

DERBYSHIRE COUNTY COUNCIL

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

25 October 2016

Report of the Strategic Director – Economy, Transport and Communities

**CONSULTATION: DERBYSHIRE DALES LOCAL PLAN – PRE-
SUBMISSION DRAFT 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 Local Plan – Pre-Submission Draft Plan (PSDP).

(2) **Information and Analysis** Derbyshire County Council was consulted by DDDC on its Derbyshire Dales Draft Local Plan (DLP) in April 2016. Extensive Member and Officer technical comments were submitted by the County Council, which were agreed at the Cabinet Member Meeting on 12 July 2016 (Minute 84/16 refers). DDDC has considered all representations submitted on the DLP and has made various amendments to the Plan, which are now incorporated in the PSDP. Particular changes have been made to the District's overall housing provision requirement, which has been increased from 6,015 to 6,440 new homes over the period 2013 to 2033; and to the range of proposed housing allocations identified to meet the requirement (see further details below). A range of other changes have been made to the detailed wording of many of the policies, together with the inclusion of a number of new policies.

Section 6: Policy H2, particularly identifies 28 sites as proposed housing allocations to accommodate a total of 3,515 dwellings. The vast majority of the proposed allocations were previously identified in the DLP, although the numbers of houses proposed on some of the sites has been amended. A small number of sites identified for allocation in the DLP have been deleted and two new sites have been identified on land at the Royal Bank of Scotland (RBS), Matlock and Whitelea Nursery, Tansley. Particular allocation sites of note include:

- land at Ashbourne Airfield for 1,100 homes;
- land off Gritstone Road/Pinewood Road, Matlock for 430 homes (previously 500 in the DLP);
- land at Stancliffe Quarry, Darley Dale for 100 homes;
- land at Halldale Quarry/Matlock Spa Road, Matlock for 220 homes;

- land at Middle Peak Quarry, Wirksworth for 645 dwellings (previously 220 homes in the DLP); and
- land to the rear of the former RBS Premises, Darley Dale for 143 dwellings.

This is the last round of public consultation on the Local Plan before it is submitted to the Secretary of State at the end of this year for an Examination in Public (EIP).

Full details of the PSDP can be viewed at:

www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16/2015-11-10-09-32-18

In order to meet DDDC's statutory deadline for submission of comments, provisional informal comments were submitted to DDDC on 22 September 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 have been consulted on the PSDP.

Councillor Irene Ratcliffe, Member for Wirksworth Electoral Division, has made a detailed statement, which is contained in the appendix to this report and is summarised below:

Councillor Ratcliffe:

- accepts that DDDC has had to make sufficient housing provision in the Local Plan to meet the full objectively assessed need of 6,440 homes, as neighbouring councils are not able to contribute towards accommodating any of the District's housing growth needs;
- expresses concern about the scale of development in the three main towns of Ashbourne, Matlock and Wirksworth, and its impacts on local infrastructure, particularly the highways network and school place provision;
- raises no objection to the allocation of land at Middle Peak Quarry for 645 dwellings, as long as the necessary infrastructure is put in place to support the development and important environmental and landscape features are protected;
- expresses concern about the delivery of the scale of housing development proposed, particularly planned housing development, in the four quarry sites;
- expresses concern about the loss of mineral reserves associated with the development of the four quarry sites;
- expresses concern about the deletion of various areas of previously safeguarded land for recreational and tourism uses; and

- proposes the allocation of land at The Meadows in Wirksworth for public open space.

Officer Comments

Housing Policies and Objectively Assessed Housing Needs

- Full support is expressed for the proposed housing provision requirement of 6,400 new homes, which would meet the full objectively assessed housing need (OAHN) for the District, as required of local planning authorities (LPAs) in the National Planning Policy Framework (NPPF).
- It is recommended that the District Council should consider the need to undertake further 'sensitivity testing' of the housing requirement above based on the latest 2014-based Sub-National Household Projections.
- Policy HC2: Housing Land Allocations proposes 28 sites to be allocated to accommodate a total of 3,515 dwellings up to 2033. Many of these sites have a range of infrastructure requirements that would need to be provided to ensure that they are delivered in a timely manner. Many of the sites also have potential environmental impacts that may need to be mitigated to ensure that sustainable development is achieved.
- The Plan's revised approach to affordable housing is supported, which has been amended to take into account a recent High Court ruling on the threshold for the number of housing units or floorspace, above which, affordable housing provision can be required by LPAs.

Highways

- The County Council's detailed, formal comments on the highways impact implications of the DLP were largely based upon the findings of the AECOM Transport Study, published in June 2016, which was jointly commissioned by DDDC and Derbyshire County Council to assess the implications of future land use development and its likely impacts upon the strategic transport network in the District (outside the Peak District National Park). Its findings and recommendations on the scope of mitigation work required to ameliorate potential highway impacts arising from planned development were considered at the Cabinet Member Meeting on 12 July 2016, together with representations made at the meeting. The Highway Authority's comments, made in the County Council's formal letter of response of 21 July 2016, remain largely relevant to the PSDP, subject to the comments below.
- Changes to the range of housing allocations set out in the PSDP compared to those in the DLP, may have potential additional highways impact implications to those identified in the AECOM Transport Study. It is therefore recommended that the Transport Study is updated to reflect the changes in scale and distribution of the proposed allocations in order to provide an up-to-date, robust evidence base upon which to assess the strategic transport implications of the PSDP's land use

proposals. Such a review of the AECOM study would also offer the opportunity to explore in a little more detail the findings of their work as regards the potential mitigation strategies on parts of the network.

