need for provision of additional primary school places which could be delivered subject to funding from developers via Section 106 planning obligations or CIL. Highfields School is the normal area school for secondary provision.

Highfields School is the normal area school for secondary provision in Matlock, Darley Dale and Tansley and is projected to have sufficient surplus capacity to accommodate additional secondary pupils from future housing development in these areas.

In Wirksworth, additional primary school places would be required to accommodate additional pupils from housing development. However, neither infant school site can be expanded, although there is some space at the junior school. It is not clear how additional infant places could be provided. DCC would look to negotiate a site for a primary school in the Wirksworth area (see comments below on Middle Peak Quarry). Anthony Gell School is the designated normal area school for secondary provision and is projected to have sufficient



surplus capacity to accommodate additional secondary pupils from future housing development in its normal area.

In Middleton, housing development would result in the need for provision of additional primary school places at Middleton Community Primary School which could be delivered, subject to funding from developers via Section 106 planning obligations or CIL. Anthony Gell School is the designated normal area school for secondary provision and is projected to have sufficient surplus capacity to accommodate additional secondary pupils from future housing development in its normal area.

5) Landscape and Landscape Character Issues

Detailed comments on strategic landscape issues, landscape character, the visual amenity, landscape sensitivity and ability to accept change are contained in Appendix 2 to this letter.

These issues are all fundamental to the Spatial Vision, Aims and Objectives of the DDDLDP *‘that the Peak District will be a distinctive high quality rural environment’*.

The detailed comments support the spatial vision but indicate there is a need to ensure that the vision is delivered, in particular:

The landscape of the Derbyshire Dales is a complex combination of physical and cultural elements, developed over centuries to produce a landscape of particularly high quality which will be protected and enhanced.

The character of the Derbyshire Dales will be protected and enhanced with care taken to ensure new development is well integrated with its surroundings.

The integrity of our towns and villages will be maintained by ensuring that there is appropriate separation between settlements, in particular between Matlock and Darley Dale along the A6 corridor.

The need to protect and enhance the high quality and character of the landscape of the District is the main thread of DCC’s detailed comments, which can be summarised as follows:

- Policy PD11: Matlock to Darley Dale A6 corridor. The principle of the policy is fully supported, which indicates that in order to safeguard the intrinsic character and quality of the open spaces through the Derwent Valley between Matlock and Darley Dale, and to prevent the further coalescence of the settlements, DDDC will resist development proposals which threaten the open spaces identified on the Proposals Map. However, there is concern about the successful delivery of the objective to protect and enhance the landscape and maintain the separation of the settlements, as only a few sections of land south of the A6 have been identified.



PUBLIC

Page 14 of 34



- Some housing, mixed-use and employment land allocations lie within high landscape sensitive zones and Areas of Multiple Environmental Sensitivity (AMES). There is concern that their suitability and potential impact on the landscape combined with a reduced capacity to accept change may not be able to be adequately mitigated or addressed in these locations;
- Detailed comments are included where additional factors raise wider landscape concerns for specific allocated housing, mixed use and employment land.

6) Heritage Issues

Derwent Valley Mills World Heritage Site

It is welcomed and supported that appropriate reference is made in paragraphs 5.15 and 5.16 to the Derwent Valley Mills World Heritage Site (DVMWHS) (and its buffer zone) and its Outstanding Universal Value (OUV); that particular scrutiny will be given to proposals relating to development in the DVMWHS (or its buffer zone), which have the potential to impact on the OUV; and that proposals for significant development may be referred, where appropriate, to the World Heritage Site Partnership for detailed appraisal. It is also welcomed and supported that accompanying Policy PD2: Protecting the Historic Environment, lists the DVMWHS specifically as a heritage asset that DDDC will seek to conserve, manage and, where feasible, enhance; and that DDDC will ensure that development respects the OUV of the DVMWHS and is in accordance with the DVMWHS Management Plan.

However, it is also important that Policy PD2 (and supporting background text) should include a specific requirement that a Heritage Impact Assessment (HIA) should be submitted in support of any development proposals that are located within, or potentially impact on, the DVMWHS and / or its buffer zone and the OUV. This requirement should particularly apply to proposed housing allocations HC2 (i): land at Slinger Mining Ltd, Cromford Hill, Cromford; and employment allocation EC4 at Middleton Road / Cromford Road, Wirksworth. Specific reference to this requirement should be included in Strategic Allocation Policy DS6 and the supporting text; and paragraphs 5.15 and 5.16 relating to Policy PD2.

It is also suggested that Policies S4 (g): Development within Defined Settlement Boundaries and S5 (i) Development in the Countryside should include an additional bullet point for the DVMWHS in a similar way to the Peak District National Park, e.g. 'it protects the Outstanding Universal Value of the Derwent Valley World Heritage Site and its buffer zone'.



7) Town and Local Centres

Policy EC5: Town and District Centres is fully supported, which seeks to ensure that the vitality and viability of town centres, district centres and local centres (as defined on the Proposals Map) is maintained, and where possible, enhanced in accordance with their function, scale and identified development needs. This is fully in accordance with the policy requirements for town centres and retailing in paragraph 23 the NPPF. The policy also appropriately incorporates the sequential and retail impact tests set out in the NPPF. The requirement in the policy for retail proposals of 200 square metres (sq m) (net sales) or more located outside of the defined town centres to be supported by a retail impact test, is fully supported. Given the relatively small scale nature of the defined town centres in the District, the 200 sq m threshold appears to be wholly appropriate and is compliant with advice in paragraph 26 of the NPPF, which permits local authorities to set their own locally derived thresholds for requiring impact assessments with applications for retail proposals outside town centres.

