

DERBYSHIRE DALES LOCAL PLAN EXAMINATION

INSPECTOR'S PRELIMINARY QUESTIONS, CLARIFICATION AND COMMENTS RELATING TO SOUNDNESS (Strategic Site Allocations – Chapter 8)

Introduction

1. The purpose of this note is to seek clarification from the Council on a number of matters relating to Chapter 8 of the Local Plan. These matters have emerged from my preparation so far, including assessing representations. I will have further questions during the preparation period.

General

2. It would be helpful if each policy cross-referenced with the relevant allocation policies, HC2 and EC2.
3. The comments at paragraph 8.2 illustrate the point raised in my questions dated 7 February (paragraph 15) about infrastructure and on-site constraints. It may be desirable to bring these sites forward but are they such that they can contribute to the 5 year supply and/or be deliverable in the Plan period?
4. All the policies include a requirement for developer contributions. What are the implications of the pooling limitations contained within Regulation 123 of the Community Infrastructure Levy Regulations 2010 for the effectiveness of the policies?
5. The strategic allocations will be discussed at the hearings.

Policy DS1

6. As previously commented this is a commitment (paragraph 8.31 refers). Does the mixed use in the policy reflect the planning application(s)? If the applications and any permissions are different what scope is there for achieving the mix of uses proposed in first part of the policy?
7. There are then a whole series of criteria which again are desirable but if not addressed by any planning permissions are unlikely to be achievable. In the cases of those criteria that require assessment of matters such as archaeology and flood risk have these not already been provided as part of any application? Similarly have the extent of developer contributions been agreed?

Policy DS2

8. The explanation to the policy at paragraph 8.7 refers to the opportunity of providing a new medical centre. To increase certainty would it be appropriate to specifically refer to this 'community facility' within the 1st bullet point of the policy?

Policy DS3

9. There are a number of criteria which, as indicated in the explanation, result in abnormal costs such as stabilisation of the rock face and remediation. What are

the implications of these costs for delivery of the development and the provision of contributions to affordable housing, infrastructure and community facilities?

10. What are the implications of 'the impact on the existing mineral resource' in terms of the timing of delivery of housing? Does Policy MC17 of the Derbyshire Minerals Local Plan form part of the evidence base? If not please could a copy be provided?

Policy DS4

11. What are the implications of excluding the 'upper northern slopes' from built development in terms of achieving 430 dwellings?
12. The setting out of the policy needs to be amended so that the criterion relating to community facilities is a separate bullet point to the masterplan point.
13. The issues raised in representations will be discussed at the hearings.

Policy DS5

14. The points about abnormal costs and mineral resource made in relation to Policy DS3 are also relevant to this site. Are there any stability issues?
15. Is the requirement for a scheme addressing potential light pollution necessary? It does not appear to be a criterion which is applied to other strategic sites, including Cawdor Quarry.

Policy DS6

16. The points about abnormal costs made in relation to Policy DS3 are also relevant to this site. There are also ecological constraints, in particular the 'open mosaic habitats'. Are these constraints likely to make the site undevelopable?
17. The wording of the 6th bullet point is awkward.
18. Should the policy refer to contributions to a replacement primary school to be consistent with Policy DS7?

Policy DS7

19. The points about abnormal costs and mineral resource made in relation to Policy DS3 are also relevant to this site. There are ecological, instability and contamination constraints. Only development within the worked out quarry is likely to be acceptable. Is the site viable and developable?
20. The first part of the policy refers to dwellings and community facilities but the 2nd bullet point to employment and residential development. What is the intended mixed use? There appears to be a need for a new primary school in Wirksworth. Given that this site is the largest allocation in the town and the policy includes community facilities should explicit reference be made within the policy to a primary school? Or is the replacement primary school likely to be on an existing

County Council site?

21. Should the 4th bullet point refer to the B5023 rather than B5036?

Policy DS8

22. The first bullet point refers to community/educational facilities. Should these facilities be referred to in the first part of the policy and the 2nd bullet relating to phasing?

23. Elsewhere in the Local Plan there is reference to significant impacts on junctions in Ashbourne as a result of proposed developments. As the largest development in the town should the policy include specific reference to the need for off-site highway works?

Policy DS9

24. As the majority of the site has planning permission should Cawdor Quarry be a commitment rather than an allocation?

25. The policy refers to about 470 dwellings. It is assumed that this derives from the 432 dwellings granted planning permission and the 50 dwellings allocated under Policy HC2(w)?

26. On the basis that planning permission has already been granted have the assessments referred to in the various criteria not already been carried out and the contributions agreed? For example the last criterion relating to 'contamination and ground condition surveys' appears to have been addressed (paragraph 8.36 refers).

27. Representors suggest that the scheme granted planning permission is not viable and additional development, including a greater number of dwellings (790), is necessary to bring the site forward. What evidence is before the Council in terms of viability? Is there scope for increasing the housing numbers for the site?

Response

28. It would be helpful to have a response from the Council on matters raised above by 2 March if possible. If the Council consider that any of the above comments and questions need to be addressed by Main Modifications (MMs) then please let me know. In this respect as advised in the Initial Questions a Schedule of MMs should be produced at an appropriate stage in advance of the hearings.

29. I am not inviting comments from other parties at this stage. I want to clarify the Council's position first. This will help me set out pre-hearing questions in due course on which all parties with relevant representations will have the opportunity to respond.

Mark Dakayne

INSPECTOR

15 February 2017