



## **Gladman Developments Ltd**

### **Derbyshire Dales Local Plan Examination**

#### **Matter 1 Procedural and Overarching Matters**

##### **2. Compliance with the DTC, particularly in relation to consideration of housing needs**

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?

Have the housing needs of neighbouring planning authorities, including the PDNPA, been taken into account particularly having regard to the overlapping HMAs?

1. As stated in previous submissions<sup>1</sup>, Gladman are concerned that the approach taken through the Council's Housing and Economic Needs Assessment is inconsistent with the advice set out in the National Planning Policy Framework (the Framework) and Planning Practice Guidance (PPG).
2. The Duty to Cooperate goes beyond simply engaging with other local planning authorities. It requires effective cross boundary planning to meet in full the Objectively Assessed Needs of the Housing Market Area, along with addressing other strategic cross boundary issues. Paragraph 181 of the Framework states: *"local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross boundary impacts when their local plan is submitted for examination..."*

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<sup>1</sup> Gladman's representations to the Pre-submission Local Plan (September 2016)

3. Gladman note that a Duty to Cooperate Statement has been prepared by the Council (reference: SD07), which outlines workshops and correspondence between DDDC and some of its neighbouring local planning authorities. However Gladman query whether this represents a continuous process of engagement as required through paragraph 181 of the Framework: *"Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and future levels of development"*
4. Paragraph 159 of the Framework requires local planning authorities to *"prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries"*
5. The Council has opted to base its updated OAN and housing requirement on evidence that deals only with the district's housing need. The existence of overlapping housing market areas means the process of discharging the duty to cooperate should be founded on clear evidence of how the Council has worked positively with neighbouring authorities within each of those HMAs to ensure that objectively assessed development needs have been identified and can be met in full through individual local plans.
6. Paragraph 181 of the Framework sets out what is expected of local authorities when submitting local plans for examination, in order for them to evidence that they are planning strategically across local authority boundaries. The Council should therefore be in a position to demonstrate how this is being achieved within the District (emphasis added):

*'Local planning authorities will be **expected to demonstrate evidence of having effectively cooperated** to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. **This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which***

***is presented as evidence of an agreed position.*** *Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development’.*

7. It is recognised that there is significant overlap between Derbyshire Dales District and a number of Strategic Housing Market Areas. It would therefore be appropriate to expect the Council to provide formal documentation to confirm that an agreed position has been reached with all relevant neighbouring local planning authorities. In particular, this should include clear information relating to how neighbouring authorities have determined OAN based on relevant future scenarios that could be reasonably expected to occur and where necessary how this will be met across the relevant housing market area(s). Such an approach would allow the Derbyshire Dales Local Plan to be set in the context of the overall HMA OAN figures that exist (or that are emerging) and have enabled it to be drafted with sufficient flexibility to ensure that it can adapt to any rapid change that might occur across those HMAs during the plan period, in particular the ability to accommodate full OAN. In this regard, to ensure effectiveness, an appropriate commitment could be included within the Plan to set out what action would be taken in Derbyshire Dales if any issues of unmet need arise within the relevant HMAs.

### **3. The SA and its consideration of reasonable alternatives**

Does the SA meet statutory and legal requirements in relation to the assessment of reasonable alternatives?

8. Gladman note that the Plan has been subject to Sustainability Appraisal, however raise concerns regarding the methodology that has been applied and as a result, the manner in which the SA has been able to inform site selection and therefore the wider plan making process.

9. Section 2 of the Sustainability Appraisal Report<sup>2</sup> sets out details of the methodology that has been applied. This includes the approach for identifying options for delivering development at Section 2.3.2, with additional information provided at Annex A. Here, it is explained that the Council has taken a staged approach to determining the suitability of sites for allocation within the Local Plan through its Strategic Housing and Economic Land Availability Assessment (SHELAA).
10. It is clear from the approach that has been taken, that a number of suitable, available and achievable sites have been discounted from consideration through Stage B of the process. Within the Stage B Assessment, a number of subjective constraints have been applied that can be mitigated through the development management process. As a result, Gladman are concerned that a number of potential housing sites have not been the subject of sustainability appraisal, resulting in a Report that fails to assess all reasonable alternatives. A sustainability appraisal needs to compare all reasonable alternatives, including the preferred approach and assess these against the baseline environmental, economic and social characteristics of the area together with the likely situation if the Local Plan were not to be adopted<sup>3</sup>. Gladman raise concerns that a number of perfectly reasonable alternatives have not be considered in the manner expected by the PPG.
11. In the case of Land at Babbs Lane, Doveridge (SHLAA347), there is capacity for development and any issues relating to landscape and non-designated heritage assets have the ability to be appropriately mitigated. Information regarding the site is set out in our representations to the pre-submission version of the Plan (paragraphs 6.4.6 to 6.4.9). Further details are provided in Appendix 1 to this Statement, this includes a brief technical note and correspondence from Derbyshire County Council confirming that the site appears to have very-low potential for below-ground archaeological remains and that the

