

STAGE 1

Matter 1 - Procedural and Overarching Matters

(Main Evidence Base : SD09 – SCI / CD01 / SD10 / SD07 / CD27 / SD12 / SD04 / SD05

Issue

1. Compliance with procedural requirements including consultation / participation procedures

The Council indicate that it has complied with the LP Regulations and its own SCI. Is there any evidence that the Council has not met these minimum requirements or that consultation and publicity has otherwise been inadequate?

For example, has engagement with Parish Councils and Local Communities been acceptable?

How have those without internet access been accommodated?

Response

1 The District Council’s Statement of Community Involvement (SD09) sets out the authority’s policy on engagement with the local community in respect of planning matters. The SCI is informed by the Town and Country Planning (Local Planning) (England) Regulations 2012.

Extensive consultation and publicity has accompanied the preparation of the Derbyshire Dales Local Plan, the full details of which are outlined in the Regulation 22 Statement of Consultation (SD10).

Key Issues and Options Consultation (2nd November – 14th December 2015)

In the period 2nd November – 14th December 2015, a 6 week district-wide consultation exercise was undertaken on Local Plan Key Issues and Options. This consultation involved a letter or email being sent to all respondents on the District Council’s consultation database which included organisations and individuals including statutory bodies, businesses, community groups, Town and Parish Councils and campaigning organisations. A full list of those consulted is included at SD10 - Appendix 1.

In addition to the above, an A5 colour brochure entitled ‘Your Local Plan’ was sent to all 34,100 households in the Derbyshire Dales (including the Peak District National Park), making people aware of the Local Plan preparations. A copy of this leaflet is also set out in SD10 - Appendix 3.

As part of this public consultation the evidence base documents were made available to the public both on the District Council’s Website and in paper copy at the District Council Offices, Wirksworth Leisure centre and library, Ashbourne Leisure centre and library and Matlock Library. The consultation was also advertised through a press release which is shown in SD10 - Appendix 4.

Public meetings were held throughout the public consultation on the Issues and Options. This involved a presentation by the Policy Manager and an opportunity for members of the public to ask questions. Meetings were held at the following:

- Matlock - 25th November 2015
- Ashbourne - 10th November 2015
- Wirksworth 18th November 2015

In addition a number of workshops and seminars were held with a number of key stakeholders and Parish Councillors. These included a seminar for Parish Councillors and Parish Clerks on 12th November 2015.

Within this seminar a 25 minute presentation was given by the Policy Manager regarding the Local Plan and the challenges faced by the District Council in allocating sufficient land to meet the OAN and in finding suitable land to achieve this. An opportunity was then provided for Parish Councillors and Clerks to ask questions in order to provide them with greater clarity on specific issues prior to making a formal response to the Key Issues and Options consultation.

Draft Derbyshire Dales Local Plan (7th April – 19th May 2016)

On 4th April 2016, letters or emails were sent again to individuals on the District Council's consultation database which included organisations and individuals including statutory bodies, businesses, community groups, Town and Parish Councils and campaigning organisations.

A series of public exhibitions were held in Wirksworth, Ashbourne and Matlock. In addition, public meetings were held in Wirksworth (11th April), Ashbourne (19th April) and Matlock (25th April). Over 300 people attended the public meetings.

A seminar for Parish Councillors and Parish Clerks was held on 13th April 2016 with 23 people attending.

Pre-Submission Draft Derbyshire Dales Local Plan (11th August – 22nd Sept 2016)

In order to engage the public in respect of the Derbyshire Dales Local Plan Pre - Submission Draft Plan emails and letters were sent to about 5,200 individuals and other stakeholders/organisations on the Council's planning policy consultation database.

A separate consultation letter and a hard copy of the Derbyshire Dales Local Plan Pre Submission Draft Plan and the accompanying Proposals Maps were sent to all Parish Councils within the Plan Area.

Again, a series of public exhibitions were held in Wirksworth, Ashbourne and Matlock. In addition, public meetings were held in Ashbourne (16th August) and Matlock (22nd August). Again, over 300 people attended the public meetings.

The District Council consider that engagement and consultation with Town/Parish Councils and communities has been extensive and ongoing as evidenced by the above and supported by documentation in SD10.

