

## **TOPIC PAPER 1 – Introduction and overview of soundness**

### **DEALING WITH MAIN MATTER 1**

**Sections 1-8 including policies DS1, GSP1 – GSP4**

***An Overview of the Soundness of the Core Strategy***

**ISSUE** - Whether the Core Strategy Spatial Portrait, Spatial Vision, Objectives, Development Strategy and General Spatial Policies cover a suitable range of issues, are the most appropriate, satisfactorily address cross-boundary issues, are justified, effective and consistent with the purposes of the National Park, and with national policy.

### **Questions**

#### **Introduction**

**1.1 Does the introduction section of the Core Strategy (CS) set out sufficiently clearly its context with reference to the purposes of the National Park and the statutory duties of the Authority in the light of the Sandford Principles?**

1.1.1 Yes, overall it is considered that the introductory section is sufficiently clear with regard to the setting the national context with particular emphasis on the statutory purposes and duty.

1.1.2 The issue of the Sandford Principle is already dealt with in para 8.1 and the Authority has offered a suggested change (100.8) in order to more accurately reflect these principles giving guidance as to the way that the NPAS should act in circumstances where there are irreconcilable conflicts between the two statutory purposes.

1.1.3 However it is considered that an earlier description of the Sandford Principle would be helpful and a change is proposed to insert a new paragraph after 3.19, to state, "*Where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle (footnote) will be applied and the conservation of the National Park will be given priority.*" (see suggested change 300.2).

1.1.4 Additionally it is felt that there is scope to set the whole plan more effectively into the context of National Park purposes by moving the section entitled "Spatial and Development Strategy" to a point after the "General Spatial Policies". This would have the effect of bringing the overarching policies regarding National Park purposes further forward in the document, and thus providing an appropriate context for the development strategy, spatial outcomes and area-based objectives and all other core policies. Proposed change 300.6 applies.

1.2 Does the CS Vision appropriately reflect the vision and 10 main outcomes of the National Park Management Plan and Circular 2010? In particular, does the CS give appropriate weight to climate change mitigation and sustainable development, and should more prominence be given to the needs of the rural economy and rural communities?

Reflecting Vision and Outcomes of NPMP and Circular

- 1.2.1 In order to maintain consistency between the Authority's main strategy documents the same vision has been applied to the LDF as is used in the National Park Management Plan. Greater detail and spatial reference is then applied to the Spatial Outcomes and area-based objectives, all of which reflect the 10 main outcome areas of the National Park Management Plan and Circular 2010.

Giving appropriate weight to climate change mitigation and sustainable development

- 1.2.2 Sustainability principles have been embedded across a range of outcomes, e.g. recreation and tourism, climate change and sustainable building, homes, shops and community facilities, supporting economic development and accessibility, travel and traffic. The approach to climate change and sustainable building has been specifically developed to give greater prominence to this important issue, moving considerably from former policies to a basis which seeks to encourage a much broader range of thinking around carbon reduction, energy efficiency and renewable energy generation seeking innovative solutions compatible with the valued character of the landscape and built heritage.

Prominence attached to the needs of rural economy and communities

- 1.2.3 Significant additional engagement took place with local parishes, the Peak Park Parishes Forum, Derbyshire Council, East Midlands Development Agency and the Land Managers Forum prior to the publication version of the plan in order to try and resolve any outstanding fundamental concerns that remained over the degree to which the Core Strategy support and promoted the needs of communities and the local economy. In terms of the needs of the rural economy

**1.3 What are the main cross-boundary issues? How are they addressed by the CS?**

Setting of the National Park

- 1.3.1 The East Midlands Regional Plan seeks to promotes and programmes in and around the Peak Sub-area should help secure the conservation and enhancement of the Peak District National Park, respecting the statutory purposes of its designation. Various areas of core policy add value to this context such as the inclusion of the "the flow of landscape character across and beyond the National Park boundary; providing a continuity of landscape and valued setting for the National Park"

Spatial Strategy and relationship of settlements

- 1.3.2 The Development Strategy (DS1) for the Peak District National Park, and the spatial strategy overall, is strongly affected by the close proximity of this National Park to a large number of towns and cities offering an extensive

range of jobs, services, retail and leisure opportunities. A key reason for not requiring a settlement hierarchy in the normal sense is borne out by the fact that National Park settlements exist at a level beneath most conventional hierarchies operating at the countryside, or rural area level beyond those areas in which allocations would normally be made and offering scope only for exceptional development to meet local needs for affordable housing. The Authority considers its development strategy is consistent with this approach.

### Recreation and Tourism

1.3.3 The preamble to RT1 explains that developments which provide opportunities for understanding and enjoying the national Park will be welcomed in locations close to its boundary or with easy access by sustainable means, taking into account the landscape character and setting of the National Park. Moreover the answer to question 3.17 confirms that within the context of the highest status of protection for the National Park, Policy 10 in the Regional Plan (CDC001) requires authorities and others to encourage and promote tourism opportunities outside the National Park that could ease pressures on the National Park itself. Holiday park style development including static caravans, chalets and lodges can be better accommodated outside the National Park subject to landscape considerations affecting the setting of the area.

### Renewable Energy

1.3.4 The preamble to CC2 covering Low Carbon and Renewable Energy Development describes the potential impact that such developments can have on the setting of the national Park. Text explains that the Authority will advocate consideration of less damaging alternatives to protect the national Park and its setting, particularly from larger schemes such as Wind Farms.

### Housing

1.3.5 The context on housing policy provided by the East Midlands Regional Plan clarifies that delivery of dwellings in the National Park counts towards the housing targets set out for Derbyshire Dales and High Peak within the Peak Sub-area. Close working on delivery has been consolidated through the LDF process by collaboration on evidence gathering and on delivery via the joint preparation of a Local Investment Plan.

### Minerals

1.3.6 The proximity of vast levels of mineral resources on the edge of the National Park is a key reason in support of the objective to seek a gradual reduction in the flow of minerals from the Park itself. Close on-going dialogue will be necessary between the Authority and Derbyshire County Council to consider and agree the best long term strategy for Minerals in the context of these large shared resources.

### Transport/Communications

1.3.7 A range of transport related cross boundary issues exist including:

- the high levels of motorised traffic in general in comparison with more sustainable modes of transport,
- the high levels of cross-Park traffic,

- high demands for freight transport to, from and across the National Park;
- the demand for improved rail connections to surrounding urban areas, and the use of former railway routes;
- the provision of routes for more sustainable modes of transport including walking, cycling, horse riding and by inland waterway.

1.3.8 These issues are considered within the Core Strategy Policies T1: Reducing the general need to travel and encouraging the use of more sustainable modes of transport; T2: Reducing and directing traffic; T4: Managing the demand for Freight Transport; T5: Managing the demand for rail, and reuse of former railway routes; T6: Routes for walking, cycling and horse riding, and waterways – see Submission Core Strategy, Chapter 8, pages 114-116, 118-120 (CD A001). The Authority feels that the aforementioned policies address cross-boundary accessibility, travel and traffic issues, so far as is possible within the scope of this document.

## **Chapter 4: Spatial Portrait**

**1.4 Does the Spatial Portrait underplay the economic, cultural and social value of tourism within the National Park, and as a consequence, do the CS policies give insufficient support to the promotion of sustainable tourism development?**

- 1.4.1 The first sentence under the Spatial Portrait subheading of Recreation and Tourism (paragraph 4.8) says clearly that tourism is a “vital part of the local economy”. The paragraph goes on to explain its positive impact both direct (on businesses) and indirect (on services valued by residents).
- 1.4.2 Paragraphs 4.8 and 4.9 describe the type/scale of tourism within the three landscape areas, the problems and challenges arising from tourism, and the imperative to minimise harm on National Park valued characteristics. As explained in the last sentence of paragraph 4.8, a sensitive balance is required between meeting the needs of residents and enabling sustainable growth of tourism businesses.
- 1.4.3 This description is a fair representation of the issues surrounding tourism in the National Park. Core Strategy policies then enable a range of developments aimed at encouraging understanding and enjoyment of the National Park in line with purposes and duty.
- 1.4.4 The promotion of sustainable tourism is not itself a specific purpose or duty of National Park Authorities, but it contributes to the two statutory purposes. As one of the main economic drivers of the Peak District economy, tourism also contributes to the duty to foster the socio-economic well-being of local communities. However, local planning authorities are required by Government policy to carefully weigh the provision of tourist facilities against the need to protect landscapes and environmentally sensitive areas: see PPS4 Policy EC7.1a (CDB029); this is also acknowledged by the Regional Plan paragraph 3.3.109 (CDC001). The National Park Authority accepts these responsibilities and makes appropriate provision for sustainable recreation and tourist development.

**1.5 With particular reference to the last sentence of paragraph 4.4, does the spatial portrait correctly reflect key messages on renewable energy in PPS1 and the National Park Management Plan vision? Should more encouragement be given for community scale renewable energy generation?**

- 1.5.1 Yes. The spatial portrait correctly reflects key messages in government guidance on renewable energy within the context of the 1949 Act (as amended) (CD B001) as set out in PPS1 (CD B026), PPS1 Climate Change (CD B027), PPS22 (CD B041) and PPS7 (CD B032), National Parks Vision and Circular (CD B011). It is consistent with the National Park Management Plan (CD D003) Vision and the Peak District National Park Climate Change Action Plan 2009 -2011 (CD G031) which stemmed from Outcome (4) for Climate Change and Natural Resources which recognised the need for a National Park specific Action Plan to form a basis for addressing the specific climate change issues in the National Park and working towards achieving the outcome.
- 1.5.2 Theme 5 of the Climate Change Action Plan is Energy Conservation & Small Scale Generation (renewables). The Ambition set out is that, '*Within the National Park energy conservation and small scale generation (renewables) are supported and promoted as appropriate to a protected landscape*' and the headline actions to move towards the ambition '*to find ways of contributing to local, regional and national energy conservation and renewables targets within the context of a protected landscape by ensuring through guidance and policy that renewables are appropriate to the protected landscape and to encourage projects, appropriate to a protected landscape and historic buildings, which will contribute to small scale renewable generation capacity within the National Park through SDF [sustainable development fund] financial support for renewables LDF policies & Planning Service advice*'.
- 1.5.3 This section of the spatial portrait, including the last sentence of paragraph 4.4, discusses the delicate balance between conservation and development in moorland areas of the National Park and the Natural Zone. The Authority has identified wider areas with minimal obvious human influence whose 'more natural beauty' it is, in the opinion of the National Park Authority particularly important to conserve. The potential for harm to flora and fauna and valued characteristics in these areas is very high and the Authority considers that without additional policy protection of the Natural Zone the objectives of designation of the area would be compromised. Consequently within the Natural Zone there is a presumption against all forms of development requiring planning consent which includes wind turbines and electricity pylons. The Natural Zone is explained in more detail in paragraphs 9.17 – 9.21 of Chapter 9 of the Core Strategy (CD A001), 'Landscapes and Conservation' and Topic Paper 3.
- 1.5.4 The Authority works in partnership with communities and assists with community projects incorporating renewables such as the refurbishment or rebuild of community facilities through the Sustainable Development Fund (SDF). The Authority also provides funding to research initiatives to mitigate or adapt to climate change, without prejudice to the determination of related

planning applications. Core Strategy recognises in paragraph 11.30 the valuable contribution and actions of the communities of the National Park. Policy CC2 for low carbon and renewable energy development encourages small scale renewable generation appropriate to the National Park's landscape designation in line with government Guidance and the National Park Authority's Climate Change Action Plan ( CD G031 ).

- 1.6 Should the CS be more flexible by permitting open market housing in order to subsidise affordable housing?**
- 1.6.1 This matter is dealt with in detail in response to question 5.15 in Topic Paper 5.
- 1.7 Paragraph 4.22 appears to be internally inconsistent because it starts by saying that housing challenges are being addressed by a policy of concentrating most development in a range of better serviced settlements, but concludes by stating that the challenge is to maintain the current dispersed strategy that directs development to 63 settlements. Clarification is required.**
- 1.7.1 The Authority acknowledges that paragraph 4.22 could appear to suggest that the policy is both 'flexible' and 'concentrating' for development purposes.
- 1.7.2 As context, there are 125 parishes across the Park, and at least as many settlements again as the 63 settlements named in policy. An estimated 29% of the affordable housing need will be derived from places not named on the list. As shown by the examples on page 197, Appendix 5 of the Local Plan (D002) these other places are less sustainable locations for most types of development because of the sensitivity of the built environment to new development and/or ease of access to services for those who live there. The policy therefore concentrates to an extent in 63 settlements, and prevents most types of development in these less sustainable locations.
- 1.7.3 The flexibility on the other hand is achieved by naming enough locations to enable this estimated 29% of need to be addressed either in the parish that has generated that community's need, or in one or more parish that is adjacent to the parish that generated that community's need. This is illustrated in on page 25 Appendix 2: Supplementary Planning Guidance: *Meeting the local need for affordable housing in the Peak District* (CD D014).
- 1.7.4 The Authority would also point out that the expectation for development for places named in policy is only as high as the level of affordable housing need. In most of the 63 named settlements this is extremely limited as explained in responses to main Matter 5
- 1.7.5 Nevertheless, the Authority suggests re wording of this paragraph as follows to clarify the intent of policy and this is shown as 300.4 in the suggested changes.

**1.8 Should the CS be more flexible in enabling businesses to operate from the open countryside?**

- 1.8.1 The Core Strategy offers appropriate flexibility for businesses in the countryside, but strict control over development in open countryside is justified by Government policy in the context of National Park designation as described in paragraph 1.8.5 below.
- 1.8.2 The Core Strategy includes enabling policies E1 and E2 which offer a range of opportunities for economic development within towns and villages, on farmsteads and in groups of buildings in sustainable locations in the countryside. In the countryside, the main purpose is to support farmers and land managers and enable them to maintain their land sustainably and in line with National Park purposes.
- 1.8.3 It should be noted that if a business is able to properly justify an isolated location in open countryside then exceptional permission can be given. A definition of 'isolated' may be included within Development Management Policies to assist clarity.
- 1.8.4 Although the policy has received support throughout the LDF process, it is accepted that it is not as flexible as some stakeholders would like. The policy requires the primary business to retain ownership and control of the site and building, to ensure benefit returns to management of the land. The option of not requiring this link was considered at an earlier stage in the preparation of the LDF, but was discarded because it was too broad, was less sustainable in terms of vehicle movements if employees lived off-site, and did not provide adequate justification for new business to be located in the open countryside of the National Park.
- 1.8.5 The National Parks Vision and Circular paragraph 20 (CDB010) confirms that National Park landscapes and natural beauty should have the highest status of protection. PPS4 supports the protection of open countryside, and the strict control of development in open countryside away from existing settlements: see paragraph 10, policy EC6.1 and policy EC6.2a. The Regional Economic Strategy (CDC003) includes environmental protection amongst the key priorities for the Peak Sub-area in section 10 page 147.
- 1.8.6 An emda-commissioned study confirms in paragraphs 24-26 that the high quality environment has significant economic importance (Contribution of the Peak District National Park to the economy of the East Midlands CDE017). Conservation and enhancement of the landscape is therefore crucial.
- 1.8.7 Paragraph 70 of the National Parks Circular says that growth, development and investment should be accommodated in all rural areas at an appropriate scale and form. Core Strategy policies set out what is appropriate within the landscapes and valued characteristics of the Peak District National Park.
- 1.8.8 A sustainable approach to development is woven through the Core Strategy. Focusing business development in towns and villages and on farmsteads is a more sustainable option; not always, but location in open countryside generally is not. The Government wants new economic growth to be focused in existing centres (PPS4 paragraph 10). Sustainability Appraisal (CDA003) highlighted positive effects through reducing traffic: see Appendix E paragraphs 59-60.

1.8.9 An acceptance of open countryside locations could bring serious risks in terms of subsequent expansion or intensification of businesses, and cumulative impact. Location in open countryside also brings a risk of later proposals for adjoining dwellings for supervision or security. Once a rural enterprise is established, a key worker dwelling may be difficult to refuse, thus increasing the landscape impact.

1.8.10 For all of these reasons, the National Park Authority is justified in exercising strict control over developments in the countryside. Policy E2 allows farmers and land managers to diversify their income, but in order to protect the landscape, it does include reasonable and appropriate restrictions on where and how such development can take place.

**1.9 Should the CS give greater recognition to the potential to restore and make better use of old mineral sites for community and recreational uses?**

1.9.1 The spatial portrait in paragraph 4.7 makes general reference to the contribution that mineral workings can make to culture, heritage and biodiversity. No specific reference is made to community and recreation after-use. In paragraph 4.28 of the spatial portrait it is highlighted that appropriate site restoration is necessary.

1.9.2 Policy in the Core Strategy on the restoration of mineral sites is set out in paragraphs 14.14 and 14.35 of the plan with definitive policy set out in MIN1. The policy sets out the combination of issues that restoration should include, however the broad principles for mineral restoration is set out in MPG7 (CD B045), this guidance defines the scope of after-uses as being for agriculture, forestry and amenity (nature conservation). Whether restored mineral sites are then suitable for alternative future uses will be determined in accordance with other plan policies. Schedule 5, Part 1, 2(1)(b) of the Town and Country Planning Act 1990 as amended only permits restoration to require land to be brought back to a standard suitable for agriculture, forestry and amenity.

**1.10 Should the CS give more emphasis to the need to control traffic within the National Park?**

1.10.1 The Core Strategy takes an approach that balances the impact of traffic against the socio-economic needs of the National Park and surrounding areas. This approach is based upon the purposes of National Parks as set out in the National Parks and Access to the Countryside Act (1949) Section 5 (CD B001) as amended by Section 61 of the 1995 Environment Act (CD B005).

1.10.2 Section 62 of the 1995 Environment Act (CD B001) places a duty on all relevant authorities, including National Park Authorities to have regard to these purposes. In addition, Section 62 places a duty on National Park

Authorities, in pursuance of National Park Purposes to seek to foster the economic and social well-being of their local communities.

1.10.3 The Authority feels that the approach within the Core Strategy balances the need to control traffic in accordance with our first purpose, against the promotion of opportunities to understand and enjoy the National Park, and the social and economic well being of local communities.

## **Chapter 5: Spatial and Development Strategy**

**1.11 With reference to the Spatial Outcomes set out in paragraph 5.3, should the landscape outcome be more explicit and include reference to the importance of biodiversity, geomorphology and cultural heritage?**

1.11.1 No – as explained in the preferred approaches (page 11 1.31 D007) the LDF policies help to implement all the outcomes of the National Park Management Plan (D003) and these include the outcomes for biodiversity and cultural heritage. In LDF terms it was decided that the close integration of biodiversity (including geomorphology) and cultural heritage with the landscape characterisation work negated the need to explicitly reference these in the LDF outcome for Landscapes and Conservation.

1.11.2 The inclusion of policies L1, L2 and L3 confirm however that there is every intention to conserve all of these under the term 'conservation'. These policies and supporting text also explain the areas covered by policy and the extent to which detail will be picked up in the subsequent Development Management Policies DPD.

1.11.3 The testing of Sustainability Objectives for biodiversity and cultural heritage in the final SA report (CD A003) indicate that the policies are acceptable and will conserve biodiversity and cultural heritage as part of meeting the outcomes for Landscapes and Conservation. Finally, the spatial area objectives in the Core strategy (A001) cover both biodiversity and cultural heritage to an extent under the heading of Landscape and Conservation, again removing any doubt that they are covered under this outcome.

**1.12 Does the spatial outcome for accessibility, travel and traffic strike the most appropriate balance between achieving sustainable transport modes and enabling people to access their needs?**

1.12.1 The Core Strategy takes an approach that strikes a balance between access to services (including for leisure purposes) and seeking to encourage the uptake of sustainable modes of transport. This approach is based upon the purposes of National Parks as set out in the National Parks and Access to the Countryside Act (1949) Section 5 (CD B001) as amended by Section 61 of the 1995 Environment Act (CD B005).

1.12.2 Section 62 of the 1995 Environment Act (CD B001) places a duty on all relevant authorities, including National Park Authorities to have regard to these purposes. In addition, Section 62 places a duty on National Park

Authorities, in pursuance of National park Purposes to seek to foster the economic and social well-being of their local communities.

1.12.3 In accordance with our purposes and duty the Authority, through the Core Strategy is seeking to ensure that where possible, sustainable access to services is prioritised over less sustainable modes. This is in keeping with Government Policy laid out in revised PPG13 (see Document G048 Planning Policy Guidance 13: Transport (Updated)).

### **Spatial Objectives**

**1.13 What is the evidence which informs and justifies the detailed 'place' objectives set out in Figures 4, 5 and 6? Are they the most appropriate?**

1.13.1 The Authority drew on the National Park Management Plan (CD D003 pages 2-13) which underwent rigorous stakeholder involvement and scrutiny beginning in 2005 in a document called Help shape the Future (CD D004).

1.13.2 Within the specific process for producing this LDF core strategy (A001), the values placed on the National Park by stakeholders; the challenges that the Authority and stakeholders face in managing the Park; and the objectives of policy to deliver outcomes, were tested with stakeholders through the introduction of place specific Values, Challenges and Objectives maps at the preferred options stage (CD D007 pages 20 – 34).

1.13.3 This followed up stakeholder events in 2008, and joint LDF and Landscape Strategy workshops both of which drew out the issues and challenges by spatial area. (see Core Strategy Legal Self Assessment CD G02). The objectives have therefore evolved in response to stakeholder comments.

1.13.4 Given the process the Authority has gone through to arrive at these objectives, it feels they are justified, and the most appropriate. The Authority is nonetheless prepared to include other locations as indicative in lists of locations (see answer to 1.18), and in one case it is prepared to accept that an objective for the south west peak area is a valid objective park wide (see answer to 1.14). These are outlined in the 300 series of changes (300.7-300.11).

**1.14 With reference to Figure 3, should its section on Recreation and Tourism include an overall Park objective of managing off-road recreation, as in Figure 6 bullet point 1, which refers specifically to the South West Peak area?**

1.14.1 Yes it should; this has been rectified by suggested change 300.7.

**1.15 Are the references to minerals in Figures 3, 4 & 5 justified by national policy and guidance?**

1.15.1 Yes – Figure 3 sets out the overall spatial objectives for the National Park as a whole, the second bullet point has been amended by change 100.3 to

amend an incorrect statement and ensure internal consistency with Policy MIN3.

1.15.2 The first bullet point sets out the overall framework to resist new mineral proposals, this objective is drawn from the East Midlands Regional Plan Policy 37 (CD C001), supported by national policy in MPS1, paragraphs 9 and 14 (CD B046). It also seeks to implement the objective of the National Park Management Plan (NPMP) (CD D003) to see fewer quarries in the Park; it also specifically implements Minerals Action 2 from the NPMP.

1.15.3 The second bullet point deals with the overall approach to small-scale building and roofing stone quarries, this does not address large-scale proposals, this objective is considered to balance the competing issues identified in national policy in MPS1 Annex 3 Paragraph 2.1. It also specifically implements Minerals Actions 2 and 10 from the NPMP to look towards alternatives outside the Park for building stone. This objective is also in conformity with the East Midlands Regional Plan Paragraph 3.3.52.

1.15.4 The third bullet point on restoration conforms to the East Midlands Regional Plan Policy 37 and national planning policy in MPS1 paragraph 19, together with MPG7 which sets out in detail national policy and advice on restoration of mineral sites. It also specifically implements Minerals Action 9 from the NPMP.

1.15.5 The three sub area spatial objectives in figures 4, 5 and 6 only detail the mineral issues which are only locally distinctive. In the White Peak and Derwent Valley area, the spatial objective allows for the underground working of fluorspar whilst resisting opencast extraction. This addresses a mineral issue pertinent only to the Peak District, Derbyshire and County Durham. It specifically implements Minerals Action 4 from the NPMP and accords with the national policy principles in the 5<sup>th</sup> Bullet Point in MPS1 Paragraph 9. There are no sub area objectives for the Dark Peak or the South West Peak.

**1.16 What is the evidence that informs and justifies the specific housing 'targets' referred to in Figures 5 and 6?**

1.16.1 A specific response justifying the estimated figures for housing delivery are set out in Topic Paper 5 (question 5.3)

**1.17 What is the evidence which informs and justifies the specific objectives for transport for the White Peak and Derwent Valley areas set out in Figure 5?**

1.17.1 The evidence that informs and justifies the specific objectives for transport for the White Peak and Derwent Valley areas is contained within policies in Core Strategy Chapters 5 and 8 (CD A001). Specifically, the objectives arise from Policies GSP3: Development Management Principles (Pages 45-46); T2: Reducing and directing traffic (Pages 115-116); T5: Managing the demand for rail and reuse of former rail routes; and T6: The routes for

walking, cycling and horse riding, and waterways (Pages 119-120). Specific evidence for the objective relating to the removal of the line of safeguarding of the Bakewell Relief Road can be found within Document D007 Preferred Approaches for the Peak District National Park Core Strategy, paragraphs 13.55 and 13.56. Similarly specific evidence relating to the safeguarding of the line of the former Matlock to Buxton railway route can be found within Document E071 Derby to Manchester railway: Matlock to Buxton/Chinley link study.

**1.18 With reference to Figure 5, should Chatsworth House be added to the list of places named under bullet point 1 in the section headed, 'Recreation and tourism policies will...?'**

1.18.1 The Authority thinks there is no over-riding reason why it *should* be included but think it *could* be included. This response is guarded because the inclusion of Chatsworth House introduces one private business into a list of other generic examples of areas rather than ownerships. The Authority does not object to its inclusion on the basis that Chatsworth is already a major visitor destination and the list in figure 5 is indicative rather than comprehensive. The Authority is clear however that the inclusion of Chatsworth does not give any greater 'in principle' preference for development and every case is considered on its policy merits. Conversely, the case for private facilities to be provided by others (not named in text) is not necessarily prejudiced by exclusion from any list. The minor change is shown as suggested change 300.10.

### **Policy DS1: Development Strategy**

**1.19 Does policy DS1, which enables a dispersed development strategy, represent the most sustainable strategy of development for the future, particularly when taking account of downward trends in public transport provision? What other development strategies have been considered? Why were the alternatives rejected? Are such decisions supported by the Sustainability Appraisal?**

1.19.1 Yes – the Authority believes that the policy does represent the most sustainable strategy for development for the future and doesn't represent a dispersed development pattern in the normal sense. The reasons are as follows:

1.19.2 The Park's population is not equally distributed across the named settlements, (see page 197 Appendix 5 of CD D002). Neither therefore has new development been equally distributed over the last plan period. Bakewell and the larger villages such as Tideswell, Bradwell, Bamford, Calver and Hathersage have much higher populations and higher housing need than places such as Chelmorton, Wardlow, and Warslow. They have naturally therefore received more housing development than these smaller places in the vast majority of cases (see CD D039 Appendix A).

1.19.3 The population figures used in the Local Plan have been updated with 2007 mid year population estimates provided by Derbyshire County Council (CD

G023). They show a continued concentration of population in larger settlements. This shows that the proposed approach does not disperse population.

1.19.4 Whilst the strategy therefore might appear to encourage dispersal, in practice it concentrates to a range of settlements, which on balance of environmental and social considerations are most sustainable. In doing this, it prevents development in settlements, which on balance of environmental and social considerations are least sustainable.

1.19.5 The policy reflects current policy LC1 in the Local Plan (CD D002) with some amendments as explained in the answer to question 5.5. The original and refined policy approaches have both proved successful in delivering locally needed development whilst conserving and enhancing valued characteristics.

1.19.6 The Authority feels therefore that this is the most appropriate strategy where conservation of the environment is the primary concern, but where it also needs to sustain all communities.

Particularly when taking account of downward trends in public transport provision?

1.19.7 There has been what the Authority considers a significant loss of bus service in only 5% of named settlements over the last plan period (3 named settlements). Overall however the Authority concedes that bus services are now poor in 25% of named settlements, and recognises that the downward trend in public transport provision may lead to further losses. However the pattern of bus and car use is different here to other rural areas: car ownership is well above average, and only 20% of households locally, as opposed to 27% of households nationally do not have access to a car (see page 33 paragraph 4.8 CD D025) However, bus services remain essential for some residents, particularly in 'no car' or 'one car' households, and for the young and elderly. In addition, bus services provide a desirable means of sustainable access for visitors to the National Park. Consequently, policy DS1, in combination with policy GSP3, seeks to ensure that development takes place in those locations by enabling access via sustainable modes of transport.

What other development strategies have been considered? Why were the alternatives rejected?

1.19.8 Pages 78 – 85 of Refined Options (CD D006) shows the options considered, and the advantages and disadvantages of other development strategies. The Authority rejected other styles of development strategies for the reasons outlined in paragraph 6.74 on page 54 of the Preferred Approaches document (CD D007). In summary, the reasons are that greater concentration of development would place unacceptable pressures on the character of the built environment of larger settlements; re-casting the current policy without checking issues of capacity or sustainability would be unsound; contriving a settlement hierarchy with tiers of settlement would be inappropriate given the narrow range of settlement types in the Park; and a criteria only policy would be insufficiently spatial and therefore inappropriate as a Core strategy (A001) policy.

Are such decisions supported by the Sustainability Appraisal?

- 1.19.9 Yes - the Sustainability Appraisal was broadly supportive of the policy approach but showed no strong preference for any particular option. It showed that the chosen policy could meet most sustainability objectives across the range.
- 1.19.10 It also confirmed that it was likely to be difficult to provide a managed response to climate change without providing an indication on preferred locations for development i.e. a spatial approach.
- 1.19.11 It did conclude that a hierarchy is a good option in theory. However the Authority believes it could be counterproductive in practice because all development is an exception to the general principle of no development growth in the National Park context. Development in the National Park (unlike other non designated rural areas) is limited to the environmental capacity to accommodate it, and this consideration takes priority over social and economic objectives.
- 1.19.12 The position provided by the policy is a tried and trusted approach that enables development levels commensurate with the needs of the communities, provided this can be achieved within the capacity of the settlement pattern to accommodate new development. The Authority believes this approach will enable sensible management of resources such as soil, air, and water, and prevent harm to biodiversity and geodiversity and any other valued characteristics. Crucially, it will also conserve the cultural heritage of the built environment, which is a valued characteristic in this National Park. (see pages 109 -110 of CD A003)
- 1.20 What confidence is there that the policy will enable the delivery of affordable homes to meet identified local needs, taking into account that Appendix 2 informs that there is limited capacity for development in many of the named settlements?**
- 1.20.1 There is a high level of confidence that the policy will enable the delivery of affordable homes to address need. The policy continues the tried and tested method of working with applicants, Registered Social Landlords (RSLs) the Rural Housing Enabler and Parish Councils to find the best sites for development. It should be remembered however that the Authority has no target for delivery and is aiming to address need, not expect to meet all needs at the expense of the environment. In addition, there are other factors such as resource availability that affect delivery of affordable homes and these are explained in more detail in Main Matter 5.
- 1.20.2 Figures over the last plan period show what has been developed where. (see Annual Housing Report 2008, pages 20 – 43 Appendix A, CD D039), whilst strategic and local housing need figures show what remains to be provided over the next plan period. This is expanded upon in the answer to 5.8 appended to this paper.
- 1.20.3 This is backed up by the findings in the Report of the Panel Examination in Public (22 May – 19 July 2007) Chapter 18. In summary, this confirmed that

the approach to housing development is appropriate to the status of the National Park, and other authorities may ultimately need to take more development in order to alleviate pressure on the National Park and fulfil their duties under Section 62(2) of the Environment Act. (CD B005). This means that unnecessary development would need to be accommodated in nearby larger towns outside the National Park rather than unsustainable locations in the National Park.

- 1.20.4 The Authority view on capacity is in Core strategy (A001), Appendix 2: Settlement Matrix and tables produced as part of answers to Main Matter 5. Potential developers are steered to this by paragraph 5.22 of the Core strategy (A001). This was made public as part of the Preferred Approaches (D007) consultation so the Authority's views on capacity has been open to scrutiny and consultation at previous stages, as well as the current submission stage.
- 1.20.5 The issue of scarce capacity is further tempered by the Authority's decision not to impose arbitrary boundaries on settlements and communities. This gives it the option to permit development without having to 'break out' of a boundary drawn on a map. It also allows development on the edges of a settlement, by negotiation with communities in a consensual way that conserves the built environment of settlements and their setting in the wider landscape. This makes delivery possible when strict boundaries might not (see answer to 1.23 for more explanation of the reasons for this approach to defining boundaries).
- 1.20.6 Another factor that tempers the concern over capacity for new build is the reaction of the Homes and Communities Agency to Core strategy (A001) policy HC3: Buying existing homes to add to the affordable housing stock. In spite of unfavourable responses from other stakeholders (see CD A005 and CD A007), the Homes and Communities Agency and a prominent Registered Social Landlord, the Peak District Rural Housing Association, are supportive of the 'buy back' policy approach and thinks it has potential to deliver in areas such as this. The HCA is highly supportive and described it as the most exciting part of the Authority's housing policy approach. Further detail is shown in answers to Main Matter 5.
- 1.20.7 The Authority thinks the planning policy and process for enabling affordable homes is clear, tried and tested, and that whilst capacity is a concern, the Authority is not yet justified in closing the door at this stage to essential affordable housing for local need in those places named in the policy DS1. Answers to Main Matter 5 provide additional justification for this response
- 1.21 The preferred options version of policy DS1 places settlements into a hierarchy. Why is this approach not reflected in the submitted policy in order to clarify and make transparent the likely scale of development that may be directed to differing sized settlements? In particular should the policy distinguish more clearly between Bakewell, which appears to be the most sustainable location, and other settlements by use of a settlement hierarchy?**

- 1.21.1 The model of policy debated at the Preferred Approaches stage was not, in the view of the Authority a settlement hierarchy in the normal sense and was not described as one. While all those places named had satisfied a wider set of criteria, the key difference that applied to the A, B, C categories was one of the degrees of confidence in the amount of capacity each place had to respond to the inferred need.
- 1.21.2 To some extent an overall spatial hierarchy does exist in the plan by virtue of the DS1 approach, alongside the landscape policies which protect and direct development accordingly away from the most sensitive and towards the more acceptable locations.
- 1.21.3 For various reasons however, the policy does not directly reflect the preferred options version of DS1 (with A and B categories). The reasons are firstly that the scale of development needed is not so different across settlements as to justify a hierarchy. Secondly, the categories A and B merely reflected work to establish capacity, not development needs, and some of the biggest places with the most need have the least known capacity for development. The Authority believes that putting places such as this at a higher level in a hierarchy would create pressure for development beyond that which can reasonably be accommodated.
- 1.21.4 These concerns were mirrored to an extent in consultation responses on the issues of categories A and B. On the back of this, the Authority itself then reflected that the distinction between 'A' and 'B' settlements was unnecessarily confusing and potentially divisive. It felt that 'A' settlements implied growth, B settlements implied decline, and non named settlements implied that development of all types would be refused. The Authority also felt that it was dangerous to introduce a policy that could be misinterpreted as a Durham 'D villages' type policy. The experience of this stage therefore merely confirmed that categories in the context of the Peak District National Park would confuse rather than clarify development expectations.
- 1.21.5 Finally, on reflection, the Authority decided that categories were not justified because the in principle policy position for development is the same across the list of named settlements i.e. that provided there is the need and capacity for development it should be permitted.
- 1.21.6 However, in losing the categories the Authority believes it is nevertheless essential to retain a list of preferred development locations, *and* recognise concern over scarce capacity by requiring, where necessary, work to either confirm or deny the validity of that concern.
- In particular should the policy distinguish more clearly between Bakewell, which appears to be the most sustainable location, and other settlements by use of a settlement hierarchy?
- 1.21.7 No - despite its importance as a local market town, Bakewell no longer has a significant need for redevelopment, in the wake of the successful Bakewell Project regeneration during the 1990s. This is evident from the Peak sub-region Employment Land Review (CD E013). It is also short on capacity to

meet affordable housing need, as evidenced in the Peak sub-region Strategic Housing Land Availability Assessment (CD E007).