Overall, the policy approach above should ensure that the vitality and viability of the District's defined town centres, district centres and local centres is maintained and enhanced and that retail proposals located outside these centres are of an appropriate scale and nature, which does not undermine the vitality and viability of the centres. The definition of the physical extent of the town, district and local centres is also fully supported as this will provide clarity and certainty to the public and developers as to how the policy approach will be applied within and around the centres.

Darley Dale is appropriately defined as a District Centre. However, retail and service provision in the settlement is very limited and fragmented between the Broadwalk and Chesterfield Road areas. The settlement has no focus or hub for retail and service provision. Given the existing size of the population of the settlement and the potential growth in the population in the future as a result of the housing allocations which have been identified for the settlement, it is considered that the settlement should accommodate new retail and service provision to meet the needs of the growing population over the plan period.

In this respect, Policy DS2 and housing allocation HC2 (m) identify land to the rear of the former RBS premises in Darley Dale to accommodate 143 new dwellings. The policy indicates that there will be a requirement for a comprehensive masterplan for the development of the site incorporating 'community facilities' proportionate to serve the needs of the local community. It is considered that this site provides significant potential for the establishment of a new focus or hub for new retail and service provision to serve the wider settlement, particularly as the site already directly adjoins the existing defined District Centre area of Chesterfield Road, which could be expanded and consolidated. DDDC is therefore requested to give further consideration to this issue in consultation with the site promoter.



8) Minerals and Waste Issues

Middle Peak Quarry, Wirksworth for 220 dwellings

This quarry is now inactive and has been for around 20 years. DCC's officers have been informed by the quarry's owners (Tarmac Ltd) that they do not have any plans to restart working minerals at this quarry in the foreseeable future. There are remaining reserves of around 29 million tonnes of Carboniferous Limestone in the quarry. The total land bank of aggregate limestone in Derbyshire is around 750 million tonnes. Although the reserves at Middle Peak Quarry are not highly significant, therefore, in the context of the overall land bank, the sterilisation of the reserves would still have implications, as the Carboniferous Limestone is an important resource in national terms. It will be important that this issue is taken fully into account in the assessment of the suitability of this proposal.

In the context of the above, DDDC's attention is drawn to Policy MP17 of the adopted Derby and Derbyshire Minerals Local Plan (DDMLP): Safeguarding Resources. This policy states that:

The mineral planning authority will resist proposals for any development which would sterilise or prejudice the future working of important economically workable mineral deposits except where:

- 1) *There is an overriding need for the development; and*
- 2) *Where prior extraction of the mineral cannot be reasonably undertaken, or is unlikely to be practicable or environmentally acceptable.*

Where the development of land for non-mineral purposes is considered essential and proven mineral deposits would be permanently sterilised, planning permission for prior extraction will be granted provided this does not prejudice the timing and viability of the proposed development and does not lead to unacceptable effects.

DDDC's attention is also drawn to the national policy in the NPPF and NPPG and emerging Derby and Derbyshire Minerals Local Plan (EDDMLP), which proposes to safeguard all the resource of Carboniferous Limestone in Derbyshire.

Government policy in the NPPF sets out a requirement that mineral resources should be considered equally alongside all other natural assets when determining planning applications for new development. The NPPF requires, therefore, that all mineral planning authorities define Mineral Safeguarding Areas (MSAs) so that known locations of specific mineral resources of local and national importance are not needlessly and unnecessarily sterilised by non-mineral development.

The NPPG states that minerals are a non-renewable resource, and that minerals safeguarding ensures that non-minerals development does not needlessly



PUBLIC

Page 17 of 34



prevent the future extraction of mineral resources, which are of local and national importance. It states that minerals should be safeguarded in designated and urban areas where considered necessary, and that policies may be included that encourage the prior extraction of minerals if it is necessary for non-mineral development to take place in MSAs.

In November 2014, DCC and Derby City Council published a consultation paper entitled: Towards a Strategy for Safeguarding Minerals Resources. The paper includes a draft policy for minerals safeguarding as follows:

SMP6: Draft Emerging Approach for Mineral Safeguarding

- 1. The Minerals Local Plan will aim to provide a clear approach to minerals safeguarding in Derbyshire and Derby. It will seek to safeguard minerals, which are considered to be of national and local importance.*
- 2. It is proposed to safeguard all the resource of the Carboniferous Limestone, Fluorspar, Permian Limestone, alluvial sand and gravel and surface mined coal (with associated Fireclay) by virtue of their national and local importance, but to take a more selective approach to safeguarding areas of sandstone for building and roofing purposes, Sherwood Sandstone and clays which will involve safeguarding the mineral resource around existing mineral workings.*
- 3. Development within mineral safeguarding areas should demonstrate that proven mineral resources of economic importance will not be sterilised as a result of a non-mineral development and that the development would not pose a risk to future mineral extraction in the vicinity.*
- 4. Where this cannot be demonstrated, and where a clear need for the non-minerals development is shown, prior extraction of the mineral will be sought, where practicable.*

It is important that DDDC takes into account the above national and local planning policies that seek to protect minerals resources of national and local importance, in taking forward the proposed allocation of land at Middle Peak Quarry. The supporting text to the strategic allocation in paragraphs 8.23 to 8.28 and the proposed Strategic Policy DS7: Land at Middle Peak Quarry, Wirksworth should include reference to the national and local planning policy requirements above. DCC's officers would welcome the opportunity to discuss this issue further with DDDC's officers.