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<sup>2</sup> Sustainability Appraisal Report, December 2016

<sup>3</sup> Paragraph: 018 Reference ID: 11-018-20140306

ridge and furrow field is of local significance only. The site is well related to this sustainable settlement and should therefore have been taken forward for consideration through the sustainability appraisal.

12. Land to the north of Main Road and adjacent Alley Walk, Brailsford (SHLAA 235) was discounted in the SHLAA as undevelopable because of a perceived lack of safe and secure access. However, access is available to the site via Main Road and technical information exists that demonstrates that this can be achieved. This site is also well related to a sustainable settlement and should therefore have been taken forward for consideration through the sustainability appraisal. A brief technical note and plan showing the access junction arrangement is included in Appendix 2.

13. As set out in our previous representations, Gladman also have an interest in Land off Main Road, Brailsford (SHLAA 233). Details of this site are contained in our representations submitted in response to the pre-submission consultation (paragraphs 6.4.4 to 6.4.5 and Appendix 1). Gladman consider that a wider site is capable of being delivered than that considered through the sustainability appraisal and that suitable mitigation can be put in place to ensure that any moderate adverse effect on landscape would be reduced to minor through appropriate planting as part of the masterplanning of the site.

## **Appendix 1 - Land at Babbs Lane, Doveridge (SHLAA347)**

1. The Council's SHLAA considers the Site at Babbs Lane, Doveridge under Site Reference SHLAA347. Historic Environment is the only criterion (other than not being previously developed land) where this site at Babbs Lane is given a 'red' rating. The SHELAA states:

*"The historic environment assessment concludes development is likely to result in harmful impact to the significance of the non-designated heritage asset (medieval ridge and furrow). Derbyshire County Council Archaeologist notes that numerous mediaeval/early post mediaeval detector finds may suggest a mediaeval site. Noting that earthwork ridge and furrow is well preserved in the eastern half of the site. SHINE record assigns 'medium' significance. The site also has high historic landscape value - ancient enclosure and fossilised field strips, concluding that the site has historic landscape value with well-preserved ridge and furrow which weighs against allocation"*

2. The SHELAA concludes the Site is considered undevelopable based on *"the high historic landscape value of the site and archaeological interests the site is deemed constrained and not suitable for development and discounted from the SHLAA."*

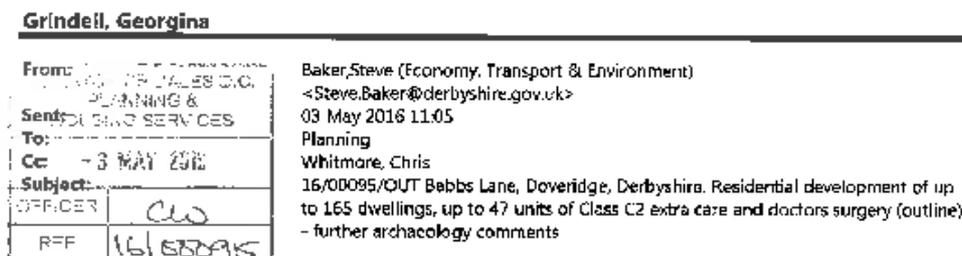
3. Despite the findings of the SHELAA, Gladman have received a consultation response from Derbyshire County Council. In respect of archaeology, the response (figure 1 below) concludes:

*"the results of a geophysical survey, which has detected no potential archaeological remains beyond the remains of former field boundaries. The LiDAR shows extant ridge and furrow in the southwestern part of the site, which argues against the possibility of a medieval or postmedieval farmstead as hinted at by the PAS finds....."*