1.21.8 The Authority therefore believes that a separate tier in a hierarchy, just for Bakewell, would fail to recognise that the development expectation for Bakewell was largely met over the Local Plan period. The case for setting Bakewell at a different tier in a hierarchy for other reasons is dealt with in Main Matter 5.

**1.22 Why is it not intended to allocate housing and other development sites in a subsequent DPD, since that would avoid uncertainty over site selection?**

1.22.1 The Authority believes that the decision not to allocate sites is sound for the following reasons. In the context of National Park designation there is no target for housing or any other type of development in this area (RSS CD C001) and no objective for economic or socially driven development. The Authority's policy of not allocating sites is tried and tested, and delivers affordable houses to address identified need.

1.22.2 The Authority has no requirement to deliver new open market houses to meet a specified target, so the identification of sites is not critical to plan delivery.

1.22.3 The experience of policy implementation over the previous plan period has shown that even where sites are identified 'off-plan', development potential can be stifled because it can prompt landowners to 'hold out' for open market values. This is because owners think they might get open market housing if the site has been identified as suitable for housing (hope value). Site allocation would very likely exacerbate this problem by giving much earlier notification of development potential. This could stifle development yet further (a view held by prominent RSLs in the area) (CD D007 Preferred Approaches paragraph 10.97) and recognised at page 5 and 6 paragraph 18.21 of the panel report of the Examination in Public of the draft Regional Spatial Strategy for the East Midlands (CD G041).

1.22.4 Furthermore, the Authority's legal opinion is that identifying sites solely for affordable housing may not be legally sound since housing of all tenures and types fall within the same planning use class. If challenged in court, the Authority may be directed to release a site (allocated as suitable for affordable housing) for open market housing. Capacity for development to meet needs would then be lost to open market housing and not affordable housing, in a way that the Authority could not challenge on legal grounds, purely because those sites had been allocated on a plan. This problem was highlighted in Option H6.1 on page 153 of D005. The Authority considers this to be an unacceptable risk in an area where capacity for development is scarce (see paragraph 10.98 of CD D007).

1.22.5 Evidence shows that despite the absence of 'site specific' allocations for housing policies have enabled good levels of delivery' (see page 53 paragraph 6.67 reference 58 of Preferred Approaches CD D007).

**1.23 Why is intended to define the development boundaries for Bakewell but not for any of the other 62 listed settlements?**

1.23.1 The Authority feels that boundaries are only justified where there is a pressure for development that threatens the integrity of the settlement pattern, or where there is a particular target for growth. As explained in 1.21.8 there is no growth or redevelopment planned for Bakewell. However, the scale of need for affordable housing development is a strong concern.

The 2010 Housing Need Survey  
[http://www.derbyshiredales.gov.uk/Images/Parish%20Needs%20Survey%20Bakewell%20Report%20March%202009\\_tcm19-108838.pdf](http://www.derbyshiredales.gov.uk/Images/Parish%20Needs%20Survey%20Bakewell%20Report%20March%202009_tcm19-108838.pdf) (CD G024) and the SHLAA (CD E007) pages 120 – 128 show that housing need exceeds the known capacity for new build by an estimated figure of 73. The settlement pattern of Bakewell does not provide obvious 'break out' opportunities for this number of houses. The boundary is therefore justified to prevent inappropriate development.

1.23.2 Elsewhere, the gap between known capacity and known need is smaller to the extent that the Authority believes, and has confidence that suitable sites can be found inside or on the edge of settlements without imposing settlement boundaries. More detail is provided in answers to Main Matter 5.

1.23.3 Also, boundaries around small settlements can create pressure on sites identified as 'important open space' within Conservation Area appraisals. It effectively forces developers and communities to consider these sites under the auspices of infill development. Development of such sites would often be to the detriment of the valued character of the conservation areas: character that the Authority and Parish Councils have already agreed is important to conserve and enhance.

1.23.4 Whilst work with communities to identify boundaries is technically feasible, the Authority's work over the last plan period reveals that many communities are often ambivalent on such land use planning matters and a commonly held community view is hard to find. To illustrate the point, Parish and Village Plans exist in 28 of the 124 parishes and concern about affordable housing (on which the issue of site capacity and boundaries is most pertinent) was identified in just 16 plans. No community suggested sites where affordable housing might be accommodated.

1.23.5 Nevertheless, the Authority could have simply drawn boundaries if it felt they were essential to the proper planning of settlements. Again, the Authority believes this is unnecessary because it would jeopardise the sensitive development of settlement and potentially increase frustration as internal sites (such as important open spaces) come under pressure for development. Over time it would prevent the ongoing organic development of settlement pattern: a method that has served communities and the National Park's built environment well particularly over the last plan period. This approach chimes with the localism and neighbourhood plans agenda.

**1.24 In the absence of development boundaries, how will the policy be implemented with regards to consideration of development being in or on the edge of the other 62 named settlements?**

- 1.24.1 Saved Local Plan (CD D002) guidance at paragraph 3.10 sets out the Authority's adopted position on dealing with proposals in or on the edge of a designated (named) settlement. Such guidance will be revised as part of the development of Development Management policies.
- 1.24.2 Currently sites are assessed proactively by the Authority by joint work as explained in policy DS1. In more detail, it is anticipated it will take place with the Rural Housing Enabler (RHE), Registered Social Landlords and Parish Councils at an expected rate of 4 - 6 settlements a year. At this rate the settlements with the most need and the least known sites can be surveyed relatively quickly. (e.g. Hathersage, Bakewell have already been done) The Authority is committed to this process because it has delivered and is valued by RHEs and communities. An example of the output of such work is at <http://www.peakdistrict.gov.uk/localhousingdelivery.pdf> (G026). This approach also satisfies advice given in the Executive Summary of an earlier report (EO51) which stated that whilst site allocations were no guarantee of delivery, proactive work to establish capacity would nonetheless be useful.
- 1.24.3 Outside of this process, the Authority will determine suitability of sites for development on a reactive case by case basis by negotiation with communities and developers. Consideration of need will be important in each case, and evidence will need to be provided by the individual outlining their own circumstances or by reference to a parish housing need survey. This method has proved successful throughout the last plan period Appendix A on pages 20 – 34 of the Annual Housing Report 2008 (CD D039) shows the spread of development across settlements.
- 1.24.4 The extent to which development is approved contrary to the policy will be determined by Annual Monitoring Reports (see page 25 Table 21 NP/SM/1108/1016 and NP/DDD/0708/0646. of CD039).

**1.25 Does the policy name the settlements that most appropriately reflect the selection criteria referred to in the Settlement Matrix at Appendix 2 in all cases? For example, should Outseats be considered with Hathersage?**

- 1.25.1 Yes - the Authority believes the policy does name settlements that most accurately reflect the selection criteria for reasons explained on page 51 paragraph 6.63 of the Preferred Approaches (CD D007) and on page 32 paragraph 5.21 of the Core strategy (A001).
- 1.25.2 To get to this point, the Authority undertook a rigorous process to review the Local Plan designated settlement list in the Peak District National Park Local Plan Appendix 5 (CD D002). The Authority first raised the issue in the early stages of National Park Management Plan work in a document called Help Shape the Future (CD D004) It re-visited the issue of capacity, services and accessibility throughout this plan preparation process as evidenced at page 53 paragraph 6.70, reference 62 of the Preferred Approaches (CD D007) The Authority confirmed its position on the issue of capacity through in 2007 and 2008. It surveyed Parish Councils in 2010 to supplement and

check its evidence provided in paragraphs 4.40 – 4.58 of the Refined Options (CD D006).

1.25.3 DS1 was checked again with Parish Councils over a six week consultation period. In early 2010, the Authority gave all Parish Councils the opportunity to add to this evidence and influence the policy. The Authority produced a document containing a statement for each settlement on the back of this work. It presents a balanced approach based on evidence, planning and conservation officers' views, and parish council views. The results of this work are on the web site at <http://www.peakdistrict.gov.uk/settlement-summaries-and-recommendation.pdf> (CD G025).

1.25.4 The Authority considered all responses from parishes, and decided which settlements should be named in policy. Earlier responses from a planning consultant had proposed other settlements for inclusion in the policy, and in one case had proposed a settlement boundary. However, subsequent consultations with Parish Councils at preferred approaches and submission stages provided no evidence that the consultant's views had the wider support of those particular communities so these proposals were dismissed by the Authority. The same consultants made no representations at the submission stage. Other Parish Councils made claims to either be upgraded from category 'A' to 'B' or down graded from 'B' to 'A'. The removal of categories removed the need for a decision (though this was not the reason for removing them). In one instance a Parish Council asked that their main settlement be removed from the list of named settlements altogether. However the Authority decided it should be named in policy because there were no other settlements in the area that could meet the needs of the population of that area inside the National Park.

1.25.5 Alongside this work, the Authority made every attempt to get 'buy in' from the Peak Park Parishes Forum, to the extent that additional meetings were held between the chair of the forum and the Authority. As a result of these discussions the Forum was satisfied that the policy was fair to its members and the most appropriate in the context of national planning statements and the need for policy to be spatial.

1.25.6 On balance therefore, the Authority believes that the policy *does* name settlements that most accurately reflect the selection criteria.

#### Should Outseats be considered with Hathersage?

1.25.7 Yes - Outseats was considered as part of Hathersage village during site search work which followed a recent housing needs survey covering both Hathersage and Outseats parishes. The Authority agrees therefore that for planning purposes the main built up area of Outseats parish to the north of the A6187 and the west of Hood Brook is considered part of Hathersage. It will be called Hathersage and Outseats in the policy DS1 and in Appendix 2 and these are shown as suggested changes 300.14 and 300.44.

**1.26 Does the policy inappropriately exclude those who do not live in the 63 listed settlements, by for example, discriminating against those wishing to build an affordable home on an already owned plot, whether inside or outside a settlement?**

- 1.26.1 No - the Authority believes for the following reasons that it does not inappropriately exclude these people. Spatial plans must facilitate a sustainable pattern of development and this cannot be achieved by permitting development simply on the grounds that they own the land. This is a fundamental land use planning principle and is supported by evidence such as paragraph 1 on page 2 of PPS1 (CD B026), which states that good planning ensures that we get the right development, in the right place and at the right time making a positive difference to people's lives ... whilst protecting and enhancing the natural and historic environment, and conserving the countryside and open spaces that are vital resources for everyone. It also states that poor planning can result in a legacy for current and future generations of ... the loss of the finest countryside to development.
- 1.26.2 Evidence on page 6 of PPS7 (CD B032) requires that in order to achieve more sustainable patterns of development, planning authorities should focus most development in, or next to, existing towns and villages; and discourage the development of 'greenfield' land.
- 1.26.3 In this National Park, the principle of concentrating affordable housing to sites inside or on the edge of settlements named in policy is well established.
- 1.26.4 Aside from the social and economic disadvantages of totally dispersed development, it would threaten the quality of the wildlife, cultural heritage and natural beauty. This would be contrary to national park purposes (CD B005) and PPS7 (page 13 paragraph 21 of CD B032) which requires a different approach to planning in designated areas such as national parks.
- 1.26.5 This approach also means the Authority's policy does not put undue pressure on service providers, none of whom support a more dispersed pattern of development in joint delivery workshops undertaken with constituent authorities (CD A002).
- 1.26.6 Nevertheless, the Authority presented an opportunity through the Peak Sub region Strategic Housing Land Availability Assessment (CD E007) for landowners and communities across the Park (in all settlements, not just those named in DS1) to promote and justify development on land owned by them or simply known to them. Had sites been submitted to this process and been found acceptable, they would have been included as sites suitable for development over the next 15 years.
- 1.26.7 In addition, the policy approach also allows for exceptions. Policy can accommodate development if someone feels there are exceptional reasons that justify it. For example Core strategy (CDA001) policy HC2 makes it possible for someone to live near to their workplace if there is an essential functional need to do so, and a house is required for that to be possible.

Moreover, policy also enables an affordable home to be provided through use of an existing building.

1.26.8 For all these reasons, the Authority feel it is justified in restricting development options for those wishing to build an affordable home on an already owned plot, whether inside or outside a settlement where that settlement is not considered on balance of considerations to be a sustainable location.

**1.27 What are the special characteristics of the Natural Zone? What is the justification for the Natural Zone? Is its designation consistent with PPS7? Is the policy approach towards development in the Natural Zone consistent with national policy, including PPS4 and PPS22? How was its broad location shown on the Key Diagram determined? If carried forward from the Local Plan, has it been re-assessed for its continued appropriateness? Should it be defined in the Glossary?**

1.27.1 The Natural Zone special characteristics are described in Appendix 4 of the Local Plan (CD D002). This is still policy but for avoidance of doubt the valued characteristics are also described in paragraph 9.17 of the Core strategy (CD A001).

What is the justification for the Natural Zone?

1.27.2 Fundamentally, some landscapes in the National Park are, in places, so sensitive that the Authority believes it is necessary to place an in principle presumption against development. Legislation confirms this because National Park Authorities are required to identify and show them on a map known as a Section 3 map produced and reviewed under Section 3 of the Wildlife and Countryside (Amendment) Act 1995 (CD B005).

1.27.3 The Natural Zone includes the 'Section 3 map' areas and is now a well established and clear point of principle in the saved Local Plan 2001 (CD D002). Its continued use has been retested during the options stages and is accepted and supported in principle by most stakeholders.

1.27.4 The fact that the Natural Zone includes, but covers a larger area than SSSIs /SPAs/ SACs, is another justification for its retention in policy. SSSIs, SPAs and SACs are nature conservation designations, but the need for nature conservation is not confined to these areas. Moreover, the Natural Zone is essentially a landscape conservation tool concerned with the natural beauty of the area but nevertheless conserves the nature conservation interest as well, where that may not be covered by its own designation.

Is its designation consistent with PPS7?

1.27.5 Yes - the Authority believes that Natural Zone designation is justified by paragraphs 24 and 25 of PPS7 (CD B032), which accepts that local designations may still be necessary in designated areas such as national parks, and this is acceptable provided the Authority can justify their introduction or retention. The answer above does this.

Is the policy approach towards development in the Natural Zone consistent with national policy, including PPS4 and PPS22?

1.27.6 Yes - PPS4 Policy E6 (CD B029) justifies the Authority's position and is entirely compatible with the Natural Zone policy in the context of national park purposes. The Natural Zone designation is entirely consistent with the requirement of paragraph 11.9 of chapter 11 of PPS22 (CD B041).

How was its broad location shown on the Key Diagram determined?

1.27.7 The Natural Zone's broad location was determined using the Section 3 Map and the saved Local Plan proposals map as the start point. Its exact boundary may change slightly as a result of a review to this map in 2011. It will be shown accurately on new proposals maps for the Development Management Policies Document.

If carried forward from the Local Plan, has it been re-assessed for its continued appropriateness?

1.27.8 Yes – the principle of the Natural Zone has been tested throughout the consultation process and most stakeholders feel it is appropriate to retain it. The Refined Options (CD D006) proposed 3 policy options which equated to greater control; less control; or equivalent control but using better evidence of landscape quality. The policy of having equivalent protection for landscape whilst using better evidence of landscape quality was the preferred policy approach. Equivalent protection requires the retention of the Natural Zone as a strategic principle relating to the wilder, most natural, and least developed parts of the National Park and the Authority feels criteria alone will not offer the same clarity or 'in principle' protection.

Should it be defined in the Glossary?

1.27.9 No, the Authority believes that the explanation on page 52 paragraph 9.17 of the Core strategy (CD A001) is sufficient.

**1.28 Taking account of PPS4 and PPS7, is the policy a) sufficiently flexible to meet the needs of businesses both in the countryside, and in Bakewell, b) does it give sufficient scope for development of social and economic benefit to the community and c) what is the justification of the policy to limit conversion/change of use to traditional buildings only?**

1.28.1 It is consistent with Core Strategy (CD A001) Chapter 13 and policies E1 and E2 which are based on the Authority's interpretation of the requirement of PPS4 in the context of the National Park.

1.28.2 The Authority feels the policy permits a good range of development types to meet social and economic need. Policy permits new affordable houses, new community facilities, new small scale retail premises, and new small scale business premises in named settlements.

1.28.3 Other than in the Natural Zone policy offers scope in named settlements and elsewhere in the countryside for rural enterprises and farm diversification, extensions to existing buildings, development for recreation and tourism conversion, change of use to housing, community facilities

and business use, and visitor accommodation, renewable energy infrastructure, utilities infrastructure.

- 1.28.4 As the answer 3.14.1 shows, Policy RT1C does not prevent the re-use of a non-traditional building, nor totally reject a new building; it states a preference to reuse a traditional building "wherever possible". Proposed change 300.13 to policy DS1 clarifies this. The policy intent is to favour but not limit conversion/change of use to traditional buildings.

Taking account of PPS7, is the policy a) sufficiently flexible to meet the needs of businesses both in the countryside, and in Bakewell, b) does it give sufficient scope for development of social and economic benefit to the community.

- 1.28.5 The Authority believes it gives sufficient scope for development of social and economic benefit to the community. The Authority's approach is justified by paragraphs 15 to 21, and especially paragraph 21 on pages 12 – 14 of PPS7 (CD B032).

- 1.28.6 Additional evidence is provided on page 4 section 3 of the House of Commons Environment, Food and Rural Affairs Committee First Special Report of Session 2008– 09 (CD G027). This states that the Government does not accept that the National Park authorities have failed to correctly balance the need to protect the natural environment with the need to ensure that park communities are sustainable and survive. It goes on to say that National Park authorities have done an excellent job at conserving the high environmental quality of the Parks but not at the expense of the communities and businesses within them. This is a confident affirmation of not only the strategies and policies employed by National Park Authorities to that point, but also the scale of delivery in support of sustainable communities and a sustainable rural economy.

### **Key Diagram**

- 1.29 Since cross-Park traffic is identified as being a problem to be addressed by the Core Strategy, should the main cross-Park roads be identified on the Key Diagram?**

- 1.29.1 The Authority agrees that it would be helpful to identify the main cross-Park roads on the Key Diagram. The A628, A57, A6, A619, A623, A515, A53, A54 and A537 roads currently shown can be marked in a different colour and identified in the key. Proposed change 300.15 applies

### **Chapter 8: General Spatial Policies**

- 1.30 With reference to paragraphs 8.9 - 8.10, should the definition of major development be clarified here and/or in the Glossary?**

- 1.30.1 The definition of major development is set out in the The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006. This clarifies that "major development" means development involving any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling-houses where:
  - (i) the number of dwelling-houses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;"

Such a definition is proposed to be included in the Glossary to clarify the meaning of the policy, see suggested change 300.47.

**1.31 Should paragraphs 8.12 – 8.14 be amended to reflect more clearly the up-to-date position and the Government's intention with regards to the IPC and National Planning Statements?**

1.31.12 The Authority acknowledges the need to update the references to the IPC and National Planning Statements and proposes suggested change 300.17.

**1.32 For clarity, should the Sandford Principles be quoted accurately in paragraph 8.19 – 8.20 and should they also be referred to in the Glossary?**

1.32.1 The issue of the Sandford Principle is dealt with in paragraph 8.1, and the Authority has offered a suggested change (100.8) in order to more accurately reflect these principles giving guidance as to the way that the NPAS should act in circumstances where there are irreconcilable conflicts between the two statutory purposes.

**Policy GSP1: Securing National Park purposes and sustainable development**

**1.33 Does policy GSP1 adequately reflect the National Park Vision and Circular 2010? In particular, do the policy and the CS generally, reflect that the National Park should provide an exemplar of sustainable development?**

1.33.1 The Authority believes it *does*, and page 11 paragraphs 28 and 29 of the National Parks Vision and Circular (CD B011) states that being an exemplar in sustainable development should be achieved in the context of national park purposes.

1.33.2 Allied to this, the Authority believes it is inappropriate and misleading to major on the detail with regard to climate change, renewable energy or any other issue in this overarching policy. The Authority believes therefore that the Core Strategy (A001) and policy have the correct focus (i.e. purposes within which exemplary sustainable development can happen).

**1.34 Associated with this, does the policy adequately stress the importance of communities living within the environmental limits of the Park?**

1.34.1 Yes – because the Authority considers the issue of community and environmental limits too detailed and specific for GSP1.

**1.35 Does policy GSP1 deal clearly and correctly with the issue of major development in the National Park?**

1.35.1 The Authority believes it deals with it clearly and correctly by stating that proposals will be dealt with in line with national policy criteria. The Authority believes it would be duplication of national policy to outline those criteria in this policy.

**Policy GSP2: Achieving enhancement of the National Park**

**1.36 With reference to paragraph 8.18, what is the justification for the statement that 'enhance' has the same legal status as 'conserve'?**

1.36.1 The justification is that the statutory designation conferred by the Environment Act 1995 Section 61 (CD B005) has effect for the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.

**1.37 Following from this, why does policy GSP2 refer to enhancement rather than conservation? Is this approach internally consistent?**

1.37.1 The purpose of GSP2 is to formalise the basis for making decisions under this aspect of the National Park purposes. On occasion it may be appropriate on balance to approve an application by virtue of the overall benefit it has to the natural beauty, wildlife and cultural heritage of the National Park.

**Policy GSP3: Development Management principles**

**1.38 Are the requirements of policy GSP3 stated sufficiently clearly to enable consistent interpretation and application, for example, in relation to the use of terms like 'living conditions'?**

1.38.1 Yes - the Authority thinks that the terms such as 'living conditions' are stated sufficiently clearly to enable consistent interpretation and application. The term is common parlance with the Planning Inspectorate and is used with consistency of meaning by the Authority.

**1.39 Should the policy highlight the implications of land subsidence associated with mining operations?**

1.39.1 It is acknowledged that ground instability, including that arising from mining legacy is an issue which does arise within the National Park, particularly given the 1,149 recorded historic coal mine entries within the Park boundary, together with other known instability from other historic extraction. This is why Policy LC25 on Unstable Land was included within the Peak District National Park Local Plan and this is also why that policy is indicated for continued 'saving' as an appropriate development management policy, with policy DS1 of the Core Strategy listed as the proposed parent policy.

1.39.2 It was considered that the saved policy LC25 would set out an appropriate planning framework for the topic, however on reflection it is accepted that there is no strategic policy content on unstable land in the Core Strategy as PPG14 requires in paragraph 26. The inclusion of such a criterion within Policy GSP3 which sets out the overall development management principles would then set a context for a detailed development management policy on unstable land as paragraph 27 of PPG14 requires in due course to replace policy LC25. This approach would also accord with the advice set out in paragraphs 19 to 24 of Annex 2, Subsidence and Planning to PPG14. Consequently a change is suggested along the lines The Coal Authority requests (see suggested change 300.18).

#### **Policy GSP4: Securing planning benefits**

##### **1.40 Does part A of policy GSP4 exceed the tests of Circular 05/2005?**

140.1 Accept that criteria A could be interpreted to exceed the tests and therefore propose the following change (see suggested change 300.19):

"A. To aid the achievement of its spatial outcomes, the National Park Authority will consider the benefit that a development can bring directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations."

##### **1.41 Greater explanation is required of the Charging Schedule referred to in paragraph 8.28. Will it be included in the Development Management Policies DPD or an SPD? For transparency and to provide a 'policy hook' should the broad principles and components of the intended Charging Schedule be referred to in the CS?**

1.41.1 The Authority considers this policy provides a sufficient 'policy hook'. The Delivery Plan answers the question by stating that the preferred approach for a charging schedule will be in the form of an SPD.

##### **1.42 For effectiveness, should policy GSP4 also refer to the use of conditions/legal agreements to ensure sustainable development, either through design and/or renewable energy technologies?**

1.42.1 In conjunction with the suggested reworded text for GSP4 as shown in the response to 1.40 above, a further change to supporting text at 8.26 could

help respond to the concern over effectiveness (see suggested change 300.19):

"8.26 In the National Park it would be appropriate to include requirements that aid the implementation of National Park purposes, for example to make provision for landscaping, or to develop in such a way that species such as bats are able to make use of the new structure. In pursuing National Park purposes it would also be appropriate to use conditions/legal agreements to ensure sustainable development e.g. through design and or measures to improve energy conservation or renewable energy generation."

## ***Topic Paper 2 Legal Requirements/Evidence Base***

### **MAIN MATTER 2**

#### **Whole Core Strategy**

##### ***Legal Requirements/Evidence Base***

**ISSUE - Whether the Core Strategy meets all of the legal requirements of the Planning and Compulsory Purchase Act 2004 and associated Regulations (as amended in 2008), and is informed by robust, up-to-date and proportionate evidence.**

#### **Questions**

2.1 What is the evidence to confirm that all the above legal requirements have been met? In particular, what is the evidence to demonstrate that the requirements for the following matters are met?

(i) **Has the CS been prepared in accordance with the Authority's Local Development Scheme (LDS); does its listing and description in the LDS match the submission document; have the timescales set out in the LDS been met?**

2.1.1 Yes, the Core Strategy has been prepared in accordance with the most recent LDS. It has been consistently listed in the revisions to the LDS and its description matches the Submission document. The timescales set out in the current version of the LDS have been met. Progress had also been on target under the previous version of the LDS up to the point of Submission, whereupon delay occurred in order to make changes to the Submission version taking into account the abolition of regional plans by the Coalition Government. Evidence can be found at the LDS (CDG001) and in the Core Strategy Legal Self Assessment (CDG002).

(ii) **To what extent does the CS have regard to the Sustainable Community Strategies for the Districts and Counties within and adjoining the National Park? What are they and what are their main themes?**

2.1.2 Owing to the complex administrative geography of the Peak District National Park it has been necessary to take into account a diverse range of issues.

2.1.3 At an earlier stage in the process, advice was sought from government office on the relationship between the NPMP and SCS for the purposes of a NPA meeting this test. The response by GOEM helpfully acknowledged the NPMP as a proxy for the requirement to prepare and have regard to an SCS for the purposes of spatial planning (self assessment CDG002).

2.1.4 Nevertheless Appendix C of the Delivery Plan (CDA002) covers issues from across 10 Sustainable Community Strategies and Plans from the various District, County and Unitary Authorities straddling the National Park.

2.1.5 Main themes arising include:

- Quality and value attached to the local environment

- Drive for improved recreation opportunities and healthy living
- Addressing local housing needs for young and old
- Improved access to jobs and services
- Generating a more sustainable pattern of development for homes and businesses
- Improved connectivity and transport links
- Better use of natural resources and measures to mitigate and adapt to climate change
- Retaining young people and improving the local skills base

2.1.6 The Spatial Outcomes, area-based objectives and core policies have all had regard to these points, and engagement has taken place with the respective LSPs to ensure they are happy with the contribution the LDF will make to the priorities for each area.

**(iii) Does the CS comply with the Statement of Community Involvement (SCI)? What is the evidence that the Authority has carried out all necessary consultation consistent with the SCI and the minimum requirements of the Regulations?**

2.1.7 Yes. Evidence in self assessment (CD G002) and Statement of Pre-Submission Consultation Statement (CD A005).

**(iv) Has the CS been subject to a Sustainability Appraisal and has the Authority provided a final report of the findings of the Appraisal? Have all alternative strategies and policies also been subject to a Sustainability Appraisal, and is it clear from this why they have been rejected? How has the Sustainability Appraisal process influenced the formulation of the submitted spatial strategy, policies and proposals?**

2.1.8 Yes. A final report of the findings of the SA/SEA appraisal has been provided with the Submission documents. An SA/SEA has been applied to each stage of consultation and the Authority has reflected on the results and sought to summarise the outcome of each appraisal to openly highlight the range of factors taken into account in reaching a conclusion on Refined Options, Preferred Approaches and the Published version of the Core Strategy. The Preferred Approaches document included a section for each policy setting out the reasons why alternative policies or a strategy has been discarded. This section aimed to summarise the full range of factors that had led to these decisions including the SA/SEA result which was always made available in a detailed report alongside the consultation document.

**(v) How were the requirements for Appropriate Assessment under the Habitats Regulations met before publication of the CS?**

2.1.9 Full appropriate assessment was undertaken in support of the Preferred Approaches stage. This was finalised into a full HRA report for the Pre-Submission consultation on the published plan, which was subsequently submitted with the other Submission Documents.

(vi) **Which Regional Spatial Strategy(s) forms part of the development plan for the National Park? Has the general conformity of the CS with the RSS(s) been confirmed by the Regional Planning Body(s)? Does the CS contain any policies or proposals that are not in general conformity with the RSS(s), and if so, what is the local justification? Several references are made in the CS to the revocation of the RSS, for example at paragraphs 2.7, 3.12, 3.27 and 11.13. All such references should be amended for correctness.**

2.1.10 Despite 4 regional administrations covering the National Park area, for planning purposes The East Midlands Regional Spatial Strategy, known as the East Midlands Regional Plan covers the entire National Park and forms part of the development plan. The general conformity of the Core Strategy with the Regional Plan has been confirmed by letter (CD G018). No areas of the Core Strategy have been described as not being in general conformity with the Regional Plan.

2.1.11 References to revocation of the RSS have been amended in the proposed changes document (CDG011) within the 200 series.

(vii) **Does the CS comply with the Regulations specifically regarding the publication of prescribed documents, their availability at the Authority's principal offices and on the Authority's website, the placing of local advertisements and notification of the DPD bodies**

2.1.12 Yes. Self Assessment provides evidence (CD G002).

(viii) **Are there any obvious gaps in the evidence base? Is any of the evidence that is relied upon out-of-date?**

2.1.13 Additional sources have been identified to back up the existing evidence base in answer to the Inspector's questions.

2.1.14 No, the evidence base has been produced alongside the local district councils as the key authorities in terms of housing, economic development, leisure, etc and the Authority has joined up effectively on discussions with other key service providers covering matters such as utilities, transport, health, education etc.

**2.2 Are all of the policies of the CS consistent with national policy? If there are any departures, what is their local justification?**

2.1.15 There are a handful of areas where consistency with national policy has been queried in relation to specific statements in specific Planning Policy Statements. In the National Park context it is necessary to consistently refer to the purposes of National Parks as laid out in the Environment Act, and to PPS7 guidance, in order to create an approach which is consistent with national policy as a whole. As a result certain areas of policy may be defined as consistent in part with specific policy references. The policy approaches taken are a result of taking these policies into account whilst reflecting the extra emphasis on conservation and therefore restraint on development in order to achieve the statutory purposes of the designated landscape. The following summary cross refers to other topic papers where further justification is laid out for a National Park orientated policy response.

Topic Paper 3 relating to:

- Conserve and enhance
- Use of Natural Zone

Topic Paper 4 relating to:

- Application of Energy Hierarchy

Topic Paper 5 relating to:

- Absence of affordable housing targets
- Restrictive approach to open market

Topic Paper 6 relating:

- Re-use of rural buildings
- Restrictions on business in open countryside
- Lack of retail hierarchy and sequential approach

Topic Paper 7 relating to:

- Approach to minerals safeguarding

### ***TOPIC PAPER 3 - Landscapes and Conservation, and Recreation and Tourism***

#### **MAIN MATTER 3**

#### **Policies L1-L3 and RT1- RT3**

#### ***Landscapes and Conservation, and Recreation and Tourism***

**ISSUE -** *Whether the policies and proposals of the Core Strategy which seek to conserve and enhance the landscape and valued characteristics of the National Park, whilst addressing the key strategic issues for recreation, tourism, environmental education and interpretation are justified, effective and consistent with the purposes of the National Park, and with national policy.*

#### **Questions**

## Chapter 9: Landscapes and conservation

**3.1 Should the list of valued characteristics at paragraph 9.15 be clarified and added to by, for example, defining what are 'environmentally friendly methods of farming' and by adding reference to the historic landscape character?**

- 3.1.1 The Authority believes there is little justification for providing a definition for 'environmentally friendly methods of farming' because definitions aren't required by law or guidance and haven't been requested for all other valued characteristics. In the National Park context, such methods of farming and working the land must conserve and enhance biodiversity, cultural heritage and natural beauty; conserve natural resources of soils air and water; and maintain public access to the environment for the purposes of enjoying the National Park. This could be stated in the glossary but would clutter the list in the body of the document.
- 3.1.2 The Authority believes the case for now adding to the valued characteristics list is weak because there have been ample opportunities to do this throughout the process. The list has been part of each consultation stage and its evolution was explained on page 17 of the Preferred Approaches section 2 Spatial Analysis (CD D007).
- 3.1.3 The Authority thinks Historic landscape character is implicit in the list when it refers to *thousands of years of human influence which can be traced through the landscape*). Otherwise, Historic Landscape Character is considered important as pointed out in paragraph 9.15 of the Core Strategy (CD A001) which states that the Landscape Strategy and Action Plan is underpinned by knowledge of Historic Landscape character.