- It is welcomed that the PSDP includes Policy HC20: Managing Travel, which gives the strategic context for wider sustainable travel interventions, which could have positive benefits by further reducing the level of capacity reduction already identified in the Transport Study. Policy HC20, however, needs to give more clarity on the role of DDDC and its partners to reflect the supporting text in paragraphs 6.53, 6.54 and 6.55. A slight amendment is therefore suggested to read as follows: *“The District Council, in consultation with the Highway Authority, will adopt a hierarchical approach to ensure the delivery of sustainable transport networks, which will seek to provide (in order of priority)”*.
- With regard to the text in Paragraph 6.58 and Policy HC19, there appears to be a mismatch in approach. The text suggests that planning applications may be candidates for refusal on highway grounds rather more than Policy HC19 implies. It is suggested that officers from DDDC and the County Council consider more appropriate wording to ensure compatibility between text and policy, and to reflect the requirements of the NPPF.

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 for new housing development in the District.
- The need for Transport Assessments and Travel Plans to be submitted with applications for new development is supported. However, comments on the DLP are reaffirmed that the Plan’s policies should also make sure that provision is made for the monitoring of Travel Plans.
- Derbyshire County Council’s officers provided detailed comments on the school place provision requirements relating to each of the proposed housing allocations in the DLP to consultants acting for DDDC on 31 March 2016. The vast majority of the housing allocations set out in the DLP have been carried forward unchanged into the PSDP and so the comments remain largely relevant to the allocations in the PSDP. However, a number of changes have been made to some of the other housing allocations and so in order that the assessment of school place provision is up-to-date, DDDC is requested to consult further with the County Council’s Children’s Services Department, once the final housing allocations have been confirmed in the Submission Local Plan.
- It is welcomed and supported that a new policy (HC16) has been included in the PSDP, which identifies five notified sites which are

required to be safeguarded by the County Council for replacement primary schools and new playing field provision.

- Given the scale and extent of the Middle Peak Quarry allocation and its increase in proposed housing provision from 220 to 645 dwellings, it is considered that the site may have potential to accommodate a new primary school to meet both the needs of new pupils generated by the housing development itself and other housing growth proposed for Wirksworth. Further discussion with DDDC would be welcomed.

Landscape and Landscape Character

- Whilst Derbyshire County Council's officers provided detailed comments on strategic landscape and landscape character issues on the DLP consultation, particularly on a number of the proposed housing allocations, the majority of concerns do not appear to have been addressed in the PSDP. The previous comments made on the DLP have therefore been largely reaffirmed.

Heritage Issues

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

Town and Local Centres

- The policy approach to town centres and retail development is fully supported, which is fully in accordance with the policy requirements for town centres and retailing in Paragraph 23 the NPPF.
- Comments on the DLP are reaffirmed that retail and service provision in Darley Dale is very limited and has no focus or hub. Given the existing size of the population of the settlement and the potential growth in the population, in the future as a result of the housing allocations which have been identified, 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, which should be given further consideration by the District Council.

Minerals and Waste Issues

- Three of the proposed housing allocations at Middle Peak Quarry, Wirksworth; Stancliffe Quarry, Darley Dale; and Halldale Quarry,

Matlock have significant reserves of minerals, particularly carboniferous limestone and sandstone, which are recognised as an important resource in national terms;

- It is welcomed and supported that comments made by the County Council's officers on the DLP in relation to policies for these sites, have been taken into account in the PSDP, with the inclusion of reference to the need for development of the sites to have regard to Policy MC17 of the Adopted Derby and Derbyshire Minerals Local Plan.

Gypsy and Traveller Issues

- The policy approach to Gypsies and Travellers and the District's future pitch requirements are supported as these are based on the recommendations and conclusions of the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA).
- Policy HC6 indicates that DDDC will safeguard land at Watery Lane, Ashbourne for the provision of a Gypsy and Traveller Site. DDDC's attention is drawn to the fact that Derbyshire County Council owns the land and that planning permission was granted in June 2015, subject to conditions for a proposed use of the site for four Gypsy and Traveller pitches under an application by Derbyshire Gypsy Liaison Group. Derbyshire County Council does not, however, have any capital funding available to develop the land in accordance with the proposed policy allocation. Having regard to Derbyshire County Council's interest as land owner, before any development of the land by any other party could take place, a lease or agreement would need to have been completed with Derbyshire County Council on terms satisfactory to the County Council.

