

DERBYSHIRE COUNTY COUNCIL
MEETING OF CABINET MEMBER – JOBS, ECONOMY AND
TRANSPORT

30 July 2013

Report of the Acting Strategic Director – Environmental Services

DERBYSHIRE DALES DISTRICT COUNCIL CONSULTATION:
LOCAL PLAN PRE-SUBMISSION

(1) **Purpose of the Report** To agree the County Council's response to Derbyshire Dales District Council's (DDDC) consultation on its Local Plan Pre-Submission Draft (LPPS).

(2) **Information and Analysis** DDDC sets out in its LPPS the overall vision, objectives and policies up to the year 2028 for future the development in Derbyshire Dales District located outside the Peak District National Park (PDNP). It has been prepared following five previous rounds of public consultation, including Issues and Options (March to May 2009), Growth Options (August to October 2009), Joint Core Strategy Draft Plan (June - July 2010), Housing Targets Options Paper (January 2012) and Housing Issues and Options (June – July 2012). This is the final stage of consultation on the Derbyshire Dales Local Plan before it is subject to an Examination in Public held by an Inspector appointed by the Secretary of State. The Inspector is required to consider whether the plan has been prepared in accordance with the relevant Regulations and is 'sound'.

Technical Officer comments were submitted to DDDC at each consultation stage, the majority of which have been taken into account in the LPPS. There have also been on-going discussions between Derbyshire County Council and DDDC about the strategic infrastructure planning and service delivery implications of the Local Plan, particularly relating to additional education provision associated with proposed housing development.

A full copy of the proposed submission documents is available to view at:
<http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-plan/revised-derbyshire-daales-local-plan/145-revised-derbyshire-daales-local-plan>

The LPPS's policy approach to future development has four main themes:

- Protecting Peak District Character.
- Supporting the Rural Economy and Enhancing Prosperity.
- Promoting Healthy and Sustainable Communities.
- Sub-Area Strategies.

These themes set out both strategic development policies and more detailed development management policies to guide development up to 2028. In particular, it is proposed that 4,400 new dwellings (200 per annum (pa)) would be provided in the District between 2006 and 2028. Most future development growth needs would be met within the main market towns and, where appropriate, smaller scale development would be provided in the larger and smaller villages. The Sub-Area Strategy Policies set out in more detail how this proposed housing provision would be met in the three Sub-Areas of the District and identify specific sites:

- Matlock / Wirksworth Sub-Area (433 new dwellings).
- Ashbourne Sub-Area (450 new dwellings).
- Southern Sub-Area (50 new dwellings).

Local Member Comments

Derbyshire County Council Members with electoral divisions in Derbyshire Dales District have been consulted, including Councillors Botham, Lower, Longden, Ratcliffe, Spencer and Twigg. Members' comments, which, in view of the tight consultation deadline for responses, are not included in this report, will form part of the County Council's formal response along with Technical Officer comments.

Officer Comments

Overall, the LPPS is considered to be sound, although there are various outstanding issues that require cooperative working between the two Councils. Suggested wording amendments to policy and supporting text are given in the Appendix.

a) Housing

i) Housing Target

Derbyshire County Council officers have commented on a number of technical documents which provided the evidence base for setting an appropriate housing target for the District. In 2011, a set of population and household projections for all local authorities in Derbyshire and Nottinghamshire were jointly commissioned by Derbyshire County Council with Derby and Nottingham City and Nottinghamshire County Councils. These provided the initial evidence base for DDDC to consider a range of possible housing targets

for the District up to 2026, since augmented by an extensive range of other evidence commissioned by DDDC to inform its proposed housing target.

This comprehensive range of evidence is considered to justify DDDC's proposed housing target of 4,400 dwellings (200 pa) between 2006 and 2028, and the broad scale of proposed housing development is, therefore, considered appropriate. The District's proposed housing target of 200 dwellings pa is a continuation of the target between 2006 and 2026 previously set out in the recently revoked East Midlands Regional Plan (EMRP). The strategic policy approach follows a long-standing one of development restraint because of the important need to protect the high quality environment of much of the District. For this reason, the proposed housing target is considered to be justified despite being lower than the population and household projections of the Office for National Statistics (ONS) and Communities and Local Government (CLG) would otherwise indicate would be commensurate.

The proposed housing target takes into account completions within the PDNP area of the District. The principle of this approach was established in the EMRP and agreed between the (then) East Midlands Regional Assembly (EMRA), the County Council, DDDC, High Peak Borough Council and the PDNP Authority. This continued approach is supported.