Potential to accommodate a new school

As noted in the education comments above, the scale of new housing growth proposed for Wirksworth would require additional primary school places to be provided to accommodate additional pupils from the proposed housing developments. However, neither infant school site can be expanded, although



there is some space at the junior school. DCC has previously safeguarded land at The Meadows in Wirksworth for a potential new school site but the physical extent of the site is insufficient to accommodate a new school of the scale required to meet housing growth in Wirksworth. The site has since been de-notified by DCC.

Given the scale and extent of Middle Peak Quarry and the proposed area that has been identified in the allocation, it is considered that the proposed allocation may have potential to accommodate a new primary school to meet the future growth needs that are proposed in the DDDL for Wirksworth. DCC's officers would welcome the opportunity to explore this potential further with DDDC.

The scale of the site in the proposed allocation could also potentially accommodate other uses, such as business and commercial uses which, together with the 220 dwellings and potential site for a school, could provide for a sustainable mixed-use development.

Stancliffe Quarry, Darley Dale for 100 dwellings

This quarry produces stone for building and roofing purposes. There are remaining reserves of 165,000 tonnes of high quality mineral. It is currently inactive. As above, it is proposed to safeguard the resource at this quarry in the EDDMLP. The same issues apply as referred to above, i.e. it will be important for DDDC to take full account of the mineral reserve in the assessment of this proposal for non-minerals development and appropriate reference should be made in both the supporting text to the Policy in paragraphs 8.9 to 8.11 and Policy DS3 to these national and local planning policy considerations. DCC's officers would welcome the opportunity to discuss this issue further with DDDC's officers.

This quarry site was previously proposed to accommodate up to 60 dwellings in the DDLPS. It is noted that Policy DS3 now proposes to allocate the site to accommodate approximately 100 dwellings. The availability of sufficient land at the quarry to accommodate such a number of dwellings will need to be given careful consideration by DDDC as it is constrained by:

- The existing land form and the quarry floor which comprises quarry tipped material;
- A Tree Preservation Order; and
- The need to stabilise the rock face below Stancliffe Hall, which is currently subject to an ongoing Breach of Condition Notice served by DCC, with which DCC is seeking compliance.

Land at Halldale Quarry / Matlock Spa Road, Matlock for 220 dwellings

This quarry has been inactive for a significant period of time and is now listed as dormant. At the time mineral working ceased, there were reserves of 2,750,000 tonnes of Carboniferous Limestone for aggregate use. This is not a significant



amount in terms of the overall land bank, but the issues of national and local planning policy safeguarding set out above still apply and should be taken into account in the assessment of this proposal. Reference to these national and local planning policy requirements should be made in the supporting text in paragraphs 8.15 to 8.17 and in Policy DS5. DCC's officers would welcome the opportunity to discuss this issue further with DDDC's officers.

9) Gypsy and Traveller Issues

It is welcomed and supported that paragraph 6.12 in the DDDL sets out details of the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA), which was published in August 2015 and jointly commissioned by DCC, Derby City Council, the eight district and borough councils in Derbyshire, the Peak District National Park Authority (PDNPA), East Staffordshire Borough Council and the Derbyshire Gypsy Liaison Group (DGLG). Paragraph 6.13 and Policy HC6: Gypsy and Traveller Provision appropriately sets out a requirement that provision should be made for 9 pitches over the period 2014 to 2034 in the District, which was recommended by the GTAA and is therefore supported.

Policy HC6 indicates that DDDC will safeguard land at Watery Lane, Ashbourne as identified on the Local Plan Proposals Map, for the provision of a Gypsy and Traveller Site provided there remains a need for these uses within the Local Plan area. Please note that DCC owns the land which is subject to the proposed allocation site at Watery Lane, and has planning permission granted in June 2015 subject to conditions for a proposed use of the site for 4 Gypsy and Traveller pitches under an application by DGLG.

DCC does not, however, have any capital funding available to develop the land in accordance with the proposed policy allocation. Having regard to DCC's interest as land owner, before any development of the land by any other party could take place, a lease or agreement would need to have been completed with DCC on terms satisfactory to DCC.

It should be noted that a local wildlife group has previously indicated that there are likely to be protected species located in the vicinity of the site. This issue will require further investigation prior to any use of the site, in consultation with Natural England, whose consent may be necessary to mitigate the impact of development upon any protected species on the site.

10) Recreation / Public Open Space Issues

Land at The Meadows, Wirksworth

Policy HC13: Open Space and Outdoor Recreation Facilities, sets out DDDC's aim to seek to protect, maintain, and where possible, enhance existing open spaces, sport and recreational buildings and land including playing fields in order



to ensure their continued contribution to the health and wellbeing of local communities.

In this respect, County Councillor Irene Ratcliffe has drawn attention to the fact that land at The Meadows in Wirksworth was a notified school site but has been de-notified by DCC as it is too small to accommodate a new school of the size needed in Wirksworth. Councillor Ratcliffe considers that the site is the only flat area of open space left in the centre of Wirksworth, and that it is important this area of open land is protected as Public Open Space and formally allocated in the Local Plan as an area of Public Open Space and a Community Asset. Given the importance of this area of open space to the local community in Wirksworth, it is requested that DDDC give further consideration to this issue in consultation with DCC.