## Policy L1: Landscape Character and valued characteristics

**3.2 What is the local justification for the rigour of policy L1 to exceed the requirements of PPS in requiring development to conserve and enhance (as opposed to conserve or enhance)?**

- 3.2.1 The Authority believes the local justification is national park designation and the provisions of Section 61 and 2 of the Environment Act 1995 (CD B005). In addition, page 61 paragraphs 7.8 and 7.9 of the Preferred Approaches (CD D007) outlines the importance of national parks and the importance of conserving and enhancing their cultural, natural, and historic assets as recognised in European and regional policy. Paragraph 21 of PPS7 (CD B032) relates directly to natural beauty of landscape and countryside in designated areas. It states that there is a need for planning policy and development control decisions to give more weight to conservation in areas of natural beauty such as national parks. In addition, the Landscape Strategy (D019) has an Action plan that requires enhancement as well as simply conservation. This strategy is compliant with the requirements of the European Landscape Convention and is considered by Natural England to be an exemplar of good practice as a strategy for wider landscape management. It is therefore vital to require enhancement and conservation

in policy so that the Landscape Strategy is embedded within the LDF and planning can positively assist implementation of the Action Plan

- 3.2.2 The Authority believes national park designation is justification enough to require developers wherever possible to go beyond simply 'having no adverse impact' and to require them to try and enhance the natural beauty, wildlife or cultural heritage.

- 3.3 Is the need for the Natural Zone made redundant by part A of policy L1, which refers to the Landscape Strategy? If not, how is the extra protection/restriction upon development afforded by the Natural Zone designation justified by evidence and local circumstances? Why would not a criteria based policy provide sufficient protection for this area?**

- 3.3.1 No - the Authority believes the Natural Zone is not made redundant by part A of policy L1 because page 11 of the Landscape Strategy and Action Plan (CD D019) states that it is not, and this document was prepared on the understanding that it does not replace the Natural Zone. Had the Authority agreed a policy intention to dispense with the Natural Zone at this stage, the Landscape Strategy and Action Plan might itself have been different. The answer to 1.27 is also relevant to this question and should be considered alongside this answer.

If not, how is the extra protection/restriction upon development afforded by the Natural Zone designation justified by evidence and local circumstances?

- 3.3.2 Practice demonstrates the value of a strong policy principle that protects areas from what might otherwise be considered to be desirable development. (see case NP/DDD/0108/004, at the top of page 26 of the 2008/9 Annual Monitoring Report CD C012). Paragraph 3.53 on page 58 of CD D006 also explains why the extra protection is justified i.e. that State of the Park Reports (CD D013) show that the sparse nature of development outside settlements has been retained, in particular the wild and undeveloped character of the Natural Zone (NZ).

- 3.3.3 In practice, it is recognised and accepted as a useful planning tool by the Authority because landscape conservation is also essential to retain the integrity of biodiversity and cultural heritage assets, when other designations may be insufficient (see answer 1.27.4)

- 3.3.4 The Authority's evidence is that the Natural Zone is supported in principle by most stakeholders. Support began back in 2005 when the Authority explored the continued relevance of the Natural Zone as part of the review of the National Park Management Plan. (see Help shape the Future paragraph 5.10 (D004). Formal stages of consultation towards this Core strategy (A001) back up the initial expressions of support, for example paragraphs 3.11 and 3.13 and 5.10; and paragraph 6.55 of CD D007).

Why would not a criteria based policy provide sufficient protection for this area?

3.3.5 The Authority believes that criteria are needed to add clarity to, but *not* replace an in principle policy position. The Authority also points out that there is already a 'criteria based' policy explaining the exceptional circumstances in which development may be appropriate in the Natural Zone. It is policy LC1 on page 26 of the Local Plan (CD D002) The Authority believes however that it is necessary and appropriate for the Core strategy (A001) to set the principle, and for detailed criteria to be reserved for the subsequent Development Management Document.

**3.4 What will be the impact of this designation on development associated with agriculture; would it be unreasonably restrictive?**

- 3.4.1 The Authority believes the impact on development associated with agriculture will be limited for the following reason. New development essential for agriculture is largely exempt from the need for planning permission irrespective of the Natural Zone designation. Any removal of permitted development rights requires the Authority to issue a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (CD B057).
- 3.4.2 In addition, exceptions can be made, and these are outlined on page 26 of the Local Plan in LC1 (CD D002). Essentially they are exceptions for reasons of the national interest, conservation or enhancement of valued characteristics, essential land management, and access. In this respect, it is possible to make a case for exceptional development for agricultural purposes. Outside of agricultural development, the Authority would have to consider whether a proposed development constituted an exceptional circumstance under policy LC1 (CD D002).
- 3.4.3 For the reasons given, the Authority does not believe that the designation is unreasonably restrictive on agricultural development.

**3.5 What are the exceptional circumstances referred to in the context of permissible development within the Natural Zone?**

- 3.5.1 The Authority has explained the exceptional circumstances in policy LC1 on page 26 of the Local Plan (CD D002). Essentially they are exceptions for reasons of the national interest, conservation or enhancement of valued characteristics, essential land management, and access. This will be superseded by the Development Management Policies DPD.

**3.6 Does the protection of the landscape and valued characteristics afforded by policy L1 unreasonably restrict flexibility to permit development for social or economic reasons?**

- 3.6.1 The Authority believes not, because permitting of development for social and economic reasons, under section 62 of the Environment Act (B005), must not take precedence over the need to conserve and enhance landscape and special qualities (Section 61 of the Environment Act 1995 B005).

- 3.6.2 The Authority nonetheless tested an option of a more flexible approach that would enable landscape to change and evolve even if it meant loss of the valued character of the Park (see page 61 option L1.3 CD D006) This was on the back of calls for flexibility from some stakeholders. However, there was little appetite for a more flexible approach and it received support from just six stakeholders. This compared with the support of sixteen stakeholders for option L1.2 (the forerunner to L1).
- 3.6.3 There are nevertheless circumstances in which development for social or economic reasons can take precedent (e.g. essential development to meet a national need). These are outlined in GSP1 along with a requirement that addressing social and economic needs of communities should occur whilst conserving the National Park landscapes.
- 3.6.4 The provision for economic development is dealt with by policies E1 and E2, and the Authority believes these policies are entirely consistent with the provisions of L1.
- 3.6.5 Additional evidence is provided on page 4 section 3 of the House of Commons Environment, Food and Rural Affairs Committee First Special Report of Session 2008- 09 (CD G027). This states that the Government does not accept that the National Park authorities have failed to correctly balance the need to protect the natural environment with the need to ensure that park communities are sustainable and survive. It goes on to say that National Park authorities have done an excellent job at conserving the high environmental quality of the Parks but not at the expense of the communities and businesses within them.
- 3.6.6 In summary, the Authority considers that there is substantial evidence and stakeholder opinion that the policy is reasonable, and does not unnecessarily prevent the social and economic well being of the population from being adequately addressed.

### **Policy L2: Site of biodiversity or geodiversity importance**

- 3.7 Should policy L2 be expanded to include all of the recommendations of the Habitats Regulations Assessment with particular reference to the Natura 2000 Sites?**
- 3.7.1 No - the Authority thinks that that the strong reference to N2K sites and statutory protection in text is justified by paragraph 9.28 of the Core strategy (A001). However paragraph 6 on page 5 of PPS9 (CD B034) states that policies for these sites are unnecessary, because they are already covered by statutory procedures so L2 is not specific to these sites.
- 3.7.2 A listing of the recommendations of the Habitats Regulations Assessment (CD A004) in policy is also unnecessary because it also goes beyond PPS advice. However N2K sites will be included on proposals maps, with more detailed explanation in subsequent policy documents of the protection this designation affords.

**3.8 Should policy L2 be amended to include a hierarchy of layers of sites of biodiversity importance whereby some are more important than others and are consequently afforded greater protection?**

3.8.1 No - it is a tried and tested policy principle to give all sites equal protection and avoid unnecessary hierarchies for different layers of protection. The Authority wants to retain this principle and has the support from a major stakeholder (Natural England) in doing so. The precedent is the wording of policy C11(a) on page 33 of the Structure Plan (CD D001) which allowed the Authority to apply strong policy to undesignated sites or features of international, national or regional importance, as well as to designated sites.

**3.9 Should policy L2D be amended to refer to sites of regional and local biodiversity and geodiversity importance?**

3.9.1 No - the Authority thinks the policy wording gives coverage to these sites and for the following reasons it does not think it should name them. Many areas of the country have identified a tier of non-statutory sites below SSSI level, to which planning policies are applied and which are usually mapped on development plan maps. These are variously termed Wildlife Sites, Sites of Importance for Nature Conservation or similar. This Authority has never done this (in common with a number of other National Parks) although some other councils have identified sites which fall within the Park. Regionally Important Geological Sites (RIGS) have also been identified throughout the National Park, but again the Authority has never specifically attached planning policies to them.

3.9.2 In addition, whilst paragraphs 9-11 of PPS9 (CD B034) makes a distinction between Regional & Local Sites, and "other important natural habitats" (including ancient woodland), it gives no indication that planning policy should do the same , other than policies for Regional/Local sites being criteria-based. Policy LC19 on page 46 and 47 of the Local Plan (CD D002) is one such criteria-based policy.

3.9.3 Neither does PPS9 give any guidance on the distinction between regional and local sites. So, for example, although wildlife sites are often termed "Local Wildlife Sites" and geological sites are generally termed "Regionally Important Geological Sites", their level of conservation interest is generally broadly comparable in practice. Because of this difficulty in defining regional and local sites, and because paragraph 9 on page 6 of PPS9 (CD B034) suggests that policies for regional and local sites should be distinguished from those for national sites, the Authority thinks that it is appropriate to treat regional sites in the same way as local sites, rather than alongside the internationally/ nationally important sites as currently done in Structure Plan policy C11(a).

3.9.4 Accordingly, policy L2 part D is less rigorous than for SSSIs and applies to all sites of ecological or geological importance below SSSI level, along the lines of the current Structure Plan policy C11(b), i.e. "*Development will not normally be permitted where it is likely to adversely affect any other [i.e. not*

*SPA/SAC/SSSI] site or feature of ecological, geological or geomorphological importance or to its setting". This could be defined as including, but not being exclusive to, the following:*

- Local Wildlife Sites/Sites of Importance for Nature Conservation/Sites of Biological Importance notified to the Authority by other bodies which meet national guidelines for Local Wildlife Sites
- Regionally Important Geological Sites
- Local Nature reserves
- Ancient Woodland Sites
- UK Biodiversity Action Plan Priority Habitats (Habitats of Principal Importance under Section 41 of the Natural Environment & Rural Communities Act 2006)
- Peak District Biodiversity Action Plan priority habitats
- Important hedgerows under the Hedgerow Regulations 1997

**3.10 Should the policy also refer to the importance of ecological networks, climate change and to providing a strategic approach to biodiversity habitat enhancement and creation?**

3.10.1 No - the Authority does not believe policy should refer to these, but agrees that supporting text should. '*Ecological networks*' is covered on page 54, paragraph 9.26 of the Core strategy (A001) but the Authority agrees that the climate change issue is not covered, and therefore suggests words as a paragraph in advance of this final bullet point. These are shown as suggested change 300.25.

and to providing a strategic approach to biodiversity habitat enhancement and creation?

3.10.2 No - the Authority does not believe the policy should refer to this, but suggests that Biodiversity Opportunity Mapping (which provides a strategic approach to biodiversity habitat enhancement and creation) should be mentioned in text. Furthermore, it represents a strategic approach to biodiversity habitat creation and enhancement, and the Authority's intends to do it. The Authority therefore proposes that words be added to the text ahead of the policy and below the paragraph about the sites features and species covered by the policy. This is shown as 300?? in the 300 series of changes

**Policy L3: Cultural heritage assets of archaeological, artistic or historic significance**

**3.11 What is the local justification for the rigour of policy L3 to exceed the requirements of PPS5 in requiring development to conserve and enhance (as opposed to conserve or enhance)?**

3.11.1 There is some justification for requiring conservation and enhancement, but more justification to require the term conserve, and where possible enhance.

- 3.11.2 One justification is the Environment Act 1995 Section 61 (1) (a), which has effect for the purpose *of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas* specified in the next subsection. Subsection (2) specifies National Parks (CD B005).
- 3.11.3 Another justification is the new National Parks Vision and Circular, paragraphs 20-22 (CD B011) which are titled '*Conserving and enhancing the natural beauty, wildlife and cultural heritage...*' in line with the Environment Act 1995. The final sentence in paragraph 22 refers to '*plans for conservation and enhancement*'.
- 3.11.4 In addition, 'The Government's Statement on the Historic Environment for England 2010' as it complements and underpins Planning Policy Statement 5 and the PPS5 Planning Practice Guide. Page 1, paragraph 1; states that '*We recognise that while some of today's achievements may become tomorrow's heritage our existing heritage assets are also simply irreplaceable. We realise the importance of understanding, conserving, and where appropriate, enhancing the markers of our past.*'
- 3.11.5 The new PPS5 HE3.4 (CD B030) states that '*Plans at a local level are likely to consider investment in and enhancement of historic places, including the public realm, in more detail. They should include consideration of how best to conserve individual, groups or types of heritage assets that are most at risk of loss through neglect, decay or other threats.*'
- 3.11.6 PPS7 Paragraph 16 (v) (CD B032) states that planning authorities should conserve specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations. (i.e. national park status as conferred by the Environment Act 1995 Section 61 (1) (a) (CD B005).)
- 3.11.7 However, there are legal cases that make it sensible for the Authority to use the term '*conserve and where possible enhance*'. The detail of the case is in the English Heritage Conservation Bulletin, Issue 17, June 1992 pages 16 and 17 <http://www.english-heritage.org.uk/publications/conservation-bulletin-17/conservationbulletin17.pdf> (CD G028). The case arrived at the conclusion that '*conserve*' in a Conservation Area context can mean '*preserve*', and that '*preserve*' can mean '*neutral /no change*'. Because '*enhancement*' requires change, it is not possible in every case to both *preserve* and *enhance*. Therefore, the Authority accepts that it is not justified in using '*conserve and enhance*' but believes it is justified, based on the other evidence provided above, to use the term '*conserve, and where possible enhance*'.
- 3.12 What is the necessity for this policy, which does not apparently add local distinctiveness to the requirements of PPS5?**

- 3.12.1 The Authority believes it needs adequate policy coverage for cultural heritage assets in line with current PPS5 (B030). Policy L3 is intended to complement PPS5 and the existing Local Plan policies, and will be followed up by detailed and locally distinctive Development Management Policies.
- 3.12.2 However the Authority agrees that Policy L3 as it exists is *not* locally distinctive and, in recognition of this, and as a positive response to stakeholder requests, the Authority has found common ground in dialogue with English Heritage and the National Trust and has proposed an amended version of policy in order to make it locally distinctive.
- 3.12.3 The suggested policy now draws the reader's attention to the Cultural Heritage Strategy for the National Park (CD D018) and strongly encourages applicants for planning permission to consider its objectives for cultural heritage assets when making planning applications.
- 3.12.4 The supporting text outlines some objectives of the Cultural Heritage Strategy and alerts applicants to other relevant strategies as well. In summary, the policy is now locally distinctive and does add to the requirements of PPS5.
- 3.12.5 This is shown in the statement of common ground which is shown in the appendix to this topic paper.

#### **Policy RT1: Recreation, environmental education and interpretation**

- 3.13 Is part A of policy RT1 inconsistent with PPG13, because it infers that any development that cannot be accessed by public transport will be classed as unsustainable and will not be granted planning permission?**
- 3.13.1 This misrepresents the wording of policy RT1 part A. The policy states that the National Park Authority "will support facilities ... appropriate to the National Park's valued characteristics" and goes on to encourage sustainable means of access. The two elements are not linked, and the wording does not require facilities to be accessible by public transport nor other sustainable means. This is entirely consistent with PPG13 (CDB037), which recognises in paragraph 6 bullet 1 that offering a realistic choice of access by public transport, walking and cycling may be less achievable in rural areas.
- 3.14 Part C of the policy is more restrictive than PPS4 and PPS7 with regards to the types of existing buildings that may be re-used. What is the evidence and local justification for limiting such development to traditional buildings of historic or vernacular merit?**
- 3.14.1 Policy RT1C does not prevent the re-use of a non-traditional building, nor totally reject a new building; it states a preference to reuse a traditional building "wherever possible". This approach is confirmed by the proposed change to policy DS1 (suggested change 300.13), which clarifies that,

despite the preference for reusing traditional buildings, there is scope for the reuse of other buildings.

- 3.14.2 Local planning authorities are encouraged to base their plans on a sense of local distinctiveness: see PPS12 paragraph 2.1 (CD B036). Policy RT1C provides locally distinctive wording which builds on PPS4 and PPS5 in the special circumstances of the National Park.
- 3.14.3 Part of the first National Park purpose is to 'conserve and enhance' natural beauty and cultural heritage. PPS5 (CD030) acknowledges in paragraph 5 that cultural heritage includes assets that formally designated and those which are not.
- 3.14.4 The National Park Vision and Circular confirms in paragraph 20 that National Park designation confers the highest status of protection of landscape and natural beauty. The distinctive character of landscapes and of hamlets, villages and towns, and the wealth of historic buildings, are 'valued characteristics' of the Peak District National Park: see Core Strategy paragraph 9.15. Traditional materials and styles of building are an essential part of that character, as explained in the Design Guide paragraphs 2.4 and 2.7 (CDD016). The Landscape Character Assessment in section 2 of the Landscape Strategy (CDD019) explains how traditional buildings contribute to different landscape areas.
- 3.14.5 Regional policy 27 encourages the refurbishment and re-use of disused or under-used buildings of some historic or architectural merit (Regional Plan, CDC001). The Authority's Cultural Heritage Strategy Objective 3.3 action b (CDD018) encourages and promotes re-use of the existing historic building stock to appropriate modern use rather than replacement.
- 3.14.6 Policies EC12.1d v & vi and EC6.2c in PPS4 (CDB029) recommend the conversion and reuse of existing buildings in the countryside where benefits outweigh harm, and allows local planning authorities to determine which buildings are suitable.
- 3.14.7 In addition, PPS5 HE3.4 (CDB030) advises that plans should consider the qualities and local distinctiveness of the historic environment and use them to ensure sustainability and promote a sense of place. Paragraph 37 bullet 6 in the accompanying Planning Practice Guide also acknowledges the role of traditional building materials in local distinctiveness (CDGO30).
- 3.14.8 Other government guidance describes how the re-use of buildings can improve the sustainability of new developments with the advantage of maintaining important and historic buildings and providing continuity in the landscape and townscape (Good Practice Guide on Planning for Tourism paragraph 5.10, CDB062).
- 3.14.9 Sustainability appraisal particularly welcomes this part of policy RT1: see Appendix E paragraph 23 (CDA003).

3.14.10 This part of policy RT1 aims to protect valued landscapes by limiting the development of new buildings, and by promoting the re-use of suitable existing buildings. However, other structures of inappropriate design, materials or location should not be perpetuated. These could include for example farm buildings which did not require full planning permission, and which may otherwise not have been approved in a particular location.

3.4.11 In conclusion, policy RT1C is justified by national and regional policy and guidance, particularly in the context of National Park designation.

#### **Policy RT2: Hotels, bed and breakfast and self catering accommodation**

**3.15 The policy is more restrictive than PPS4 and PPS7 with regards to the types of existing buildings that may be re-used for new holiday accommodation. What is the evidence and local justification for limiting such development to traditional buildings of historic or vernacular merit?**

3.15.1 See response to Question 3.14 above, and proposed change to policy DS1 (suggested change 300.13).

**3.16 What is the evidence/justification for restricting new hotel accommodation to only one location; Bakewell, because elsewhere the CS highlights the importance of supporting economic development, particularly tourism and facilities to encourage visitors, provided that there are no harmful impacts on the landscape?**

3.16.1 Evidence suggests that hotel operators are looking for urban locations where there is an opportunity to attract a range of market segments year round, rather than simply the leisure market. They may therefore consider some of the smaller towns in the Peak District and Derbyshire for the addition of new hotels, but not in the National Park (Hotel Demand Survey paragraphs 2.15-2.16, CDE027).

3.16.2 There is little indication of demand for new hotel development: despite the scope for hotel development in Bakewell under current saved Local Plan policy LB7, no such proposal has come forward. Although wishing to be positive and flexible, it is considered appropriate to direct any proposals towards Bakewell. This is in accordance with PPS4 policy EC6.2 (CDB029), since Bakewell is the main service centre and the most accessible settlement, with its important market town role and established tourist focus. These reasons were explained in the Preferred Approaches document when policy E4 was selected (CDD007, paragraphs 11.54 and 11.68), and at earlier stages there was support but no objection to this part of the policy.

3.16.3 The restriction to location in Bakewell only applies to a new build hotel. Proposals to develop a hotel by change of use of an existing traditional building could be considered elsewhere in the National Park as long as there would be no unacceptable landscape impact. The policy follows advice from the Hotel Demand Survey (see Action Plan paragraph 11.1), which advises

authorities in Derbyshire and the Peak District to look favourably on extensions to existing hotels and B&Bs, and consider change of use of existing buildings to provide accommodation.

### **Policy RT3: Caravans and Camping**

#### **3.17 Is part B of policy TR3 too restrictive in not allowing for exceptional cases where such development, especially chalets or lodges could be accommodated without adverse impact on the landscape?**

3.17.1 It has been the National Park Authority's policy for many years to prevent static caravans, chalets and lodges. They are considered generally inappropriate because their materials, form, size and regular placing on a site are extremely difficult to blend satisfactorily into the Peak District landscape. Accommodation of a similar standard can be provided by other means more acceptable in the National Park.

3.17.2 Government policy states that it is particularly important to protect and even enhance the quality and character of the wider countryside, giving greater priority to the restraint of potentially damaging development in designated areas (PPS7 paragraph 15, CDB032); and that caravan and chalet sites must not be prominent in the landscape, particularly in designated areas (PPS4 policy EC7.1 d and e, CDB029). This is echoed by the Good Practice Guide on Planning for Tourism paragraphs 7 and 24-25 (CDB062).

3.17.3 Within the context of the highest status of protection for the National Park, Policy 10 in the Regional Plan (CDC001) requires authorities and others to encourage and promote tourism opportunities outside the National Park that could ease pressures on the National Park. Static caravans, chalets and lodges can be better accommodated outside the National Park.

3.17.4 Endorsed by the 2002 Defra Review of English National Park Authorities, the Principles for Sustainable Tourism in National Parks (CDGO29) advises that inappropriate tourism development can be damaging to the tourism economy (page 2); the level and type of tourism activity should take account of the protected area's environment, and the Parks' individual distinctiveness is part of their appeal and must be preserved (page 3 section 3).

3.17.5 A further concern relating to chalet/static holiday park developments is the tendency for them to become attractions in their own right, with food, retail, and leisure opportunities encouraging people to remain on site. This type of all-inclusive 'holiday park' where visitors have all the facilities and entertainment they need and do not venture out to enjoy the National Park is not in line with the second National Park purpose (Environment Act Part III section 61, CDB005). Planning cases have revealed concerns that such facilities may harm the viability of local services in nearby villages.

3.17.6 Representations at earlier stages in the LDF have reflected mixed views between preferences for small or larger sites, but a common thread has been concern that the scale, style and permanence of statics or chalets is too harmful and is more appropriate outside the National Park (see Consultation Statement appendices, CDA005). This concern has confirmed our view that the approach of policy RT3 is appropriate.

- 3.17.7 In principle there can be exceptions to all policies, and it is not considered appropriate to construct policy based on the exception rather than the rule. The preferred position is to offer clarity in these cases, focussing on those forms of development more in tune with National Park designation in order to conserve landscapes and promote enjoyment of the area.
- 3.17.8 Following representations at Preferred Approaches stage, text was added (the last sentence of paragraph 10.26) to describe possible circumstances in which the Authority may allow "small, simple timber structures" in situations where this would result in enhancement by replacing existing static caravans, as long as it complied with other core policies including L1. The Development Management Policies document may add further detail. The National Park Authority has sought in previous Structure and Local Plans and through joint action with partners to paint, improve, replace or remove static caravans.

**Peak District National Park Authority Core Strategy**  
**Statement of Common Ground**

**Between English Heritage, National Trust and the Peak District National Park Authority**

**March 2011**

**Matter 3: Landscapes and Conservation, Recreation and Tourism**  
**[Policy L3 Cultural heritage assets of archaeological, artistic or historic significance]**

**1 Introduction**

- 1.1 This Statement of Common Ground has been prepared to identify the areas of agreement between English Heritage, the National Trust and the Peak District National Park Authority (PDNPA) on matters relating to Policy L3 of the Authority's Core Strategy Submission Development Plan Document (DPD) and the representations submitted by English Heritage and the National Trust concerning that policy.

**2 Common Ground Between Parties**

- 2.1 All parties agree that in preparing its Core Strategy the PDNPA has sought to ensure that the Core Strategy provides a robust policy and spatial framework to deliver sustainable development, having regard to the requirements set out in the relevant government guidance and the purposes of the National Park.
- 2.2 All parties agree that Policy L3 is consistent with relevant national (and regional) policy, but could better reflect the language and emphasis of PPS 5 *Planning and the Historic Environment*, 2010 and have a greater degree of local distinctiveness.
- 2.3 All parties agree that the policy should aspire to 'set out a positive and proactive strategy for the conservation and enjoyment of the historic environment in their area' (HE3.1, PPS 5), and that the current Cultural Heritage Strategy, *Peak through Time*, 2005 provides the framework for the Core Strategy with regard to the management of the historic environment in the National Park.
- 2.4 All parties agree that the amendments to Policy L3 (as shown in the Appendix) address the concerns raised by English Heritage and the National Trust and that the proposed changes represent a more locally distinctive

policy, as well as reflecting the approach to the conservation of the historic environment as set out in PPS 5. Given that the development of a National Policy Statement may result in a less detailed national planning policy framework for the historic environment, it is felt that the policy should clearly set out the approach to the conservation of the historic environment which is consistent with current guidance. We believe that the changes address the issues raised by the Inspector (Questions 3.11 and 3.12).

- 2.5 The amendments to Criteria A and B reinforce the holistic approach to the historic environment that is a key feature of PPS 5 and recognition that the heritage significance of a heritage asset, including the contribution that setting makes to that significance, justifies a degree protection in planning decisions (PPS 5 Practice Guide paragraphs 10 and 11). The term 'conservation' is used in the context of the definition of the term in Annex 2 of PPS 5, whereby there is an emphasis on the maintenance of the resource and the management of change in order to sustain and, where appropriate, enhance its heritage significance.
- 2.6 An additional criterion has been added to reflect the context for the Core Strategy's approach to the historic environment provided by the Cultural Heritage Strategy and any successors. Additions to the supporting justification set out the contribution that the Cultural Heritage Strategy makes to the spatial strategy, such as some of the key areas requiring action in order to conserve the heritage assets of the Peak Park and its historic character. Paragraph 9.44 identifies other relevant documents and paragraph 9.45 highlights the types of cultural heritage assets relevant to the planning process in the National Park.

### **3 Conclusion**

- 3.1 English Heritage and the National Trust consider that these suggested changes would address the concerns that they raised at the pre-submission stage and have been agreed by the PDNPA.

**Signed:**

.....  
Brian Taylor  
On behalf of the Peak District National Park Authority

.....  
Ann Plackett  
On behalf of English Heritage

.....  
Alan Hubbard  
On behalf of the National Trust

## **APPENDIX: ADDITIONAL SUPPORTING TEXT AND REVISED POLICY L3**

N.B. Changes to the policy are denoted by striking through text that has been removed and denoting additions in italics.

9.43 The National Park Authority has a Cultural Heritage Strategy<sup>1</sup>. The strategy aims to maintain local distinctiveness through cultural heritage management involving a range of actions and interventions. For spatial planning purposes the following examples are the types of action that will help deliver the Cultural Heritage Strategy:

- Encouraging the refurbishment and re-use of disused or underused buildings of architectural and historic importance to enhance their contribution to the historic character of the area;
- Encouraging works to heritage assets to employ, where appropriate local crafts, skills and traditions including traditional building techniques and materials;
- Promoting the use of traditional building materials in repair and in new development, particularly in historic areas;
- Encouraging investment in and enhancement of historic places, including appreciation of cultural heritage through heritage-led tourism; and,
- Facilitating the conservation of 'at risk' heritage assets, including landscape features, such as traditional field boundaries and barns.

9.44 These actions and their intended outcomes are highly desirable and form material considerations in relation to the determination of planning applications. In addition to the Cultural Heritage Strategy for the National Park, and any successor strategies, other strategies, action plans and guidance notes that include management of the National Park's cultural heritage assets will also be relevant considerations. Such documents include:

- The Peak District Landscape Strategy;
- Conservation Area Appraisals;
- Climate Change Action Plan;
- Peak District Design Guide and Technical Supplements; and
- Climate Change and Sustainable Building SPD

9.45 The following policy covers all cultural heritage assets including, but not exclusively, those assets already subject to development management policies<sup>2</sup>. Cultural heritage assets that are of particular relevance to the planning process in this National Park include Listed Buildings, other buildings of historic or vernacular merit; Conservation Areas, important parks and gardens, including those on the national register, and archaeological sites, including Scheduled Monuments, features and landscapes.

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<sup>1</sup> PDNPA (2005) Peak through Time Cultural Heritage Strategy for the Peak District National Park

<sup>2</sup> PDNPA (2001) Peak District National Park Local Plan, Chapter 3: Conservation

**L.3 Cultural heritage assets of archaeological, architectural, artistic, or historic significance**

- A. Development must conserve, and where appropriate enhance or reveal the significance ~~any asset~~ of archaeological, architectural, artistic or historic assets and their settings, ~~that has including statutory designations designation or registration or is of other and other heritage assets of international, national, regional or local significance importance or special interest;~~
- B. Other than in exceptional circumstances, development will not be permitted where it is likely to ~~have an adverse impact on cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, that has statutory designation including statutory designations or is of other heritage assets of international, national, regional or local significance importance or special interest;~~
- C. Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy.

## ***TOPIC PAPER 4 - Climate Change and Sustainable Building***

### **MAIN MATTER 4**

#### **Policies CC1-CC5**

##### ***Climate Change and Sustainable Building***

**ISSUE** - *Whether the policies and proposals of the Core Strategy, which address the strategic role of the National Park in relation to mitigating and adapting to climate change are justified, effective and consistent with the purposes of the National Park, and with national policy.*

#### **Questions**

##### **Chapter 11: Climate change and sustainable building**

**4.1 Do paragraphs 11.5 – 11.11 accurately summarise national policy concerning planning and climate change, especially with regards to the encouragement that the Government gives to appropriate renewable energy generation development? Do the CS and its policies promote renewable energy generation development in accordance with national policy or are they unreasonably cautious?**

4.1.1 Yes, paragraphs 11.5 -11.11 accurately summarise national policy concerning planning and climate change and encouragement of appropriate renewable energy generation development in the context of the National Park. To properly reflect this context, the brief summary within the Core Strategy Document account has been taken of the 1949 Act (CD B001), a range of national policy in Planning Policy Statements and the National Parks Vision and Circular. More detail on national policy was given in the Preferred Approaches document (CD D007) paragraphss 9.18 – 9.21, 9.36 -9.42 and 9.70 – 9.76.

**Do the CS and its policies promote renewable energy generation development in accordance with national policy or are they unreasonably cautious?**

4.1.2 Yes – The National Park's Core Strategy and its policies are consistent with national policy for the promotion of renewable energy generation in a protected landscape. Policies aim to encourage small scale renewable energy development appropriate to the national significance of the landscapes of the National Park, recognising that the National Park's purpose is to conserve and enhance natural beauty, wildlife and cultural heritage. Evidence from the Peak Sub-Region Climate Change Study (CD E001) provides an understanding of the local feasibility and potential for renewable and low carbon technologies to supply new development in accordance with PPS Planning and Climate Change paragraph 26 (CD B027). The study covers biomass, anaerobic digestion, small scale hydro, wind turbines, photovoltaics, solar hot water, ground source heat pumps, air source heat pumps, district heating. Following further consultation updated planning guidance will be provided in the Development Management document and SPD.

4.1.3 The Peak Sub Region Climate Change study incorporates a landscape sensitivity study for wind turbine development which has provided an evidence base for the scale of wind turbines that are more likely to be

acceptable in the National Park's landscapes as required by PPS 22 paragraph 12 (CD B041). Policies reflect Government statements in the 2010 Vision and Circular 2010 (CD B011) that the Authority's primary responsibility is to deliver statutory purposes while ensuring it is an exemplar in achieving sustainable development (paragraph 28) and that the Parks should be exemplars in renewable energy whilst not compromising their overriding duty under the 1949 Act (CD B001 paragraph 46). Policy recognises important opportunities for energy generation appropriate to the national value of the landscape, and promotes energy efficiency (paragraph 47).

