

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**12 July 2016**

Report of the Strategic Director – Economy, Transport and Communities

**CONSULTATION: DERBYSHIRE DALES DRAFT LOCAL PLAN**

(1) **Purpose of Report** To agree the County Council's formal response to Derbyshire Dales District Council's (DDDC) public consultation on its Derbyshire Dales Draft Local Plan (DDDLP).

(2) **Information and Analysis** The DDDLp sets out planning policies and strategic housing and employment land allocations for the period 2013 to 2033. Following an Examination in Public (EIP), DDDC withdrew its previous version of the Derbyshire Dales Local Plan (DDLp) in October 2014. The EIP Inspector had identified 'soundness' issues, particularly relating to its proposed housing provision target. The target was considered to be significantly below the District's Objectively Assessed Housing Need (OAHN) of 6,400 dwellings. On 14 December 2015, Derbyshire County Council submitted detailed comments to DDDC on its Local Plan Key Issues Consultation (KIC). Reference is made to them where appropriate below.

Section 1: Introduction of the DDDLp indicates that the Local Plan will be subject to an EIP in late 2016. Section 2 gives a Spatial Portrait of the District and a range of key issues that need to be addressed. Section 3 sets out the Spatial Vision, Aims and Objectives of the Plan. Sections 4 to 8 set out the main proposed policies and housing and employment land allocations of the Plan, including:

- Section 4: Spatial Strategy - the District's future housing provision target is at least 6,015 new homes and employment land provision is 15 hectares (ha); there are specific Development Strategies for Matlock/Wirksworth/Darley Dale, Ashbourne, and the Rural Parishes; and policies for local infrastructure provision and developer contributions.
- Section 5: Protecting Derbyshire Dales Character - policies for the protection of the natural and built environment, including landscape character; the Derwent Valley Mills World Heritage Site (DVMWHS); and the Protection of Open Spaces along the Matlock to Darley Dale A6 Corridor.

- Section 6: Healthy and Sustainable Communities - policies for the location of housing development; affordable housing; Gypsy and Traveller provision, including safeguarding land for a site at Watery Lane, Ashbourne; and public transport, accessibility and transport. Section 6 also identifies 32 sites proposed for housing allocations to accommodate a total of 3,177 dwellings. Strategic housing sites of particular note include land proposed:
  - at Ashbourne Airfield (1,100 dwellings)
  - off Gritstone Road / Pinewood Road, Matlock (500 dwellings)
  - at Stancliffe Quarry, Darley Dale (100 dwellings)
  - at Halldale Quarry / Matlock Spa Road, Matlock (220 dwellings)
  - at Middle Peak Quarry, Wirksworth (220 dwellings)
  - to the rear of the former Royal Bank of Scotland (RBS) premises, Darley Dale (143 dwellings)
- Section 7: Strengthening the Economy - policies for new employment development; identifies 6 sites for proposed employment land allocations totalling 22ha of land, including up to 16ha of land at Ashbourne Airfield; policies for Town Centres and Retailing; and policies for Protecting and Extending the District's Cycle Network, including the protection of the route of the White Peak Cycle Loop (Policy EC10).
- Section 8: Strategic Site Allocations - more detailed information supporting the proposed development on the proposed strategic sites listed above.

The DDDL P can be viewed at <http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16/local-plan-consultation>

In order to meet the statutory deadline for submission of comments, provisional informal comments were submitted to DDDC on 19 May 2016, subject to agreement at this Cabinet Member Meeting. A copy of the response can be made available on request.

### **Local Member Comments**

Local County Councillors with electoral divisions in Derbyshire Dales District were consulted on the DDDL P. Councillor Irene Ratcliffe, Member for Wirksworth Electoral Division, made the overall comments quoted below and her detailed statement is given in Appendix 1.