White Peak Loop

DCC is promoting the development of the White Peak Loop, sections of which have recently been granted planning permission. It is welcomed that paragraph 7.47 sets out details of the vision for the White Peak Loop, which is to create a 60 mile circuit connecting the existing High Peak, Tissington and Monsal Trails into Buxton, Bakewell and Matlock. The vision includes the creation of links between Matlock and the Monsal Trail to the north, and the High Peak Trail to the south via Cromford.

In the context of the above, Policy EC10: Protecting and Extending our Cycle Network is fully supported, which seeks to ensure that development will not be permitted where it significantly harms an existing cycle route or prejudices the future implementation of new routes including the White Peak Cycle Loop.

11) Health and Wellbeing

It is welcomed that maintaining and improving the health and wellbeing of individuals and communities is recognised and promoted throughout the DDDL. The following suggestions are made to strengthen this:

1. Introduction

On page 5, 1.11, it is requested that the 'Strategic Statement Planning and Health across Derbyshire and Derby' is mentioned.

2. Portrait of the Derbyshire Dales

In 2.37, you may wish to add a description of the health of residents in the District including, for example life expectancy, Index of Multiple Deprivation, fuel poverty, health issues particularly related to an ageing population, weight and lifestyle factors that have cross-cutting implications that are being addressed through your DDDL. It is welcomed that the value of the Green Infrastructure (GI) network is recognised for the good health and wellbeing of communities in 2.23 and 2.35. In



the same way, the link could be given greater emphasis in 2.37 between health and wellbeing and enhancing job opportunities and protecting the District's good air and water quality, high quality landscape and rich cultural, heritage and recreational assets to benefit the health, wellbeing and quality of life of residents, workers and visitors.

Key Issues for Local Plan

It is suggested that flood risk is mentioned in KI 3 Addressing the Challenges of Climate Change.

3. Spatial Vision, Aims and Objectives

Vision

The Spatial Vision is supported. It is suggested that on page 23 in the 5th paragraph the words underlined are added '...will be supported by the protection and enhancement of areas of open and green space within and around them'.

Strategic Objectives

All objectives will benefit the health, wellbeing and quality of life of all sectors of the community. It is welcomed that there is a specific objective, SO10, to promote healthy lifestyles.

4. The Spatial Strategy

The following draft Policies are supported in terms of their positive benefits for health and wellbeing:

- S2: Sustainable Development Principles
- S4: Development within Defined Settlement Boundaries
- S5: Development in the Countryside
- S8, S9 and S10: Area Development Strategy policies, in particular the explicit references to working with partner organisations and the Clinical Commissioning Group (CCG) to achieve health and wellbeing, educational, recreational, active travel, cultural and leisure objectives.
- S11: Local Infrastructure Provision and Developer Contributions, in particular the explicit references to the Derbyshire Health and Wellbeing Strategy, support to the CCG and maintaining and improving the health and wellbeing of local communities.

5. Protecting Derbyshire Dales Character

The following draft Policies are supported in terms of their positive benefits for health and wellbeing:

- PD1: Design and Place Making, which is comprehensive
- PD2: Protecting the Historic Environment
- PD3: Biodiversity and the Natural Environment, including reference to working with partners to protect and enhance watercourses
- PD4: Green Infrastructure, including its reference to role of GI in flood risk management



PUBLIC

Page 22 of 34



- PD7: Climate Change, PD8: Flood Risk Management and Water Quality, and PD9: Pollution Control and Unstable Land, which are comprehensive.

6. Healthy and Sustainable Communities

The following draft Policies are supported in terms of their positive benefits for health and wellbeing:

- PD HC10, 11, 13, 14, 15 and 17.

7. Strengthening the Economy

The following draft Policies are supported in terms of their positive benefits for health and wellbeing:


- EC5: Town Centres and Local Centres
- EC10: Protecting and Extending our Cycle Network.

I understand that, following consideration of the representations made in respect of the latest consultation, DDDC will produce a Pre-Submission Draft of the Local Plan which will be subject to a further period of public consultation from 11 August to 22 September 2016 prior to an Examination in Public anticipated late 2016. This will presumably include an updating of the Transport Study to include any deletions or additions to proposed development allocations to reflect your Pre-Submission Draft Local Plan and upon which the Highway Authority will be pleased to offer further advice.

I can confirm that DCC will be happy continue to work with you in your preparation of a complementary delivery strategy for sustainable transport interventions across the Plan area. May I suggest that in the meantime, however, you give early consideration as to how such a strategy can be developed, bearing in mind your ambitious Local Plan programme.

I hope the comments above are of assistance to DDDC. Please contact my officer, Steve Buffery by email at steve.buffery@derbyshire.gov.uk or telephone 01629 539808 if you wish to discuss them further.