**4.2 In the absence of quantifiable targets and indicators for its climate change policies, how will the achievement of the aspirations of the spatial outcomes sought in paragraphs 11.14 -11.18 be measured?**

- 4.2.1 Policies aim to mitigate and adapt to climate change by reducing carbon emissions, using low carbon and renewable energy, reducing water consumption and flood risk and managing waste.
- 4.2.2 The revised monitoring tables appended to Topic Paper 9 set out indicators to measure contributions to spatial outcomes for each policy and rather than relying on specific numerical targets (owing to the overall low level of development) seek to demonstrate a positive "direction of travel" with regards to the sustainability of new development. Some indicators are based on data that has been captured historically through the Annual Monitoring Report such as LDF Core Indicator E3(a) Renewable Energy generation granted permission. The Authority has included a similar local indicator which seeks to measure the number of permissions for local renewable energy schemes in order to judge the number of homes, businesses etc supported in their commitment to sustainability.
- 4.2.3 Currently, planning applications are required to provide Environmental Management information as part of the Design and Access Statement. This process will continue and will be set out in Development Management policies and SPD. The Authority will update the Environmental Management Checklist which forms part of the planning application validation process to include questions on how the sequential application of the energy hierarchy has been considered to achieve a reduction in carbon emissions. Information could include the expected level of energy and carbon dioxide savings from integrated passive design, energy efficiency measures and renewable and low carbon energy included within the development proposals as well as water conservation measures. An energy statement will help the Authority to achieve the highest possible standards of carbon reductions in all development.
- 4.2.4 The target is to reduce carbon emissions, increase the use of low carbon and renewable energy and reduce water use. Through applications data and the Design and Access statement, the Authority can quantify the number of sustainability measures in new build development. For new build housing using the Code for Sustainable Homes levels the Authority will capture data

on the levels of carbon reduction achieved in new development and water conservation measures as well as sustainability measures incorporated. For new build non-residential development levels of carbon reduction and sustainability measures will be captured from the Environmental Management Checklist and the Design and Access statement. For new build non residential development above 1000m<sup>2</sup>, the 'as built report' required by planning condition on the planning consent will set out the carbon reductions achieved in the development.

- 4.2.5 Information on the sequential application of the energy hierarchy as part of the Design and Access statement will give the Authority important data on sustainability measures included as part of development proposals , for example in building extensions or a conversion of an existing building to an alternative use. The Authority will capture data on renewable energy output through this process.
- 4.2.6 The target is to increase the use of sustainable drainage systems. The Authority encourages and will monitor and record the use of Sustainable Drainage systems in development schemes through the planning application process until such time as the new procedures are introduced under the Flood and Water Act for National Standards for SUDs. A SuDS Approving Body (the 'SAB') at County level will have responsibility for the approval of proposed drainage systems in new developments and redevelopments, subject to exemptions and thresholds and the Authority will work in close partnership with the SAB on planning applications.
- 4.2.7 The Authority encourages water conservation in all development. As one of the mandatory requirements under the Code for Sustainable Homes, the majority of new build housing in the National Park will have enhanced water conservation levels. Enhanced water conservation measures will also be captured and recorded in the Environmental Management Statement.
- 4.2.8 To monitor the policies relating to waste management the target is for an increased number of additional small scale community schemes permitted over the whole plan period. The aim of the specific policy for on farm anaerobic digestion of agricultural manure and slurry is to promote the use of this technology within the Natural Park in order to reduce emissions, including carbon and in addition to the benefits of waste management to provide a sustainable source of heat or power. This will be measured by an increased number of planning permissions and completed development.

### **Policy CC1: Climate change mitigation and adaptation**

- 4.3 What are the local justification for and the evidence to support the requirements of the policy, which exceed those of the current Building Regulations?**

#### Housing

- 4.3.1 There was unanimous support for option 3.5 of the refined options stage (CD D006) promoting a sequential approach to the energy hierarchy to ensure best practice in the National Park context before encouraging renewables in development proposals. The principle of this fabric first approach is as

endorsed by government in its requirement for publicly funded affordable housing to achieve sustainability measures and carbon reductions in advance of the building regulations under the Code for Sustainable Homes.

- 4.3.2 The importance of not inhibiting the provision of justified affordable housing and evidence from the Climate Change study support a locally distinctive approach to carbon reduction and the encouragement of renewables in new development within the National Park through advanced levels of the Code for Sustainable Homes . The National Park Authority's focus for housing policy is on the delivery of affordable housing and in exceptional cases open market housing to fulfil overriding conservation objectives. The background to the policy is set out in paragraphs 9.43 – 9.57 of the Preferred Approaches document (CD D007).
- 4.3.3 The policy requirement set out in this Core Strategy uses the government requirement for publicly funded housing to achieve a Code for Sustainable Homes Level in advance of building regulations and extends it to housing approved where it constitutes an enhancement to the National Park.
- 4.3.4 For added clarity, the Authority has proposed that the wording of part CC1 is changed to : '*In all new and replacement housing, other than affordable housing of less than 3 units, a minimum sustainability standard, equivalent to that required by the government of affordable housing by Registered Social Landlords must be achieved*'. See suggested change 100.23.
- 4.3.5 Evidence for the approach was provided by the Climate Change Study (CD E001). It suggested that an 8% reduction in carbon emission (14% of gross energy demand) was achievable through the use of on-site renewables for new build housing (5 houses or more) but that this target would be applicable only under the current or next Building Regulations in 2010 ie up to Code Level 3. This is because subsequent changes in the building regulations achieving carbon reductions equivalent to those under Code Levels 4-6 will generally require the use of renewables.
- 4.3.6 The target threshold of 5 houses or more for the wider sub -region may not always be met within the National Park as development overall wil be less. However, as set out in the Climate Change study, schemes of 3 or more affordable houses are already required by the National Park's saved housing policies to be brought forward by a social housing provider. Publicly funded housing of this type has since April 2008 been required by government to be in advance of the building regulations by achieving Code Level 3 of the Code for Sustainable Homes (CD E038). Using the locally distinctive approach to affordable housing, sustainability levels above building regulations have been achieved in the majority of housing within the National Park since April 2008.
- 4.3.7 The mandatory CO<sub>2</sub> reduction level and water usage of Code Level 3 now reflects the Part L 2010 building regulation standard. It is anticipated that Code Level 4 will become mandatory for publicly funded housing in 2011 and this level is anticipated to become the requirement of Part L 2013 building regulation standard. Where the mandatory CO<sub>2</sub> requirement of the Code level being built to is more stringent than that required by Building Regulations, carbon reductions are delivered. Building to Code level 4, for example, prior to the 2013 Part L change will deliver a CO<sub>2</sub> reduction of

19%. An explanation of these figures was set out in Table 1, paragraph 9.48 of the Preferred Approaches document (CD D007).

- 4.3.8 As the Code For Sustainable Homes Cost Review March 2010 (CD G032) points out : "*The most critical factor in determining the total cost of building to the Code is the approach taken to meeting the mandatory reduction in carbon emissions. At the lower Code levels (up to Code level 3) fabric improvement measures may be sufficient to achieve the required reduction in Dwelling Emission Rate. However, from Code level 4 and above it becomes necessary to employ some form of low or zero carbon technology to meet some or all of the dwelling's thermal and / or electrical demands. These costs tend to dominate the overall expense of meeting a given Code level for all dwelling types.*"
- 4.3.9 Timescales for delivery rely on government impact assessments as to viability for publicly funded affordable housing. If the government considers that the timescale is incorrect or that the requirements are too onerous it will change the dates or introduce a level between Codes 4 and 5. By not specifying a particular Code Level in the Core Strategy but moving in line with government requirements the policy will be future proofed.
- 4.3.10 Under the Core Strategy policy requirements, replacement dwellings need to be acceptable under policy saved Local Plan policy LH5 and are required to achieve the same sustainability standards as affordable housing units brought forward by a social provider. The proposed policy requirement enhances the sustainability of replacement dwellings so that it is in line with the new build publicly funded housing in the National Park. The tax benefits of new build can help to offset any additional cost since VAT is not payable on this type of development. Planning Officers have found that there is a general willingness to consider enhanced sustainability measures but have no means of ensuring that it happens.
- 4.3.11 In some circumstances open market housing may be justified to fulfill overriding conservation objectives. The higher sale value of properties in the National Park show that there is sufficient additional profit in building a replacement dwelling or an open market house on previously developed land, when compared to a comparative build in the surrounding towns to cover the costs of sustainability measures for a higher Code Level. Also the rarity value of a new open market house enhances the value of property in this area which is already high and the additional cost of sustainability measures for a higher Code level is covered by the increased value on re-sale.
- 4.3.12 The House Prices Report table for, Bakewell, Matlock, Chesterfield, Buxton and Derbyshire (CD – G034 )shows the average sale price for each of the areas in July 2005 and 2009.

	Bakewell	Matlock	Buxton	Chesterfield	Derbyshire
July 2005 Terraced	225,000	144,000	122,497	99,000	107,323
July 2009 Terraced	225,000	136,000	122,500	93,200	107,333

July 2005 Semi	297,500	155,000	162,000	115,000	132,422
July 2009 Semi	280,000	168,000	162,500	108,750	132,189
July 2005 Detached	290,000	260,000	248,600	212,500	225,867
July 2009 Detached	280,000	237,500	262,500	222,500	231,431

4.3.13 The average additional cost of Code levels 4 and 5 as set out in CLG's Housing and Regeneration Bill - Impact Assessment from April 2008 (CD - G033) is £9,904 and £17,734 respectively. For Code level 4 this represents 4.4% percent of the average sale price for a terraced property, 3.5% for a semi detached and 3.5% for a detached house in Bakewell compared to 9.2%, 7.4% and 4.3% in Derbyshire. Using the 2010 figures of £5148 for Code Level 4 for a semi detached house and £21395 for Code Level 5 this would represent 1.8% and 7.6% respectively of the average sale price in Bakewell.

4.3.14 Data from Land Registry Sold prices in the Bakewell area (CD - G035 ) shows that an average price of £280000 for both detached and semi - detached properties in this area is very conservative. The sold prices between July 2005 and July 2009 give an average of £454,869 for a detached property which equates to 2.2% for Code Level 4 at £9,904, and 4.7% at £21395.

4.3.15 New housing development approved where it constitutes an enhancement to the National Park is relatively rare and it is important that opportunities to reduce carbon emissions from such developments are captured when this type of housing comes forward.

4.3.16 Experience shows that National Park planners can secure, through negotiation, sustainability measures comparative to those in affordable housing but as yet there is no policy mechanism to require this. For example in a recent outline application for redevelopment of the Newburgh Engineering Works at Bradwell it is the developer's intention that housing will meet the same Code Level Standards as affordable housing by Registered Social Landlords or above and that a district heating system will ensure a low carbon supply of heat.

#### Non-residential development

4.3.17 Evidence from the Climate Change study (CD E001) suggests a 10% renewables target (6% equivalent carbon reduction) for offices, hotels and leisure buildings, and a 6% target (3.5% equivalent carbon reduction) for other non-residential development with a threshold over 1000m<sup>2</sup> but recognises that renewable energy targets would have a limited effective timescale because of the tightening of the Building Regulations.

4.3.18 The National Park Authority sought advice from Building Inspectors and Architects during the preparation of options following the refined options stage. Their advice was that 10% reduction in the Buildings Emissions Rate

relative to the Target Emissions Rate as described in the Building Regulations, a nationally described Sustainable Building standard, would be a more effective approach, allowing a choice of fabric improvements or low or zero carbon technologies which would be easily quantifiable through Building Regulations procedures.

- 4.3.19 PPS Climate Change (CD B027) allows for this mechanism using the Building Regulations in paragraph 34. '*Applicants for planning permission for substantial new development should through their Design and Access Statement demonstrate in broad terms how the proposed development will comply with the target carbon emission rate applicable through Building Regulations. In particular, applicants should explain the contribution to be secured through decentralised energy supply systems including from on-site renewable sources'.*
- 4.3.20 The Authority will use and update the current system through development management policies and SPD whereby applications for planning permission are required to provide Environmental Management information as part of the Design and Access Statement. This will explain the contribution to be secured through decentralised energy supply systems including from on-site renewable sources'.
- 4.4 If the higher targets and threshold of part F for all new and replacement housing are justified generally, why are affordable housing developments of less than 3 units exempted, since many of the housing developments will fall within this category?**
- 4.4.1 Under Policy CC1 all development is required to demonstrate high levels of sustainability. The Authority has sought to require higher standards where evidence shows that the requirements are viable and reasonable. Affordable housing of two units and less built by Registered Social Landlords benefit from public funding and are required to be built to the Code for Sustainable Homes level as required by government of RSLs. This is explained in paragraph 11.22 of the Core Strategy.
- 4.4.2 The National Park has a policy mechanism whereby affordable housing of one or two units can be built by private individuals. It is only affordable housing built by private individuals that is exempted from the requirements using the Code for Sustainable homes in Policy CC1 Part F. This is because this type of housing has a discounted value but does not benefit from public funding
- 4.4.3 In the case of all affordable housing, privately funded or RSL, there are requirements, as set out in Chapter 8 of the SPG, 'Meeting the local need for affordable Housing in the Peak District National Park' (CD D014) to provide details of the anticipated costs to demonstrate a clear intent to provide an affordable home to ensure that a property remains more affordable upon any sale or transfer of the property.
- 4.4.4 If planning permission is to be granted for an affordable dwelling the Authority requires a restriction to be registered at the Land Registry .It ensures that the dwelling is occupied only by persons who comply with the occupancy criteria in the Planning Agreement. Both the applicant and any

subsequent purchasers enter into a section 106 agreement to sell on the property at a discounted price determined by the District Valuer. The discounted price reflects the restricted size and type of the property and the local occupancy restriction.

- 4.4.5 Private individuals who meet the policy requirements for building one or two affordable homes enter the same legal agreement as RSLs to provide a dwelling which, if sold on, will be sold at a discounted price. The cost for private individuals to build one or two affordable housing units is likely to be the same as or more than for a Registered Social Landlord, since there are potential economies of scale for an RSL if several projects are being carried out concurrently. The difference is that private individuals who satisfy the criteria have the opportunity to build one or two affordable houses but they do not have the benefit of public funding to assist with the build cost.
- 4.4.6 A requirement that affordable housing built by private individuals match the government's requirement to achieve Code levels in advance of the building regulations would not be justifiable due to the discounted value of the property, the lack of public funding and the additional cost of compliance with the Code (see paragraph 4.3.12). PPS1 Supplement (CD B027) makes it clear that levels of building sustainably in advance of those set out nationally should not inhibit development including the provision of affordable housing.
- 4.4.7 Since we have no evidence to show that this requirement would be either reasonable or viable we have not required Code Levels in advance of the building regulations for this type of affordable housing. The cost of mandatory reductions in carbon emissions through the standard building regulations timescale may in itself present challenges for affordable homes built by private individuals.

**4.5 Should part C of the policy be amended to more clearly reflect PPS25?**

- 4.5.1 The text as written is considered sound and sufficient as a general statement which is further expanded in policy CC5. The particular wording was as a result of consultation with the Environment Agency through the Preferred Approaches and the Core Strategy Consultation.

**4.6 What is the justification for the 'at least 10%' target reduction for the Buildings Emission Rate set in part G? Why are not BREEAM and CSH standards referred to rather than emission rates?**

- 4.6.1 PPS1 Supplement (CD B027) states in paragraph 32 "*When proposing any local requirement for sustainable buildings planning authorities should:– specify the requirement in terms of achievement of nationally described sustainable buildings standards, for example in the case of housing by expecting identified housing proposals to be delivered at a specific level of the Code for Sustainable Homes.*"
- 4.6.2 For housing the 'minimum sustainability standard equivalent to that required by the government of affordable housing by Registered Social Landlords'

referred to under CC1 section F is a requirement under the Code for Sustainable Homes or any replacement standard for the Code.

- 4.6.3 Part G refers to non-residential development only and therefore the use of a CSH standard (which is for homes) would not be appropriate.
- 4.6.4 The fact that use of the Code for Sustainable Homes has been launched by government and is required in housing development by RSLs, that impact assessments are carried out on both its use and the feasibility of projected timescales for implementation all lend weight to the Authority's use of CSH in Core Policy. Because of the type of development proposals which come forward and in the absence of an equivalent code for non-residential buildings supported by Government, BREEAM certification has not been used as a policy mechanism within the National Park area. The Peak Sub-Region Climate Change study which carried out a case study analysis of the capacity for renewable energy and CO<sub>2</sub> emissions reduction pointed out that the cost of BREEAM certification may be prohibitive in any case.
- 4.6.5 The requirement for non-residential major development above 1000m<sup>2</sup> floorspace to achieve a Buildings Emissions Rate at least 10% less than the Dwelling Target Emissions Rate is based on evidence from the Peak Sub Region Climate Change Study as to what would be reasonable and viable within the National Park context. Linking the policy to the Building Regulations using the Building Emissions Rate means that the carbon reductions achieved will not be subsumed by increased standards in the Building Regulations over time. Policy does not duplicate the Building Regulations but uses the mechanisms within them as an easily quantifiable means of ensuring carbon reductions.
- 4.6.6 Experience shows that within the Peak District National Park development over 1000m<sup>2</sup> would be rare and would most probably be a mixed use development which under housing policy would be expected to incorporate an element of affordable housing. This would be required to meet advanced CSH standards. Under NPA policies any housing approved for the enhancement of the National Park would also need to meet the higher Code Levels. The Authority is mindful of the expense of BREEAM in addition to the CSH certification for the mixed use schemes which are more likely to come forward. In order to avoid inhibiting appropriate development where development levels are already very low the Authority has adopted a different approach.
- 4.6.7 The requirements of Policy CC1 for non-residential development can be secured by the following conditions on any planning consent:

'No development shall begin until an energy report demonstrating a minimum 10% saving on the Design Target Emissions Rate (submitted for Building Regulations purposes) has been submitted to and approved in writing by the National Park Authority'.

'Prior to occupation of any building unit, a copy of the 'as built report', approved in writing by the Building Regulations Authority, shall be submitted to and approved in writing by the National Park Authority with a minimum 10% saving on the Design TER'.

- 4.6.8 These conditions are as a result of discussions with a Senior Building Control Surveyor, Barnsley MBC. Architects have responded favourably to the use of this mechanism because it already part of their work for any development proposal and it allows flexibility in the use of fabric improvements and/or low carbon and renewable technologies depending on the context of the building.
- 4.6.9 Acceptance of the policy approach is shown by a current example of a planning application for major redevelopment of an engineering works at Bradwell. This type of development proposal is extremely rare within the National Park. A mixed use development is proposed with a new Co-op store, a medical centre, office incubator units, a community centre and a refurbished and retained industrial unit including 5 or 6 new units. The proposed development incorporates a Biomass heating system and there is the possibility of Combined Heat and Power. Also proposed are 149 dwellings (including 27 affordable homes). Based on the requirements of Climate Change Supplement to PPS1 Climate Change and the emerging Core Strategy, housing development is proposed to be at least at the same Code Level as publicly funded affordable housing through RSLs and if possible a Code Level higher. The developer considers that Building Emissions Rates at least 10% below Target Emissions Rates could be achieved for the non-residential development. The development would also be assessed under the Building for Life criteria.
- 4.6.10 Smaller non-residential development such as small business or community development must, under Policy CC1, achieve the highest possible standards of carbon reductions and the highest possible standards of water efficiency. National Park planners will continue to negotiate the highest levels of sustainability. Enhanced sustainability levels in community buildings can also be a prerequisite of grant funding.
- 4.6.11 The Authority gave an undertaking to investigate the potential for a 'BREEAM rating above the requirements of the current building regulations in previous consideration of Development Management issues raised in the Preferred Approaches for Core Strategy 2009 (CD D007) paragraph 9.35 for non-residential development of all offices, hotels and leisure developments including community buildings and other non-residential development. Evidence from the Climate Change study and early investigations based on 'the cost of BREEAM compliance for the DfES' (CD G036) suggest that the cost of a BREEAM rating for would be prohibitive within the National Park context.

**4.7 Is the 1000 square metres threshold set in part G appropriate, since most non-residential development taking place within the Park will fall below this size?**

- 4.7.1 The 1000m<sup>2</sup> threshold was a result of case study analysis in the Climate Change Study (CD E001) of the capacity of non-residential developments to incorporate low carbon and renewable technologies. Considering that non-domestic energy intensity and therefore renewable energy contribution varies according to end use, the study recommended differential targets expressed as percentage of renewable energy generation and related CO<sub>2</sub> emissions in new Developments for non domestic floor space. The evidence

base considered that, across the sub-region a threshold over 1000m<sup>2</sup> would be viable but no evidence emerged showing this as a reasonable requirement in smaller developments.

	Renewable Energy Target (% of gross demand )	Percentage reduction in predicted carbon emissions (% of gross emissions )
Non-domestic (offices, hotels, leisure)	10	6
Non -domestic (other non-dwellings )	6	3.5

4.7.2 Policy CC1 requires all development to demonstrate high levels of sustainability. Under the planning application validation process applications for development under 1000m<sup>2</sup> for small businesses and communities will set out in the Environmental Management Checklist either as part of the Design and Access Statement or in a separate document how consideration has been given to the energy hierarchy and what sustainability measures have been included in the development.

4.7.3 High levels of sustainable design in non-residential buildings below the threshold of 1000m<sup>2</sup> will be sought including the incorporation of low carbon and renewable energy technology. For example two replacement village halls, Parwich and Over Haddon each use the principles of integrated passive design including high thermal mass and incorporate photovoltaic panels and heat pumps.

#### **Policy CC2: Low Carbon and renewable energy development**

**4.8 In the preamble to policy CC2 at paragraph 11.27, is it appropriate to refer to the peat lands management as a major contribution to the region's carbon reduction targets?**

4.8.1 The National Park Vision and Circular 2010 (CD B011) is clear that "The management of the Parks can play a key role in the fight against climate change and in leading others by demonstrating best practice". It goes on to say that "The Authorities are custodians of lands rich in woodlands, moors and fens: the 449,000 hectares of peat soils in the Parks contain 119Mt of carbon, equivalent to England's carbon dioxide emissions for a year".

4.8.2 The National Park Authority considered it important to show that although its contributions to carbon reduction targets in the region through low carbon and renewable energy development may be small in comparison to areas where there is more development, the Authority has a major role to play in climate change mitigation. It is also a demonstration of the Authority's local distinctiveness. Effective management of a carbon source and the

improvement of its use as a carbon sink is an important part of the Authority and its partners' work which should be recognised as part of our contribution to carbon reduction as a whole.

- 4.8.3 We note that the National Trust has asked the Authority to emphasise the importance of land management in climate change mitigation by reinstating a policy from the preferred approach stage which we have incorporated in policy CC1 A - "Make the most efficient and sustainable use of land, buildings and natural resources". It is felt that the description in paragraph 11.27 alongside the criteria in CC1A, negate the need to reinstate the earlier policy. Policies for land management will be further expanded in the Development Management Document.

**4.9 Are policy CC2 and paragraph 11.29 consistent with PS22 in seeking to apply the energy hierarchy, in consideration of proposals for renewable energy development?**

- 4.9.1 Yes, Policy CC2 is a generic policy for low carbon and renewable energy development which may be integrated or stand alone. Policy CC2 is consistent with PPS 22 - Renewable Energy (2004) (CD B041) and it has also taken account of the requirements of PPS1- Delivering Sustainable Development (CD B026) and the Planning and Climate Change supplement to PPS1 (CD B027).
- 4.9.2 Policy CC2 and paragraph 11.29 do not require strict application of the energy hierarchy but rather require that it must be taken into account with the aim of securing greater carbon reductions. This approach formed part of the consultation on preferred approaches for the Core Strategy in 2009 (page 92). '*Applicants will be required to demonstrate that they have given consideration to the energy hierarchy in the form of an energy statement to be submitted with the proposed scheme*'.
- 4.9.3 The National Park Authority has implemented the requirement to use Design and Access statements (PPS Climate Change Para 41) to obtain from applicants the information necessary to show how their proposed development will contribute to the Key Planning Objectives including that, "*in providing for the homes, jobs, services and infrastructure needed by communities, and in renewing and shaping the places where they live and work, secure the highest viable resource and energy efficiency and reduction in emissions*" (paragraph 9).
- 4.9.4 This approach is consistent with PPS1 Supplement which points out that it does not seek to assemble all national planning policy relevant or applicable to climate change and that it should be read alongside the national PPS/G series. It makes it clear that where there is any difference in emphasis on climate change between its policies and others in the national series this is intentional and that PPS – Planning and Climate Change takes precedence.
- 4.9.5 Currently applications for planning permission are required to provide Environmental Management information as part of the Design and Access Statement. This requirement includes information about the energy

hierarchy to raise awareness and to maximise carbon reductions. The information gathered is not used as a reason to refuse planning permission, as this would be unreasonable but it is useful to the Authority to assist applicants in an holistic approach to carbon management and helps applicants demonstrate that the energy hierarchy has been taken into account. It also provides the National Park Authority with information on low carbon and renewables development installed as part of a wider development proposal which is otherwise difficult to capture for monitoring purposes. Both policies CC1 and CC2 of the Core Strategy seek to continue this commitment to secure the highest viable resource and energy efficiency and reduction in emissions through the principles of sustainable development and environmental performance. This holistic approach to carbon reduction guidance forms part of the work of the National Park's Live Work Rural Team who offer advice to businesses on sustainability issues.

**4.10 Is the phrase 'without harm' in part A of the policy too restrictive, since almost every development has the potential to cause some harm to the landscape character? Should the requirement be qualified, for example by the word 'significant'?**

4.10.1 No - the policy is considered appropriate as written in order to fulfil the statutory purposes of the National Park under the 1949 Act (CD B001). PPS1 (CD B026) in paragraph 17- is clear that "*the Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources. Those with national and international designations should receive the highest level of protection*".

4.10.2 The policy is not considered too restrictive. The addition of the word 'significant' to the policy wording would lead to a lack of clarity and could result in planning permission being granted for development that would have an adverse impact which should be avoided. The Authority has been advised not to use such qualifying words in policy. There was a similar query at the time of the draft Structure Plan in 1992 when it was suggested that the word 'unreasonable' be added to qualify the phrase 'adverse effect'. Legal advice was sought (CD G049) on the use of qualifying words in policy and the advice received stated:

*"I was asked whether the word unreasonable ought to be included in Conservation Policy 12(a). I took the view that it would be unwise in the extreme if that word was included within that policy statement. It seems to me that the inclusion of the word 'unreasonable' would only lead to difficulty in attempting to define and enforce that policy statement. The discretion of the Board ought not to be fettered. Any level of noise, disturbance, pollution or other emission which 'adversely affects' the matter there referred to ought to be sufficient to enable the Board, if they so wish to refuse to grant permission for the relevant development. Whether the affect is sufficiently adverse is a matter for the Board. Their discretion need not be fettered by*

*the addition of the word 'unreasonable' before the word 'level'. The inclusion of 'unreasonable' will neither assist those attempting to understand this policy statement nor those attempting to enforce it. I therefore take the view that the word should be deleted."*

**4.11 Should the policy include reference to biomass and solar panels as appropriate sources for renewable energy generation?**

4.11.1 No, the policy is intentionally broad brush and strategic to give scope for a range of technologies to be considered. The preamble gives some examples of the types of both low carbon and renewable energy generation technologies that have been evaluated in the Climate Change Study (CDE001). Further guidance on planning issues will be given in Development Management policies and SPD.

**4.12 Is the policy justified in permitting in principle only small scale wind turbines; there may be places where taller ones would be acceptable in landscape terms? Alternatively, is part B of the policy necessary, since such proposals would have to satisfy criterion A?**

4.12.1 Yes – the policy is justified and is in accordance with PPS22 (CD B041) and PPS1 Climate Change (CD B027) paragraph 20 in identifying the scale of renewable energy developments acceptable in nationally designated areas. PPS22 points out in paragraph 11 that, "*planning permission for renewable energy projects should only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised by the development, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits*".

4.12.2 Paragraph 12 of PPS22 goes on to say that "*Regional planning bodies and local planning authorities should set out in regional spatial strategies and local development documents the criteria based policies which set out the circumstances in which particular types and sizes of renewable energy developments will be acceptable in nationally designated areas. Care should be taken to identify the scale of renewable energy developments that may be acceptable in particular areas. Small-scale developments should be permitted within areas such as National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts provided that there is no significant environmental detriment to the area concerned.*"

4.12.3 Similarly paragraph 3.3.91 of the East Midlands Regional Plan States (CD C001) that "*The Sub-area is mainly within or close to the Peak District National Park and large scale renewable generation will always be difficult to accommodate. However there are many opportunities for small scale hydro and some opportunities for small wind generation. The Peak District National Park Authority has produced supplementary guidance to encourage appropriate renewable energy installations.*" Policies 8, 26, 31and 40 of the Regional Plan are also relevant.

4.12.4 The Peak Sub Region Climate Change Study (CDE001) was commissioned to inform Core Strategy policies and to meet the requirement of PPS22 paragraph 12. The study of landscape sensitivity which accompanies the Climate Change Study shows that in broad terms small wind turbines up to 15m in height to blade tip are more likely to be acceptable and that single turbines are more appropriate than clusters. In order to provide assistance to applicants we have included this guidance in the Core Strategy.

4.12.5 New work seeks to update the existing Renewable Energy SPD by supplementing the emerging Core Strategy policies and offering more guidance on the consideration of proposals for renewables development, with new detail covering findings from the study and incorporating landscape guidelines from the Authority's adopted Landscape Strategy.

**Alternatively, is part B of the policy necessary, since such proposals would have to satisfy criterion A?**

4.12.6 The Authority considers that part B of the policy is necessary because wind turbine development has been identified through the landscape sensitivity study of the Peak Sub-Region Climate Change Study (CD E001) as a type of development more likely to cause harm to the natural beauty of the landscapes of the National Park.

4.12.7 It is important that Core Strategy reflects the particular sensitivity of the nationally significant landscape to wind turbine development in the interests of clarity. Pre-application discussions on the capacity of the landscape to assimilate wind turbine development are particularly important and part B of the policy is necessary to assist in drawing applicants' attention to the need to seek advice. Further guidance will be given in the Development Management Document and SPD which will include links to other relevant legislation.

4.12.8 The supporting text of the policy in paragraph 11.32 provides some guidance to developers as to the scale of development that may be acceptable within the National Park based on the landscape sensitivity study of the Peak Sub –Region Climate Change Study (CD E001). Each planning application is considered individually within its landscape context but general guidance is a useful starting point for applicants particularly in pre-application discussions.

4.12.9 Regional Policy (CD C001) in paragraph 2.4.27 recognises the National Park as "*a unique asset, not only for the people who live and work there, but also for the East Midlands, surrounding regions and the nation as a whole*". In line with PPSs it states that, "*National Park designation confers the highest status of protection for landscape and scenic beauty*". Part B of the Core Strategy policy is in line with National and Regional Policy. Policy 8 of the Regional Plan (CDC001) recognises the particular sensitivity of the National Park landscapes to wind turbine development and Policy 40 requires Local Planning Authorities to establish criteria for wind energy, giving particular consideration to, inter alia, landscape and visual impact informed by local

Landscape Character Assessments. Part B of the policy fulfils that requirement.

4.12.10 The sensitivity of the landscape to wind turbine development potentially at any scale is an important consideration which National Parks have a requirement to consider under the Environmental Impact Regulations 1999 ( CD B0 . National Parks are classed as 'sensitive areas' in regulation 2(1) of the Regulations. There is no threshold for screening for EIA within National Parks for Schedule 2 development and all wind turbine proposals are screened. Wind turbines are subject to an additional legislative process within the planning process. In areas considered less sensitive there is a threshold for EIA screening for development involving the installation of more than 2 turbines; or where the hub height of any turbine or height of any other structure exceeds 15 metres. (CD B081, CDG021). Part B of the policy helps to make this distinction and EIA regulations will be further explained in SPD.

**4.13 What is the evidence to justify the blanket ban on wind turbines in Natural Zone referred to in paragraph 11.32?**

4.13.1 Policies for the Natural Zone, as defined in Appendix 4 of the Local Plan (CD D002) and page 52 paragraph 9.17 of the Core strategy (A001), are set out in policy L1 of the Core Strategy Submission Document and Local Plan Policy LC1. The justification for the Natural Zone is a set out in the Authority's response to Main Matter 1, question 1.27, and detailed responses in Main Matter 3. The Natural Zone designation is entirely consistent with the requirement of paragraph 11.9 of chapter 11 of PPS22 (CD B041).

4.13.2 The Authority has identified wider areas with minimal obvious human influence whose 'more natural' beauty it is, in the opinion of the National Park Authority particularly important to conserve. The potential for harm to flora and fauna and valued characteristics in these areas is very high and the Authority considers that without additional policy protection the objectives of designation of the area would be compromised. Consequently within the Natural Zone there is a presumption against all forms of development requiring planning consent. Exceptional circumstances in which development may take place in the Natural Zone are not set out in Core Strategy but are set out in Local Plan Policy LC1 ( CD D002). The exceptional circumstances in which development is permissible in the Natural Zone are those in which a suitable, more acceptable location cannot be found elsewhere and it is essential:

- in the national interest; or
- for the management of the Natural Zone; or
- for the conservation or enhancement of the National Park's valued characteristics

4.13.3 National Policy and the National Park Vision and Circular 2010 (CD B011) are clear that the Parks should be exemplars in renewable energy. Whilst

not compromising their overriding duty under paragraph 46 of the 1949 Act (as amended) (CD B001) wind turbine development within the Natural Zone does not meet the exceptions criteria of policy LC1.

4.13.4 A review of and consultation on policy LC1 for development management policies within the Natural Zone will take place as part of Development Management Policy. The area comprising the Natural Zone is also being reviewed.

4.13.5 Natural Egland is a statutory consultee on regional spatial strategies, local development frameworks, strategic environmental assessment, environmental impact assessment and many development proposals with particular responsibilities for National Parks, Areas of Outstanding Natural Beauty, Special Protection Areas, Special Areas of Conservation, Ramsar Sites, National Nature Reserves, Sites of Special Scientific Interest and protected species. Natural England's consultation responses are fully supportive of policies CC2 and L1 including the use of the Natural Zone as a planning tool.

4.13.6 Evidence shows the without the additional protection of the Natural Zone it is possible that the statutory purpose of the National Park to conserve and enhance natural beauty, wildlife and cultural heritage in these particularly important areas could be compromised contrary to National policy and the 1949 Act. Planning Applications that have raised significant policy issues are set out in the Annual Monitoring Report. The report for 2008-2009 section 5.2 (CD D012 ) sets out an application for a 9.7m turbine at White Edge Lodge, Longshaw, situated within the Natural Zone and states at para 5.2.1 all of the issues raised will be reviewed during production of the LDDs.

