

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND
TRANSPORT**

15 July 2014

Report of the Strategic Director - Economy, Transport and Environment

**CONSULTATION: HIGH PEAK LOCAL PLAN SUBMISSION
VERSION**

(1) **Purpose of the Report** To authorise s the County Council formal response to High Peak Borough Council's (HPBC) public consultation on its Submission Version of the High Peak Local Plan (HPLP). An Officer response was sent to HPBC on 23 June 2014 in order to meet the statutory deadline for comments.

(2) **Information and Analysis** Following previous consultations on the HPLP Preferred Options in February 2013, and further potential changes in February 2014, the Submission Version of the HPLP is the final draft that HPBC intends to submit to the Secretary of State for Examination in Public later this year. The HPLP Submission Version allocates sites for new homes and businesses that are needed up to 2031, explains how new jobs will be supported and how the environment will be protected. Its preferred approach is to spread growth amongst the market towns, including Buxton, Glossop, New Mills, Chapel-en-le-Frith and Whaley Bridge.

The HPLP Submission Version proposes 7,200 new dwellings over the period 2011 - 2031 at an annual development rate of 360 dwellings. It also identifies a need for 45.216 hectares (ha) of employment land from 2011 to 2031. Subject to an assessment of development viability and further consideration by HPBC, infrastructure requirements related to the cumulative impact of development in the Borough would be supported generally by the Community Infrastructure Levy (CIL). The Infrastructure Delivery Plan, that supports the HPLP Submission Version, provides further clarification on infrastructure needs and sources of funding.

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Local Member Comments

Local County Councillors with electoral divisions in High Peak Borough were consulted on the HPLP Submission Version. Councillor Twigg had no comments. Councillor Lomax had concern *“that the proposed number of houses and the identified sites are marginal in terms of the ability to deliver an improvement to the inadequate infrastructure. The sites will put pressure on schools and roads across the Borough. The number of houses proposed is greater than that needed for growth within High Peak, and instead provides for a migration into the Borough. Until such time that central Government or Local Enterprise Partnerships provides for major infrastructure improvements then the increased housing will only be to the detriment of residents.”*

Officer Comments

In February 2014, the County Council made informal Member and Officer comments on potential changes to the HPLP Preferred Options document, proposed by HPBC in response to public feedback and new evidence. It is welcomed that many of those comments have been taken into account in the HPLP Submission Version.

Housing

Whilst the housing need for the Borough has been assessed to be between 415 and 455 additional dwellings per annum, HPBC considers that increasing its proposed housing target from 270 dwellings to 360 per annum is the maximum that could be provided without causing unacceptable harm to the environment. This increased level of housing provision which takes into account Green Belt, landscape character and infrastructure constraints is supported. In view of these challenges faced by HPBC, the contribution of 500 dwellings by Cheshire East is welcomed.

The County Council has previously raised concerns about housing allocations G8 – G10 (Land off Woodhead Road) in Glossop on grounds of visual impact and impact on Landscape Character. It is noted that the HPLP Submission Version retains these allocations on page 112 under Policy H3 and as such, the County Council reiterates its concerns.

At the HPLP Preferred Options stage, the County Council submitted a holding objection to the proposed allocation of site B8 (West of Tongue Lane, Buxton) for housing development. The County Council expressed concerns that this housing allocation may prejudice a potential extension to Ashwood Dale Quarry. This was identified as a strategic matter to be addressed under the ‘duty to cooperate’. The County Council is actively engaged with HPBC and the operator of Ashwood Dale Quarry to resolve this issue. Whilst the County Council welcomes the acknowledgement of continued dialogue and joint working on this issue in the

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HPLP Submission Version's Duty to Cooperate Statement on page 21, it maintains the objection.

It is welcomed that the HPLP Submission Version includes site specific policies setting out requirements for planning applications for strategic sites as previously suggested by the County Council. Policies DS1 – DS20 on pages 142-169 include a requirement for on-site provision of affordable housing and contributions towards infrastructure, education, services and other community needs as required. These policies state that a financial appraisal would be required to justify a reduced provision of affordable housing.

Employment

Of the 45.216 hectares (ha) of employment land identified to be required from 2011 to 2031, 9.66ha was developed up to 2013, leaving a residual requirement of 35.55ha. Most employment land allocations in the HPLP adopted in 2005 are carried forward. A new employment land allocation is also included in the Buxton area, namely an extension to Waterswallows industrial estate to reflect the recent development of the Nestle Waters' bottling plant. This is supported.