Yours sincerely



Councillor Dean Collins
Cabinet Member for Highways Transport and Infrastructure



PUBLIC

Page 23 of 34



APPENDIX 1: Detailed Statement from Councillor Irene Ratcliffe, Local County Councillor for Wirksworth Electoral Division

Overall Housing Target

- The overall housing target of 6,015 dwellings is supported.
- I accept that the housing need in Derbyshire Dales is 6,400, given the decision of the Local Plan Inspector on the previously withdrawn Local Plan. It is important and right that all areas of the District take their fair share of new housing growth.
- If the shortfall of 400 dwellings is to be provided to meet the overall requirement of 6,400 dwellings, more resources will be required to support this level of growth, particularly Government resources.
- The level of growth needs to be matched by a significant increase in provision of supporting infrastructure.
- It is essential that all the strategic sites have a thorough Development Brief to ensure that they are developed properly and actually brought forward for development.
- It should be kept in mind that Derbyshire Dales is a rural District. Therefore, impact assessments should be required for even the smaller sites of less than 50 dwellings.
- The shortfall of 400 dwellings should be met by more housing provision in the Peak District National Park such as in the larger settlements e.g. Hathersage and also in the smaller villages, which would help them be more sustainable settlements.
- DCC should also investigate whether it has any surplus land in its ownership in Derbyshire Dales, which could be used for housing, especially affordable housing, to help meet the shortfall of 400 dwellings.
- There is an acute shortage of family housing and affordable housing in Wirksworth and the District as a whole. The Local Plan needs to ensure that sufficient family and affordable housing is provided on the two strategic sites at Middle Peak Quarry and Middleton Road.

Middle Peak Quarry Wirksworth Strategic Allocation

- The Local Plan allocates the quarry site for 220 dwellings but Tarmac has ambitions to build 1,200 dwellings. 1,200 dwellings would be unacceptable as it would be totally out of scale with the settlement of Wirksworth and the existing range of services and facilities it has available.
- The roads around the site and the wider area of Wirksworth, such as the A6, are not physically suitable or able to cope with a large increase in traffic that would be generated by large scale housing development in the quarry. It is still not clear where the main road access would be created to serve the site.
- Large-scale housing development would have significant impacts on drainage and sewerage treatment.
- Development would need to be carefully planned to ensure that it did not have adverse impacts on the landscape and protected trees and woodland on



PUBLIC

Page 24 of 34



the site. Part of the site is also a Site of Special Scientific Interest that will need to be protected.

- 250 dwellings is the maximum capacity for the site for it to be sustainable development.
- The site should also be used for other uses, including new employment development and a new school.
- The Local Plan sees quarry sites as being suitable redevelopment brownfield sites. But many quarry sites are not brownfield sites where they have been dormant for a long time and have been assimilated into the landscape. They are therefore greenfield sites.

Education Issues

- Existing primary schools in Wirksworth are at, or near to, capacity already.
- The two strategic sites at Middle Peak Quarry and Middleton Road / Cromford Road, Wirksworth are proposed for a total of 346 houses.
- Existing schools would not be able to accommodate the new pupils that would be generated by these two developments so a new school would need to be built in Wirksworth.
- A major issue is 'acadamisation'. If a new school was built in Wirksworth it would have to become an academy. The County Council would have no control over the running of the school and its intake of pupils. There would be no certainty that the new school would take all the pupils generated by the two new strategic sites. This is a significant sustainability issue.
- It is essential that the new school was built before development started on the strategic sites.
- The Middle Peak Quarry site should be used to accommodate the new school, given that the site at The Meadows in Wirksworth has been de-notified by the County Council.

The Meadows De-Notified School Site

- Land at The Meadows in Wirksworth was a notified school site but has been de-notified by the County Council as it is too small to accommodate a new school of the size needed in Wirksworth.
- This is the only flat area of open space left in the centre of Wirksworth. It has two Rights of Way crossing the site.
- It is important that this area of open land is protected as Public Open Space. The Local Plan should formally allocate the site for Public Open Space and a Community Asset.
- The Wirksworth Neighbourhood Plan proposes that The Meadows area should be protected as Public Open Space with some housing around the periphery.

Employment Issues

- There are two important employment sites in Wirksworth at Kingsfield and Ravenstor. The Kingsfield site does not have room to expand but it could be



PUBLIC

Page 25 of 34



redeveloped within its boundary to create more jobs. It is important that these two sites are protected for employment purposes, especially as the Middletown Road / Cromford Road site was an employment land allocation but is now proposed for housing.

- The Middle Peak Quarry site should also be used for some employment development.
- The Breasley Mill employment site is a significant employer in the town. Should it be reused, the site has the potential to be used for other employment uses that would not need to be served by HGVs.
- It is important that the Local Plan ensures that there is economic growth in Derbyshire Dales District and that it is matched by the provision of new housing.
- There is an important need to increase the number of jobs in the District and the level of incomes. There are a lot of people in the District who are on low incomes, which needs to be addressed by more better paid jobs.

Health Issues

- The growth planned for Wirksworth and the other main towns needs to be matched by and supported by an increase in primary health care facilities. There is a need for all partners to work together with the NHS Trusts to maintain and improve health care provision, particularly extra care and elderly care facilities;
- The importance of the use of community buildings should be highlighted as being an asset to facilitate the need for thriving families, as local Government loses its funding from Central Government for its Children Centres.

Environment Issues

- The use of cars is a major problem in the District, given its rural nature. It is essential that there should be a good level of public transport provision. It is a concern that major growth is being planned for the District at a time when the County Council is reducing its support for community transport and rural bus provision due to Government funding cuts.
- There is a need to ensure that measures are set out in the Local Plan to reduce pollution such as by the increased use of sustainable transport e.g. more charging points for electric cars.
- It is important that growth in the District is matched by an improvement in accessibility by improvements to the road and public footpath network.
- It is also important that the railway and canal system in the District is maintained and improved.

