

## Session 13 – 09.30 Thursday 18<sup>th</sup> May

### Matters 10 and 11

#### Strategic and other Allocations and Settlement Boundaries – Darley Dale

#### A Submission by Jonathan Jenkin BA (Hons) BTP MRTPI from Planning Design Practice on behalf of Wildgoose Homes in response to the Matters and Questions raised by the Inspector Mr Mark Dakeyne BA(Hons)MRTPI

#### Issues

##### 1. The Development Strategy

*Are the allocations in Darley Dale consistent with the Development Strategy (Policy S8)?*

Darley Dale is part of a greater built up area that extends along the A6 from Matlock. In the past 20 years development has taken place along the A6 corridor because the location is sustainable; the corridor has only gentle gradients; and the area is well served by public transport. It is also well screened and development has only limited impact on the landscape. The A6 corridor contains the minor injuries hospital, several care homes, the dementia care centre, Darley Dale Primary School and a large retirement complex as well as extensive housing. In the last 5 years the Council has decided that to meet the needs of the community it has permitted development within the area of land protected under policy NBE9 and this has included affordable housing at Poppyfields Close, the construction of the Meadow View Care Centre, extensive developments at St Elphins Retirement Community and the construction of 57 dwellings off Bakewell Road (15/00814/OUT. These permissions have further reduced the separation between Matlock & Darley Dale and added to the extensive areas of built development outside of any town or village boundary. Three housing allocations are proposed within the corridor which confirms a trend towards allowing development in this location. These allocations – DS2, HC2 (j) and HC2 (k) – are all within the former NBE9 designation area.

The proposed allocation DS2 will extend the current built framework of Darley Dale, with contiguous development extending to DFS and developments on Old Road including industrial land on the Old Road/Station Road frontages and the Old Road carriage museum.

In this context the protection of the individual character of Darley Dale as a separate settlement has little merit as a driver for change. The opportunity should be taken to direct more development towards the corridor to take up the potential shortfall from the Halldale Quarry and Cawdor Quarry legacy sites in Matlock and the Stancliffe Quarry site in Darley Dale which have significant viability and delivery issues. New housing sites could therefore be located within an extended urban area, with areas of open space and open land on the higher hillsides protected to maintain the separation of Upper Hackney and to protect the wider landscape. It is these upper slopes which are prominent from the Peak District National Park.

The land between the current Settlement Boundaries of Matlock & Darley Dale contains key community services and facilities, making the location very sustainable. If the opportunity is not taken to develop the corridor further then the approach being taken by the council will be contrary to sustainable development objectives of Policy S8.

Protecting the A6 Corridor from further housing development would deprive the people of Matlock & Darley Dale of the opportunity of a range of suitable and deliverable housing sites including the delivery of affordable housing which cannot be delivered at Halldale, Cawdor or from Stancliffe.

There is plenty of land that is accessible in sustainable locations, particularly between Matlock and Darley Dale; for example there is an appeal pending for 60 dwellings off Old Road which could make up part of the shortfall caused by a lack of housing land supply and the potential loss of the quarry sites.

## **2. Land at Stancliffe Quarry**

*Is the site deliverable in the timescales envisaged by the SHELLA having regard to constraints, infrastructure and viability?*

*In particular what are the implications for deliverability of ecological constraints, contamination, rock faces, stability and the mineral resource?*

The land lies to the north west of Darley Dale and is a large stone quarry which is assessed in the SHLAA (site 281) as having several significant constraints including impacts on the Historic Environment, including a proposed new access; impact on trees and protected woodland and its relative distances from medical services and facilities. There are material policy objections (the site forms part of NBE9 (protected in the adopted Local Plan) and it is a site previously set aside for Leisure Development – Policy L5. There are significant viability and deliverability issues which have not been addressed.

Planning Application 15/00640/OUT for 60 dwellings was considered by Planning Committee on the 7<sup>th</sup> December 2015 with a recommendation for refusal. There is a County Council Breach of Condition Notice related to the existing minerals planning permission for the full restoration of the quarry which I believe remains unresolved. There was a lack of information with the application and a failure to appraise the impact of development. The housing layout was considered poor and there was no provision for affordable housing and no viability appraisal.