*...With regard to below-ground archaeological remains the site appears to be of very low potential, and there is no requirement for any further archaeological work"*

4. The County Council's concerns in respect of a "potential medieval site" have therefore been withdrawn.
  
5. In respect of ridge and furrow, the consultation response concludes
  - *the proposals will result in the loss of an area of undesignated ridge and furrow earthworks of local significance.*
  
  - *It has become increasingly fragmented as parts have been lost to ploughing and the Doveridge bypass has severed its direct relationship with the wider landscape.*
  
6. Despite the County Council's conclusion on ridge and furrow, figure 2 below demonstrates how Doveridge is surrounded by remnants of ridge and furrow, including the emerging allocations within the submission Local Plan. The loss of ridge and furrow earthworks was not considered detrimental to other local plan allocations in Doveridge.

Figure 1 – Copy of email from DCC Archaeologist



Dear Chris,

Thank you for re-consulting on the above planning application. The applicant has submitted a revised archaeological DBA which addresses the issues I raised in the previous submission, relating to quantification of the ridge and furrow resource, historic landscape value, hedgerow importance and archaeological evaluation (geophysical survey). The application now meets the information requirements at NPPF para 128.

The ridge and furrow earthworks on the site are mapped at Figure 9, showing the LIDAR data, and assessed at 4.7/4.8 of the DBA document. The ridge and furrow survives as slight earthworks, and has been subject to arable cultivation in the recent past. It is part of a wider landscape of earthworks which is becoming increasingly fragmented as parts are lost to ploughing, and the Doveridge bypass has severed its direct relationship with this wider landscape. It appears therefore that the ridge and furrow resource on the site is of local significance only.

In terms of historic landscape value the revised DBA suggests that the hedgerows within the site are historically 'important' in the terms of the Hedgerow Regulations. The argument is based upon the age of the surviving boundaries, which clearly reflect the shape of the medieval strip fields. The historic maps (e.g. 1821) within the DBA suggest however that there has been significant loss of field boundaries since 1821, and it is perhaps debatable whether the surviving boundaries comprise a 'field system' *sensu* the Hedgerow Regulations, particularly as the proposal site is isolated from its wider landscape context by the bypass.

In terms of below-ground archaeological remains the revised DBA contains the results of a geophysical survey, which has detected no potential archaeological remains beyond the remains of former field boundaries. The LIDAR shows extant ridge and furrow in the south western part of the site, which argues against the possibility of a medieval or post-medieval farmstead as hinted at by the PAS finds.