Gypsies and Travellers

- It is supported that the Local Plan recognises the need to provide sites for Gypsies and Travellers in the District and has identified a potential site for allocation in the Plan.



APPENDIX 2: Detailed Landscape and Landscape Character Comments

The comments below are made without prejudice on strategic landscape issues, landscape character, visual amenity, landscape sensitivity and ability to accept change. These issues are fundamental to the Spatial Vision, Aims and Objectives ‘that the Peak District will be a distinctive high quality rural environment’.

The spatial vision is supported but there is a need to ensure that it is delivered in particular:

The landscape of the Derbyshire Dales is a complex combination of physical and cultural elements, developed over centuries to produce a landscape of particularly high quality which will be protected and enhanced.

The character of the Derbyshire Dales will be protected and enhanced with care taken to ensure new development is well integrated with its surroundings.

The integrity of our towns and villages will be maintained by ensuring that there is appropriate separation between settlements, in particular between Matlock and Darley Dale along the A6 corridor.

Protecting and enhancing the high quality and character of the landscape is the main thread of the comments below. These comments can be summarised as follows:

- Policy PD11 – Matlock to Darley Dale A6 corridor. The principle is fully supported. However, there is concern about the successful delivery of the objective to protect and enhance the landscape and maintain the separation of the settlements, as only a few sections of land south of the A6 have been identified.
- Some housing, mixed-use and employment land allocations lie within high landscape sensitive zones and AMES. Their suitability and potential impact of the landscape combined with a reduced capacity to accept change may not be able to be adequately mitigated or addressed in these locations.
- Detailed comments are included where additional factors raise wider landscape concerns for specific allocated housing, mixed-use and employment land.

A comprehensive analysis of the issues raised by the Local Plan is set out below.

Full support is expressed for the strategic objectives of ‘Protecting Derbyshire Dales Character’, which includes:

- SO1: *To protect and enhance the Green Infrastructure Network*
- SO2: *To maintain, enhance and conserve the areas distinct landscape characteristics, biodiversity, and cultural and historic environment*



PUBLIC

Page 27 of 34



- *SO3: To ensure that design of new development is of high quality, promotes local distinctiveness and integrates effectively with its setting*
- *SO4: To protect and enhance the character, appearance and setting of the District's towns and villages.*

At paragraph 5.1, it is stated that *'The landscape of the plan area is some of the most highly sensitive and attractive outside of the Peak District National Park ...'*

Protecting Derbyshire Dales Character is a highly commendable theme followed through to key issues and strategic objectives. It is considered that the links between Key Issues and Strategic Objectives set out in Table 2 on page 27 are clearly defined. However, there are concerns as to the actual delivery of this objective of protection and management, especially in relation to the Matlock to Darley Dale A6 Corridor and some housing, mixed use and employment allocations.

Spatial Strategy Policy S5: Development in the Countryside, underpins the protection of the Matlock Darley Dales corridor and the wider landscape of the District. It states that:

'Outside defined settlement development boundaries, and sites allocated for development as defined on the Proposals Map, the District Council will seek to ensure that new development is strictly controlled in order to protect and where possible, enhance the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the historic and cultural environment and the setting of the Peak District National Park whilst also facilitating sustainable rural community needs, tourism and economic development. Planning permission will therefore, only be granted for development if:'

The spatial strategy describes the following:

- *(4.44) 'Darley Dale, is situated to the north-west of Matlock and comprises several linear settlements that extend up the hillside to the north-east, beyond which is some of the highest quality landscape in Derbyshire'*
- *(4.46) The Peak Sub Region Open Space study (2009) identified that local residents support and are keen that the District Council continue to protect the open spaces along the A6 Corridor between Matlock and Darley Dale. The local plan seeks to ensure that the open spaces protect the identity of the two settlements and ensure that there is no coalescence (see Policy PD11 in Section 5).*

In addition Policy S8: Matlock / Wirksworth / Darley Dale Development Strategy states that:

- *Maintaining a strategic gap between Matlock and Darley Dale through the protection of important open spaces in order to avoid the coalescence of Matlock and Darley Dale.*



The Spatial Strategy, along with Policies S5 and S8, help to underpin Policy PD11: Matlock to Darley Dale A6 corridor.

5.68 Accordingly, it is important that the most sensitive areas of land between Matlock and Darley Dale, remains open. The following policy seeks to protect these sensitive areas from inappropriate development.

Policy PD11 – Matlock to Darley Dale A6 corridor.

In order to safeguard the intrinsic character and quality of the open spaces through the Derwent Valley between Matlock and Darley Dale, and to prevent the further coalescence of the settlements of Matlock and Darley Dale, the District Council will resist development proposals which threaten the open spaces identified on the Proposals Map unless:

a) the development is required for the purposes of agriculture, forestry or outdoor recreation; or

b) the development does not have an adverse impact upon the character of the area including views into and out from the Derwent Valley.

Firstly, it is considered that the wording of the policy should be changed to a) 'and' b) and not 'or', otherwise development required for agriculture, forestry or outdoor recreation could be approved but potentially have an adverse impact upon the character of the areas including views into and out from the Derwent Valley.

Secondly, whilst the aspiration in the policy is considered to be commendable, there are concerns about the actual delivery of the policies aims, as only a few areas on the south side of the A6 have been included in this policy. The DDDC Landscape Sensitivity Study (LSS) (August 2015) identifies many other landscape sensitive areas along the valley corridor not just a few on the south side of the A6 as shown in red on the Proposals Map. The corridor also includes scattered hamlets such as those along Old Hackney Lane separated by fields / green spaces which, if developed, could increase the coalescence of the settlements and potentially have an adverse impact on the existing distinct settlement character, the landscape and views into the Derwent Valley.