4.13.7 Whilst the application was originally approved by the Planning Committee in the interests of sustainable development, the decision was overturned by the Authority meeting as the proposal was contrary to policies concerned to protect the Natural Zone from intrusive development.

### **Policy CC3: Waste Management – domestic, industrial and commercial waste**

**4.14 Should the CS include supporting text to clarify its approach to recycling and small scale processing within the Park, and the linkages to sustainability and tackling climate change, sufficient to guide Development Management Policies DPD production and the assessment of planning applications?**

4.14.1 The rationale that underpins the overall strategic approach to waste management is set out in paragraphs 11.12 to 11.13 and 11.36 to 11.40 of the Core Strategy. The Waste Management Background Paper (CD D043) explains the rationale including issues of conformity to national and regional policy and to the constituent Municipal Waste Management Strategies. The location of the existing waste facilities in Derbyshire, which serve most of the Park are shown on the plan attached.

- 4.14.2 The text and policy as written is considered sound and sufficient to set out the overall policy framework. Any proposal for recycling facilities would be considered against criteria B, C or E as relevant. In many cases proposals for recycling facilities are permitted development undertaken by a Local Authority or can be de-minimis activity for example in a supermarket car park. The policy supports the potential for small-scale waste facilities as required by Policy 38 of the East Midlands Regional Plan (CD C001). The Derby and Derbyshire Waste Core Strategy Big Choices document (CD E042) identifies that they only intend to look at small-scale waste facilities in North-West Derbyshire which shows synergy between the two Core Strategies.
- 4.14.3 It is not considered necessary to define 'small-scale' or 'large-scale', no such definition is set out in Policy 38 of the East Midlands Regional Plan, nor is 'major development' defined in national planning policy in PPS7. According to case law established in R (on application of Kimberley Miller) v North Yorkshire County Council & Tarmac Ltd (2009) [EWHC 2172 Admin] it is for the Authority as decision maker to determine what constitutes small or large scale. Policy CC3 requires proposals to demonstrate that they accord with the relevant Municipal Waste Strategy, which is necessary to ensure realistic deliverability and to ensure that proposals will not be undermining those important strategies. The policy in criteria C does clarify the position that the Authority is only looking to support proposals which do not involve the importation of waste from outside local communities, this is considered an imperative safeguard to ensure that the principle set by Policy 38 of the regional plan setting no waste targets for the National Park is not undermined. No objection to the approach has been received from any of the constituent Waste Collection or Waste Disposal Authorities.
- 4.14.4 The existing saved policy LW2 in the Peak District Local Plan (CD D002) 'Assessing and minimising the environmental impact of waste management facilities' will not be replaced by the Core Strategy and sets out appropriate development management criteria for assessing planning applications. This will form the basis for the future development of a new policy in the Development Management Policies DPD.
- 4.14.5 The Environment Agency request the inclusion of additional wording in the supporting text which is considered to add value to the Core Strategy (see suggested change 300.33).
- 4.15 Should policy CC3 or policy CC2 acknowledge the contribution that anaerobic digestion plants at a community, as well as farm scale, can make to renewable energy production?**
- 4.15.1 Anaerobic digestion plants can produce low carbon energy from waste and feedstocks grown for the purpose, they are therefore a potential contributor to energy production, although in some cases the output is heat only and not electricity generation or biogas production. The Authority considers the primary purpose of AD plants is the treatment of waste material. As such

the fundamental policy consideration for such schemes is against policies CC3 and CC4. The purpose behind an AD on-farm plant may only be to produce sufficient digestate output for the agricultural needs of the farm with no real emphasis upon energy production this being merely the by-product. The focus of the Core Strategy is on AD being a suitable method for farm management purposes, not principally a method of energy production.

- 4.15.2 The AD Development Toolkit produced by Sustainable Youlgrave (funded by the PDNPA & emda) in paragraph 2.1 provides a useful analysis of the two main purposes AD can be put to: *"It is important to first identify what are the priority things that you want the digester to do, because that focus will affect the type of technology required and the way the digester is operated. For example if the most important thing is electricity production, then it would be preferable to use feedstock that contains good energy potential and to operate the digester in a way that gas production is kept at a fairly level rate. Whereas, if the focus is primarily improving farm management, then the feedstock mix and quality will be determined more by utilising the resources within the farm and the need to produce a digestate that best matches the farm need for fertiliser rather than just trying to maximise energy production."*
- 4.15.3 The overall contribution that community scale AD plants are considered to have potential for is constrained by three fundamental issues: ready availability of feedstock in the community; difficulties of the biogas collection with lack of potential for the utilisation of heat on site or nearby; and the likely cost of electricity grid connection and other infrastructure. The lack of ready availability of feedstock arises due to existing waste contracts for municipal waste, the lack of realistic likelihood of new developments in most parts of the Park restricts the potential to make local direct use of the heat, and the desire to see new grid connection infrastructure generally located underground to minimise its impact across the National Park will result in increased costs. There can be additional impacts on the National Park arising from the transportation of waste and the CO<sup>2</sup> emissions arising from the biogas.
- 4.15.4 The AD Development Toolkit produced by Sustainable Youlgrave (funded by the PDNPA & emda) in paragraph 4.5 provides a useful further analysis: *"A consumer for the energy from the biogas is clearly necessary, in whatever form is most suitable. On the assumption that the biogas is used for electricity generation, a suitable grid connection point needs to be available nearby too. If the nearest is more than a few hundred meters away, this could be uneconomical. Also, if the heat produced during generation cannot be used near to the location, financial returns will not be maximised and the AD would not really be considered a sustainable development."*
- 4.15.5 The inter-relationship between the issue of waste and the wider climate change agenda is clearly demonstrated by the locating of policies CC3 and CC4 in the Climate Change chapter and not in a more traditional Minerals and Waste chapter structure.

4.15.6 Other forms of waste treatment can also contribute to renewable energy production through energy recovery methods it is considered unnecessary therefore to specifically identify AD as a specific form of energy production. The priorities for the Peak Sub Area in relation to renewable energy production are set out in paragraph 3.3.91 of the East Midlands Regional Plan, it states: "*The Sub-area is mainly within or close to the Peak District National Park and large scale renewable generation will always be difficult to accommodate as a result. However there are many opportunities for small scale hydro and some opportunities for small wind generation. The Peak District National Park Authority has produced supplementary guidance to encourage appropriate renewable energy installations.*"

4.15.7 However, it is considered that it may be helpful to highlight the relationship between energy and waste where proposals for energy from waste schemes are proposed in general in policy CC3 (see suggested change 300.32).

**Policy CC4: Waste Management – on farm anaerobic digestion of agricultural manure and slurry**

**4.16 Is policy CC4 unreasonably restrictive and inflexible towards anaerobic digestion plants to be established at a farm scale, particularly with regards to the extent to which such plants can receive a waste stream in order to make them viable to operate and the flexibility on types and source of waste permitted by the policy?**

4.16.1 No – The policy is considered appropriate as written. This policy is designed to deal with agricultural manure and slurry as detailed under question 4.17 below, the National Park is under no obligation to provide waste facilities to meet the wider municipal or industrial and commercial arisings. Policy 38 of the East Midlands Regional Plan (CD C001) sets out no specific targets for the Core Strategy to meet in relation to waste provision. The regional policy identifies a clear role for the larger settlements outside of the National Park to meet the needs of the sub area. This is also the basis upon which the Municipal Waste Management Strategies have been developed as explained in the Waste Management Background Paper (CD D043) in paragraph 14. This then further addresses the cross-boundary LDF relationships in paragraph 17 of that Background Paper. The rationale for Policy CC4 is set out in paragraphs 35 to 48 in the Waste Management Background Paper.

4.16.2 The policy is not considered to be inflexible, the processing of other waste streams is considered inappropriate in the National Park given the specific exemption regional policy gives to the Park. Implementation and delivery of regional policy and the relevant Municipal Waste Management Strategies (CD D042) are not reliant upon the promotion of on-farm anaerobic digestion of mixed waste steams. The waste arena is dominated by large strategic facilities with long term existing contracts dictating the flow of the waste arisings. No evidence of clear demonstrable need for mixed waste AD plants in the National Park has been submitted. The Authority is also concerned that it would not be possible to put in place sufficient safeguards to stop the other waste streams coming from outside the National Park, given the

collection methods across the Waste Collection Authorities areas, which could result in treatment of waste within the Park that actually arose in the large number of urban areas which fringe the Park. This would be contrary to the principles of Policy 38 of the East Midlands Regional Plan.

- 4.16.3 A number of representors have questioned the financial viability of AD plants restricted to on-farm use based on slurry, manure and feedstocks from the farm only. The Authority does not accept these arguments which appear to be based only upon a single narrow project being developed. We have researched numerous studies whilst developing the policy CC4, some of those looked at are detailed below. The transport costs and impacts of importing waste streams to co-digest with farm waste would also seriously affect viability and raise wider sustainability concerns.
- 4.16.4 The National Farmers Union has set out an ambition for 1,000 on-farm AD plants by 2020, they have published details of a number of case studies, including an example of a farm scale AD plant in Hampshire that is designed to run on slurry from the dairy and leftovers from the arable side of the farm (CD G037). According to the Agri-Food and Biosciences Institute there are a large number of on-farm digesters, in Germany as an example there are over 2,500 on-farm digesters. In the UK there are only about 30 within the UK (source [www.afbini.gov.uk](http://www.afbini.gov.uk)), they conclude that the current economics of on-farm AD are favourable.
- 4.16.5 The Agri-Food and Biosciences Institute have also published a study regarding the operation of an on-farm AD plant running on cow slurry at ABFI Hillsborough. This demonstrates the potential for AD based purely on slurry, they are now looking at the improved performance that can arise from co-digestion with grass silage. They are assessing the potential of adding 3 tonnes of grass silage to 1 tonne of slurry which would as an example more than double biogas production to just using slurry alone (CD G038).
- 4.16.6 The Andersons Centre funded by DECC have undertaken a detailed economic assessment of AD technology and its suitability to the UK farming and waste systems (CD G039). This study looked at on-farm feedstocks including slurry, manure, vegetable wastes, silage, waste milk, grain, waste meal. It also identifies the potential issues with green waste which can have woody fragments within it that are detrimental to the AD process. This study concluded that AD plants run on slurry alone have been shown to be viable, although they are not always viable as the low yields from slurry keep the revenue down. The introduction of other on-farm feedstocks is a simple way of raising gas yields and viability. It may be more profitable to secure gate fees from taking other waste streams from third parties; however this makes the proposal a commercial waste operation which is not the intention of the policy. Such commercial projects are not considered to be an appropriate solution to addressing agricultural waste, they are a solution to addressing the wider issue of waste, but are then considered to be inappropriate to the National Park for the reasoning set out in Policy CC3, the text above and in the Waste Management Background Paper (CD 0043).

4.16.7 None of the representors have suggested suitable alternative wording based upon a solid evidence base, the changes suggested by representors would weaken the policy and remove safeguards that would prevent the importation of waste from beyond the local community, for example from commercial or municipal sources outside of the National Park. Many representors look at the issue of AD purely as a renewable energy proposal having no regard to its primary function as a waste treatment method. Policy CC4 is considered to be sound in its current form and is in general conformity with Policy 38 of the East Midlands Regional Plan (CD C001).

**4.17 Should the policy clarify that it also applies to community based anaerobic digestion plants?**

4.17.1 No further clarification is required, Policy CC4 is not intended to cover community based anaerobic plants, it is intended as a specific policy targeted at dealing with agricultural waste by a preferred method. This is intended to implement Priority Action 9 from the East Midlands Regional Waste Strategy (CD C002) which seeks to tackle agricultural waste and states:

*"Policy RWS 9 – Regional and local partners should work together to:*

- encourage agricultural premises to adopt sustainable waste management practice with regard to waste arisings and best agricultural practice in relation to any wastes treated or disposed of on farm."*

4.17.2 The policy is not intended to set out a framework for wider waste management proposals, those schemes would fall within the remit of Policy CC3, as confirmed in paragraph 11.40 of the Core Strategy which states: "The policy also addresses proposals for small scale anaerobic digestion (AD) plants dealing with a mixed stream and serving local communities..." Paragraph 11.44 introducing policy CC4 also re-confirms this policy position.

**Policy CC5: Flood risk and water conservation**

**4.18 In order to not repeat national planning policy contained in PPS25, should policy CC5 be made locally specific to the National Park? Alternatively, why is it necessary; should it be removed?**

4.18.1 Policy CC5 on flood risk and water conservation is necessary and is as a result of consultation with the Environment Agency. If it were to be omitted it would mean that there was no specific policy reference to this increasingly important policy area within Core Strategy. It is to be used as a basis for a more locally specific policy in a Development Management Policy Document and SPD.

## ***TOPIC PAPER 5 - Homes, Shops and Community Facilities***

### **MAIN MATTER 5**

#### **Policies HC1-HC6**

##### ***Homes, Shops and Community Facilities***

**ISSUE** - *Whether the policies and proposals of the Core Strategy, which seek to address the social needs of communities in the National Park are justified, effective and consistent with its purposes, and with national policy.*

#### **Questions**

##### **Chapter 12: Homes, shops and community services**

###### **General**

**5.1 With reference to the housing policies, what are the key pieces of evidence that underpin them? How complete is the coverage of published Parish Plans? What other plans will be relied upon to identify local need?**

5.1.1 The key pieces of evidence for the Core Strategy housing policies and evidence for each housing policy individually are listed in Appendix A to CD G013 and in the additional evidence submitted since (CDs G040 to G047 inclusive). Evidence was referred to at earlier stages to developing the strategy, particularly at Refined Options and Preferred Approaches (CD D006 page 132 to 158 and CD D007 pages 112 to 135). The answers to individual question in this topic paper expand on the evidence as need be.

5.1.2 Parish and Village Plans have been prepared in 33 of the 124 parishes that are wholly (84) or partly (40) within the National Park. These parishes contain 43% of the National Park's population and 26 of the 63 Settlements named in Core Strategy Policy DS1. Local concern about affordable housing was identified in 16 plans, but none surveyed or estimated need or suggested sites where it might be accommodated. Appendix 1 to this Topic Paper provides more detail.

5.1.3 Other current data related to local need. 54 parish surveys of need for affordable housing have been completed since 1991. These parishes contain **61.19%** of the National Park's population and **41** of the 63 Settlements named in Core Strategy Policy DS1. Appendix 1 to this Topic Paper provides more detail. However, since assessment of need (which takes into account personal circumstances and is affected by recent turn-over in existing stock) at this small scale varies significantly over time, these are only regarded as being up to date for a period of 5 years (see page 40 of supplementary planning guidance: CD D014). 18 of the surveys were current during 2010. Recently completed surveys have been compared with the findings of the wide area assessment of need in the Housing Needs Survey (CD E004) by apportioning the latter according to current population distribution (see question 5.7and Appendix 2 to this Topic Paper). This suggested that the findings are broadly compatible and that both approaches are valid when used for their intended purposes.

- 5.1.4 Commissioned population forecasts (CD E003) were used to consider broad population dynamics. The jointly commissioned Strategic Housing Market Assessment and Housing Needs Survey provided insights to housing market dynamics and an estimate of the need for affordable housing (CDs E006 and E004). Further implications for population context and affordable housing need were drawn out in topic papers (CDs D047 and E005).
- 5.1.5 The Housing Needs Survey (CD E004) covered High Peak and Derbyshire Dales Districts including the parts of those districts within the National Park (82.2% of residents<sup>3</sup>). The Housing Needs Survey (CD E004) covered High Peak and Derbyshire Dales Districts including the parts of those districts within the National Park (82.2% of residents<sup>4</sup>). Need in the Staffordshire Moorlands part of the National Park (10.3% of residents) has been estimated with the assistance of the district council's Head of Housing and agreed with him, based on the findings of a 2003 / 04 study across the entire Staffordshire Moorlands district.
- 5.1.6 Other authorities were not able to supply estimates of need for their respective parts of the National Park. However, bearing in mind the relative small numbers of homes in those areas it was considered acceptable to derive a broad estimate for each based on population size and comparison with the findings of the High Peak and Derbyshire Dales survey<sup>5</sup>.
- 5.1.7 Future data related to local need. When housing providers (public or private) bring forward proposals for new affordable homes, they need to be justified by evidence of need in accordance with the requirements of adopted supplementary planning guidance (Chapter 4 of CD D014). The surveys carried out provide the most accurate ongoing "real time" assessments of local need at this scale. They are often carried out with the assistance of a Rural Housing Enabler - a post jointly funded by High Peak and Derbyshire Dales Districts and the National Park Authority and hosted by Derbyshire Dales.
- 5.1.8 Joint work with housing authorities, housing providers and the Homes and Communities Agency (under the umbrella of "Single Conversations" and "Local Investment Plans") will revise and implement wider area programmes on the basis of the most recent needs assessments, the rapidly developing "real-time" information gleaned from housing authority choice-based lettings systems, the proposed Housing Authority Tenancy Strategies and the proposed resource calculations and bids (to the Homes and Communities Agency) of the housing providers. This ongoing work will feed into periodic formal review of Spatial Plans and their evidence base. Arrangements for population forecasting (across the entire National Park) are currently being discussed with Derbyshire County Council as part of a wider sub-regional system for Derbyshire and Nottinghamshire. The timescales for revision of

<sup>3</sup> Annual Monitoring Report 2008/09

<sup>4</sup> Annual Monitoring Report 2008/09

<sup>5</sup> The constituent authorities were asked to comment on this approach. Sheffield and Oldham (containing 2.9% of residents) accepted its pragmatism. Others did not respond (Cheshire East, Kirklees, Barnsley, & N.E. Derbyshire: containing 4.7% of residents in total)

jointly commissioned local evidence need to be coordinated with the (recently delayed) spatial plan programme for High Peak and Derbyshire Dales in particular.

**5.2 What national policy is relied upon to justify the severe restriction of new open market housing development?**

5.2.1 The need to limit all forms of development including open market housing is justified in order put into effect:

1. Statutory national park purposes set out in the Environment Act 1995 Section 61 (CD B005) and the Government's statement that this is the main purpose of National Park Authorities in the context of sustainable development (paragraph 28 of the 2010 Vision and Circular for English National Parks and the Broads (CD B011)).
2. Government Policy in paragraph 21 of PPS 7 (CDB032): giving National Parks the highest status of protection in relation to landscape and scenic beauty in which the only specific reference to housing is to identified local needs.
3. The emphasis placed on affordable housing and local need in paragraphs 1(ii), 2, 8 and 9 of PPS 7 (CDB032).
4. The emphasis placed on affordable housing and local need together with recognition that national parks are not suitable locations for unrestricted housing or the imposition of housing targets in paragraphs 67, 76 to 79 of the Vision and Circular (CD B011).

5.2.2 The degree of restriction has local origins in the earlier Structure Plan process (see CD D001: in particular paragraphs 4.20 to 4.27 and, for context, CD G040 pages 22 and 23). It seeks to maintain a long term stability of approach and public expectation towards housing development in a designated landscape that is relatively close to several major urban areas (see Question 5.5). At the time of writing this Topic Paper (and during the development of the Core strategy) the East Midlands Regional Plan (CD C001) forms part of the statutory Development Plan, published by the Secretary of State and so provides a regional interpretation of national policy with which the Core Strategy generally conforms (see CD G018) . Regional Plan Policies 8 and 13a (with paragraph 3.1.6: Peak Sub-area/Peak, Dales and Park HMA) maintain the basis for a restrictive approach for the National Park, in effect continuing that of the Structure Plan. The findings of the Examination in Public of the Regional Plan also provide useful context for this (CD G041, in particular paragraphs 18.18 to 18.21).

5.2.3 The response to Question 5.14 is closely related to this.

**5.3 From what evidence are the figures given in paragraph 12.17 derived?**

5.3.1 The figures in paragraph 12.17 are a best fit summary (simplification) of the figures in paragraph 10.1 of the Core Strategy Delivery Plan: itself a best fit

summary (simplification) of Delivery Plan Appendix E. Appendix E is based on previously unpublished analysis by the National Park Authority that brings together:

1. estimates of local need for affordable housing (see Question 5.1)
  2. advice from housing authorities about the best estimate of delivery taking into account discussions with the Homes and Communities Agency and housing providers . These conversations and the ability to revise estimates continue in the form of Local Investment Plan management group meetings (Homes and Communities Agency, High Peak and Derbyshire Dales Districts Councils and PDNPA officers).
  3. housing completions data (CDs D008, D009, D010, D011, D012 and D39)
  4. unpublished National Park Authority estimates of new homes justified primarily via the need for enhancement: including both significant known sites that are likely to include housing and (taking into account past trends) open market homes via individual enhancements such as the change of use of a barn
  5. unpublished National Park Authority estimates (taking into account past trends) of new agricultural, forestry and other key worker housing
- 5.3.2 The split between named settlements and countryside outside settlements is an estimate based on the implications of policy (steering development to named settlements), knowledge of indicative sites in the Strategic Housing Land Availability Assessment (CD E007 and CD E008), and assumptions about change of use of barns and rural worker housing.

#### **5.4 How do they link with/complement the housing policies, particularly for the provision of affordable housing, of adjoining Councils?**

- 5.4.1 Strategic interrelationships including those for housing are described in the East Midlands Regional Plan (CD C001) 2.4.26 to 2.4.30, 3.1.1 to 3.1.6 (sub-paragraph "Peak Sub-area/Peak, Dales and Park HMA") and footnote 4 of Policy13a (together with the italics that follow; although not the aspect of urban concentration). They are also considered in the Housing Market Assessment (CD E006) particularly in Chapters 1, 7, 9 and 10.
- 5.4.2 Essentially, the National Park Core Strategy aims to accommodate as much as possible of the need for affordable housing that arises within the National Park without compromising national park purposes or causing harm to valued characteristics. It does not provide for people that wish to move into the National Park (whether from adjacent authority areas or further afield) by permitting the development of newly built homes for that purpose. Nevertheless some of the new homes justified by the need to enhance the National Park (whether new build or change of use) are likely to be open market properties. In addition movement within the existing stock of unrestricted homes will not be affected.
- 5.4.3 To summarise relationships between housing in the National Park and adjoining councils in a numerical manner is difficult because Core Strategies for those parts outside the National Park of the 3 districts that contain the

majority of National Park settlements (Derbyshire Dales, High Peak and Staffordshire Moorlands) have not yet made clear their proposals for housing and because the future of Regional Policy remains uncertain. Nevertheless, at the moment, the East Midlands Regional Plan remains part of the Development Plan and the submitted Core Strategy for the National Park conforms to the sub-regional housing market area and interregional relationships expressed in it (see statement of conformity: CD G018). That housing which is provided in the National Park is able to be deducted from district apportionments under the East Midlands Regional Plan (CD C001 page 43: Policy 13a footnote 4).

- 5.4.4 As Delivery Plan paragraph 10.3 indicates, in the mid to longer term, the proposed local capacity assessments (see Question 5.8) will determine how far the locally arising need for newly built affordable housing can be successfully accommodated within National Park itself. If capacity is insufficient, adjacent authorities will need to take their duties under Section 62 of the Environment Act 1995 (CD B005) into account when considering how their strategies for nearby market towns may be able to assist. This is currently emphasised in the East Midlands Regional Plan (CD C001, paragraph 2.4.27 with Policy 8<sup>6</sup>, Policy 13a: final italics and paragraph 3.1.24 with Policy 17). It will in future form part of discussions between the National Park Authority and neighbouring authorities under the duty to cooperate and arrangement for strategic consideration anticipated as part of the outcome of the Localism Bill.
- 5.4.5 In contrast, the Regional Plan also made it clear that there is no expectation on adjacent authorities in the Peak sub-area to meet that element of demand for open-market housing that might be generated by it not having been satisfied within the National Park itself (paragraph 2.4.29).

**5.5 With reference to policy HC1, does this carry forward the existing policy contained in the adopted Local Plan? What are the differences? How well has the current policy been operating?**

- 5.5.1 Policy HC1 is intended to be read in conjunction with the detailed criteria set out in existing policy in the Local Plan Policies LH1 to LH6 (pages 61 to 65 of CD D002) and developed in more detail in Supplementary Planning Guidance (CD D014) until such time as that level of detail is replaced by Development Management and/or Supplementary Planning Documents. In that sense they are carried forward without change.
- 5.5.2 Policy HC1 carries forward the strategic principles that those policies are based on (originally set out in the Structure Plan: CD D001 pages 40 to 44) with the following differences:
1. Recognition that the overall population total is an outcome of policy rather than a driver (CD D047 and CD D007 paragraph 10.14 and 10.16)

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<sup>6</sup> The Panel Report on the Examination in Public helps to illuminate this point (CD G041 paragraphs 18.7 to 18.11)

2. a clearer link between consideration of the need for new aged person' assisted accommodation and the ability of existing housing stock to meet that need.
3. a commitment to sufficient flexibility regarding local residency qualifications in residential care institutions to enable short term business needs to be taken into account.
4. where a development of new homes is justified by enhancement and involves the provision of more than one dwelling, it will be required (subject to consideration of financial viability) to maximise the degree to which it addresses local need and remains affordable or provides a financial contribution towards affordable housing needed elsewhere.

5.5.3 As shown in Monitoring Reports (see CD D39 and sections on housing plus the conclusions in CDs D008, D009, D010, D011, and D012) the current policy has operated without insurmountable difficulty related to strategy or implementation details. Incremental changes addressing implementation details have been made via amendment to Supplementary Guidance (see for example paragraphs 5.5 and 12.2 of CD D014).

5.5.4 Core Strategy paragraphs 12.7 and 12.8 summarise the nature and scale of housing delivery since 1991. Annual Monitoring Reports give further detail about different types of housing in relation to Structure Plan estimates / assumptions and show that the National Park's population has remained at around 38,000 (CD D012 Appendix 3). In general terms the existing policy has resulted in more open-market housing than anticipated. It has facilitated development proposed by social housing providers and not prevented them from meeting their local programmes for affordable housing. It has enabled some "more affordable" homes (for definition see CD D014 page 7 paragraph 1.6) to be developed by individuals. It was initially scrutinised in a jointly commissioned report at the request of Government and this did not find policy as opposed to delivery to be a major block to affordable housing in the National Park (CD E051 paragraph 18.30). The National Park Authority's subsequent, iteratively refined approach and use of exception sites was regarded as being particularly successful in the more recent Housing Market Assessment (CD E006 para 10.79, pages 175 and 176). It was awarded a Commendation at the Royal Town Planning Institute Awards: 2005 (CD G042) By then, secured affordable homes had been developed in parishes across a wide spread of the National Park. Appendix 3 to this Topic Paper illustrates this, together with those parishes in which affordable homes have been developed since: some parishes benefitting from a second round of development. The relevance of the Authority's approach was also recognised with 3 separate entries( Use of Section 106 / Community Engagement / Design Added value) in the 2007 Rural Affordable Housing Good Practice Guide published by the East Midlands Rural Affairs Forum (CD G043 Chapters 2,5 and 6) Substantial reliance on newly developed homes has, nevertheless, eaten into the remaining capacity for development in a protected landscape (see Question 5.8).

**5.6 What alternative forms of policy HC1 have been considered? Why were these rejected?**

5.6.1 Suggested changes 100.25 / 26 / 27 / 28 / and 29 help improve the clarity of Policy HC1. They are not intended to alter the format of the policy, which has been developed to bring together firmly several matters that were considered separately at earlier stages in plan preparation. The options for each and the reasons for choosing a preferred approach are set out in CDs D006 and D007. Paragraphs 10.9 and 10.22 of CD D007 make it clear that only one realistic option was identified for the overall strategic role of the National Park in housing provision. Paragraphs 10.19 and 10.20 show general support for this.

5.6.2 The content of the Preferred Approaches Document (CD D007 pages 114 to 135) dealt separately with:

1. Reasons for new housing in the National Park (HC1)
2. The scale of housing delivery (HC2)
3. Achieving (methods of providing) affordable housing for local needs (HC3)
4. Size Type and tenure of newly provided housing for different groups in the community (HC4): this included gypsy, traveller and showmen's caravan sites.
5. Housing for key workers (HC4b)
6. Increasing the proportion of affordable housing in enhancement schemes (HC5)
7. The approach to identifying housing sites (HC6)
8. Where to buy existing stock for use as affordable housing

5.6.3 Whilst the degree of detail and discussion helped to make the preferred approaches clear, it did not provide the most concise expression of policies that would achieve them. The final submitted plan merges elements from all the above into one policy, with the exception of policies for buying existing stock and for gypsy, traveller and showmen's caravan sites. This significantly reduces the need for repetition (in both policy and explanatory text).

**5.7 A summary of the overall need for affordable housing within the National Park, which includes provision for backlog and newly arising need, broken down on a Parish basis is required.**

5.7.1 The National Park Authority disagrees with this statement.

5.7.2 It is not practicable and would be potentially misleading. Reliable, up to date information is not available at this small area scale. There are 124 parishes in the National Park. Only 18 of the 54 parish need surveys carried out to date are "current" (see Question 5.1). The joint Housing Needs Survey (CD E004) takes into account both backlog and newly arising need for the 2 districts which contain the majority of population and housing needs. However, it does not break findings down to the parish level. Chapter 2 describes the methodology and the parish groupings (pages 12

and 13) used to provide reliable sample rates. Table 2.5 (page 18) shows that the survey findings for the National Park are based on responses from 21 parishes. An attempted break-down to parish level can only be provided by assuming an even distribution of need estimated for a wider area in line with population distribution and apportioning accordingly.

5.7.3 The National Park Authority therefore considers that for Core Strategy purposes, need is best estimated at the Spatial Area and District Council scales (see Questions 5.1 and 5.3). Reliance on a forward looking breakdown of the strategic estimate to the parish level is less useful than updates at the time that investment is available and projects are real because:

1. The methods of assessing need for affordable housing (see Question 5.1) do not provide accurate information for every parish in the National Park.
2. As the size of the area that is being looked at decreases, the more likely it is that any estimate of need will vary over a relatively short time. For that reason, Supplementary Planning Guidance asks that local surveys should be within 5 years of a proposed scheme in order to carry weight in planning decisions (CD D014: Appendix 11).

5.7.4 Nevertheless, a crude break-down of this type was used as a broad brush reference in the Authority's preparation of the Core Strategy (see Question 5.1) enabling the results of current surveys at parish level to be compared with estimates derived from the strategic picture. Appendix 2 to this Topic Paper provides this information for the settlements named in Core strategy Policy DS1. The need estimated or inferred in this way covers the 70% of the National Park's population that live in these settlements. Need generated by the remaining 30% (outside of these settlements) will be directed towards them (see Local Plan Policies LH1 and 2: CD D002 pages 61 and 62) and is also shown in Appendix 2.

5.7.5 Inclusion of this level of detail in the published Core Strategy is questionable and potentially misleading, particular given the developed practice of placing weight on up to date local survey. The smaller the settlement that is being dealt with via a disaggregation of wide-area analysis, the greater becomes the likely scale of error and uncertainty.

**5.8 To what extent will identified capacity and site availability in the named settlements have the potential to meet the identified local need, both numerically and geographically? In other words, will the development strategy set out in policy DS1 have the potential to meet local affordable housing needs within the National Park, where it is needed, in the amount that it is needed and when it is needed?**

5.8.1 Core Strategy paragraph 12.15 points out that it is not the aim of policy to meet all identified need, irrespective of potential harm to national park purposes. Quantifying the extent to which need will be met in the context of policy DS1 lacks certainty because of the difficulties in apportioning estimated need (see question 5.7) together with the indicative nature of the Strategic Housing Land Availability Assessment (SHLAA : CDs E007 and

E008). The SHLAA has, nevertheless, served the purpose of sounding a warning bell that has resulted in the Core Strategy proposals for:

1. more careful and locally participative capacity assessments (Core Strategy paragraphs 5.21 and 5.22 and Policy DS1) and
2. encouragement of buying existing homes to add to the stock of affordable housing (Core Strategy paragraphs 12.23 to 12.25 and Policy HC3).

5.8.2 Delivery Plan paragraph 10.3 also points out that estimated need and indicative capacity are not evenly spread. In the National Park Authority's opinion a detailed numerical comparison for each settlement named in Policy DS1 is potentially misleading because of the reasons stated above and given the developed practice of placing weight on up to date local surveys of need. For this reason the Delivery Plan adopts a more generalised approach in paragraph 10.3, pointing out that capacity indicated in the SHLAA is not always sufficient to meet identified need, particularly after 2014 and in the South West Peak. Below district or landscape area levels, it may well not be possible to meet need in the settlement in which it arises. At the strategic scale the tables in delivery plan Appendix E show that for the plan period as a whole:

On a district basis (for the 3 districts with most population and housing issues at a strategic level):

1. in High Peak overall indicative capacity exceeds estimated need for affordable housing by 17%
2. in Derbyshire Dales overall indicative capacity comfortably exceeds estimated need for affordable housing
3. in Staffordshire Moorlands overall indicative capacity is only sufficient to meet half the estimated need for affordable housing

On a Spatial Area basis:

1. in the Dark Peak and Moorland Fringes overall indicative capacity is sufficient to meet almost 90% of the estimated need for affordable housing
2. in the White Peak and Derwent Valley overall indicative capacity comfortably exceeds estimated need for affordable housing
3. in the South West Peak overall indicative capacity is only sufficient to meet half the estimated need for affordable housing

5.8.3 In a similar manner to its consideration of affordable housing need, and despite the uncertainties involved, the National Park Authority has used the current comparison of inferred need and indicative capacity for contextual information about those places listed in Core strategy Policy DS1. Appendix 2 to this Topic Paper sets this out for DS1 settlements (to set out a comparison for smaller places would be even more prone to error and in any event contrary to the intent of spatial policy). Appendix 2 shows wide variations in indicative capacity. It takes into account the proportion of need generated in parts of the National Park outside these settlements, as inferred by distributing the findings of the Housing Need Survey (CD E004) in line

with population distribution. Comparison between the 2 final columns showing capacity, demonstrates the potential impact of trying to accommodate this, shifting more settlements into the group with insufficient indicative capacity. Overall, the table indicates capacity to meet about 75% of park-wide need, although an allowance for some of the SHLAA sites to be used for open market housing this would reduce this to about 60% (see Delivery Plan Appendix E footnote 15). However, mindful of the problems indicated by this comparison, the National Park Authority has not accepted the outcome of assessments at this strategic scale (of either need or capacity) as indicating a definitive answer on a place by place basis. The comments on capacity in the Settlement Matrix at Appendix 2 of the Core Strategy reflect this (for example that for Hathersage suggests that more capacity is likely than indicated in Appendix 2 to this Topic Paper – based in part on more recent detailed work by the National Park Authority and the Rural Housing Enabler). This emphasises the importance of putting in place a more detailed and consultative place based process (see Core Strategy paragraph 5.22 and Policy DS1 together with Delivery Plan paragraphs 5.4, 5.5 and 5.6).