*'The Government Inspectorate in refusing the previous draft plan asked Derbyshire Dales District Council to revise their housing figures upwards to meet the objectively assessed need total of some 6400 homes to be constructed over the plan period. But as the draft plan states it excludes all of the land in Derbyshire Dales District under the Peak District National Park Authority, some 40% of the geographic area. Unless the District's partnering authorities like Derbyshire County Council and the PDNPA or the Government's own Planning Inspectorate recognise and assist the 400 shortfall it will make it difficult to reach this level. This would have a greater*

*impact and give open season for “strategically unplanned” development within the area of Derbyshire Dales that sits outside the PDNPA without the District Council’s other policies within the local plan which aim to promote and protect development control under its democratically elected members.*

*The impact on the honey pot villages and the market towns of Ashbourne, Matlock and Wirksworth of such rapid increase in growth will have a detrimental impact on residents and visitors alike without the infrastructure improvements, resources and protection needed.*

*I support Derbyshire County Council’s response and appreciated being able to contribute to it as the elected Member for the Wirksworth Division’.*

### **Officer Comments**

Many of the DDDL’s wide range of policies and its allocations for proposed housing and employment development raise a variety of strategic planning policy and infrastructure considerations, and/or implications for Derbyshire County Council, which were reflected in the County Council’s informal response to the consultation. These comments are summarised below.

### **Housing Policies and Objectively Assessed Housing Needs**

- Strategic Objective 10 is supported, which has been amended in accordance with the County Council’s comments on the KIC and now sets out the Plan’s key objective of meeting the OAHNs of the District, subject to consideration of other Strategic Objectives of the Local Plan.
- The Inspector who presided over the EIP considered that the OAHN of the District was around 6,400 dwellings over the Plan period 2013 to 2033. DDDC commissioned new evidence, which also concluded that the District’s OAHN was 6,440 dwellings over the same period. It is supported that this OAHN figure is appropriately set out in Paragraph 4.30 of the Plan.
- Full support is expressed for DDDC’s intention to meet as much of this OAHN requirement as possible within the District, given the land supply and significant environmental constraints that exist. A proposed housing target of 6,015, as set out in Policy S6, would leave a small shortfall of 425 dwellings.
- In the context of the above and under the ‘Duty to Cooperate’, it is welcomed and supported that DDDC is in discussions with its neighbouring local authorities to determine the extent to which these authorities are able to accommodate some of this identified shortfall.
- On 13 May 2016, County Council Leader, Anne Western, replied to DDDC’s Leader, Lewis Rose, setting out how the County Council would be able to assist DDDC in meeting some of the identified shortfall, particularly through its joint working with neighbouring authorities to Derbyshire Dales and identifying land in the County Council’s ownership which might be suitable to accommodate housing development.

- The Plan's approach to the provision of affordable housing is fully supported, which seeks to ensure that at least 30% affordable housing is provided on sites above 3 dwellings or 0.1ha.

### **Settlement Hierarchy**

- The definition of a five tier settlement hierarchy is fully supported, which should ensure that the scale of new development will be directed towards the most sustainable locations in the District and reduce the need to travel.

### **Highways**

- As Highway Authority, Derbyshire County Council officers are working with DDDC's officers to assess the likely highway impacts of the areas proposed for housing and employment growth. Consultants appointed by both councils have undertaken a Transport Study to assess these highway impacts and recommend the scope of mitigation work necessary to ameliorate any potential impacts.
- The Transport Study presents a number of potential scenarios for consideration by DDDC as it develops the emerging Local Plan, and identifies a number of constraints on the highway network across the district. Increases in development related traffic inevitably will adversely affect congestion and, all things being equal, would be undesirable. However, in assessing whether the level of impact of development proposed in the Local Plan was unsustainable on transportation grounds, the County Council would need to consider this in the context of the whole of its network. Whilst there is evidence in the Transport Study indicating that congestion would worsen in some locations, overall, in balancing the needs for housing and, bearing in mind the conditions on its road network in other parts of Derbyshire, it is highly unlikely that the County Council would contest the soundness of the Local Plan on the basis of localised congestion alone.
- The Transport Study identifies a possible mitigation strategy and this inevitably depends upon the effectiveness of sustainable travel interventions that could be developed through the Local Plan, for example seeking to minimise the number of vehicular trips generated, ensuring good access by sustainable transport modes, and travel plans. This strategy could be extended through the Local Plan to include initiatives to influence travel behaviour in existing communities, a process referred to in the Transport Study to, as 'trip banking', whereby personal travel planning is used to reduce existing trips, and produce additional network capacity that could be used to accommodate development-related traffic. Such wider sustainable travel interventions could further reduce the level of capacity reduction identified in the Transport Study, although this could also be supplemented by local junction improvements.