The LSS identified 'highly sensitive landscape sites' but some of them are now included as housing allocations. Some of these sites play a very important role by physically, and visually, separating existing settlement sprawl and prevent coalition. They provide important visual and green gaps that link to the hillside and countryside beyond. These include:

HC2 (l) Land off Old Hackney Lane, Darley Dale for 27 dwellings

HC2(x) Land at Old Hackney Lane, Matlock for 21 dwellings

The LSS states (6.5.8) that '*Land to the north-west is important in preventing coalescence between Upper Hackney and Darley Dale*'. The development of these two sites could infill the small hamlets on the valley side, and merge



PUBLIC

Page 29 of 34



neighbourhoods. Whilst only providing a small number of dwellings it could have a significant adverse effect on the character of the area, without appropriate mitigation.

The hillside above the expanding development of the former St Elphin's school is another landscape sensitive area that could be considered for inclusion in Policy PD11 to prevent coalescence and adverse visual impacts.

The allocation of extension of HC2 (n) Land off Normanhurst Park, Darley Dale for 20 dwellings would extend south-westwards to the railway line. This could have impacts on a highly sensitive landscape and separate the physical and visual continuity of the green space along the valley corridor. Development at present stands off from the recreational railway and the proposed White Peak multiuser trail. Careful consideration would need to be given to how these potential impacts could be adequately mitigated as part of any development proposals for the site.

These areas are not exclusive and there may be other such suitable sites for inclusion in this Policy.

Landscape Character

Paragraph 5.36 states that:

The landscapes of the Derbyshire Dales are some of the defining characteristics of the plan area. They define the sense of place, have a strong influence on local distinctiveness, and have been instrumental in shaping local settlement patterns. Local communities value their beauty, their variety, their tranquillity, their accessibility and the contribution they make to the quality of life. They are an important resource in attracting people to live and work in the area as well as driving the local tourist economy.

In paragraph 5.38, however, reference should be made to the latest '2014' version of the Landscape Character of Derbyshire and not the 2003 version.

In Table 4: Landscape Character Types in Derbyshire Dales, there appears to be a typo error as the *Dark Peak, Open Moorland* should be *Open Moors*.

An up-to-date map of the Landscape Character of the District can be made available should DDDC wish to use it in the Draft Local Plan, or a variation on this.

Policy PD5: Landscape Character, states that:

'The District Council will seek to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area'.



This policy is fully supported. However, there are concerns that some of the housing, mixed-use and employment land allocations could have a detrimental effect on landscape character and quality, without appropriate mitigation.

Location of New Housing Development - Housing Land and Mixed-Use Allocations

These comments set out below on the housing land and mixed-use allocations are without prejudice and relate landscape and visual impact issues with reference to:

- DDDC LSS; and
- Strategic AMES as defined by the Landscape Character of Derbyshire 2014.

DDDC Landscape Sensitivity Study August 2015

The aim of the study was to assess the sensitivity of the landscape surrounding settlements to housing development. The LSS provided a strategic context for landscape capacity and impact assessments undertaken at the field level, and form part of the evidence base for the Local Plan. It includes references to visual prominence. Land within the areas of search is assessed as being of high, medium or low sensitivity. Where relevant, potential measures that could be undertaken to reduce the sensitivity of land or improve the settlement edge were also identified.

DCC Strategic Areas of Multiple Environmental Sensitivity (landscape, ecology & the historic environment), as defined by the DCC Landscape Character of Derbyshire 2014.¹

In general terms, those landscapes of highest sensitivity to change will be areas where the landscape remains intact both visually and structurally, have strong historic and cultural identity, and contain many widespread semi-natural habitats with associated linkages appropriate to the character of the area. Those areas of 'Primary Sensitivity' are considered to be the most sensitive areas of landscape, which are most likely to be negatively affected by change or development and will attract a strong focus on the Protection (Conservation) of their environmental assets. Those areas of 'Secondary Sensitivity' are still considered to have environmental sensitivities but are potentially weaker in one area (landscape, ecology or historic).

Areas of landscape that are not identified as being strategically sensitive through this assessment process will be the areas that might be less sensitive to change.

There are concerns about the landscape and visual sensitivity of some of the proposed allocations, their 'suitability' for development and the potential adverse effect on landscape and visual amenity. The list below identifies those allocations

¹ <http://www.derbyshire.gov.uk/environment/conservation/landscapecharacter/default.asp>

Technical support document 1 AMES.



identified as **both** high landscape sensitivity by the LSS study **and** where they are of secondary or primary sensitivity in the AMES. These are:

- HC2(a) Land at Lathkill Drive, Ashbourne 35 (dwellings)
 - HC2(d) Land off Cavendish Drive, Ashbourne 28
 - HC2(f) Land to North of Main Road, Brailsford 45*
 - HC2(h) Land at Luke Lane / Mercaston Lane, Brailsford 47*
 - HC2(k) Land off Old Hackney Lane, Darley Dale 10
 - HC2(l) Land off Old Hackney Lane, Darley Dale 27 *
 - HC2(n) Land off Normanhurst Park, Darley Dale 20 *
 - HC2(o) Land at Stancliffe Quarry, Darley Dale 100
 - HC2(r) Land at Sand Lane, Doveridge 18
 - HC2(t) Land East of Ardennes, Hulland Ward 18
 - HC2(u) Land off A517 and Dog Lane, Hulland Ward 30
 - HC2(x) Land at Old Hackney Lane, Matlock 21 *
 - HC2(aa) Land at Snitterton Fields, West of Cawdor Quarry, South Darley 50*
 - HC2(bb) Former Permanite works, West of Cawdor Quarry, South Darley 50*
 - HC2 (cc) Land at Thatchers Croft, Tansley 18
- * see additional detailed comments below.