- 5.8.4 In practice, the mid to longer term potential of the development strategy will become clearer as further work on capacity is completed. There may be some instances where the changing detail of need identified by the housing authorities, social providers and parish surveys (see Question 5.1) cannot be satisfied in full exactly where it arises, but has to be accommodated in nearby settlements (perhaps not within the National Park: see Question 5.4). Given the uncertainty about capacity in some places, Core strategy policies HC1 and DS1 provide a park-wide pragmatic basis to continue making as much provision as possible for housing without compromising national park purposes (also discussed in Main Matter 1) and in a manner that should be compatible with the new delivery systems that are being developed by the Homes and Communities Agency.
- 5.9 **For compliance with paragraph 30 of PPS3, the CS should also specify clear targets for delivery of affordable housing to meet the identified needs. Additional supporting text should be suggested to meet this requirement.**
- .9.1 The National Park Authority disagrees with this statement. Its reasons are as follows:
- 5.9.2 PPS3 paragraph 30 discusses targets for affordable housing in the same paragraph as it discusses site allocations. In the view of the National Park Authority this is perfectly understandable since the use of a target would lead inevitably to the use of site allocations in order to ensure its delivery. The sentence that discusses targets is not, however, limited to situations where sites are intended entirely for affordable housing and the following sentences include circumstances where the allocation of such sites might not be viable and practical. That is the case in the Peak District National Park.

5.9.3 Setting targets in the Core Strategy would not be compatible with the continuance of established policy (accepted by Government as being appropriate for the National Park):

1. Circumstances in and around the Peak district National Park are not considered to have changed sufficiently, since the 1994 Structure Plan was adopted, to move away from the absence of housing targets established then (CD D001 page 44 paragraph 4.31). The Authority's responses to Questions 5.2, 5.4, 5.5 and 5.14 provide context on this point. Continuation of the Structure Plan approach is supported by the absence of an imposed target (for either general or affordable housing) in the Regional Plan ((CD C001 pages 42 and 43: Policy 13a) and the statement of general conformity with that Plan (CD G018). The matter was specifically debated in the examination stage of the Regional Plan (see Panel Report: CD G041 paragraphs 18.16 to 18.22) and Government accepted the panel's recommendation to remove a "notional" target that had been suggested by the Government Office (CD E006 page 10, paragraph 1.58 and footnote 2 refer to this).
2. The absence of both targets and site allocations facilitate the Core Strategy's use (other than for housing justified primarily by enhancement rather than housing market response) of the "rural exception" approach as a main plank of housing delivery. Setting out clear targets in the Core Strategy would then require site allocation to ensure delivery, contrary to the preferred option. The option of allocating sites was considered and rejected at earlier stages in the development of the core strategy (see Preferred Approaches: CD D007 pages 132 and 133 with its reference in paragraph 10.92 to Refined Options: CD D006 pages 152 to 155, including the risks described in Option H61). The Statement of Consultation recorded support for this approach in responses to the Refined Options consultation (CD A005 page 37).

5.9.4 Circumstances specific to the National Park, therefore, justify Core Strategy paragraph 12.17 in carrying forward a successful approach to delivery (see Question 5.5): setting out estimates rather than targets. This still enables monitoring and has been accepted for use annually in statistical returns to the East Midlands Regional Plan Annual Monitoring Report, notwithstanding paragraph 30 of PPS3.

**5.10 To what extent is delivery of affordable housing in the National Park reliant upon public subsidy? What are the proportions of affordable housing that have historically been provided privately and through Registered Social landlords?**

5.10.1 Delivery of affordable housing in the National Park has relied significantly on public subsidy. Rates vary from year to year, but between 1991/92 and 2009/10 (inclusive) 66% of affordable housing was provided by registered social landlords (Annual Housing Report: CD D039 – updated). The amount of public subsidy used may vary considerably from scheme to scheme: details are not available. It is assumed here, however, that these schemes relied on public subsidy to the degree that they would not have been viable otherwise.

5.10.2 Question 5.15 considers future provision.

**5.11 Read together, would policies DS1 and HC1 prevent those who live outside the 63 listed settlements or a neighbouring settlement from building an affordable home on an already owned plot, whether inside or outside a settlement? If so, is this the intention of these policies? If not how would this apparent restriction be circumvented?**

5.11.1 Read together, policies DS1 and HC1 intentionally prevent development of a newly built affordable home on any plot that is not in or on the edge of one of the settlements listed in Policy DS1. This is one of the means by which new development is steered into the most appropriate locations in order to secure national park purposes. However, the two policies HC1 do not prevent the provision of affordable homes via changes of use of existing buildings, wherever their location (other than in the Natural Zone).

#### **Policy HC1: New housing**

**5.12 The meaning of the first sentence of policy HC1 is unclear as no allocations are to be made for affordable housing rural exception sites either?**

5.12.1 Suggested change 100.28 is relevant to this Question.

5.12.2 In the opinion of the National Park Authority the first sentence and the remainder of the paragraph as amended are clear. The first sentence clearly refers only to open market housing. The second sentence encompasses all housing. However, provision is then made by specifying exceptional circumstances in which housing will be acceptable. This does not require sites to be allocated.

**5.13 With reference to part A of the policy, what evidence will be used to assess local need? Whose responsibility will it be to provide such evidence?**

5.13.1 Once adopted, the Core Strategy will be read alongside the Local Plan (CD D002) and Supplementary Planning Guidance (SPG) which adds detail to it ("Meeting the local need for affordable housing in the Peak District National Park": CD D014).

5.13.2 SPG Chapter 4 and procedural guidance in SPG Appendix 11 deal with the question of assessing need in detail, referring to the roles of the Rural Housing Enabler, the relevant district or unitary authority (the housing authority), and housing associations in larger schemes, and to the different circumstances surrounding individual need (the latter being accepted as a proxy for community need that cannot be accurately measured when dealing with small schemes of one or 2 homes).

**5.14 Is the embargo of the policy on open market housing consistent with national policy? If not, what is the local justification for this approach?**

5.14.1 Policy HC1 C does not place an embargo on all open market housing. It specifies circumstances in which open market housing can be useful and permissible where needed to achieve conservation and/or enhancement including the possibility of larger schemes (see for example Delivery Plan paragraph 10.4) where commuted sums might enable provision of affordable homes elsewhere in the National Park.

5.14.2 The discussion under Questions 5.2 and 5.15 refer to national and regional policies that justify this approach and with which the core strategy is consistent. National planning policy for housing (PPS3: CD B028) does not specifically require National Parks to adopt policy that encourages more open market housing.

5.14.3 Additional local circumstances that justify the approach can be summarised as follows<sup>7</sup> :

1. The long term relationship between the Peak District National Park and surrounding urban areas, with a degree of external pressure to move into housing in the Park's attractive environment (from both commuters and retirees) that is potentially insatiable.
2. The need to limit rates of development in a protected landscape.
3. The limited impact on house prices that an expanded open market in newly built homes would have unless that expansion was on a scale that would be incompatible with national Park purposes.
4. The existence of an open market via turn over in the existing stock of unrestricted housing: adding to choice by meeting some of the demand from those who can afford to enter it.
5. The inability to ensure that newly built open market housing (including that at the smaller and cheaper end of the scale) will help to meet local needs rather than the demands of incomers and second home-owners.
6. Compatibility with regeneration of surrounding urban areas by helping to direct investment towards them.
7. The indicated shortage of sites for newly built housing (see Question 5.8) which means that over the medium to long term permitting open market homes on them could reduce the number of affordable homes that can be accommodated without compromising national park purposes.

5.14.4 There have been mixed views as to whether more open market housing is appropriate throughout the various pre-submission stages of developing the Core Strategy. These are summarised on pages 22/23, 31, 37/38 and 43 of the Statement of Consultation (CD A005) together with the responses of the National Park Authority including recognition of the role of open market housing in small change of use / enhancement schemes (page 43).

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<sup>7</sup> These points are reflected in the discussion and analysis of the Strategic Housing Market Assessment (CD E006 particularly sections 3,5 and 10). Points 1 to 5 also formed the basis of strategy agreed in the 1994 Structure Plan (CD D001 pages 40 to 44).

**5.15 Following recent government announcements on spending cuts, it is possible that public funds for affordable housing will be reduced or made unavailable during the plan period. Since policy HC1 permits only very limited open market housing, little private subsidy will be available. Does the policy include sufficient flexibility/contingency to allow for alternative options for delivery of affordable housing? Is it sufficiently proactive?**

5.15.1 For the near to medium future, it is likely that the rates of delivery of affordable housing by registered social landlords will depend largely on the outcome of bids to the Homes and Communities Agency (HCA) that are currently in hand. These will take into account the anticipated Tenancy Strategies to be produced by each housing authority and expectations of individual providers about their use of the new "affordable rent" system. The availability of grant aid will be subject to discussion in the context of Local Investment Plans (stemming from work on Single Conversations: see Delivery Plan paragraphs 10.5) and to decisions by the HCA which will be able to take into account the varying context (including policy) around delivery in different areas.

5.15.2 Although it seems very unlikely that government housing subsidy will be as freely available within the National Park as in the past decade or so, the outcome of this process and the ability of the HCA to assist with regard to provision in National Parks (bearing in mind its duty under Section 62(2) of the Environment Act 1995 (CD B005)) remains uncertain. Similarly, it is unclear whether the longer term outlook for delivery might even improve as providers become more familiar with new financial models that the Homes and Communities Agency is promoting.

#### 5.15.3

1. In this context, Policy HC1, (together Policy HC3, afford some flexibility in provision of affordable housing in changing circumstances by:
2. enabling developers to bring forward larger schemes justified primarily by conservation and enhancement.
3. not requiring the involvement of a social housing provider as an inalienable strategy requirement at this stage. This provides flexibility as appropriate via the future review of development management policy – currently in Supplementary Planning Guidance (CD D014 Chapter 3, page10)

5.15.4 Additional strategic flexibility is provided by the close interrelationships between the National Park and surrounding areas and the duty of adjacent local authorities to have regard to national park purposes referred to in Question 5.4.

5.15.5 Working in a climate of restricted public subsidy for rural affordable housing is not new and has led to the recognition that special approaches may be necessary in protected landscapes (see East Midlands Regional Plan CD C001, paragraph 3.1.2). Inevitably, national considerations and local circumstances limit the degree of flexibility in housing provision that might be achieved without significant impact on the ability of the Core Strategy to

deliver statutory national park purposes. In this context the National Park Authority considers that Policy HC1 is sufficiently proactive, particularly given the close working relationships now in place to help implementation (see Delivery Plan paragraphs 10.5 to 10.7 and Questions 5.1 and 5.13). Opportunities for enhancement continue to allow for some open market homes and for funding of affordable housing via section 106 in appropriate circumstances as projects are identified. Moreover, where particular and perhaps innovative, schemes are being considered, policy remains the correct starting point for decision makers, and might (if justified) be varied following consideration of all the pertinent circumstances.

5.15.6 If suggestions that additional flexibility is required are in fact arguing for a less restrictive policy approach, they need to be considered against the national and local policy context referred to in Question 5.2 in particular. One such form of additional flexibility that has been suggested is to allow more newly built open market housing, including as a means to help fund affordable homes, bearing in mind the approach already established in the Structure Plan. Although this was not put forward as a realistic option at earlier stages in developing the core strategy, it was debated at the East Midlands Regional Plan Examination in Public and rejected in the Panel Report (CD G041 paragraph 18.20 – see also the response to Questions 5.2 and 5.14). Point 7 in the response to Question 5.14 also illustrates that although it might provide a short term funding benefit, it is likely to reduce the number of newly built affordable homes that might eventually be provided in the National Park. In addition, the value of such an approach within the National Park is likely to have been reduced by the recently announced presumption against HCA subsidy for any affordable home ownership schemes (including shared equity) that by finances generated from open market housing (CD G045 paragraphs 4.6 and 4.9).

**5.16 Should the policy be amended to allow, in principle, conversion of holiday homes to affordable homes?**

5.16.1 Suggested changes 100.26 and 100.28 (made to clarify the policy intent) assist in relation to this Question. The policy does not need further amendment since it is now clear that it allows in principle for the conversion or re-use of an existing building (which might be a holiday home) to an affordable home if it is in a suitable location so as not to harm valued characteristics of the national park and of a suitable size and type. Considerations about potential harm and appropriate size and type would take into account other policies in the Core Strategy and Local Plan (CD D002).

**5.17 What is the justification for part C V of the policy? Does it satisfy the tests of Circular 05/2005?**

5.17.1 Suggested change 100.27 provides a justification for part CV of Policy HC1. However, it erroneously refers to part C (iii) rather than C (V), as does suggested change 100.54 which deals with a related matter in the Delivery

Plan. Further suggested changes 300.34 and 300.48 are now put forward to correct this.

5.17.2 The Authority considers that part CV of Policy HC1 (as modified by suggested change 100.29 and in the context provided by text put forward in suggested changes 100.27 and 300.34) satisfies the tests of circular 05/2005 (CD B010), read together with S122 of the Community Infrastructure Levy Regulations 2010 (CD G044). The National Park Authority's conclusions in this respect can be summarised as follows.

5.17.3 S122 (2) of the Community Infrastructure Levy Regulations 2010 provides that: "A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development, and
- (c) fairly and reasonably related in scale and kind to the development."

**(a) Necessary to make the development acceptable in planning terms.**

1 Circular 05/2005 indicates at B8 that;

- 1. this means that the agreement has to be required in order to bring a development in line with the objectives of sustainable development as articulated through the relevant local, regional or national planning policies.
- 2. development plan policies are a crucial pre-determinant to seeking planning obligations since they set out the matters which are agreed to be essential in order for development to proceed.

2 In this case, the Core strategy includes affordable housing as an essential element of sustainable development in the National Park and the use of commuted sums is a reasonable way of bringing it about.

**b) Directly related to the development**

1 Circular 05/2005 para B8 states that obligations must be so directly related to proposed developments that the development ought not to be permitted without them - for example, there should be a functional or geographical link between the development and the item being provided as part of the developer's contribution.

2 A planning authority administrative area (in this case the National Park) is commonly taken as a relevant geographic area for the consideration of strategic housing need and delivery. The Circular (at B14) states that in some circumstances, which should be specified in the LDF, provision of affordable housing on another site or a financial contribution may be more appropriate (it refers here to advice in PPG3). PPS3 (CD B028) replaces PPG3 and paragraph 29 of PPS3 states that: where it can be robustly justified, off-site provision or a financial contribution in lieu of on-site provision (of broadly equivalent value) may

be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area.

3 Suggested change 100.29 links the spatial consideration of need more clearly to implementation of existing policy in Local Plan policies LH1 and LH2 (CD D002 pages 61 and 62) and Supplementary Planning Guidance (D014 page11 paragraph 4.5) Further detail about the mechanics appropriate to the implementation of this strategic policy can best be set out in supplementary planning documents (see Circular 05/2005: B17).

**(c) Fairly and reasonably related in scale and kind to the development**

1 Whether the obligation is fairly and reasonably related in scale and kind to the proposed development will to a large extent depend on how much is intended to be charged. The absence of this detail in the core strategy does not negate the principle or the benefit of clarifying it as part of policy. Circular 05/2005 (B14) and PPS3 page 11 paragraph 29 show that financial contributions are in principle appropriate for affordable housing. Further detail is more appropriate to supplementary planning documents (see Circular 05/2005: B17 and B26).

**Policy HC2: Housing for key workers in agriculture, forestry or other rural enterprises**

**5.18 Why is policy HC2 necessary? How does it add to national policy?**

5.18.1 Key workers in agriculture, forestry or other rural enterprises are important contributors to activities with a direct role in the maintenance and appearance of landscapes. This has been recognised in consultation responses during the development of the Core strategy (see Statement of Consultation pages 23 and 44 – CD A005).

5.18.2 Government's definition of Key workers in PPS3 (CD B028) does not specifically include these particular groups. Policy HC2 and its supporting text make it clear that in the National Park they are considered to be key workers. Core Strategy paragraph 12.21 (second sentence) points out that the needs of other key workers are included within the general assessment of need for affordable housing. Although PPS7 Annex A sets out relevant criteria, it does not make clear reference to the re-use of traditional buildings, or to the need to tie housing to the land holding or rural enterprise in the way that Policy HC2 does.

5.18.3 The adopted Local Plan (CD D002) contains a policy with some elements that are not contained in PPS7 (CD B032 Annex A: clauses iv, v, vi, viii). These will be reviewed and possibly retained in a future development management document. It is considered that in the interests of policy continuity, Core Policy HC2 in conjunction with PPS7 will provide a better basis for any future development management policy than PPS7 alone, particularly given that the Government's intended review of PPS's into a single framework might not carry forward the current level of detail.

**Policy HC3: Buying existing homes to add to the affordable housing stock**

**5.19 Buying existing homes to add to the affordable housing stock is likely to be only a very short term solution. In any case, would it be counter productive, since any removal of smaller, less expensive market priced housing from the open market could reduce people's opportunities to get onto the open market housing ladder?**

- 5.19.1 As stated in Core strategy paragraph 12.24 and Delivery Plan 10.5 this is a mid to long term rather than short term solution, requiring further consideration in order to bring it forward in a phased manner. It is something to be moved towards as a potential method by which the proportion of affordable homes might be increased without using undeveloped land. If the capacity studies outlined in response to Question 5.8 show that there is insufficient suitable land on which to accommodate indicated need for affordable housing, it will be necessary (if national park purposes are not to be compromised) to move towards this innovative solution as well as consider the degree to which need can be met in nearby market towns outside the National Park (see Question 5.4). Further work needed to clarify the potential for its implementation (including consideration of any new opportunities that may be possible via new "Affordable Rent" system: see CD G045 pages 15 to 19) is supported by the Homes and Communities Agency and Peak District Rural Housing Association (see CD G046).
- 5.19.2 Long term retention in the affordable sector will be the responsibility of the Housing Providers and the Homes and Communities Agency. It may be necessary for them to draw up a legal framework to ensure this.
- 5.19.3 The concern about competition for the smaller, less expensive market priced housing is a matter that can be given further more detailed consideration by the housing providers via market assessment as part of the work needed to secure phased implementation. The rate, scale and degree of implementation can then be adjusted as necessary to ease any resulting problems.
- 5.19.4 Mixed views including some uncertainty about this policy have been expressed during the development of the Core Strategy (see CD A005 pages 38 and 43 and CD D007 page 135), not all being as positive as those of the Homes and Communities Agency. However, in the National Park Authority's view, a key point is that the implementation of delivery under Policy HC1 is not tied to the outcomes or success of Policy HC3, but can continue alongside it, with varying potential degrees of implementation success. Since the policy has potential to reduce some of the need to use undeveloped land, it has a clear bearing on spatial matters and a justified role in the Plan. It is a strong message that important issues in the National Park do not always need to be addressed via additional built infrastructure.

**Policy HC4: Sites for gypsies, travellers or travelling show people**

**5.20 Does the Derbyshire Gypsy and Traveller Accommodation Assessment 2008 cover the whole of the National Park? If not what other Assessments have been undertaken or are proposed?**

5.20.1 Yes, at the National Park Authority's request and as it points out in paragraph 1.2 the Derbyshire Assessment (CD E010) took into account the whole National Park.

**5.21 Policy HC4 is ambiguous, lacks clarity and effectively prevents appropriate site provision. Should it be amended along the following or similar lines?...**

*Proposals for Gypsies, Travellers and Travelling Showpeople may be permitted where there is a proven need and where the proposed site does not have any adverse impact on visual or residential amenity, and will provide a satisfactory environment for the occupants.*

5.21.1 The National Park Authority does not consider that Policy HC4 is ambiguous, or that it requires amendment in order to enable appropriate site provision. It is clear from the policy that given the findings of the Derbyshire Gypsy and traveller survey (Core Strategy paragraph 12.26) permission will only be granted in exceptional circumstances. The policy provides a sufficient basis for judgements to be made on a case by case basis via its references to ability to meet need (which would be judged in the context of other policies such as GSP1, GSP3, L1, L2 and L3), proof of need, small site, limited seasonal occupancy and personal use.

5.21.2 Core Strategy paragraph 12.26 points out that Policy HC4 retains an approach established in the extant Local Plan (CD D002 page 66). This sets sites for gypsies, travellers and travelling show people into the context of caravan sites in general and the inappropriate impact of static caravans.

5.21.3 The National Park Authority considers that the strategic approach set out in the Core strategy is compatible with Circular 1/2006 (CD G047) paragraphs 47, 48, 52 and 54.

**5.22 Should an additional/alternative policy be included in the CS which sets out criteria against which any planning applications will be assessed?**

5.22.1 No. The National Park Authority considers that if such criteria were needed, they would be more appropriate as detail provided by a development management policy than in the Core Strategy.

#### **Policy HC5: Provision and retention of community services and facilities**

**5.23 Paragraph 12.41 directs new or improved community facilities to the larger settlements listed in policy DS1, but in the absence of a hierarchy how can these be transparently identified?**

5.23.1 This paragraph should say that new or improved community facilities will be directed to the settlements listed in policy DS1. These are mostly the larger villages in the context of all settlements in the National Park, but it is not simply a matter of size – inclusion on the list follows analysis of their location, size, function, range of services, public transport access and

capacity for new development (as explained in Core Strategy paragraph 5.18).

5.23.2 Suggested change (300.36) for clarity:

Remove the word "larger" in paragraph 12.41.

**5.24 Part C of policy HC5 refers to 'reasonable attempts'. How is 'reasonable' defined in this context?**

5.24.1 Preceding Core Strategy paragraph 12.42 explains that clear evidence of non-viability will be required, such as marketing the building or facility for a period of time to test whether another community interest, operator or owner could be found.

5.24.2 More detail will be specified in subsequent Development Management Policy, such as methods of marketing and time limits.

**Policy HC6: Shops, professional services and related activities**

**5.25 Clarification of the justification for and the effectiveness of this policy is required, because it does not apparently address the local circumstances of the National Park, the findings of the retail evidence relating to Bakewell, nor does it appear to be consistent with PPS4.**

5.25.1 The National Park Authority justifies policy HC6 in relation to PPS4 as set out below, considering local distinctiveness, whether establishing a retail hierarchy would be beneficial, the need to promote vitality and viability in town centres, and whether applying a sequential approach is appropriate or useful in the case of the National Park.

5.25.2 There are a number of local circumstances which predicate a locally-distinctive approach to retail development in the National Park, and Bakewell in particular:

- The importance of landscape and conservation in the National Park, confirmed by the 1995 Environment Act, 2010 Circular, and PPS (CDB005, CDB011, PPS4 and PPS7).
- Small population: Bakewell parish 3,979 (2001); and in the zones identified by the Retail Study: Bakewell zone 8,969; wider surrounding area Peak District East 30,878 (2006).
- Limited growth or even decline expected: -1.7% Bakewell zone, -3.8% Peak District East 2008-2026. The Authority is not promoting growth.
- The National Park is closely surrounded by regional and sub-regional centres. Many people work there and will logically shop there when travelling to and from work.
- The current Local Plan (paragraphs 12.27, 12.29 and Policies LB9 and LB11) promotes a town centre focus for shops and community services, for ease of access for residents from the town and surrounding villages.

- The National Park in general and Bakewell in particular are major tourist attractions: visitor numbers increase local spending, and evidence (Retail Study paragraph 6.29) indicates that they visit because of its attractive character and retail offer.
- Range of small shops which significantly enhance the character and vibrancy of Bakewell town centre, as recognised in PPS4 policy EC4.1b (CDB029).
- Thriving town centre and diverse independent trader offer, confirmed in the Sub-regional Retail Study Health Check assessment, paragraphs 5.21 – 5.23 (CDE012). However paragraph 13.41 acknowledges that there is a risk of jeopardising their future existence.

5.25.3 PPS4 policy EC3.1 states that local planning authorities should define a hierarchy of centres explaining their role and relationship. The Regional Plan does not determine a regional hierarchy, as explained in paragraph 3.2.14 (CDC001). Paragraph 14.6 of the Retail Study suggests a sub-regional hierarchy, in which Bakewell is the only second tier ("small towns") settlement identified in the National Park and "other centres" are Youlgreave, Baslow, Tideswell, Hathersage and Hope. However, the Study's recommendations do not distinguish between these second tier settlements and any other villages. The Authority believes that identifying a three tier hierarchy is unlikely to bring forward any significantly different provision than a two tier approach including Bakewell and all other villages. Indeed, the Retail Study went on to say that the individual authorities should finalise their own hierarchy. It advises in paragraphs 14.12 – 14.13 that the priority for 'small towns' should be to retain existing local services and shops.

5.25.4 The Government's objectives set out in PPS4 paragraph 10 include promoting vitality and viability of town centres by focussing development in centres and promoting thriving and locally distinctive communities. It is the National Park Authority's statutory duty whilst pursuing its purposes, to seek to foster the economic and social well-being of local communities within the National Park. In the current Local Plan (CDD002), policies LS1 and LS2 focus most retail development in towns and villages for sustainability reasons and to protect the countryside and landscapes. For Bakewell, Local Plan paragraphs 12.27, 12.29 and Policies LB9 & LB11 promote a town centre focus for shops and community services, for ease of access from surrounding villages. The Core Strategy continues this approach.

5.25.5 PPS4 Policy EC1.4ii requires local planning authorities to take account of overtrading and whether there is need to increase competition and retail mix. The Retail Study records that Bakewell retains 51% of main food shopping spend, which according to paragraph 13.38 does not identify any overriding need to seek enhanced provision. However the Study says that the lack of a mainstream foodstore and the extent of overtrading suggest that there is scope for qualitative improvement. 'Scope' is not the same as 'need', and should not be used to justify potentially damaging development. There are however potential benefits of enhanced foodstore provision in improving choice and reducing leakage, as described in paragraph 13.39 of the Study.

5.25.6 However, paragraph 13.40 of the Retail Study suggests that a new convenience foodstore would only be beneficial in terms of the PPS if it were

located within or adjacent to the town centre. The term 'town centre' is not defined in the Retail Study, but the Authority considers that in Bakewell the Central Shopping Area defined in the Local Plan policy LB9 (CD002) is the 'town centre' (see para 5.25.10 below). Retail Study paragraph 13.41 goes on to express concern that any new foodstore provision might undermine the viability of independent shops (not just in the convenience sector) which are a key attractor for visitors. Indeed, the Study recommends in paragraph 13.42 that unless a site for new foodstore can be found within the town centre, the priority for the LDF should be maintaining and enhancing existing provision.

- 5.25.7 The National Park Authority accepts that the Retail Study indicates levels of overtrading and leakage, and domination by one foodstore. However, because of concerns about maintaining the distinctive character of Bakewell town centre, the Authority does not accept that it is appropriate to determine a retail hierarchy or apply a sequential approach. The Authority will consider whether subsequent Development Management Policies should establish detailed development criteria or define any locally important impacts on centres which should be tested in determining applications, and whether site allocations are necessary.
- 5.25.8 PPS4 states that planning authorities should promote competition and choice by planning for a strong retail mix, recognising that small shops enhance character and vibrancy; by identifying sites (preferably in centre) where there is identified need; and taking measures to conserve and where appropriate enhance established character and diversity of town centre (policies EC4.1b, d, & f). The Core Strategy approach is based upon understanding that the character and vibrancy of Bakewell as a very small town, depends to a large extent upon the range of small independent shops, selling both convenience and comparison goods. This attractive environment is particularly valued by the large number of visitors who come to the town.
- 5.25.9 PPS4 says that local planning authorities should assess whether there is genuine choice to meet needs in light of the objective for vitality/viability and the application of a sequential approach (policy EC1.4i); and should apply a sequential approach to site selection (policy EC5.2). The Retail Study confirms that choice already exists within Bakewell in the form of a foodstore and convenience store, several national retailers, and a wide range of independent retailers. Comparison goods and larger foodstores are provided in several surrounding towns and cities including Matlock, Buxton and Chesterfield, all of which are reasonably accessible by car or public transport. The Retail Study records that 10% of local shoppers said that there were 'no good supermarkets' (the same proportion as was recorded in Buxton which has a Morrisons, Waitrose and Aldi), but only 1.3% said that introducing a larger supermarket would persuade them to visit Bakewell town centre more often (In-Street Shoppers Survey page 70, CDG050). This suggests that the lack of a 'top-four' foodstore is not necessarily the reason why residents patronise other centres.
- 5.25.10 Trading figures suggest that there may be scope for additional provision, but the Retail Study advises that this must be located within or adjacent to the town centre in order to add to its vitality and not undermine the strong independent retail offer. The Central Shopping Area defined in the Local Plan

is retained. The Authority considers that this area contains within it most of the leisure, business and other town centre uses, so a separate 'town centre' designation has not been identified. PPS4 on page 26 accepts that this may be the case in smaller towns. Therefore, since a location other than in or adjacent to the town centre would be inadvisable, a sequential approach to determining development proposals would not be appropriate in Bakewell, nor indeed elsewhere in the National Park.

### Conclusions

5.25.11 Core Strategy Policy HC6 is specifically written to address the local circumstances concerning settlements in the National Park, and particularly in Bakewell. It uses evidence in the Retail Study to understand retail patterns in the National Park and to address concerns about retaining vitality and viability, the character and attractiveness of the town centre, and the diverse retail offer. The Authority does not consider that establishing a retail hierarchy is necessary, nor that the sequential approach recommended in PPS4 is appropriate. The policy is however entirely in keeping with PPS4 policy EC4.1f in the context of the National Park, in order to maintain the distinctive character and quality of Bakewell town centre. The policy will be effective by concentrating retail development in the Central Shopping Area of Bakewell, which will support the continued success of the town centre as a focus for shops and services accessible from the surrounding area.

**5.26 Paragraph 12.44 informs that the central shopping area of Bakewell will be retained. Is this justified by a recent re-assessment of the centre and up-to-date retail studies, which identify additional retail capacity within Bakewell?**

5.26.1 The Central Shopping Area (CSA) boundary was defined on the adopted Local Plan Proposals Map, as now required by PPS4 EC3.1c (CDB029), to encompass the area where retail premises are concentrated. This is as advised by PPS4 definition of a Primary Shopping Area, page 26. At the current time this boundary still covers the main retail frontages and is therefore still valid.

5.26.2 If updating or amendment of the CSA were required, this would be undertaken as part of work on the subsequent Development Management Policies document.

5.26.3 There is no requirement to extend this area simply because it does not offer available sites for new foodstore development. Indeed, the Retail Study (CDE012) recommends in paragraph 13.42 that unless a site for a new foodstore can be found within the town centre (undefined by the Retail Study but considered by the Authority to be the same as the CSA), the priority for the LDF should be maintaining and enhancing existing provision.

**5.27 The retail hierarchy of policy HC6, which refers to towns, villages and the countryside does not reflect the development strategy of policy DS1, which refers to settlements and the countryside. Consistency between these policies is required.**

5.27.1 The detailed wording within policy DS1, which has to be specific and accurately reflect the list of named settlements, talks about "Bakewell and named settlements" or "all settlements".

5.27.2 The subdivision headings of 'towns and villages' and 'countryside' in policy HC6 are the same words as those used in the policy titles to E1 and E2, which go on to use the phrase 'named settlements' within the policy detail. The use of general descriptive wording in headings is considered to be more easily understood.

5.27.3 A suggested change (300.37) is offered to correct inconsistency:

HC6 subsection AI should say "... or within named settlements listed in DS1".

**5.28 The precise wording of part B of the policy does not reflect PPS4. In any case, should part B of the policy be a stand-alone section, since there may possibly be proposals for such development beyond the named settlements?**

5.28.1 The area beyond named settlements is 'countryside' and is therefore covered by part E of the policy.

5.28.2 The reasoning behind non-inclusion of a sequential approach in the Core Strategy is explained in the response to Question 5.25 above. The Authority does not consider that a sequential approach as recommended in PPS4 is appropriate because of potential threat to the vitality, viability and distinctiveness of retail character in Bakewell.