- Chapter 4 of the Draft Local Plan sets out its proposed Spatial Strategy, citing the strategic approach to development across the plan area. The Spatial Strategy seeks to concentrate development in the Market Towns – focusing as much development as is feasible on previously developed sites. The Market Towns are the largest settlements in the plan area comprising of Matlock, Ashbourne and Wirksworth, and these accommodate the majority of the District's population, services and facilities. The Spatial Strategy seeks to focus future growth in these settlements. However, and as the Transport Study suggests, the transport network in Matlock and Ashbourne would give rise to increased levels of congestion. In view of this, DDDC should give consideration to the potential rebalancing of the proposed distribution of housing across the three Market Towns.
- It is proposed that highway officers continue to work jointly with DDDC in more detail based upon the above principles.

### **Infrastructure**

- Policy S11 is fully supported, which identifies the full range of infrastructure necessary to support new development and sets out a requirement that development will only be permitted if the necessary infrastructure is available or will be provided.
- Ashbourne and Northwood Household Waste Recycling Sites have sufficient surplus capacity to accommodate additional demand arising from new housing development proposed in the District.
- The need for Transport Assessments and Travel Plans to be submitted with applications for new development is supported. The Plan's policies, however, should also make sure that provision is made to monitor the Travel Plans.
- Derbyshire County Council's officers provided detailed comments, dated 31 March 2015, on the school place provision requirements relating to each of the Plan's proposed housing allocations to the consultants acting for DDDC. Development in most settlements in the District will require additional school places to be funded by developer contributions or Community Infrastructure Levy (CIL). Proposed housing development in Matlock, however, may require the need for an alternative site for the provision of an infant or primary school, and proposed housing development in Wirksworth would require a site for a new primary school.
- Given the scale and extent of Middle Peak Quarry, it is considered that the proposed allocation may have potential to accommodate a new primary school to meet future growth needs proposed in the Plan for Wirksworth. This should be given further consideration by DDDC.

### **Landscape and Landscape Character**

- Detailed comments were provided on strategic landscape and landscape character, particularly relating to a number of the proposed housing allocations, which would require appropriate mitigation.

- The policy for the protection of open spaces in the Matlock to Darley Dale A6 corridor is fully supported in principle. There is concern, however, about the successful delivery of the objective to protect and enhance the landscape and maintain the separation of the settlements, as only a few sections of land south of the A6 have been identified.
- Some housing, mixed-use and employment land allocations lie within high landscape sensitive zones and Areas of Multiple Environmental Sensitivity (AMES). Their suitability and potential impact on the landscape, combined with a reduced capacity to accept change, may not be able to be adequately mitigated or addressed in these locations.

### **Heritage Issues**

- The policy approach to the protection and enhancement of the Outstanding Universal Value (OUV) of the DVMWHS and its buffer zone is fully supported. However, it is also important that Policy PD2 and its supporting background text should include a specific requirement that a Heritage Impact Assessment should be submitted in support of any development proposals that are located within, or potentially impact on, the DVMWHS and/or its buffer zone.

### **Town and Local Centres**

- The policy approach to town centres and retail development is fully supported, which seeks to ensure that the vitality and viability of town centres, district centres and local centres is maintained and, where possible, enhanced in accordance with their function, scale and identified development needs. This is fully in accordance with the policy requirements for town centres and retailing in paragraph 23 of the National Planning Policy Framework (NPPF).
- Retail and service provision in Darley Dale is very limited and has no focus or hub. Given the size of the settlement's population and its potential future growth as a result of the proposed housing allocations, it is considered that the settlement should accommodate new retail and service provision to meet the needs of the growing population over the Plan period.
- The proposed strategic allocation site on land to the rear of the former RBS premises in Darley Dale provides significant potential to meet the need above.

### **Minerals and Waste Issues**

- Three of the proposed housing allocations at Middle Peak Quarry, Wirksworth; Stancliffe Quarry, Darley Dale; and Halldale Quarry, Matlock contain reserves of minerals, particularly Carboniferous Limestone, which is recognised as an important resource in national terms.
- DDDC's attention is drawn to the policies of the adopted and emerging Derby and Derbyshire Minerals Local Plan and national policy advice and guidance in the NPPF and National Planning Practice Guidance, which

seek to ensure that important mineral resources are not needlessly and unnecessarily sterilised by non-mineral development unless there is an overriding need for development. This issue will need to be identified in the site specific policies for the three housing allocations.