The Site Allocations Policies set out a range of sites to be allocated for housing development within the three Sub-Areas to over provide against the proposed housing target. This approach is consistent with the 'flexibility' advice in the National Planning Policy Framework (NPPF) to meet changing circumstances. Derbyshire County Council has previously provided Technical Officer comments on the infrastructure planning and service delivery implications of these site allocations. It is welcomed that these policies make appropriate reference to the need for developer contributions to be made towards the provision of necessary infrastructure, education services and other community services (see comments below).

ii) Affordable Housing

There is a substantial need for the delivery of affordable housing across the District and the policy approach is to set relatively high requirements for affordable housing provision on all large sites (45% affordable) and smaller sites (33% affordable) subject to site viability considerations. The approach is considered appropriate and justified by a wide range of supporting evidence.

iii) Conservation and Design

It is welcomed that landscape, particularly its character, diversity and local distinctiveness, is referenced prominently in the LPPS, and that the County Council's 'Landscape Character of Derbyshire' is recognised as the principal document for assessing the acceptability of development proposals in this context.

iv) Gypsies, Travellers and Show People

It is welcomed that the policy approach to Gypsies and Travellers refers to the updating of a Gypsy and Travellers Accommodation Assessment (GTAA) for Derbyshire, which will inform future decisions on whether sites will need to be identified for the traveller communities. Whilst the GTAA is being updated, the inclusion of a criteria based policy in the LPPS to assess sites that come forward in the planning process is considered appropriate and consistent with the requirements of the NPPF.

v) Infrastructure

Strategic Policy 15: Infrastructure is welcomed because it would help to ensure that existing infrastructure can meet the requirements arising from new development. It also supports the delivery of improvements to strategic infrastructure, including health and social care facilities, education, transport, energy and high speed broadband. Overall, it is consistent with the priorities of the Derbyshire Infrastructure Plan (DIP).

Development Management Policy 23: Planning Obligations and Community Infrastructure Levy is welcomed because it would help to ensure that (subject to economic viability) development proposals provide or meet the costs of the infrastructure, facilities and mitigation necessary to make development acceptable in planning terms. This policy is vital because it would help to ensure that the County Council (and other critical infrastructure providers) can deliver the infrastructure and services required to support sustainable communities and meet the needs of existing and future populations. It is consistent with the County Council's Developer Contributions Protocol and is, therefore, supported.

In general, the Site Allocations Policies are welcomed and helpfully include provision for developer contributions to help ensure that the infrastructure and service requirements arising from these proposed developments can be delivered.

Derbyshire County Council has had extensive on-going discussions with DDDC at Officer level about the implications of the overall level of housing proposed in the Local Plan on education provision and particularly on the specific sites proposed for allocation. The County Council is satisfied that the impact on education provision of the areas proposed for development has been reviewed and mitigation discussed. Detailed comments on primary and secondary education provision requirements were provided to DDDC on 22 March 2013, which are still relevant.

Specifically, there remains concern about the additional education provision requirements of the proposed housing site at Ashbourne Airfield. Clarification is also required about the level of proposed housing to be allocated on a site at Luke Lane, Brailsford, to include a replacement primary school. The County

Council would welcome on-going discussion with DDDC to address outstanding issues on education provision.

It is considered that the Local Plan should reflect the growing need for extra care accommodation across the District. The County Council, working closely with DDDC, would like to see an affordable extra care scheme within reach of each local population. DDDC is asked to reflect the County Council's plans to provide a balanced model of extra care and residential care within the District in its Local Plan.

vi) Land at Stancliffe Quarry, Darley Dale

It is noted that Site Allocation Policy SA5 contains a proposed housing allocation at Stancliffe Quarry, Darley Dale for up to 60 dwellings. This site currently comprises an unrestored quarry, with a mineral planning history. Therefore applications for planning permission for its further development could potentially need to be made to the County Council as the Mineral Planning Authority (MPA). It is welcomed that the policy includes in bullet point provisos expectations for inclusion of schemes for slope stabilisation at the north-east quarry face (particularly on account of the closeness of the quarry face to a Grade II listed building, Stancliffe Hall), and for extraction and storage of stone prior to commencement. However, it is not evident that any stone storage should necessarily be required to be "off-site". It is therefore suggested that the "off-site" qualification is removed.

DDDC may also wish to check that, having regard to the topography of the site, its condition, and its surroundings, a development of up to 60 dwelling that would satisfy each of the bullet point requirements specified in the Policy would be reasonably achievable.

DDDC should consult the County Council about any proposals for such a development that are reported to it, to enable the County Council to comment on the relevant schemes required for the development and/or as to whether an application for planning permission for the proposal should be made to the County Council as the MPA.

vii) Transport

Deliverable engineering interventions, such as junction improvements, will not always be able to mitigate fully the impact of new development on the highway network. However, there is evidence that properly resourced Travel Plans could reduce traffic levels (through influencing existing residents) by a sufficient amount to counteract, or at least partially reduce, the impact. Accordingly, DDDC is requested to work with the County Council at Officer level to investigate this further, with a view to developing Travel Plans to cover whole towns and communities. In view of their importance, DDDC is asked to refer to the monitoring of Travel Plans in the Local Plan.