<b>Appendix I: Parishes in National Park with Housing Need Survey and Parish Plan</b>								
Name	Parish Population Split by park Boundary = † Parish contains settlement(s) named in Core Strategy= ■	Housing needs survey carried out Y/n	Published parish plan Y/n	Total Population of parish	Population within the PDNP*	Proportion of PDNP population*		
Abney and Abney Grange CP	■	†	n	n	..	..	..	
Aldwark CP		†	n	n	116	109	0.29%	
Alstonefield CP	■		Y	n	274	274	0.74%	
Ashford in the Water CP	■		Y	n	497	497	1.34%	
Aston CP			Y	n	100	100	0.27%	
Bakewell CP			Y	n	3979	3979	10.76%	
Ballidon CP			n	n	79	79	0.21%	
Bamford CP	■		Y	Y	1184	1184	3.20%	
Barlow CP		†	Y	n	884	0	0.00%	
Baslow and Bubnell CP	■		Y	Y	1185	1185	3.20%	
Beeley CP	■		n	n	165	165	0.45%	
Birchover CP	■	†	n	n	362	360	0.97%	
Blackwell in the Peak CP			n	n	..	..	..	
Blore with Swinscoe CP		†	n	n	123	34	0.09%	
Bonsall CP		†	Y	n	775	110	0.30%	
Bosley CP		†	n	n	406	9	0.02%	
Bradbourne CP		†	n	n	116	10	0.03%	
Bradfield CP	■■	†	n	n	14,915	691	1.87%	

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Bradwell CP	■			Y		Y		1423	1423	3.85%
Brampton CP		†		Y		n		1158	44	0.12%
Brassington CP		†		n		n		584	29	0.08%
Brough and Shatton CP				n		n		145	145	0.39%
Brushfield CP				n		n		..	..	..
Butterton CP	■			Y		Y		213	213	0.58%
Calver CP	■			Y		n		713	713	1.93%
Castleton CP	■			Y		Y		649	649	1.75%
Chapel En Le Frith CP		†		n		n		8821	735	1.99%
Charlesworth CP		†		n		n		2121	267	0.72%
Chatsworth CP				n		n		..	..	..
Chelmorton CP	■			Y		n		291	291	0.79%
Chinley, Buxworth and Brownside CP		†		n		n		2647	282	0.76%
Chisworth CP		†		n		n		284	0	0.00%
Curbar CP	■			Y		n		500	500	1.35%
Derwent CP				n		n		..	..	..
Dunford CP		†		n		n		627	84	0.23%
Eaton and Alsop CP				n		n		90	90	0.24%
Edale CP	■			n		Y		316	316	0.85%
Edensor CP	■			n		n		157	157	0.42%
Elton CP	■			Y		Y		407	407	1.10%
Eyam CP	■			n		Y		926	926	2.50%
Fawfieldhead CP	■			Y		n		269	269	0.73%
Fenny Bentley CP	■			Y		Y		188	188	0.51%
Flagg CP	■			Y		n		163	163	0.44%
Foolow CP	■			n		n		146	146	0.39%
Froggatt CP	■			Y		n		203	203	0.55%
Gratton CP				n		n		..	..	..
Great Hucklow CP	■			n		Y		144	144	0.39%

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Great Longstone CP	■			Y	n		772	772	2.09%
Green Fairfield CP		†		n	n		104	10	0.03%
Grindleford CP	■			Y	n		880	880	2.38%
Grindlow CP				n	n		..	..	..
Grindon CP	■			Y	Y		212	212	0.57%
Harthill CP				n	n		58	58	0.16%
Hartington Middle Quarter CP	■			Y	n		362	362	0.98%
Hartington Nether Quarter CP	■			Y	n		410	410	1.11%
Hartington Town Quarter CP	■			Y	Y		345	345	0.93%
Hartington Upper Quarter CP		†		n	n		451	0	0.00%
Hassop CP				Y	n		81	81	0.22%
Hathersage CP	■			Y	Y		1286	1286	3.48%
Hayfield CP	■■	†		n	n		2852	881	2.38%
Hazlebadge CP				n	n		..	..	..
Heathylee CP				n	n		235	235	0.64%
Heaton CP		†		n	n		302	93	0.25%
Highlow CP				n	n		..	..	..
Hollinsclough CP				n		Y	159	159	0.43%
Holme Valley CP	■	†		n	n		25049	153	0.41%
Holmesfield CP		†		Y	n		1014	42	0.11%
Hope CP	■			Y	n		839	839	2.27%
Hope Woodlands CP				n	n		68	68	0.18%
Ible CP				n	n		..	..	..
Ilam CP				n		Y	126	126	0.34%
Ivonbrook Grange CP				n	n		..	..	..
Kettleshulme CP	■			n	n		315	315	0.85%
King Sterndale CP		†		n	n		129	41	0.11%
Langsett CP		†		n	n		161	16	0.04%
Lea Hall CP				Y	n		..	..	..

PDNPA Responses to Inspector's MIQs March 2011

Leekfrith CP		†		n		Y		351	256	0.69%
Little Hucklow CP				n		n		88	88	0.24%
Little Longstone CP				Y		n		103	103	0.28%
Litton CP	■			Y		Y			0	0.00%
Longnor CP	■			Y		Y		360	360	0.97%
Lyme Handley CP		†		n		n		151	82	0.22%
Macclesfield Forest and Wildboarclough CP				n		n		201	201	0.54%
Meltham CP		†		n		n		8089	58	0.16%
Middleton and Smerrill CP	■			Y		n		125	125	0.34%
Monyash CP	■			n		Y		294	294	0.79%
Nether Haddon CP				n		n		..	..	..
New Mills CP		†		n		n		9625	231	0.62%
Newton Grange CP				n		n		..	..	..
Offerton CP				n		n		..	..	..
Onecote CP		†		Y		Y		224	197	0.53%
Outseats CP				Y		n		502	502	1.36%
Over Haddon CP	■			Y		n		233	233	0.63%
Parwich CP	■			Y		Y		488	488	1.32%
Peak Forest CP	■	†		n		Y		307	283	0.76%
Pilsley CP	■			n		n		146	146	0.39%
Pott Shrigley CP		†		n		n		220	108	0.29%
Quarnford CP	■			Y		Y		244	244	0.66%
Rainow CP	■	†		n		n		1282	470	1.27%
Rowland CP				Y		n		..	..	..
Rowsley CP	■	†		Y		Y		492	166	0.45%
Saddleworth CP		†		n		n		24351	155	0.42%
Sheen CP	■			Y		Y		241	241	0.65%
Sheldon CP				Y		n		81	81	0.22%
South Darley CP	■	†		n		n		735	257	0.69%

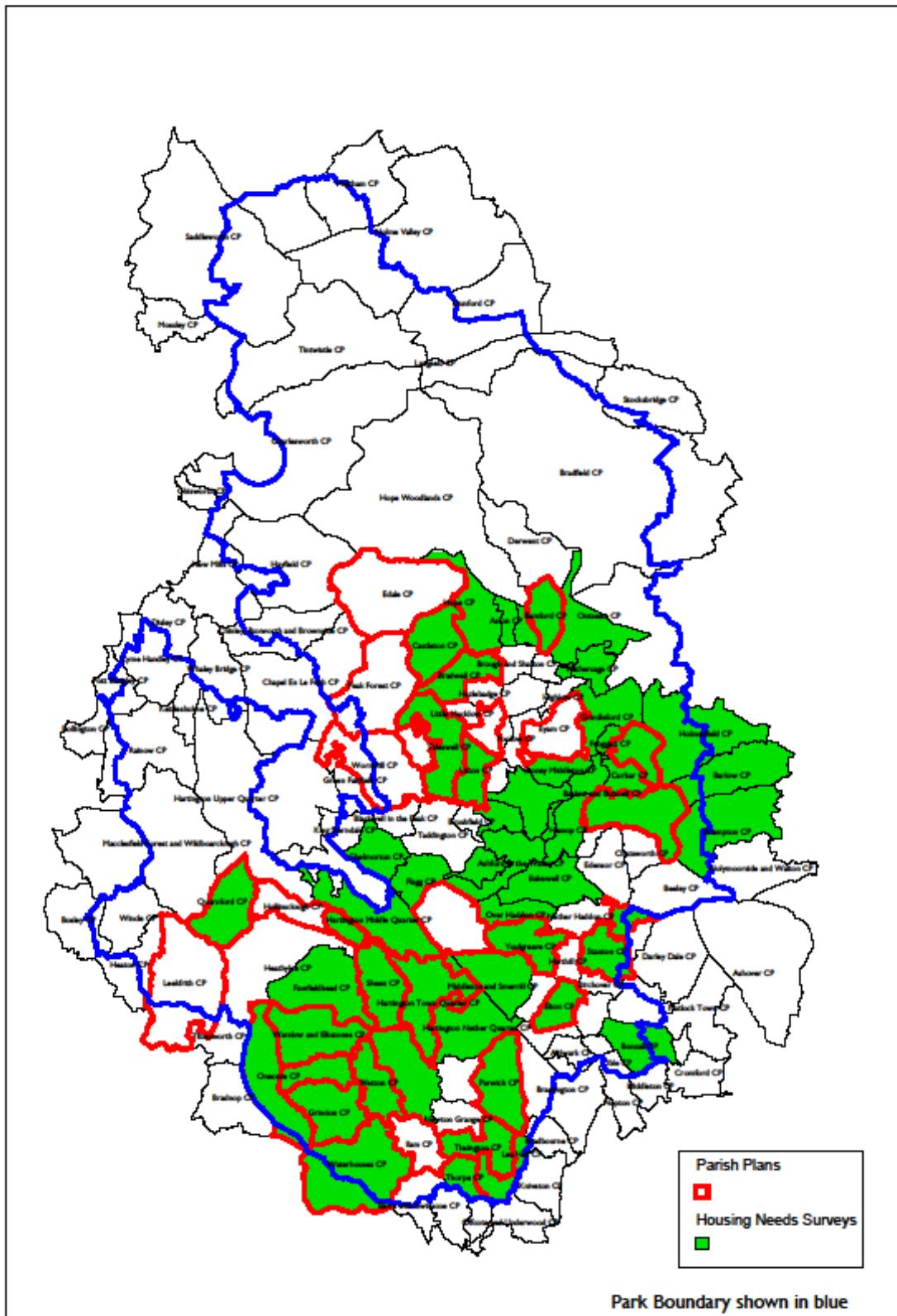
PDNPA Responses to Inspector's MIQs March 2011

Stanton CP	■	†		Y		Y		357	312	0.84%
Stocksbridge CP		†		n		n			0	0.00%
Stoney Middleton CP	■			Y		n		504	504	1.36%
Taddington CP	■			n		n		443	443	1.20%
Thornhill CP				Y		n		153	153	0.41%
Thorpe CP	■			Y		n		191	191	0.52%
Tideswell CP	■			Y		Y		1820	1820	4.92%
Tintwistle CP	■	†		n		n		1401	235	0.64%
Tissington CP	■			Y		Y		158	158	0.43%
Wardlow CP	■			n		n		116	116	0.31%
Warslow and Elkstones CP	■			Y		Y		315	315	0.85%
Waterhouses CP	■■	†		Y		Y		1005	460	1.24%
Wetton CP	■			Y		Y		157	157	0.42%
Whaley Bridge CP		†		n		n		6228	70	0.19%
Wheston CP				n		n		..	..	..
Wincale CP				n		n		164	164	0.44%
Winster CP	■			n		n		633	633	1.71%
Wormhill CP		†		n		Y		1085	172	0.46%
Youlgreave CP	■			Y		Y		1165	1165	3.15%
<b>Totals</b>	<b>63</b>	<b>41</b>		<b>54</b>		<b>33</b>		<b>149383</b>	<b>36989.94</b>	<b>100.00%</b>

\* N.B. Data from ONS 2001 census very small populations are not reported - may be aggregated with neighbouring parishes - Totals should be viewed as approximate

PDNPA Responses to Inspector's MIQs March 2011

## **Parishes with Parish Plans and Housing Needs Surveys: March 2011**



**Appendix 2****Comparison of Estimated Need for Affordable Homes with Indicative Capacity in Policy DS1 Settlements**

<b>Core Strategy Policy DS1- Settlements</b>	<b>Population</b> (2007 Mid yr estimate for settlement rather than Parish)	<b>Estimated need</b> (estimated by settlement as inferred by population size from the Strategic Housing Need Survey) <b>N1</b>	<b>Estimated need*</b> (by settlement plus proportion of residual park-wide need) <b>N2</b>	<b>Parish Need Survey</b> (still current at January 2011)	<b>Capacity indicated by SHLAA</b> (housing units)					<b>Capacity to meet settlement need</b> (comparing SHLAA to Column N1)	<b>Capacity to meet need</b> (adjusted to accommodate surrounding parishes - Comparing SHLAA to Column N2)	
					Years 1 - 5 Known 2008-2012	Years 6 - 10 Indicative 2013-2017	Years 11 - 15 Indicative 2018-2022	Total Indicative 2008-2022	Years 1 - 5 Known 2008-2012	Years 6 - 15 Indicative 2013-2022	Years 1 - 5 Known 2008-2012	Years 6 - 15 Indicative 2013-2022
<b>Alstonefield</b>	198	8	9		0	0	0	0	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Ashford</b>	318	5	7		1	0	0	1	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Bakewell</b>	3854	58	83	30	8	0	8	16	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Bamford</b>	836	13	18		4	12	0	16	✓	✓	<b>X</b>	<b>X</b>
<b>Baslow</b>	1125	17	24		9	0	0	9	✓	<b>X</b>	✓	<b>X</b>
<b>Beeley</b>	145	2	3		1	0	0	1	✓	<b>X</b>	✓	<b>X</b>
<b>Biggin</b>	267	4	6		1	0	3	4	✓	✓	<b>X</b>	<b>X</b>

PDNPA Responses to Inspector's MIQs March 2011

<b>Birchover</b>	296	4	6		11	0	0	11	✓	✓	✓	✓	✓
<b>Bradwell</b>	1432	21	30	27	18	88	61	167	✓	✓	✓	✓	✓
<b>Butterton</b>	192	7	8		1	0	0	1	✗	✗	✗	✗	✗
<b>Calton (see Waterhouses)</b>		0	0		0	0	0	0	n/a	n/a	n/a	n/a	n/a
<b>Calver</b>	649	10	14	13	1	0	0	1	✗	✗	✗	✗	✗
<b>Castleton</b>	694	10	14		3	0	0	3	✓	✗	✗	✗	✗
<b>Chelmorton</b>	288	4	6	6	6	0	0	6	✓	✓	✓	✓	✓
<b>Curbar</b>	344	5	7		2	0	0	2	✓	✓	✗	✗	✗
<b>Earl Sterndale</b>	214	3	4	5	0	0	0	0	✗	✗	✗	✗	✗
<b>Edale</b>	143	2	3		1	0	0	1	✓	✗	✓	✓	✗
<b>Edensor</b>	123	2	3		0	0	0	0	✗	✗	✗	✗	✗
<b>Elton</b>	359	5	7		2	0	0	2	✓	✗	✓	✓	✗
<b>Eyam</b>	785	12	17		42	0	0	42	✓	✓	✓	✓	✓
<b>Fenny Bentley</b>	138	2	3		5	0	0	5	✓	✓	✓	✓	✓
<b>Flagg</b>	136	2	3		7	0	0	7	✓	✓	✓	✓	✓

PDNPA Responses to Inspector's MIQs March 2011

<b>Flash</b>	71	3	3		1	0	0	1	✓	X	✓	X
<b>Foolow</b>	114	2	3		2	0	0	2	✓	X	✓	X
<b>Froggatt</b>	237	4	6		0	0	0	0	X	X	X	X
<b>Great Hucklow</b>	106	2	3		1	0	0	1	✓	X	✓	X
<b>Great Longstone</b>	652	10	14	8	3	0	0	3	X	X	X	X
<b>Grindleford</b>	639	10	14	11	5	5	0	10	✓	✓	✓	X
<b>Grindon</b>	87	3	4		0	0	0	0	X	X	X	X
<b>Hartington</b>	358	5	7	8	0	7	0	7	X	✓	X	✓
<b>Hathersage</b>	1739	26	37	16	7	0	0	7	X	X	X	X
<b>Hayfield</b>	375	6	8	15	0	0	0	0	X	X	X	X
<b>High Bradfield</b>	84	1	2		0	0	0	0	X	X	X	X
<b>Holme</b>	157	2	3		0	0	0	0	X	X	X	X
<b>Hope</b>	746	11	16		4	0	19	23	✓	✓	X	✓
<b>Kettleshulme</b>	246	4	6		2	0	0	2	✓	X	✓	X
<b>Little Hayfield</b>	276	4	6	1	4	0	0	4	✓	✓	✓	✓
<b>Litton</b>	311	5	7	3	1	0	0	1	X	X	X	X

PDNPA Responses to Inspector's MIQs March 2011

<b>Longnor</b>	393	15	18		2	0	0	2	X	X	X	X
<b>Low Bradfield</b>	135	2	3		1	0	0	1	✓	X	✓	X
<b>Midd. by Youlgrave</b>	114	2	3		0	0	0	0	X	X	X	X
<b>Monyash</b>	245	4	6		2	0	0	2	✓	X	✓	X
<b>Over Haddon</b>	191	3	4		12	0	0	12	✓	✓	✓	✓
<b>Parwich</b>	439	7	10	2	0	0	0	0	X	X	X	X
<b>Peak Forest</b>	197	3	4		1	0	0	1	X	X	X	X
<b>Pilsley</b>	141	2	3		0	0	0	0	X	X	X	X
<b>Rainow (split by boundary of NPk)</b>	200	3	4		0	0	0	0	X	X	X	X
<b>Rowsley</b>	198	3	4	8	0	0	0	0	X	X	X	X
<b>Sheen</b>	83	3	4		0	0	0	0	X	X	X	X
<b>Stanton in Peak</b>	221	3	4		2	0	0	2	✓	X	✓	X
<b>Stoney Middleton</b>	498	7	10	3	1	0	0	1	X	X	X	X
<b>Taddington</b>	366	5	7	8	1	0	20	21	X	✓	X	✓
<b>Thorpe</b>	161	2	3	2	0	0	0	0	X	X	X	X

PDNPA Responses to Inspector's MIQs March 2011

<b>Tideswell</b>	1671		25	36		5	0	21	26	X	✓	X	✓
<b>Tintwistle</b>	178		3	4		0	0	0	0	X	X	X	X
<b>Tissington</b>	126		2	3		0	0	0	0	X	X	X	X
<b>Wardlow</b>	92		1	2		1	0	0	1	✓	✓	✓	✓
<b>Warslow</b>	220		8	9		1	0	0	1	X	X	X	X
<b>Waterhouses (incl. Calton and split by boundary of NPk)</b>						0	0	0	0	X	X	X	X
	388		15	17									
<b>Wensley</b>	166		2	3		1	0	0	1	✓	X	✓	X
<b>Wetton</b>	138		5	6		7	0	0	7	✓	✓	✓	✓
<b>Winster</b>	630		9	13	6	4	0	0	4	✓	✓	X	X
<b>Youlgrave</b>	1017		15	21	9	6	9	10	25	✓	✓	X	✓
<b>TOTAL</b>	26942**		443	615	n/a	200	121	142	463	✓	✓	X****	X*****

\* This estimate assumes that all the need arising outside DSI settlements is met within them: apportioning need to settlements according to their population size.

\*\* This is approx 70%\*\*\* of the National Park Population: leaving 30% in areas outside DSI settlements

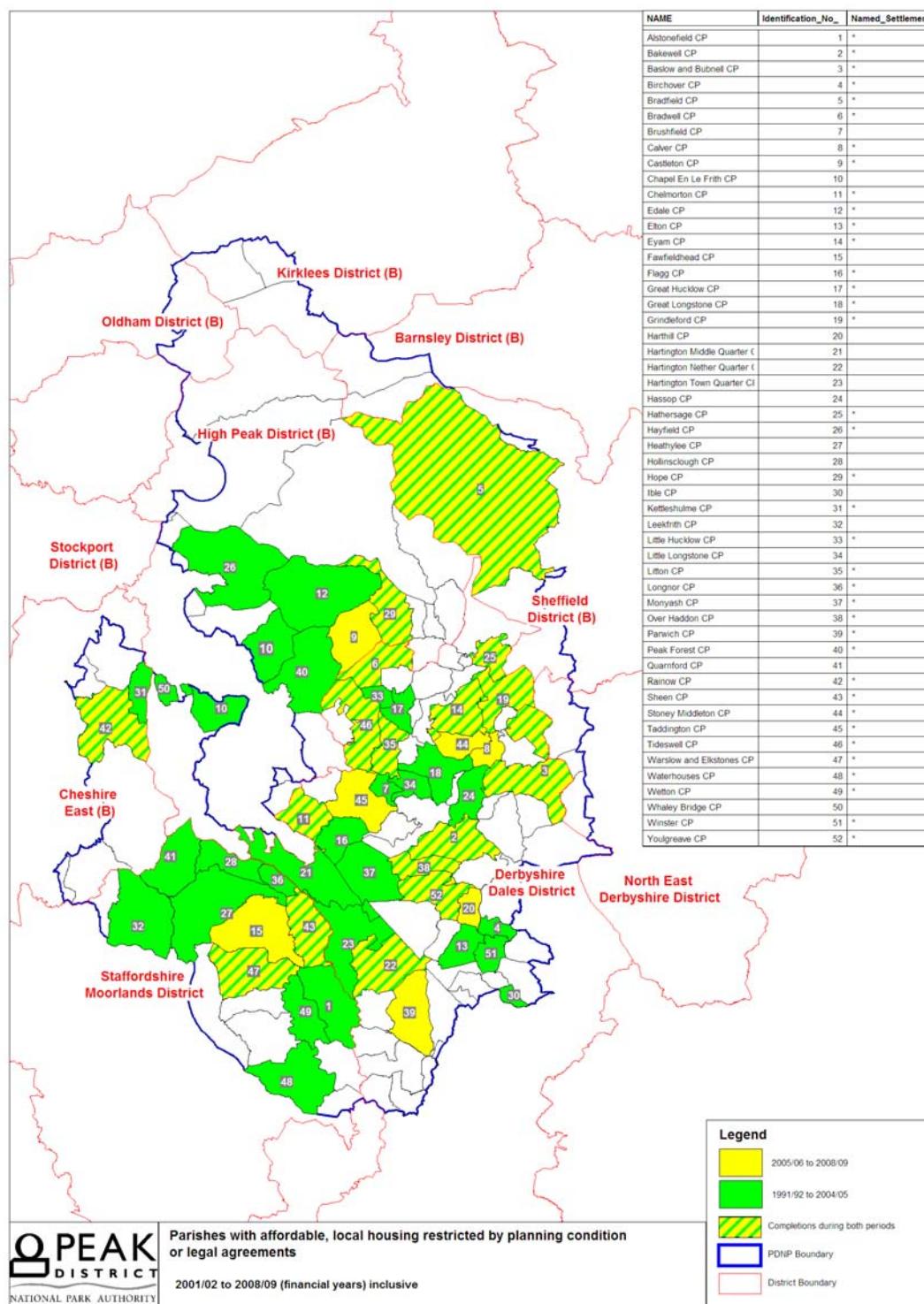
\*\* Total population = 38409

\*\*\*\* 97.5% of need

\*\*\*\*\* 75% of need

PDNPA Responses to Inspector's MIQs March 2011

### Appendix 3 Parishes with Completed Affordable Housing Subject to Local Needs Restrictions (Policy DS1 settlements referred to as "named")



## ***TOPIC PAPER 6 - Supporting Economic Development***

### **MAIN MATTER 6**

#### **Policies E1 and E2**

##### ***Supporting Economic Development***

**ISSUE** - Whether the policies and proposals of the Core Strategy aimed at achieving a diverse and prosperous local economy, are justified, effective and consistent with the purposes of the National Park, and with national policy.

#### **Questions**

##### **Chapter 13: Supporting economic development**

- 6.1 Is the approach of the CS towards employment development sufficiently positive and flexible?**
- 6.1.1 Core Strategy policies offer positive encouragement to businesses to establish and grow and allow flexibility in terms of location and type of enterprise, by correctly balancing National Park purposes and duty.
- 6.1.2 The Authority's duty to foster the economic and social well-being of local communities in carrying out National Park purposes implies that we should plan for the needs of our communities, and not seek to accommodate new jobs intended mainly for people who live outside the National Park (CDB005). With an expected declining population in the National Park, and more than enough capacity in existing employment sites as described in the Employment Land Review paragraphs 11.22-24 (CDE013), there is no justification for significant new provision to be made in the Core Strategy. No target is set by the Regional Plan for economic development in the National Park.
- 6.1.3 However, Government policy increasingly stresses the need for a positive approach to economic development in rural areas, in sustainable locations and at an appropriate scale and form: see National Parks Vision and Circular paragraph 70 (CDB011) and PPS4 paragraph 10 (CDB029). Our intention is that policies E1 and E2 will enable businesses to establish and thrive, in accordance with National Park purposes and duty. The policies should allow plenty of opportunities, both in towns and villages and in the countryside, including farm diversification.
- 6.1.4 Despite this, the Government has confirmed that National Park Authorities are correctly balancing the need to protect the environment with the need to ensure communities are sustainable and survive; and that placing greater emphasis on economic development would threaten their natural beauty and recreation opportunities (House of Commons Environment, Food and Rural Affairs Committee, CDB079, page 4).
- 6.1.5 At the current time, safeguarding existing employment sites and buildings and allowing conversions will offer a range of opportunities for different types of business use. Evidence recommends that a stock of lower quality/cost premises should be retained in the National Park (Employment Land Review paragraph 9.90, CDE013), which will also be addressed by

enabling conversion and re-use of existing buildings for economic purposes. However, the Authority will review existing employment sites in the light of the Employment Land Review and other factors, to consider the best sites to meet future local needs.

- 6.1.6 Policy E2 widens the scope of current Structure Plan policy by allowing estates and other land managers as well as farmers to benefit from setting up businesses in countryside locations, which need not be related in type to the produce of the farm. Flexibility was also confirmed in policy E1 by allowing employment development across all named settlements, rather than restricting it to the larger settlements, which was overwhelmingly supported at the Refined Options stage. Responses to the submission Core Strategy by Thomas Redfern (CS586), emda (CS304 and CS305) and the National Trust (CS359 and CS360) are supportive of the current policy wording.
- 6.1.7 In terms of sustainability, the policies are not expected to have any significant negative effects in terms of promoting a healthy Park-wide economy (Sustainability Appraisal paragraph 15.17, CDA003).
- 6.1.8 The Employment Land Review paragraphs 9.13 et seq and paragraph 9.87 identified opportunities for growth sectors such as food and drink, creative and knowledge-based businesses. In addition to planning policies in the Core Strategy and subsequent Development Management Policies document, the Authority and its partners will encourage high-value businesses to set up in the National Park, by promoting its attractive location and skilled workforce.
- 6.1.9 There is no reason why policies should not allow a quick response to changing economic circumstances as required by PPS4 policy EC21b.

### **Policy E1: Business development in towns and villages**

- 6.2 **What is the evidence that supports the safeguarding of all existing business land and premises, as intended by policy E1D? If all of these sites have not been recently re-assessed or the evidence does not support the retention of all of them, this part of the policy should be amended accordingly.**
  - 6.2.1 This question incorrectly suggests that Policy E1 applies blanket safeguarding of all existing business land and premises. It will allow some existing sites to be redeveloped for other uses, as determined on a case by case basis. The policy seeks to retain an appropriate supply and range of employment land for future needs, and is flexible by giving scope to reconsider the best overall mix of uses for a particular site or settlement.
  - 6.2.2 It is reasonable for responsibility to lie with the National Park Authority to decide which sites are best suited to meet future economic needs. Criteria such as 'high quality' and 'suitable location' are referred to in policy E1D and more detail will be included in Development Management policies.
  - 6.2.3 The Authority is considering the re-assessment of all existing employment sites in more detail than was done for the Employment Land Review, to update evidence in the particular context of the National Park economy. The aim is to make the most efficient and effective use of land, as required in PPS4 EC2.1d (CDB029). In the interim, Core Strategy paragraph 13.13 and policy E1D indicate the approach that will be taken.

- 6.2.4 The approach is supported by consultation responses throughout the LDF process, which preferred to safeguard existing employment sites from other development pressures, given the difficulty in finding such sites when demand does occur; and for selective safeguarding after reviewing existing sites to inform retention or promotion of the best sites (see Statement of Consultation appendices 2, 5, 7 and 9, CDA005).
- 6.2.5 Sustainability Appraisal noted that allowing changes of use offered flexibility where existing employment sites were not attracting sufficient levels of business or being sufficiently utilised, but suggested that the local economy could suffer if competing land uses reduced the amount of employment land available (Sustainability Appraisal Refined Options assessment Appendix D, CDA003).
- 6.3 What is the justification for part D of the policy, which limits alternative use of redundant employment sites to affordable housing or community uses?**
- 6.3.1 The policy wording does not limit alternative use – it says that such uses “may include” affordable housing or community uses.
- 6.3.2 The Core Strategy paragraph 5.3 describes how meeting the need for affordable housing and maintaining community services are key spatial outcomes, which would also contribute to meeting our duty under the Environment Act.
- 6.3.3 Sustainability appraisal agrees that the suggested uses would have positive effects on meeting local needs for housing and improving access to services (Sustainability Appraisal Appendix E paragraph 58, CDA003).
- 6.3.4 Development Management policy will include more detailed criteria.

### **Policy E2: Businesses in the countryside**

- 6.4 Is the policy sufficiently flexible to take account of a possible future decline in the farming economy during the plan period?**
- 6.4.1 The National Park Authority recognises the essential role played by agriculture in maintaining the countryside and valued landscapes (Core Strategy paragraph 4.25, Figure 3 Spatial objectives). Policy E2, together with other Core Strategy policies, offers farmers opportunities to develop additional income streams, by diversifying their own business or re-using farm buildings to accommodate other businesses.
- 6.4.2 Policy E2 would not prevent changes in farming practice, although other regulations may apply.
- 6.4.3 The National Farmers Union is concerned that policy E2 does not allow for new farm buildings on holdings, which they say will be necessary for farms to remain in business. However, policy DS1 provides specifically for agricultural, forestry, and other rural enterprises requiring a rural location, including farm diversification. In addition saved Local Plan policy LC13 continues to apply, which permits new agricultural buildings, structures and other development according to certain criteria. This will be replaced by Development Management policy in due course.

- 6.4.4 Policy E2 enables the creation of new businesses on farmsteads, which can help farmers by bringing additional income to support the farm enterprise. There are also opportunities for diversification into recreation and tourism through policies RT1 - RT3. Restrictions placed on the types of buildings that can be re-used, and requiring their retention in the farm ownership, are justified by National Park purposes and the need to ensure that long-term benefit is retained by the farm enterprise.
- 6.5 **Part A is not clearly worded. The first part states that businesses must be located in existing buildings..., but the second part enables alternative provision. Internal consistency in this paragraph is required.**
- 6.5.1 The intent of the policy wording is to express a preference for reuse of traditional buildings wherever possible. In cases "where no suitable traditional building exists", re-use of a modern building (or its replacement by a new building) may be acceptable.
- 6.5.2 The following change 300.39 is suggested for clarity:
- Policy E2A: Replace "must" in the first sentence with "should", and add "however" at beginning of 2<sup>nd</sup> sentence.
- 6.6 **Is the policy consistent with PPS4, which does not impose such stringent restrictions on new business development in the countryside as those contained at parts B, C and in the last paragraph of policy E2? What is the evidence and local justification to support the approach of policy E2?**
- 6.6.1 Policy E2 is consistent with PPS4 in the context of National Park designation, supported by Government policy and other evidence.
- 6.6.2 Paragraph 10 of PPS4 (CDB029) sets out the Government's objectives for prosperous economies, which include reducing the need to travel and promoting the vitality and viability of town centres and rural communities, whilst continuing to protect the open countryside. PPS4 requires local planning authorities to ensure that the countryside is protected (policy EC6.1) and to strictly control economic development in open countryside (policy EC6.2). Core Strategy Policy E2 is entirely consistent with these objectives, particularly in the context of National Park designation.
- 6.6.3 The Core Strategy includes enabling policies E1 and E2 which offer a range of opportunities for economic development within towns and villages, on farmsteads and in groups of buildings in sustainable locations in the countryside. The Authority is complying with recommendations in PPS4 policy EC6.2 by determining what conversions and re-use are appropriate and to setting out criteria for diversification.
- 6.6.4 The main purpose of policy E2B is to support farmers and land managers and enable them to maintain their land sustainably and in line with National Park purposes. While some stakeholders have maintained their concerns over the degree of flexibility for business, the policy has received increasingly strong support through the process to the point where the Authority feels that a fair balance has been achieved. It requires the primary business to retain

ownership and control of the site and building, to ensure benefit returns to management of the land. The option of not requiring this link was considered at an earlier stage, but was discarded because it was too broad, and was less sustainable in terms of vehicle movements if employees lived off-site. Moreover, it did not provide adequate justification for new business being located in the open countryside of the National Park. Maintaining this link ensures proper demonstration of the essential need to be located in the countryside and creates a more sustainable link to landscape management.

- 6.6.5 The Government has confirmed in the National Parks Vision and Circular (CDB011) paragraph 20 that National Park landscapes and natural beauty should have the highest status of protection. Section 10 page 147 of the Regional Economic Strategy (CDC003) includes environmental protection amongst the key priorities for the Peak Sub-area. An emda-commissioned study confirms that the high quality environment has significant economic importance (Contribution of the Peak District National Park to the economy of the East Midlands CDE017, paragraphs 24-26). Conservation and enhancement of the landscape is therefore crucial.
- 6.6.6 Para 70 of the National Parks Circular says that growth, development and investment should be accommodated in all rural areas at an appropriate scale and form. Core Strategy policies set out what is appropriate within the landscapes and valued characteristics of the Peak District National Park.
- 6.6.7 A sustainable approach to development is woven through the Core Strategy. Focusing business development in towns and villages (as recommended in PPS4 paragraph 10) and on farmsteads is generally a more sustainable option; this may not always be the case, but location in open countryside generally is not. Sustainability Appraisal highlighted positive effects through reducing traffic (Appendix E paragraphs 59 - 60, CDA003).
- 6.6.8 An acceptance of economic development in open countryside locations could also result in serious risks to the environment and landscape in terms of subsequent expansion or intensification, and cumulative impact.
- 6.6.9 Location in open countryside also brings a risk of later proposals for adjoining dwellings for supervision or security. Once a rural enterprise is established, a key worker dwelling may be difficult to refuse, thus increasing the landscape impact.
- 6.6.10 For all these reasons the National Park Authority is justified in exercising strict control over developments in the countryside. The rejection of business use in open countryside, and restrictions placed on the types of buildings that can be re-used and requiring their retention in the farm ownership, are justified by National Park purposes and the need to ensure that long-term benefit is retained by the farm enterprise.
- 6.6.11 It should be noted that if a business is able to properly justify an isolated location in open countryside then exceptional permission can be given. A definition of 'isolated' may be included within Development Management Policies to assist clarity.
- 6.6.12 The following suggested change (300.38) is proposed for clarity:  
Wording of Policy E1 should be amended to read:  
**E1: Business development in towns and villages**

"Proposals for business development in Bakewell and settlements named in Policy DS1 must take account of the following principles..."