### **Gypsy and Traveller Issues**

- The policy approach to Gypsies and Travellers and the District's future pitch requirements are supported, which are based on the recommendations and conclusions of the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment.
- Policy HC6 indicates that DDDC will safeguard land at Watery Lane, Ashbourne for the provision of a Gypsy and Traveller site. There is a planning permission for four family pitches at the site. Derbyshire County Council owns the land, however, it does not have the capital funding to develop the land in accordance with the proposed policy allocation. DDDC is asked to note that, having regard to the County Council's interest as land owner, a lease or agreement would need to be completed with Derbyshire County Council on terms satisfactory to it before any development of the land by any other party could take place.

### **Recreation/Public Open Space**

- County Councillor Irene Ratcliffe has drawn attention to the fact that land at The Meadows in Wirksworth was a notified school site but since has been de-notified by the County Council because it is too small to accommodate a new school of the size needed in Wirksworth. Councillor Ratcliffe considers that, as the site is the only flat area of open space remaining in the centre of Wirksworth, it is important this area of open land is protected and formally allocated in the Local Plan as Public Open Space and a Community Asset. Given the importance of this area of open space to the local community in Wirksworth, DDDC is requested to give further consideration to this issue in consultation with the County Council.
- Policies for the protection of the route of the White Peak Loop are fully supported.

### **Health and Wellbeing**

- It is welcomed and supported that maintaining and improving the health and wellbeing of individuals and communities is recognised and promoted throughout the DDDL. A number of amendments are suggested to the Introduction, Spatial Portrait and Spatial Vision to strengthen the approach.
- A range of policies are supported in terms of their positive benefits for health and wellbeing, particularly those for the Spatial Strategy; Protecting Derbyshire Dales Character; Healthy and Sustainable Communities; and strengthening the Economy.

(3) **Financial Considerations** There are no financial considerations associated with this report.

(4) **Legal Considerations** The recommendation in this report is made in the context of the County Council's responsibilities and services under the provisions of the Localism Act 2011 and the Planning and Compulsory Purchase Act 2004.

(5) **Social Value Considerations** The relevance of social value in terms of social, economic and environmental wellbeing has been considered in the preparation of this report. Meeting the current and future needs of communities and the management of scarce resources (i.e. sustainable development) is central to the role of local planning authorities in preparing and implementing their local plans.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Steve Buffery, extension 39808.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member delegates authority to officers to send a formal response to Derbyshire Dales District Council in response to its public consultation on the Derbyshire Dales Draft Local Plan, in line with the informal response referred to in this report.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Communities**



## **Appendix 1: Detailed Statement from Councillor Irene Ratcliffe, County Councillor for Wirksworth Electoral Division**

### **Overall Housing Target**

- The overall housing target of 6,015 dwellings is supported.
- I accept that the housing need in Derbyshire Dales is 6,400, given the decision of the Local Plan Inspector on the previously withdrawn Local Plan. It is important and right that all areas of the District take their fair share of new housing growth.
- If the shortfall of 400 dwellings is to be provided to meet the overall requirement of 6,400 dwellings, more resources will be required to support this level of growth, particularly Government resources.
- The level of growth needs to be matched by a significant increase in provision of supporting infrastructure.
- It is essential that all the strategic sites have a thorough Development Brief to ensure that they are developed properly and actually brought forward for development.
- It should be kept in mind that Derbyshire Dales is a rural District. Therefore, impact assessments should be required for even the smaller sites of less than 50 dwellings.
- The shortfall of 400 dwellings should be met by more housing provision in the Peak District National Park, such as in the larger settlements, e.g. Hathersage and also in the smaller villages, which would help them be more sustainable settlements.
- The County Council should also investigate whether it has any surplus land in its ownership in Derbyshire Dales, which could be used for housing, especially affordable housing, to help meet the shortfall of 400 dwellings.
- There is an acute shortage of family housing and affordable housing in Wirksworth and the District as a whole. The Local Plan needs to ensure that sufficient family and affordable housing is provided on the two strategic sites at Middle Peak Quarry and Middleton Road.