The SHLAA envisaged the delivery of 100 homes within 5 years. However, I am not aware of any preliminary work which may have been undertaken to assess the ecological constraints, contamination, rock face stability and protection of the mineral resource. It is premature to put forward a site as an allocation without this basic evidence because without it the viability and deliverability of the site cannot be quantified.

It is because of the multiple constraints and problems with the site that Policy DS3 is so wide ranging. The policy seeks to address the shortfall in available evidence but in doing so shows clearly the work that is needed. At this time the allocation should be dropped from the plan and other land within the Darley Dale area should be brought forward.

### **3. Other Housing Allocations**

*Are the sites deliverable in the timescales envisaged by the SHELLA having regard to constraints, infrastructure and viability?*

The other housing allocations in Darley Dale are sites:-

- HC2(h) – Land at Old Hackney Lane
- HC2(i) - Land off Old Hackney Lane
- HC2(j) – Land to the Rear of former RBS
- Hc2(k) – Land off Normanhurst Park

All these sites we believe are deliverable within the timeframes which have been set out. Access is good for each site they are well related to existing built development and we are not aware of any infrastructure constraints which would prevent development from coming forward. However, the above sites will only deliver 234 dwellings and additional land will need to be found to ensure that the council can meet its OAN and its five year housing land supply.

It should be noted that three of the four allocations lie outside the proposed Settlement Boundaries of either Matlock or Darley Dale. Changes to the boundaries will be needed to encapsulate existing built development and the housing allocation sites.

### **4. The Strategic Gap – Policy PD10**

*Is a strategic gap policy necessary taking into account other policies in the plan ?  
Is the extent of the gap justified?*

In previous submissions I have raised significant objections to this policy and I welcome the questions raised by the Inspector.

Firstly, the policy is not a strategic gap policy because it does not seek to protect a clear gap between settlements in the normal sense. The “gap” runs along and around the A6 and seeks to protect views from the road. It is not a continuous gap. There is about a 2 mile space between the Settlement Boundaries of both Matlock & Darley Dale but for the reasons set out in my submission at Session 10 and under Point 5 below the extent of existing and proposed development should form part of both adjoining settlements.

The policy PD10 is a continuation of the adopted Local Plan policy NBE9. However, the extent of land included within the policy has significantly reduced as a result of development taking place against policy but allowed because of the wider benefits to the communities of both Matlock & Darley Dale. It is the sustainable location that the A6 corridor presents that has led to development taking place.

It should be noted that part of the PD10 area now has planning permission for 57 dwellings. This permission for Code M4 (3) housing will be implemented and on the attached plan the land indicated should be removed from the policy.

The Council has sought to justify the ‘gap’ in Paragraph 4.45 of the submission draft on the basis of the Peak Sub Region Open Space Study in 2009, the stated purpose of which was to protect the identity of the two settlements and ensure there is no coalescence.

This would make more sense if policy PD10 represented a clear gap between built up areas but it does not. The largest “gap” between built up areas is between Lower Hackney and Station Road in Darley Dale. However, this gap is being significantly reduced by the development of housing site HC2 (j) which will extend continuous development to the DFS complex and Old Road.

As part of the evidence base the Council instructed Wardell Armstrong to prepare a District Wide landscape sensitivity report. That report concluded that the land identified by PD10 (and the previous NBE9) was sensitive because of the policy rather than its value in landscape terms.

Having submitted two planning applications for housing on land covered by PD10 in 2015 and 2016 very few objections from local residents were received. The first opposite the Meadow View Care Centre was approved at committee (15/00814/OUT) for 57 dwellings and the second on Old Road (16/00041/OUT) for 60 dwellings is pending an appeal, with a hearing scheduled for 16<sup>th</sup> May 2017. Most residents and local people see the area as part of the built framework of Matlock and Darley Dale and show little concern about further development. The completion of the cycle link between Matlock and Rowsley strengthens the boundary of built development to the railway line from Matlock to Darley Dale.