The potential cumulative traffic impacts of proposed new development on Ashbourne and Matlock need to be acknowledged.

(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.

In preparing this report the relevance of the following factors has been considered: financial, legal, 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 the report? No.

(7) **Background Papers** Held on file 2106 by the Planning Services Manager. Officer contact details – Chris Massey, extension 39805.

(8) **OFFICER'S RECOMMENDATION** That the Cabinet Member authorises officers to respond to Derbyshire Dales District Council on its Local Plan Pre-Submission Draft, as set out in the report and appendix.

Mike Ashworth
Acting Strategic Director – Environmental Services

APPENDIX

Conservation and Design

Paragraphs 2.9 and 2.10 (page 12) appear to repeat each other and in Paragraph 2.11 the word 'compromise' should read 'comprise.'

In paragraphs 2.19 and 8.23 (page 90) – 'inscripted' should read 'inscribed' and in Paragraph 2.41 'none' should read 'done'.

Key Issue KI1 on page 17– it is suggested that the text should be expanded to specifically mention 'landscape' – i.e. "Protecting and Enhancing the Character and Distinctiveness of the Landscape, Towns and Villages in the Plan Area".

Strategic Objective SO4 (page 23) refers to protecting and enhancing the character, appearance and setting of towns and villages. Although this is supported, there needs to be an assessment of these essential qualities for each town and village, for example, in a supplementary planning document.

Development Management Policy 4: Residential Conversions in the Countryside, needs to address the potential impact of the residential curtilage. Therefore, the following additional bullet point is suggested:

"the residential curtilage does not have a detrimental impact upon the character and appearance of the landscape in which it is set".

Development Management Policy 8: The Historic Environment, and the accompanying text (Paragraphs 5.25 - 5.29), is supported. However, it is suggested that the text should also make reference to the Historic Environment Record held by Derbyshire County Council as the source of baseline data for the historic environment, particularly archaeological assets and historic landscape data.

Countryside

Map 25 in the LPPS Policies Maps for Policy SA6: Site Allocation Boundary - New Boundary at Middleton Road, Wirksworth, shows an area of land in Wirksworth for development crossed by Old Lane. This contains a major link to the High Peak Trail and the National Stone Centre. The route of the link would need to be safeguarded.

It is unclear why a number of maps (108 – 112), which show the deletion of the designation of routes, appear to include the Pennine Bridleway and Derwent Valley Heritage Way. This needs to be clarified.

Infrastructure – Specific Comments on Education

There is concern that the proposed development of former Ashbourne Airfield (Site Allocation Policy SA8) would increase the need for secondary school provision and the existing school site is physically constrained. DDDC is

aware of this; the implications of the housing development proposals on school infrastructure will be subject to on-going discussion. This issue is appropriately referred to in the strategic policy for the Ashbourne Sub-Area (Strategic Policy 13).

Also, there is concern about Site Allocation Policy (SA12) for land at Luke Lane, Brailsford, which is identified to accommodate 50 dwellings and a replacement primary school. County Council officers attended a public meeting on 28 June 2013 about development proposals on the site, which indicated that the developers are proposing 68 new dwellings. The DDDC is requested to clarify the level of housing which is proposed on the site. An increase from 50 dwellings could have additional implications for educational provision.

Transport

In terms of development sites, it is acknowledged that deliverable engineering interventions, such as junction improvements, will not always be able to mitigate fully the impact of the development on the highway network. However, there is evidence that properly resourced Travel Plans could reduce traffic levels (through influencing existing residents) by a sufficient amount to counteract, or at least potentially reduce, the impact. Accordingly, the County Council would welcome the opportunity to work with DDDC to investigate this further, with a view to developing Travel Plans to cover whole towns and communities.

The final bullet point of Strategic Policy 11: Accessibility, relating to the submission of Travel Plans to support relevant proposals and as advised by the Highways Authority, should be strengthened by referring to their monitoring. Whilst it is realised that resources are limited, this is something in which the County Council can assist, although with a possible management fee attached.

Criteria (c) and (e) of Development Management Policy 19 – Gypsies, Traveller and Travelling Show People, should be used for all developments, not just for this particular category of development. It is recommended that these criteria are specified in each relevant policy throughout the plan.

In the County Council's response on the Local Plan Options for Consultation, advice was proffered regarding the cumulative traffic impact of development in Ashbourne and Matlock. This noted that routes through the towns of Matlock and Ashbourne were problematic. Reference was made, in particular, to the A515 signalised junction at Crompton Road and Derby Road at its junction with Station Road, Ashbourne. It is considered that the cumulative impact of development on traffic in Ashbourne and Matlock is a substantial concern which should be acknowledged and specifically addressed in the Local Plan.