Throughout each of the phases of consultation, the District Council has sought to ensure that all members of the public have an opportunity to submit their representations. Whilst the District Council has adopted a digital by default approach to consultation, in order not to prejudice anyone who does not have access to the internet, paper and PDF versions of the consultation forms have also been made available. The District council has also accepted representations by letter as is evidenced by the nature of some of the representations received. The Statement of Representations Procedure contained at SD10 – Appendix 2, explicitly makes reference to the fact that written paper representations will also be accepted.

Issue	
2.	<p>Compliance with the DTC, particularly in relation to consideration of housing needs</p> <p><i>Is the approach within the Housing and Economic Development Needs Assessment (HEDNA) to a District-only Objectively Assessed Need (OAN) reasonable taking into account the overlapping Housing Market Areas (HMAs) which affect the District?</i></p> <p><i>Have the housing needs of neighbouring planning authorities, including the PDNPA, been taken into account particularly having regard to the overlapping HMAs?</i></p>
Response	
2	<p>The 2015 HEDNA (CD28) assesses the Housing Market Area using the criteria set out in PPG – commuting flows, migration patterns, and house price data – as well as drawing on the conclusions from previous national and local studies. The evidence points to a complex set of relationships between parts of Derbyshire Dales and surrounding areas, with the report concluding that the southern part of Derbyshire Dales District, including Ashbourne and Wirksworth, falls within a Derby-focused HMA; whilst the northern part of the District (including Bakewell and Hathersage) falls within a Sheffield-focused HMA. The central part of the District, including Matlock, should reasonably be seen as falling within an area of overlap HMAs, with influences from Sheffield; Chesterfield; and Derby (CD28, page 57).</p> <p>The PPG accepts that functional geographies may cut across local authority boundaries (ID 2a-010-20140306). Recognising the complex set of inter-relationships which exist between different parts of the District and surrounding areas is more helpful than seeking to artificially simplify the picture by seeking to assess a dominant relationship or aggregate the District as a whole with one housing market area or another. In doing so, the construct would be artificial, and would fail to recognise the different relationships which are evident in different parts of Derbyshire Dales.</p> <p>Core datasets which are relevant to assessing OAN, such as household projections, migration data and economic forecasts, are not available below local authority level. It is therefore appropriate to assess housing needs for the District as a whole as explained in the HEDNA (CD28, Paras 2.124 – 2.130).</p> <p>Surrounding local authorities have defined HMA boundaries based on a best fit to local authorities, with the geographies that they have defined on this basis not including Derbyshire Dales District; and are at different stages in plan-making. The PPG (ID 2a-007-20150320) is clear that in these circumstances, authorities can build on evidence of neighbours. Derbyshire Dales has fully engaged with authorities with which it shares an HMA in the preparation of the HEDNA (CD28).</p> <p>As set out in the Council's Duty to Cooperate Statement (SD07) the Council engaged fully in discussions with surrounding local authorities in considering issues regarding housing market geographies, OAN and housing provision. Cross-boundary work has included (SD07, Page 21):</p> <ul style="list-style-type: none"> • Informal consultation with neighbouring authorities on the Derbyshire Dales and High Peak Housing Target Options (2012). • Consultation on new Housing and Economic Development Needs Assessment (HEDNA), including a stakeholder workshop which included discussion on both housing market geography and OAN (Dec 2015). • Invitation sent to all neighbouring local planning authorities to support Derbyshire