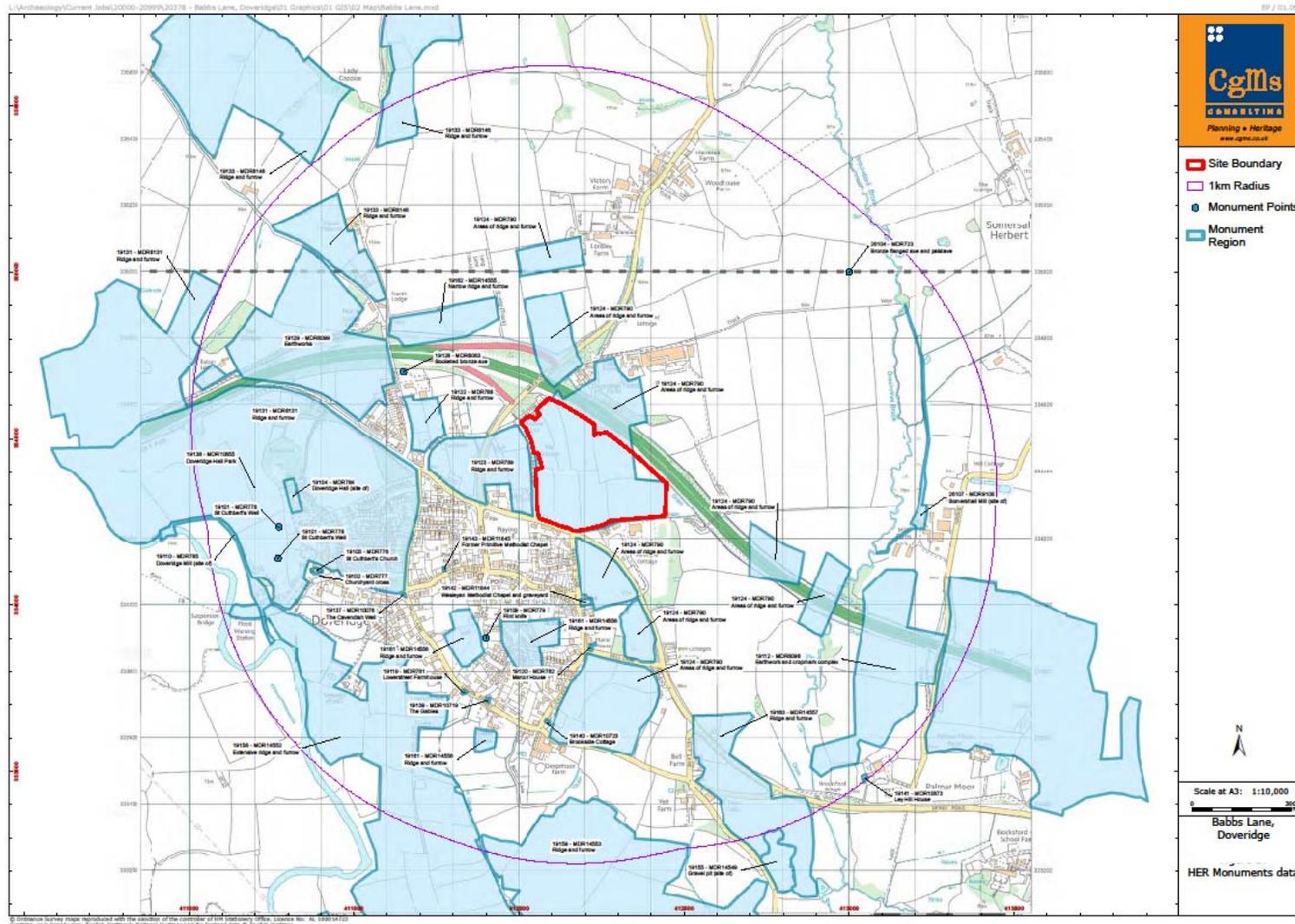
To summarise therefore, development of the site would involve total loss of an area of slight, undesignated ridge and furrow earthworks of local significance. The historic landscape value of the site, comprising the evidential value of these earthworks along with the 'important' hedgerows surviving from enclosure of the medieval strip fields, would also be substantially lost: elements of the hedgerows themselves could be retained, but the landscape character of the whole would be fundamentally altered.

The local planning authority must therefore determine whether loss of the locally important/undesignated ridge and furrow resource and historic landscape value is outweighed in the planning balance by the benefits of the development proposals (NPPF para 135). With regard to below-ground archaeological remains the site appears to be of very low potential, and there is no requirement for any further archaeological work.

Regards

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**Figure 2 – Plan showing the extent of ridge and furrow in Doveridge**



## **Appendix 2 - Land to the north of Main Rd and adjacent Alley Walk, Brailsford (SHLAA 235)**

1. Land to the north of Main Rd and adjacent Alley Walk, Brailsford (SHLAA235) has been discounted from the SHELAA based on a conclusion that there is an inability to obtain a safe and secure access arrangement for the site. The site is assessed as “undevelopable constrained” due to the lack of substantive evidence to demonstrate that a suitable access can be provided and whether the site is indeed deliverable.
2. Discussions have advanced with Derbyshire County Council (DCC) on the suitability of a vehicular access to the site directly off Main Road (A52) into the site. (see figure 3 below). This will involve a new priority controlled access onto Main Road. This junction can accommodate standard geometric parameters which include providing suitable visibility splays in both directions along Main Road. There is the potential requirement to reposition the controlled pedestrian crossing, which is located close to the proposed site access and this can be satisfactorily accommodated within the overall site access design.
3. The traffic likely to be generated by a 75 dwelling development would equate to around an additional 40 to 50 two way trips during both typical weekday peak hour periods and this can adequately be accommodated on the local highway network. As such, it is clear that access to this site can be accommodated directly onto the A52.

Figure 3: –Access arrangement Main Road, Brailsford (SHLAA 235)