Infrastructure

In securing housing delivery, a balance is needed to ensure that allocated housing sites will be brought forward by developers along with the necessary infrastructure and services required to support them. It remains preferable where feasible for new housing to be located in areas where there is projected to be surplus capacity in existing infrastructure or where additional infrastructure capacity can be delivered with financial contributions via Section 106 Planning Obligations or CIL.

The following policies are supported:

- Policy CF3 Local Infrastructure Provision - Planning Obligations and Community Infrastructure which requires the necessary infrastructure to be available, or arrangements in place to serve the new development, or takes a phased approach to the release of land for development. In addition, the policy specifically refers to telecommunications and high speed broadband in relation to the provision of infrastructure to deliver new development.
- Policy CF5 Provision and Retention of Local Community Services and Facilities - The maintenance and improvement of local community services and facilities, and the safeguarding of land.
- Policy CF7 Planning Obligations and Community Infrastructure – It is welcomed that this new policy suggested by the County Council is included and the clarity it gives on HPBC's position relating to CIL, underpinned by evidence in the Infrastructure Delivery Plan. HPBC is to prepare a Developer Contributions Supplementary Planning Document (SPD) to provide further

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details of how contributions will be calculated. It is hoped that the SPD will refer to the Developer Contributions Protocol published by the County Council.

- Site Specific Policies - It would be helpful if the policies stated that a financial appraisal would be required to justify any contribution towards not just affordable housing but also infrastructure, education, services and other community needs.
- Policy EQ10 Flood Risk Management – It is welcomed that the HPLP Submission Version recognises that the County Council, as Lead Local Flood Authority, will be defined as the Sustainable Urban Drainage Systems (SuDS) Approval Body once Schedule 3 of the Flood and Water Management Act is enacted. Policy EQ10 states that development proposals that avoid areas of current or future flood risk and which do not increase the risk of flood elsewhere will be supported. When considering planning applications, HPBC will have regard to all relevant Catchment Flood Management Plans and the Local Flood Risk Management Strategy.
- Policy EQ7 Green Infrastructure - The Submission Plan recognises opportunities to strengthen the Borough's current green infrastructure network by implementing the West Derbyshire High Peak Greenway Strategy and completing the Matlock to Buxton Cycle Trail. EQ7 seeks to deliver the protection of existing long distance trails and further develop a network of Greenways in accordance with the West Derbyshire and High Peak Greenway Strategy.
- Education - There are several schools in the Borough where expansion would be required to accommodate the additional pupils that are projected to arise from the level of housing development proposed. These expansions could be delivered only with financial contributions from developers. The potential solutions to deliver additional capacity are the subject of on-going feasibility studies and discussions with Head Teachers and Governing Bodies. The outcomes of these studies and discussions will be shared with HPBC. The Submission Version policies now incorporate references to safeguarding sites that are required for education purposes (notified sites).

Waste management provision is not mentioned in the HPLP Submission Version and it is not clear whether it is covered by policies CF3 and CF7 and, therefore, whether developers would be required to contribute to waste management provision. It would be helpful if Policy CF3 specifically referred to the provision of waste management facilities as critical infrastructure that is required to make new development sustainable and acceptable in planning terms.

Transport

The County Council, as Local Highway Authority (HA), has been involved throughout the HPLP preparation process, including providing advice on the

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highway implications of specific sites and the procuring of a Transportation Study, which considers some of the more strategic implications of the HPLP's proposals. The HA will continue to work with HPBC providing advice, where appropriate, regarding highway implications of any changes to the HPLP Submission Version as a result of consultation replies.

(3) **Financial Considerations** There are no financial considerations 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 Localism Act 2011 and the Planning and Compulsory Purchase Act 2004.

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.

(5) **Key Decision** No.

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

(7) **Background Papers** Held on file 2108-5 in the Economy, Transport and Environment Department. Officer contact details – Nigel Calver, extension 39806.

(8) **OFFICER'S RECOMMENDATION** That the Cabinet Member authorises officers to respond formally to High Peak Borough Council on its Submission Version of the High Peak Local Plan, as described in the report.

Mike Ashworth
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