### **Middle Peak Quarry Wirksworth Strategic Allocation**

- The Local Plan allocates the quarry site for 220 dwellings but Tarmac has ambitions to build 1,200 dwellings. The 1,200 dwellings would be unacceptable as it would be totally out of scale with the settlement of Wirksworth and the existing range of services and facilities it has available.
- The roads around the site and the wider area of Wirksworth, such as the A6, are not physically suitable or able to cope with a large increase in traffic that would be generated by large scale housing development in the quarry. It is still not clear where the main road access would be created to serve the site.
- Large-scale housing development would have significant impacts on drainage and sewerage treatment.
- Development would need to be carefully planned to ensure that it did not have adverse impacts on the landscape and protected trees and woodland

on the site. Part of the site is also a Site of Special Scientific Interest that will need to be protected.

- 250 dwellings is the maximum capacity for the site for it to be sustainable development.
- The site should also be used for other uses, including new employment development and a new school.
- The Local Plan sees quarry sites as being suitable redevelopment brownfield sites. But many quarry sites are not brownfield sites where they have been dormant for a long time and have been assimilated into the landscape. They are therefore greenfield sites.

### **Education Issues**

- Existing primary schools in Wirksworth are at, or near to, capacity already.
- The two strategic sites at Middle Peak Quarry and Middleton Road / Cromford Road, Wirksworth are proposed for a total of 346 houses.
- Existing schools would not be able to accommodate the new pupils that would be generated by these two developments so a new school would need to be built in Wirksworth.
- A major issue is 'acadamisation'. If a new school was built in Wirksworth it would have to become an academy. The County Council would have no control over the running of the school and its intake of pupils. There would be no certainty that the new school would take all the pupils generated by the two new strategic sites. This is a significant sustainability issue.
- It is essential that the new school was built before development started on the strategic sites.
- The Middle Peak Quarry site should be used to accommodate the new school, given that the site at The Meadows in Wirksworth has been de-notified by the County Council.

### **The Meadows De-Notified School Site**

- Land at The Meadows in Wirksworth was a notified school site but has been de-notified by the County Council as it is too small to accommodate a new school of the size needed in Wirksworth.
- This is the only flat area of open space left in the centre of Wirksworth. It has two Rights of Way crossing the site.
- It is important that this area of open land is protected as Public Open Space. The Local Plan should formally allocate the site for Public Open Space and a Community Asset.
- The Wirksworth Neighbourhood Plan proposes that The Meadows area should be protected as Public Open Space with some housing around the periphery.

### **Employment Issues**

- There are two important employment sites in Wirksworth at Kingsfield and Ravenstor. The Kingsfield site does not have room to expand but it could be redeveloped within its boundary to create more jobs. It is important that

these two sites are protected for employment purposes, especially as the Middletown Road/Cromford Road site was an employment land allocation but is now proposed for housing.

- The Middle Peak Quarry site should also be used for some employment development.
- The Breasley Mill employment site is a significant employer in the town. Should it be reused, the site has the potential to be used for other employment uses that would not need to be served by HGVs.
- It is important that the Local Plan ensures that there is economic growth in Derbyshire Dales District and that it is matched by the provision of new housing.
- There is an important need to increase the number of jobs in the District and the level of incomes. There are a lot of people in the District who are on low incomes, which needs to be addressed by more better paid jobs.

### **Health Issues**

- The growth planned for Wirksworth and the other main towns needs to be matched by and supported by an increase in primary health care facilities. There is a need for all partners to work together with the NHS Trusts to maintain and improve health care provision, particularly extra care and elderly care facilities.
- The importance of the use of community buildings should be highlighted as being an asset to facilitate the need for thriving families, as Local Government loses its funding from Central Government for its Children Centres.

### **Environment Issues**

- The use of cars is a major problem in the District, given its rural nature. It is essential that there should be a good level of public transport provision. It is a concern that major growth is being planned for the District at a time when the County Council is reducing its support for community transport and rural bus provision due to Government funding cuts.
- There is a need to ensure that measures are set out in the Local Plan to reduce pollution such as by the increased use of sustainable transport e.g. more charging points for electric cars.
- It is important that growth in the District is matched by an improvement in accessibility by improvements to the road and public footpath network.
- It is also important that the railway and canal system in the District is maintained and improved.

### **Gypsies and Travellers**

- It is supported that the Local Plan recognises the need to provide sites for Gypsies and Travellers in the District and has identified a potential site for allocation in the Plan.