Policy PD10 includes the Whitworth Park and land immediately to the North West. It also includes land to the north west of Darley Dale which is undeveloped. The Whitworth Park is an historic park and garden and is protected. Development immediately adjacent to the Park would affect the setting of the park and this land also includes numerous mature Lime trees which help frame the Park and the character of Darley Dale. These are covered by a TPO and this severely limits development. Land North West of Darley Dale is open countryside forming a clear separation between Darley Dale and Northwood. These significant parts of PD10 are covered by other policies in the plan. The remaining parts of PD10 (the area between Matlock and Darley Dale) are fragmented and are of varying quality and importance.

A strategic gap policy is not justified taking in to account other policies in the plan and national policy and guidance. It is also a policy which has not meet the test of time given that the area that was once covered by the strategic gap policy has reduced by more than half. The proposed extent of Policy PD10 is fragmented and will have the effect of preventing development taking place on developable sites within a very sustainable location. The reasons given for including the policy in the new plan date from a single survey in 2009 when housing needs and the need for development were of less importance. Whilst the council may be congratulated by local residents for seeking to steer development to local quarry sites the viability and deliverability of doing so has not been tested and during this examination are likely to be found wanting.

The Council needs to look again at the area between the settlement boundaries of Matlock and Darley Dale for consistency with the rest of the draft plan and the criteria set out in Policy S3. The areas of Hackney, Lower Hackney, Old Road, Darley House, the Whitworth Hospital, Old Hackney Lane, St Elphins and Meadow View should be incorporated into the built framework of Matlock and Darley Dale. Any new housing allocations should be accommodated within revised settlement boundaries including those sites which might come forward on appeal. This would lend to an extension of the built framework with gaps of greenfield undeveloped land. This approach has already been taken at Wirksworth where open land is surrounded by the proposed Middle Peak Quarry Development. It was also an approach that was taken in Matlock with the 2005 adopted plan and the land off Asker Lane.

The Council should produce an Area Action Plan (AAP) for the corridor. It could and should identify a housing allocation for this area, look at infrastructure constraints, infrastructure improvements and come forward with a development brief that will steer development to the most sustainable and appropriate locations. This part of the District can meet the housing needs of the sub-area if Cawdor, Halldale and Stancliffe are not able to come forward for viability and deliverability reasons. A development brief for an Action Area Plan (AAP) would deliver housing sites whilst protecting the wider character of the landscape. It would also allow further land to be safeguarded for development beyond 2033. An AAP with an agreed housing allocation for the corridor would address serious housing shortfalls in the Matlock sub-area and allow the examination to proceed and the Plan adopted.

## 5. Settlement Boundaries

*Is the Settlement Boundary for Darley Dale Justified?*

The boundaries are not justified and do not follow the criteria set out in Policy S3.

The existing boundaries do not include significant areas of built development immediately adjoining the proposed Settlement Framework Boundary. This includes the DFS site on Old Road; the Industrial Estate on Old Road, all of Darley Churchtown and all of Darley Hillside. With the inclusion of DFS should come the housing on the south side of Old Road. At that point a more fundamental decision needs to be made as to whether Matlock & Darley Dale should merge into one “Greater Matlock” urban area incorporating Darley Dale School; Hackney, St Elphins, Normanhurst Park, Darley House, Old Hackney Lane etc.

These places along the corridor are in Darley Dale Parish but the Matlock settlement boundary already extends into the Parish. It is not possible to have housing allocations which are not incorporated into village or town boundaries according to the draft policy S3. This anomaly needs to be addressed and policies applied consistently to this area. A map showing the proposed extent of Settlement Boundaries is attached.

## 6. Infrastructure

*Will the infrastructure to support the scale of development proposed be provided in the right place and the right time?*

*In particular do the policies support provision of a new medical centre?*

Darley Dale and the corridor benefit from a wide range of services and facilities including schools, a hospital, care services, a medical centre, local shops, places of worship and community facilities including parks and cycle ways. Infrastructure is good and development in this area can make best use of these facilities and support improved capacity where needed. The A6 is no longer a trunk road but serves as a major transport artery between Matlock and Rowsley. Some improvements to infrastructure such as an improved junction where Old Hackney Lane meets the A6 would increase development capacity but this work can be undertaken as part of a AAP (see 4).

With regards to the new medical centre – No comment.