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**To: Corporate Director and Deputy Chief Executive
Derbyshire Dales District Council**
(by email)

Dear Mr Wilson

Derbyshire Dales Local Plan - Main Modifications(MMs) and Additional Modifications (AMs)

The Inspector has been reporting on the Examination into the Local Plan during the last few weeks. He has come across a few matters which may require amendments to the MMs or AMs. He may initiate these amendments following the consultation period on the MMs but before doing so would welcome the Council's comments.

They are as follows (in MM or AM order):

MM4 – paragraph 4.21 in referring to 5th tier indicates that development may be allowed 'in appropriate circumstances, on the edge of the village'. This appears to go beyond the terms of Policy S3 itself in relation to 5th tier villages. In this respect the phrase should be deleted.

In relation to Policy S3 itself and the 5th tier it is assumed that brownfield sites would need to be on the edge or close to settlements so the policy could be amended to read: 'or where there are opportunities for the redevelopment of brownfield sites on the edge of settlements which will result in a positive environmental improvement;..'

MM5 - there are parcels of land to the south of Old Hackney Lane that are outside the settlement boundary, including land associated with Whitworth Hospital. I understand that one of the sites is well-wooded but otherwise what is the justification for the settlement boundary not running along Old Hackney Lane?

MM10 – with regard to Policy S5 and criterion i) there is no need to include '(Sedgefield Method)' under the 8th bullet point as the way that the 5 year supply is calculated is dealt with under MM59.

MM13 – paragraph 4.31 refers to 17% flexibility but the Inspector calculates it to be 15% flexibility based on an OAN of 5680 and supply of 6684. Please can the figure be checked and then altered as necessary.

MM16 – in paragraph 4.33 there is a suggestion that the HEDNA identified a requirement for at least 24 ha of employment land. This is not factually correct as paragraph 1.53 of the Executive Summary and paragraph 13.21 of the main report both refer to the need for 15 ha of employment land. Whilst the Inspector does not

consider that material harm will arise from making provision for at least 24 ha of employment land under Policy S7 the explanation to the policy should be amended. Something along the following lines would appear to resolve the matter:

'The Derbyshire Dales Housing and Economic Development Needs Assessment (2015) concludes that taking account of forecast changes in the economy of Derbyshire Dales, and the demographic changes that there is a requirement to identify a need for at least up to 24 15 hectares of employment land to meet development needs in the District to 2033. However, in order to ensure sufficient flexibility in supply and a range of sites throughout the District provision of 24 hectares of employment land is sought by Policy S7.'

MM20 – the 4th bullet point of the amended Policy PD2 repeats paragraph 133 of the Framework. Given that there is no equivalent criterion within the policy relating to paragraphs 134 and 135 of the Framework would it not be best to exclude this criterion altogether and rely on national policy?

MM32 – there is a slight mismatch between the period of the GTAA assessment (2014-2034) and the Plan period (2013-2033). However, it would seem more logical to include the latter within Policy HC6 and such a change would not depart materially from the evidence base.

AM1 – in view of the existence of the Wirksworth Neighbourhood Plan the statement within the AM is not strictly true. It should be amended to read: 'The Local Plan is the only higher level development plan document for the area and should be considered alongside any adopted Neighbourhood Plans that may come forward during the plan period 2013-2033.'

In relation to matters which are not subject to a MM or AM:

Policy HC15 - do 'care homes' reasonably fall within the definition of 'community services'? Moreover, it would not be reasonable for criterion c) to be applied to such a use.

Policy HC21 – an AM should be made to remove the superfluous word 'standards' from the 1st line of the policy as follows: 'Vehicular parking ~~standards~~ for new development....'

There is no need to make changes to the Schedules of MMs and AMs at this stage. These are matters which can be addressed post MM consultation as necessary. These comments are made without prejudice to the Inspector's consideration of consultation responses on the MMs and to his final conclusions on the soundness of the Plan.

Yours sincerely

Carmel Edwards

PROGRAMME OFFICER