	<p>Dales in meeting some of its unmet housing need in light of the HEDNA Report (April 2016).</p> <ul style="list-style-type: none"> • Preparation of Memorandum of Understanding with Peak District National Park Authority (December 2016). <p>The housing market area analysis and OAN evidence was presented and discussed with local authorities in common HMAs at a workshop in December 2015 (SD07, Appendix 5) and the Council has had a range of further discussions with authorities within the HMA. The Council has also been actively engaged with work considering housing provision and economic growth across the Sheffield City Region.</p> <p>During consultation, no Local Planning Authorities indicated that they could accommodate any additional dwellings and contribute to meeting Derbyshire Dales' projected (at the time) shortfall. No authority has requested that Derbyshire Dales contributes to meeting an unmet need from their area.</p> <p>Whilst Derby has an unmet housing need (5,000 dwellings), this is agreed to be met within South Derbyshire and Amber Valley. Of the four authorities in the Northern Derbyshire & Bassetlaw HMA, each is planning to meet its OAN based on current evidence within its own area. Across the Sheffield City Region more widely, each local authority is planning to meet its objectively assessed housing need. Sheffield has agreed with Barnsley that 250 homes at Oughtibridge Mill, an allocation within Barnsley's submitted Local Plan, will contribute towards Sheffield's housing requirement.</p> <p>The HEDNA (and Update) assess the housing need for the District as a whole, which includes areas outside of the plan area which fall within the PDNPA. PDNPA confirmed in their consultation response that the best estimate for delivery of housing with that part of the Derbyshire Dales District which falls within the National Park is 400 dwellings (over the period 2013-33). DDDC and PDNPA entered into a Memorandum of Understanding to establish a framework for co-operation between the two authorities primarily relating to the preparation of development plans (SD07, Appendix 4). This establishes that 400 dwellings (20 per annum) towards Derbyshire Dales' housing need may be delivered within the part of Derbyshire Dales District which lies within the National Park (and outside of the plan area).</p>
Issue	
3.	<p>The SA and its consideration of reasonable alternatives</p> <p><i>Does the SA meet statutory and legal requirements in relation to the assessment of reasonable alternatives?</i></p>
Response	
3.	<p>The Local Plan has been subject to Sustainability Appraisal from the outset of its preparation. All Local Plan policies and site allocations and their reasonable alternatives have been subjected to 'testing' to determine their sustainability merits, in order to help develop the most sustainable policies and proposals as an integral part of the plan's development. Part 1 of the full SA Report (SD04) sets out how the requirements of the SEA Regulations have been met.</p> <p>The Scoping Report which forms Part 2 of the SA Report (SD04 – Part 2) was prepared in 2015 and consulted on between 6th August and 18th September 2015. The Scoping Report provided baseline information on the environmental, social and economic characteristics of the plan area, including the likely evolution of the baseline within the plan. The Scoping</p>

Report also identified the significant effects that the assessment would need to focus on.

Two iterations of the SA Report have been consulted on alongside the Draft Derbyshire Dales Local Plan during April and May 2016, and the Pre-Submission Draft Local Plan during August and September 2016. Details of the bodies consulted are outlined at SD04 (Page 5).

Following each consultation period, amendments have been made to the Scoping Report and SA Reports.

The Local Plan, and its reasonable alternatives, has been appraised in several iterations. Three district-wide Strategy Options (Housing Targets of 5300, 6440 and 7200 dwellings) have been appraised and their relative sustainability performances considered by the District Council. The findings of this appraisal are reported in the full SA Report (SD04 - Part 3, Pages 2 - 30).

All reasonable site allocation options have been identified through the District Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) and appraised to identify their effects in relation to the SA Framework. The performance of each site option has been considered by the District Council. The findings of this appraisal are reported in the full SA Report (SD04 - Part 3).

All sites identified as reasonable alternatives through the revised SHELAA have been appraised in the SA. Any sites alternatives which did not pass the SHELAA process have not been subject to SA as they are not considered to be reasonable alternatives for delivering the housing and employment development needs identified in the Local Plan evidence base.

All of the policies within the Derbyshire Dales Local Plan – Draft Plan and the Pre Submission Draft Local Plan have been subjected to appraisal to identify the sustainability effects; most importantly, potential significant effects.

The appraisal of the Derbyshire Dales Local Plan – Draft Plan identified mitigation to address potential significant and minor negative effects and uncertain effects. Enhancement measures were also put forward in order to improve the performance of the policies, where neutral or potential minor positive effects have been identified. There was less need for any mitigation and enhancement measures to be put forward during the appraisal of the Pre Submission draft version of the Local Plan because most negative and uncertain effects had already been mitigated at the Draft Plan stage through changes to policy wording.

Following public consultation on the Draft Local Plan, policies have been modified in response to representations received and new evidence which has become available. The modifications to the policies, which formed the Pre-Submission Draft Local Plan, were screened to identify changes considered significant and therefore requiring reappraisal in the SA. The following criteria were used to identify significant changes:

- The policy is new and has not been previously appraised;
- The change alters the boundary of an allocation site;
- The change increases the proposed number of dwellings to be delivered on an allocation site; and/or
- The change alters the wording of a policy in a way which could alter the appraisal findings

- in relation to one or more SA Objectives.

Following consultation on the Pre-Submission Draft Local Plan in August / September 2016, further minor modifications were put forward by the District Council in response to representations received. These minor modifications were screened using the same screening criteria identified above. Where the screening exercise identified potential significant changes to policies, policies have been reassessed (and Annex C and Part 4 appropriately updated). The residual effects of the Submission Local Plan are presented within Part 4 (SD05) and in Annex C (SD04).