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 has been de-notified by the County Council as it is too small to accommodate a new school of the size needed in Wirksworth. Councillor Ratcliffe considers that the site is the only flat area of open space left in the centre of Wirksworth, and that it is important this area of open land is protected and formally allocated in the Local Plan as an area of Public Open Space and a Community Asset. Given the importance of this area of open space to the local community in Wirksworth, it is considered that DDDC should 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 well-being of individuals and communities is recognised and

promoted throughout the PSDP. 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 LPAs 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 Local Plan – Pre-Submission Draft Plan, in line with the issues and principles set out in this report and any additional comments agreed at the Cabinet Member meeting.

Mike Ashworth
Strategic Director – Economy, Transport and Communities

**Detailed Statement from Councillor Irene Ratcliffe, Local County
Councillor for Wirksworth Electoral Division**

- I accept that the District Council has had to make sufficient housing provision in the Local Plan to meet the full need of 6,440 homes, as other neighbouring councils are not able to accommodate any of the District's housing growth needs.
- I am concerned that the three market towns of Ashbourne, Matlock and Wirksworth are taking the vast majority of the District's housing growth which will put significant pressure on their communities and have a major impact on traffic flows between the towns and cause congestion. The cumulative impacts of growth in these three towns are a major concern. It is vital that all the necessary infrastructure is put in place in the towns to accommodate this level of growth, particularly necessary highway improvements.
- Land at Middleton Road, Wirksworth was previously a notified site to accommodate a new primary school but was de-notified. I am not happy about the de-notification as it was a good site for a new school. A new school needs to be built in Wirksworth before the Middle Peak Quarry housing development site goes ahead.
- I do not object to the proposals for 645 houses at Middle Peak Quarry but all the necessary infrastructure to support the development needs to be put in place, particularly new school provision and highways infrastructure. It is essential that analysis is carried out to ensure that the scale of housing development proposed on the site can be accommodated on the local highway network. If a new school is provided on the site for infants and juniors, it would free-up the three existing school sites in the area, which could be used for new housing development. I support the recognition in paragraphs 8.27 and 8.28 that there are a number of important environmental designations on the site, including the Dale Quarry (Site of Special Scientific Interest (SSSI), Stoney Wood Wildlife Regionally Important Geological Site, as well as woodland and tree cover protected by Tree Preservation Orders (TPOs); and that a comprehensive landscape management and visual impact assessment will be required to demonstrate how the development of the site can be assimilated into the landscape. However, too much habitat will be lost in Wirksworth generally from the proposed allocation sites.
- Fuel poverty is real issue in the Wirksworth area, particularly for older people, and there is a need to ensure that the Plan's policies promote housing that is more energy efficient and links are made to climate change issues.
- It is disappointing that the requirements for new houses to be compliant with the Code for Sustainable Homes has been removed from the Plan as a result of changes made by Government.

- There is no mention in the Plan of Community Land Trusts. These can be an important way of making new homes available for local people. There needs to be a strategy in the Plan that promotes Community Land Trusts.
- The Local Plan is very aspirational in its proposals for the large scale of housing development but there are no concrete proposals to ensure that all the new housing development can be achieved or delivered. There are deliverability concerns about some of the allocated sites, particularly the four quarry sites that are proposed for housing. Cawdor Quarry has had planning permission for over 400 houses for some time now but only a few houses have actually been built. All the quarry sites will need costly remediation and are likely to take a long time to come forward for development.
- The development proposed for Wirksworth needs to be compliant with the Wirksworth Neighbourhood Plan. There is a need for the District Council to liaise with the Town Council to ensure consistency with the Neighbourhood Plan.
- Mineral reserves are an important concern. Four quarry sites are proposed for housing development which will reduce the mineral reserve for limestone in the County. There is a need to make sure there are still sufficient mineral reserves in the County to meet requirements, if these quarry sites are to be redeveloped.
- Balleye Quarry has been deleted as safeguarded land for tourism but there is no explanation why. This needs to be clarified.
- Dale Quarry in Wirksworth has been deleted as safeguarded land for sport and recreation. It was always the intention that Dale Quarry was going to be filled in and provided as a park for the local community. Why has this site now been deleted for sport and recreation?
- The settlement boundaries for Wirksworth, Cromford and Hlland Ward are generally fine. However, a number of planning permissions have already been granted for housing development in Hlland and so the necessary supporting infrastructure needs to be provided to accommodate the three new housing allocations and assurances that the sites are not liable to flooding.
- Carsington Reservoir has been deleted as a safeguarded site but there is no explanation why. This needs to be clarified. Carsington Water's villages need to be treated holistically to ensure their protection from development. There is a problem with too many wind turbines in the area which has had a harmful impact on the local landscape.
- In my comments on the Draft Local Plan, I proposed that land at The Meadows in Wirksworth should be allocated as public open space in the Plan as it is an important recreational resource for the community. I reaffirm my support for the allocation of The Meadows as an area of public open space.
- I support the allocation of land at Watery Lane, Ashbourne as a Gypsy and Traveller Site. There is an important need for new Traveller sites in the District.