Summary of Comments and Issues

These proposed allocations add up to provision of about 500 houses on fifteen, high landscape sensitive sites across the district. These sites, due to their landscape sensitivity, have a reduced capacity to accept change. Several strategies, objectives and policies identify the need to protect and conserve the high quality of the landscape of the District, limit potential negative impacts on local visual amenity and landscape character.

In addition, all allocation sites should refer to the detailed comments in the LSS, as some provide positive mitigation suggestions such as:

Doveridge 6.3: Additional planting on the northern boundary of these fields could further reduce their visual prominence, and create a strong, vegetated settlement edge.

Overall, there are concerns about potential negative landscape effects and the potential inability for them to be mitigated to an acceptable level.

Additional detailed comments on Housing, Mixed Use and Employment allocation

Brailsford - all four site allocations could have a cumulative effect that increases the size and extent where the new housing subsumes the original scale and character of the village. The cumulative effect may not fulfil the criteria in Policy S10: Rural Parishes Development Strategy, which states that:



'The District Council will seek to promote the sustainable growth of the rural parishes whilst promoting and maintaining the distinct identity and historic character of individual settlements, improving accessibility to services and facilities wherever possible and meeting the housing needs of local communities. This will be achieved by:

a) Promoting and maintaining the distinct identity of the settlements which make up the rural parishes by:

- Protecting the character and local distinctiveness of the villages and hamlets'*

HC2(l) Land off Old Hackney Lane, Darley Dale 27 (dwellings)

HC2(x) Land at Old Hackney Lane, Matlock 21

See previous comments.

HC2(n) Land off Normanhurst Park, Darley Dale 20

See previous comments.

HC2(o) Land at Stancliffe Quarry, Darley Dale 100

Whilst this is identified as of high landscape sensitivity it is recognised that it is a brownfield site. Any development should consider maintaining the treed frontage to the A6 and valley side to minimise potential visual impacts.

HC2(aa) Land at Snitterton Fields, West of Cawdor Quarry, South Darley 50

This is a field in a high sensitive landscape location, only 150m to the west of the PDNP and a cluster of grade two listed buildings that are Snitterton Hall and hamlet. It is isolated and detached from any existing settlement. It is of concern whether the potential negative impact on the landscape character, PDNP and visual amenity could be addressed by landscape mitigation and design.

HC2 (bb) Former Permanite works, West of Cawdor Quarry, South Darley 50

Whilst previously an industrially developed site, it is detached and isolated, set amongst a highly sensitive landscape and close to the PDNP.

HC2 (ee) Land off Middleton Road / Cromford Road, Wirksworth 126

Located on the western side of this site are historic strip fields of pasture and scrub enclosed by drystone walls which are key characteristics of the *White Peak, Limestone Slopes* landscape character type. This is a historically and visually sensitive area and bordered by Conservation Areas to the north and south. This land was not part of the first Derbyshire Dales Local Plan Draft in 2002 and it is of concern whether this western section could accommodate housing without a detrimental impact on this historical sensitive and visually prominent land. However, the land to the east, which is previously disturbed land and was included as general industrial and business development in the 2002 Draft Local Plan, could have more capacity to accept change and be able to accommodate development with appropriate landscaping and design.



HC2 (ff) Land at Middle Peak Quarry, Wirksworth 220

Policy DS7: Land at Middle Peak Quarry, Wirksworth

It should be noted that there is an existing mineral planning permission with an approved landscape restoration scheme. The land in the south-east (Dale Quarry) part of the site is part of Wirksworth Conservation area. Any development should not prejudice the approved landscape restoration of the quarry but could also provide the opportunity to further enhance the restoration of the site.

Policy EC1A: Employment Land Allocations

EC1A (e) Land at Porter Lane / Cromford Road, Wirksworth 1ha B1c

The LSS identifies this area as being of high landscape sensitivity. The site is a field enclosed by dry stone walls characteristic of the White Peak, in a highly visible location and it makes a significant contribution to the separation of the historic and distinct settlements of Cromford, Bolehill and Wirksworth. This allocation would significantly add to the cumulative effect with the existing industrial sheds. In addition, this allocation could have a negative effect on the separation of settlement indeed it would contribute to the creeping coalescence between Cromford, Bolehill and Wirksworth. The high visual amenity of this location with the provision of the High Peak multi user trail and Black Rocks beauty spot attract a high volume of visitors for walking, cycling, riding and climbing. It is of concern that the proposal could cause an unacceptable visual impact on the local character in terms of its siting, scale, materials and site coverage, which could not necessarily be mitigated to an acceptable level.

EC1A (d) Land off Middleton Road / Cromford Road, Wirksworth (2ha B1c, B2)

Strategic Policy DS6: Land off Middleton Road/Cromford Road, Wirksworth

See previous comments under the housing allocation.



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Page 34 of 34