## **TOPIC PAPER 7 - Minerals**

### **MAIN MATTER 7 Policies MIN1-MIN4 Minerals**

**ISSUE - Whether the policies and proposals of the Core Strategy for minerals extraction, restoration and safeguarding, are justified, effective and consistent the purposes of the National Park, and with national policy.**

#### **Questions**

##### **Chapter 14: Minerals**

- 7.1 Does the strategy of the CS which aims to gradually reduce aggregate and mineral extraction from the National Park strike the most appropriate balance between natural environment and heritage interests, or does it weigh too heavily in favour of environmental protection?**
- 7.1.1 The overarching objective of the Core Strategy in relation to minerals is set out in Policy MIN1, this aims to achieve the progressive reduction in the proportion and amount of aggregates and other land-won minerals from the National Park. This overall approach is in general conformity to Policy 37 of the East Midlands Regional Plan (CD C001), as explicitly confirmed by the letter of general conformity issued by the East Midlands Councils in January 2011.
- 7.1.2 This approach represents the balance between the competing factors which were assessed through the production of the East Midlands Plan, its Sustainability Appraisal and the Public Examination process. The policy was then issued by the Secretary of State in this form having regard to all of the issues including national planning policy for National Parks as set out in PPS7 and MPS1.
- 7.1.3 The Sustainability Appraisal (SA) undertaken on the East Midlands Regional Plan concluded that Policy 37 would have a "positive effect on cultural assets from the progressive reduction" aspect to the policy. It also identifies that positive or negative effects to biodiversity and designated nature assets could arise from the policy depending upon the mitigation measures undertaken. The SA also identifies that the policy has the potential for uncertain effects on archaeology, landscape and designated areas, particularly from extraction and safeguarding.
- 7.1.4 From the overall SA on Policy 37 of the Regional Plan the approach to the progressive reduction of the proportion and amount of aggregates and other land-won minerals from the National Park it was concluded that the policy struck the most appropriate balance between all the objectives and indeed a positive effect was identified on cultural assets, which includes heritage. The overall strategy of the Core Strategy is based upon the Regional Policy and its evidence base.

- 7.1.5 The SA for the Core Strategy (CD A003) identifies that this policy approach will result in positive effects on the protection and enhancement of the National Park's historic and cultural environment.
- 7.1.6 The MPS1 Practice Guide (CD B069) sets out in paragraph 21 overall advice for development plan content as follows: "LDDs for minerals should provide a clear guide to mineral operators and the public about the locations where mineral extraction may take place. They should set out clear and appropriate development control policies, which should include the safeguarding both of sensitive environmental features and of mineral resources with potential for future extraction. They should cover all aspects of environmental and resource protection including restoration." The Authority considers that the Core Strategy complies with this general guidance
- 7.2 What are the implications for employment provision to gradually reduce aggregate and mineral extraction from the National Park?**
- 7.2.1 The SA for Policy 37 of the East Midlands Regional Plan concluded that no effects were expected against objective 12 which deals with employment issues including safeguarding jobs, quality of jobs, average incomes, rural areas and diversifying jobs.
- 7.2.2 Any impact will be a progressive and gradual change to local employment given the long-term nature of mineral activity resulting from the long life of the extant permissions. The nature of employment in the minerals industry overall is more greatly affected by economic circumstances outside the scope of this Core Strategy. For example the takeover of Ineos Fluor by Mexichem has seen the main UK market player change; this has now resulted in the loss of current demand for indigenously sourced Fluorspar, although this could change again in the future just as quickly. Also other quarries in the National Park have either seen activity decline or in some cases increase as a consequence of the economic downturn. For example in the last couple of years many international operators have sought to concentrate activity in a few of their sites with other quarries being mothballed.
- 7.2.3 The SA for the Core Strategy (CD A003) identifies that this policy approach will have a mixed or uncertain impact on the promotion of a healthy Park wide economy. The commentary accompanying the SA stated: "Prevention of any new large scale operations might have a negative effect on the economy, but this would be in the long term (beyond the plan horizon). Small scale operations which met the selection criteria could have a beneficial impact on the local economy through creating local employment." A reduction in mineral activity may also help give rise to an increase in tourism focussed employment in the Park.
- 7.2.4 The local employment implications have been assessed as part of the overall framework of considerations and it is considered that the overall strategy of the Core Strategy strikes the correct balance as indicated in the SA. The wider issue of employment within the National Park is also addressed through other policies including Policy E1 in the towns and villages and Policy E2 in the countryside.

7.2.5 Hope Cement Works is a large minerals related employer within the National Park, as a consequence of the length of current permitted reserves and permission to 2042 there is not expected to be any significant change in employment at this site during the plan period. There are five mineral sites whose permissions are time limited and operationally expire during the plan period, some of these have already been mothballed or have had activity reduced anyway. The loss of these sites will see a reduction in opportunities for employment; however this is a normal cyclical feature within the minerals industry as sites naturally come to the end of their life, with opportunities arising elsewhere in the locality, including sites within adjoining authorities, particularly Derbyshire.

**7.3 The second bullet point of paragraph 14.16 appears to be contradictory. Clarification is required.**

7.3.1 This is a typographical oversight as noted by GMPU (see suggested change 300.40)

7.4 **The regionally agreed apportionment figures extend only until 2020, some 6 years short of the CS plan period. Does the CS make adequate provision for aggregates and minerals extraction if the figures were rolled forward until 2026? These requirements and anticipated provision should be added to the CS.**

7.5 **Paragraphs 14.21 and 14.22 infer that the Authority does not entirely agree with the apportionment recommendations of the East Midlands Regional Aggregates Working Party (RAWP). What is the evidence to support that inference?**

7.6 **Does this mean that it may work to an alternative, lesser apportionment, especially towards the end of the plan period? If so, what, and what is the evidence to support such alternative figures?**

7.4.1 MPS1 (CD B046) advises that Sub-regional apportionments (SRA) should not be regarded as inflexible. (Annex 1 paragraph 3.8). The accompanying Practice Guide (CD B069) provides guidance on management of landbanks in paragraph 72, stating that this should be based on considerations of real need and real supply and suggests a list of factors to be taken into account. This includes, amongst other factors: the local apportionment; significant future increases in demand that can be forecast with reasonable certainty; and actual levels of production in recent years compared with average annual provision. This policy and guidance indicates that there is no need for MPAs to slavishly adhere to sub-regional apportionments.

7.4.2 The current sub-regional aggregates apportionment figures have an unclear definitive status; they were produced as a technical exercise and presented to the former East Midlands Regional Assembly for inclusion within the review of the Regional Strategy which was abandoned in March 2010. These figures have not therefore yet been subject to consultation or have been tested through public examination. Importantly the technical work was not

the subject of any Sustainability Appraisal, as this was to have been undertaken as part of the inclusion in the Regional Strategy review.

- 7.4.3 The future position on apportionment also remains uncertain as the Government have not yet announced what will happen to the Regional Aggregates Working Parties (RAWP) post March 2011 when their current contracts cease. This technical exercise for the period 2005 to 2020 is a more recent assessment than the previous SRA exercise for 2001 to 2016. Given the fact that the SRA for 2005 to 2020 is the most recent technical assessment based upon the latest national apportionment, this data represents the appropriate evidence base for starting to consider the issue of apportionment.
- 7.4.4 Across the Country there are clear instances where the RAWP SRA technical process based on 'past sales' to devise apportionment is being disputed, for example in the West Midlands the Regional Strategy Review had chosen not to accept the technical figures presented to them by the RAWP. As another example Oxfordshire County Council has chosen to undertake its own alternative forecasting methodology which it has recently consulted upon. The Panel Report into the South East Regional Plan Review on minerals in November 2009 concluded: "Nevertheless, we believe it is right to recommend that the apportionment be done on the basis of a robust and coherent method that moves forward from the 'past sales' approach and which can be applied consistently across the region without being manipulated to deliver a desired outcome. In accordance with national policy advice in MPS1, the outcome should be tested through the MDD (Mineral Development Document) process." There is clear evidence that the SRA based on past sales is being disputed as the appropriate methodology and has been found to be the wrong methodology at public examination elsewhere.
- 7.4.5 The East Midlands RAWP process has continued to be based upon a 'past sales' basis, the National Park Authority had intended to formally challenge that methodology through the Regional Plan Review which was unfortunately dropped. The examination process for this Core Strategy therefore becomes the forum to consider this matter by default. The Minerals Background Paper (CD D044) in Appendix 1 sets out all of the detail on the SRA aggregates apportionment exercise.
- 7.4.6 The fundamental issue the Authority has with the RAWP SRA figures is two fold: firstly it is not 'policy led' in that the figures do not seek to achieve the progressive reduction of the proportion and amount of aggregates from the National Park as required by Policy 37 of the East Midlands Regional Plan. Secondly the figures are based upon 'past sales' which penalises the Peak District for being the only MPA in the East Midlands who had delivered its previous apportionment over the last decade. This penalty was in the form of the overall apportionment figure per annum being raised for the National Park as the first step (from 4.18mt per annum to a new baseline starting point of 4.80mt per annum), before an adjustment being applied to 'redistribute' some of the apportionment from the Park to Derbyshire County to go towards the requirements of Policy 37 (resulting in the 4.80mt per

annum baseline being reduced to 4.06mt per annum by the readjustment to Derbyshire).

- 7.4.7 This has seen the overall aggregates apportionment figure drop from a total of 66.9mt (for the period 2001 to 2016) to a total of 65.0mt (for the period 2005 to 2020). Whilst this represents an absolute drop in 'amount' of 1.9mt, because the overall regional total fell by a bigger amount from the first apportionment exercise to the current, the 'proportion' of the total regional figure the National Park has to find has actually risen from 12.8% to 13%. This is plainly in direct conflict with the requirements of Policy 37 of the Regional Plan which requires both a reduction in the amount and proportion. It is on this basis that the Authority considers the 2005 to 2020 apportionment to be unsound and inconsistent with the policy framework to which the Core Strategy has to achieve general conformity. The Authority has raised these concerns with the RAWP Secretary and the wider RAWP on a continual basis, however he and the other MPAs focus only on the overall total reduction from 66.9mt to 65.0mt and do not seem to understand or appreciate our concern about the increase in proportion from 12.8% to 13% and its inconsistency with Policy 37.
- 7.4.8 Given that the apportionment figures are not considered to be sound for 2005 to 2020 then the Authority could certainly not support them being rolled forward to cover the period from 2021 to 2026 to cover the final part of the plan period. The Core Strategy is not bound to slavishly adhere to the sub-regional apportionment figures as set out in paragraph 3.8 of MPS1. The Minerals Products Association and CEMEX suggest using the figure of 4.18mt per annum right across the plan period. This argument is fundamentally flawed in our view as that is based on the former SRA figure and it does nothing to implement the progressive reduction requirement of Policy 37 of the East Midlands Regional Plan. To use such a figure would result in a continued total of 66.9mt for the period 2005 to 2020 which takes no cognisance of the Government reducing the overall regional total for the period 2005 to 2020.
- 7.4.9 In relation to what the most appropriate total apportionment figure for the National Park should be for 2005 to 2020, the Authority in the Minerals Background Paper Appendix 1 explored three potential scenarios. Firstly a non-replacement scenario based on all quarries in the Park continuing to achieve output at historical levels with output declining over the period as a number of quarries [*5 Longstone Edge West (Stoney Middleton area) (2010) Ivonbrook Quarry (Grangemill) (2011), Goddards Quarry and Darlton Quarry (Stoney Middleton) (2012) and Shining Bank Quarry (Bakewell) (2016)*] come to the end of their permitted operation. Secondly the replacement scenario was considered where the market chooses to respond to the loss of some or all of these five sites by increasing the output from other sites to still achieve the same total output in the locality, either from quarries just within the Park or on a shared basis between quarries in the Park and in neighbouring Derbyshire.
- 7.4.10 As a basis on which to plan forward the Authority had advocated the non-replacement scenario to the RAWP this would see a total of 59.07mt being provided for the period 2005 to 2020 which in proportion terms would be

11.8% of the overall regional total. This sort of apportionment would meet both of the policy requirements in that it achieves a reduction in amount and proportion of aggregates from the National Park. The Authority published its Minerals Background Paper as evidence setting out all of these scenarios and issues alongside the Publication Core Strategy for consultation.

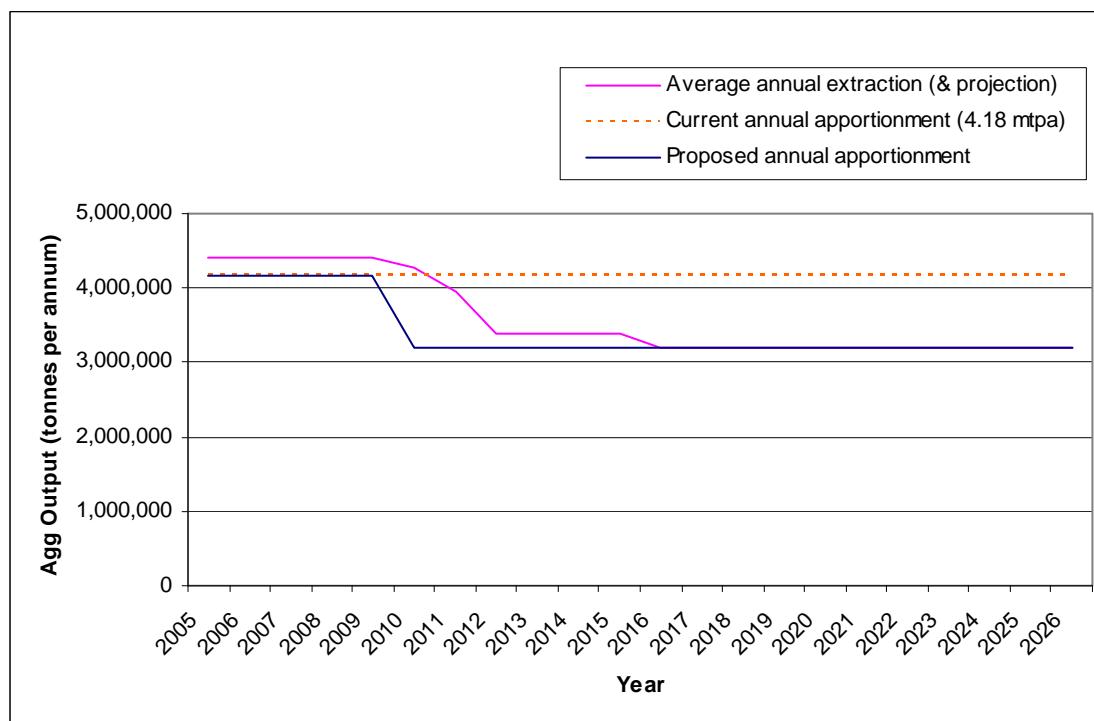
- 7.4.11 The National Park Authority does not consider such a non-replacement scenario approach to be unreasonable as this is based upon the realistic picture of quarry output that is likely to continue to occur within the Park due to the number of extant permissions and permitted reserves available. In addition this would still mean that the Peak District would plan to meet some 91% of the RAWP's recommended SRA apportionment figure for the period 2005 to 2020. This would in fact represent a better output achievement against the SRA apportionment figure than all the other MPAs in the East Midlands (except for Leicestershire) have achieved in the last decade. The National Park would therefore continue to more than deliver its share of aggregates output.
- 7.4.12 In relation to annual equivalent figures this would see a reduction over the period 2005 to 2020 from 4.18mt per annum (the former annual figure) to 3.20mt per annum in 2020. This is partially as a result of the 2005, 2006 and 2007 actual figures being higher than the average apportionment actually required, with the drop over the period then being based upon the loss of the five sites whose permissions lapse with non-replacement of output from other quarries being planned for. The Background Paper then highlighted that the apportionment figure of 3.20mt per annum was expected to continue from 2021 to 2026 as a consequence of the majority of the remaining permitted sites having reserves and consents beyond the end of the plan period.
- 7.4.13 Consequently the PDNPA proposed total apportionment would be 59.07mt 2005 to 2020 or 78.27mt for 2005 to 2026. This would be compared to 65.0mt 2005 to 2020 or 89.36mt 2005 to 2026 using the latest SRA suggestion of 4.06mt per annum, or compared to 66.9mt for 2005 to 2020 or 91.86mt for 2005 to 2026 as suggested by the Minerals Products Association and CEMEX.

	<u>Proposed PDNPA Apportionment</u>	<u>Latest East Midlands RAWP SRA (2009) Proposed Apportionment</u>	<u>Proposed Former RAWP Figures Suggested by the Minerals Products Association and CEMEX</u>
Annual Figure (million tonnes)	4.18 dropping to 3.20	4.06	4.18
2005 to 2020 Total (million tonnes)	59.07	65.0	66.9
2005 to 2026	78.27	89.36	91.86

Total (million tonnes)			

7.4.14 This type of approach to apportionment would be based upon the reality of the likely aggregates output from the existing permitted sites in the National Park continuing, with no new sites or extensions being granted during the plan period. It would also achieve the objectives of Policy 37 through a progressive reduction in the amount and proportion of aggregates coming from the National Park. The RAWP commentary on the SRA for the Peak District is replicated in the grey box in paragraph 144 of the Minerals Background Paper. This talks about the non-replacement scenario and highlights the likelihood of the annual apportionment figure for the Park declining over the plan period. It also definitively states that the SRA should be reviewed at the next available opportunity. This Core Strategy production has presented the first available opportunity.

7.4.15 To achieve the RAWP SRA apportionment figures for 2005 to 2020 then there will almost certainly need to be replacement output from existing permitted sites in the National Park. The Authority takes the view that this would be in direct conflict with national policy in MPS1 (including paragraphs 9, 14 and 15 – covering protection of National Parks, including consideration of alternatives and the maintenance of landbanks as far as possible outside National Parks) and in Policy 37 of the East Midlands Regional Plan.



7.4.16 The above figure was set out by the RAWP in the EM Sub Regional Apportionment Paper on page 18 in appendix 3 (See CD????), it was labelled "The 'proposed' line above is that sought by the PDNPA"

7.4.17 To add further clarity to the overarching strategy set out in Policy MIN1 and its supporting text in relation to the issue of apportionment the Authority has

suggested an additional wording change to paragraphs 14.21 to 14.25 (see Change 300.41).

**7.7 Reference to abolition of the RSS in paragraph 14.22 and elsewhere in chapter 14 is now incorrect and should be amended.**

7.7.1 These references were amended following the reinstatement of the East Midlands Regional Plan as part of the suite of changes undertaken to the Core Strategy on this issue (see suggested changes 200.8; 200.9; 200.10; 200.11).

**7.8 Is the text at paragraphs 14.28 - 14.31 factually correct, and necessary to be contained in the CS?**

**7.9 Are the Authority's intentions towards future cement manufacture, as set out in paragraph 14.27 and elsewhere in the CS, justified by evidence and consideration of possible mitigation measures to reduce carbon dioxide emissions? Are they the most appropriate having regard also to employment considerations? Are they feasible having regard to the operator's intentions? Are they consistent with national policy and sufficiently flexible to take account of long term circumstances and possible future national requirements for cement?**

7.8.1 The text contained within paragraphs 14.28 to 14.31 relates to cement manufacture at Hope and they identify cross boundary issues with nearby works at Tunstead and Cauldon. The text content is considered factually correct, for example the dates given for the reserves match those cited by Lafarge UK in their consultation responses.

7.8.2 The text forms part of the overall introductory text within the Core Strategy on minerals development. This addresses the various existing mineral activities within the National Park and as such reference to Hope and the manufacture of cement is considered appropriate. The Core Strategy aims to achieve the middle ground between including too little background material but not including unnecessary detail. This balance has to be considered as a judgement on all issues and in this case we consider that the plan content is appropriate however other parties may disagree.

7.8.3 The overall section on cement is contained within paragraphs 14.26 to 14.29, the Authority has previously proposed some changes to 14.26 (see suggested changes 100.35 and 100.36). Lafarge UK want to see the text in 14.26 to 14.29 deleted in entirety and replaced with alternative text they set out in representation 243.

7.8.4 The Authority could not support the suggested text advocated by Lafarge UK as it fails to address pertinent cross boundary issues with regard to Tunstead and Cauldon, nor does it set out the relevant planning context and as such it is considered that the wording proposed would be internally inconsistent with

the overall strategy set out in Policy MIN1 to work towards the progressive reduction in the proportion and amount of aggregates and other land-won minerals from the National Park. The text suggested by Lafarge UK tries to pre-determine the planning process by introducing wording that positively supports proposals to extend the reserves at Hope.

- 7.8.5 The Authority also considers that the text suggested is not fully accurate in all details, the date of 2018 indicated for the shale reserves does not take account of the impact that Pulverised Fuel Ash (PFA) may have as a replacement, which has in recent tests been successfully utilised as both a complete and a two-thirds replacement for Shale. Therefore based on Lafarge's own information the Shale could last anywhere between 2018 and 2058. Consequently we are not convinced that there is any requirement to promote or allow any additional limestone or shale reserves during the lifetime of this Core Strategy having regard to the advice cited in MPG10 (CD B047).
- 7.8.6 It is important to recognise that MPG10 is not the only national planning policy which is relevant, in paragraphs 27 and 39 of that guidance it is made clear that MPG1 now replaced by MPS1 (CD B046) sets out the wider policy considerations. The Authority also has to have regard to other relevant policy, for example in the new Circular on National Parks (CD B011).
- 7.8.7 Lafarge UK raise issues relating to the provision of landbanks for the plan period and 15 years post the plan period which would be to 2041, which is actually within the scope of the existing consents which run to 2042. MPG10 does identify however that landbanks are only appropriate where the industry comes forward with sufficient environmentally acceptable proposals. The Authority is of the view that the current reserves are sufficient to meet the requirements of paragraphs 58 and 63 of MPG10.
- 7.8.8 The Core Strategy asks all parties to start their thought processes in relation to the need in the future to debate what will happen in the future to Hope Cement Works, the Authority makes it clear however that it does not anticipate any change to the works until at least the lifetime of the current consents, i.e. 2042.
- 7.8.9 The National Park Authority is concerned that the constriction of the number of plants in the cement industry in England is focussing production onto the National Park and its hinterland. Lafarge UK draw attention to the fact that they have recently closed another of their plants, this time at Westbury in Wiltshire. That plant was rail linked and utilised chalk and clay reserves and according to Policy MCS3 of the adopted Wiltshire & Swindon Minerals Core Strategy. It had a land supply of 25 to 27 years, they also had no 15 year landbank supply post the plan period, that adopted policy was therefore not compliant with MPG10 but was nevertheless considered sound. It is disappointing that the Westbury plant has been shut because the Wiltshire Core Strategy identified that the MPA were happy to work with Lafarge UK to identify new reserves during the lifetime of that Core Strategy. The recent joint venture announced between Lafarge's UK operations with Anglo-America (owners of Tarmac) UK cement, aggregates and ready-mix business may have implications over the production of cement in the locality with the

same overall joint-venture company now controlling Hope, Tunstead and Cauldon works.

7.8.10 The first cement works at Hope was erected in 1929; the current works was rebuilt starting in August 1968 with the two kilns coming on stream in 1970. It underwent a further upgrade programme in the late 1990s and it employs just over 200 people around 13% of the Lafarge UK cement business and approximately 0.3% of the worldwide employees of the Lafarge Group (source Lafarge UK website Hope Brochure).

7.8.11 Whilst the Authority cannot support the proposed wording amendments suggested by Lafarge UK, it is prepared to reconsider the order and tone of the wording and puts forward a change for consideration (See suggested change 300.43).

**7.10 Are the Authority's intentions towards building and roofing stone extraction, as set out in paragraphs 14.11, 14.12, 14.32 and elsewhere in the CS, justified by the evidence, the most appropriate and sufficiently flexible, and consistent with national policy?**

7.10.1 The rationale behind the Authority's policy approach towards building and roofing stone is set out in the above mentioned paragraphs and in Policy MIN3. The Minerals Background Paper (CD D044) in paragraph 3 compares the approach to building and roofing stone with the other National Parks and with the neighbouring LDFs, further information is set out in paragraphs 63 to 66 and 102 to 119.

7.10.2 Paragraph 119 of the Background Paper sets out in particular the competing demands that need to be reconciled in the policy approach. Annex 3 of MPS1 (CD B046) in paragraph 2.1 highlights the policy objectives for building and roofing stone include "to assess the need for small-scale extraction of quantities of stone for the conservation and preservation of historic monuments, buildings and areas within the context of the requirement to protect areas of designated landscape, nature conservation and historical interest."

7.10.3 This tension between heritage and landscape issues was discussed earlier in 7.1.3 with reference to the SA of the East Midlands Regional Plan. In the Regional Plan (CD C001) "Whilst locally won building and roofing stone is needed for use in heritage protection this must be carefully balanced against the important requirement to protect the natural environment, particularly where this coincides with environmentally sensitive areas like the Peak District National Park." The Core Strategy now seeks to reflect this balance between these competing factors of heritage protection versus environmental protection taking account of regional policy and the broad support it had attracted.

7.10.4 Large scale building and roofing stone proposals will be assessed against Policy MIN1 which conforms to the East Midlands Regional Plan Policy 37 and MPS1 in relation to the consideration of exceptional circumstances. Policy MIN3 deals with small-scale building and roofing stone is considered to

accord with both regional policy and national policy in MPS1 Annex 3 as explained in paragraph 119 of the Minerals Background Paper. The East Midlands Regional Plan highlighted that there may be a need for a variation in policy stance towards building and roofing stone in the Peak District to recognise this tension between competing factors.

7.10.5 Overall sandstone and gritstone building stone output is around 100,000 tonnes per annum, the permitted reserves of 7.25mt gives some 72/73 years of potential supply. Limestone building stone output is a much smaller at 1,500 tonnes per annum. The National Park contains a number of very large building stone quarries, maybe even the largest in England.

7.10.6 A number of consultees have suggested alternative policy wording, however no evidence has been submitted to demonstrate a shortfall of building stone for heritage purposes, nor does any of the proposed wording strike the appropriate balance between the competing factors in the view of the Authority.

#### **Policy MIN1: Minerals Development**

**7.11 Does the intention of policy MIN1 to progressively reduce the proportion and amount of aggregates and minerals extraction accord with national guidance contained in MPS1? If not what is the evidence and local justification to support this approach?**

7.11.1 The overarching objective of the Core Strategy in relation to minerals is set out in Policy MIN1, this aims to achieve the progressive reduction in the proportion and amount of aggregates and other land-won minerals from the National Park. This overall approach is in general conformity to Policy 37 of the East Midlands Regional Plan (CD C001), as explicitly confirmed by the letter of general conformity issued by the East Midlands Councils in January 2011.

7.11.2 Many of the Consultees that raise issue with Policy MIN1 in fact take issue with Policy 37 of the East Midlands Regional Plan; this examination is not the appropriate forum through which to challenge this policy stance which was only recently issued by the Secretary of State in full cognisance of national planning policy in MPS1.

**7.12 For clarity, should policy MIN1 define the volume of the provision of aggregates extraction that the Park will make during the CS period, including the rolling forward of the agreed sub - Regional apportionment, to the end of the plan period in 2026?**

7.12.1 No – National policy in MPS1 (CD B046) indicates in paragraph 3.6 of Annex 1 that “In preparing their LDDs, MPAs should make provision for the sub-regional apportionment of the current National and Regional Guidelines for land-won aggregate in the approved RSS or, if there is not an approved RSS, as agreed by the RPB and endorsed by the Secretary of State.” Taking this guidance at face value would indicate that the 2004 SRA figures (for 2001 to

2016) set out in the adopted RSS should be utilised which are those advocated by the Minerals Products Association and CEMEX. However this would appear perverse given that the Secretary of State issued new SRA figures in 2009 (for 2005 to 2020) and the RAWP undertook technical work on those and presented them to the Regional Planning Body who agreed to publish them in the draft Regional Strategy Review before it was abandoned due to pending legislative changes.

7.12.2 In the Chief Planning Officers Letter dated 6<sup>th</sup> July 2010, he indicated the following question and the answer: "15. How do we establish the need for minerals and aggregates supply without Regional Strategy targets? - Minerals planning authorities will have responsibility for continuing to plan for a steady and adequate supply of aggregate minerals to support economic growth. They should do this within the longstanding arrangements for minerals planning. Technical advice provided by the Aggregate Working Parties, including their current work in sub-apportioning the CLG guidelines for 2005-2020 to planning authority level will assist with this. Planning authorities can choose to use alternative figures for their planning purposes if they have new or different information and a robust evidence base. We will work with the minerals industry and local government to agree how minerals planning arrangements should operate in the longer term."

7.12.3 This indicates that the 2005 to 2020 SRA should be utilised as a starting point with freedom for MPAs to use alternative figures if they have different evidence. On this latter point the Authority argues that the 2005 to 2020 SRA figures do not take full cognisance of Policy 37 of the East Midlands Regional Plan.

7.12.4 MPS1 Annex 1 goes on in paragraph 3.7 to indicate that "Provision should take the form of specific sites, preferred areas and/or areas of search identified in LDDs." This national guidance does not require Core Strategy policies to explicitly set out apportionment figures and it is on this basis that Policy MIN1 does not include apportionment figures.

7.12.5 The approach pursued in a sample of the adopted Mineral Core Strategies produced so far indicates a variety of approaches as follows:

<u>MPA Core Strategy</u>	<u>Policy Reference</u>	<u>Approach</u>
Leicestershire ✓	Policy MCS2	Include a total plan period apportionment figure in policy, not an annualised figure
Hampshire ✓	Policy S8	Include an annualised apportionment figure in policy, not a total figure
Suffolk ✓	Policy 1	Include an annualised apportionment figure in policy, not a total figure
Northamptonshire ✓	Policy CS5	Includes both the total plan period and annualised apportionment figure in the policy
Wiltshire X	Policy MCS1	No apportionment figures included within the policy itself
Rutland X	Policy 2	No apportionment figures included within the policy itself
Cumbria X	Policy 13	No apportionment figures included within

		the policy itself
<u>National Park Core Strategy</u>		
Dartmoor X	Policy COR22	No apportionment figures included within the policy itself
North Yorkshire Moors X	Policy E	No apportionment figures included within the policy itself
Northumberland X	Policy 23	No apportionment figures included within the policy itself
Lake District X	Policy CS29	No apportionment figures included within the policy itself

7.12.6 The Authority does not therefore consider that the approach in Policy MIN1 is unsound. The approach taken is consistent with how numerous other MPAs and in particular National Park Authorities have dealt with the issue of apportionment in their Core Strategies. In addition the Authority considers that the inclusion of apportionment figures would potentially cause confusion on the part of the reader and would potentially dilute the thrust of the overall strategy, i.e. to progressively reduce the amount and proportion of aggregates and other land-won minerals from the National Park. This overall strategy has been endorsed as being in general conformity with the East Midlands Regional Plan without the inclusion of apportionment figures and it has been further supported by many Consultees, including Derbyshire County Council who the policy has the most direct impact upon.

7.12.7 The policy has also been subjected to SA which has deemed the approach to be sound, to include the fixed annual apportionment approach suggested by the Mineral Products Association and CEMEX is considered to represent a fundamental change in policy, such that it would no longer accord with the SA undertaken on the Core Strategy. That policy option has not been tested in any SA, as it was not considered to be a realistic alternative given the context of Policy 37 of the East Midlands Regional Plan. In addition, neither of the representors has submitted a SA with their formal representation to assess the effects of their proposed policy approach.

7.12.8 To add further clarity to the overarching strategy set out in Policy MIN1 and its supporting text in relation to the issue of apportionment the Authority has suggested an additional wording change to paragraphs 14.21 to 14.25 (see suggested change 300.41).

### **Policy MIN2: Fluorspar proposals**

#### **7.13 No questions.**

7.13.1 Noted

### **Policy MIN3: Local small scale building and roofing stone**

**7.14 Given that the supporting text to policy MIN3 highlights the importance of sandstone roofing slates and locally sourced building stone for the restoration of historic buildings, not only within the National Park, what is the evidence and policy justification to restrict its extraction to only meet demonstrable needs within the Park?**

- 7.15 Is this approach consistent with national guidance on heritage protection?**
- 7.16 Is the policy too restrictive and inflexible, and as a consequence, could it frustrate the successful repair of important historic buildings and structures outside the National Park boundary?**

7.14.1 The Policy MIN3 is not considered to be too restrictive or inflexible, as explained in 7.10.1 to 7.10.5 above. The Authority consider it to accord with national planning policy and meet the locally distinctive circumstances of the National Park and its hinterland as set out in paragraphs 102 to 119 of the Minerals Background Paper (CD D044). According to case law established in R (on application of Kimberley Miller) v North Yorkshire County Council & Tarmac Ltd (2009) [EWHC 2172 Admin] it is for the Authority as decision maker to determine what constitutes small or large scale.

7.14.2 National Policy in MPS1 Annex 3 (CD B046) identifies in paragraph 3.2 places an onus on English Heritage and the industry to make MPAs aware of important sources of building and roofing stone that they consider should be safeguarded, for example because of its scarcity or for having characteristics required for repair and preservation purposes of culturally important buildings. No definitive evidence has been provided by English Heritage or other parties that there is a demonstrable need or shortage of stone from the National Park or elsewhere to meet the restoration requirements of Listed Buildings or other heritage assets either inside or outside the National Park.

7.14.3 The Strategic Stone Study being undertaken by English Heritage will provide some evidence in due course, however this is not completed yet and in the absence of any solid evidence to the contrary the Core Strategy has sought to balance the competing issues of heritage versus environmental protection as set out in Policy MIN3. This balance is considered to accord with national policy and Policy 37 of the East Midlands Regional Plan (CD C001). The summary of the Strategic Stone Study principles set out on the Minerals UK website states: "Local authorities are therefore encouraged to recognise existing and potential quarry sites and include suitable policies within their development plans so that the needs of building conservation can be considered equally alongside other competing uses or designations."

7.14.4 The Authority considers that the existing permitted reserves together with the availability of supply from outside the National Park, for example in Derbyshire allows for a readily available supply of building stone to protect the heritage and character of the communities of the National Park and the heritage assets outside of the Park. Stancliffe Stone (part of Marshalls Natural Stone), identify on their website that they have the "largest reserves of British dimensional sandstones in the UK", they also go on to state: "Originally used for buildings in the immediate areas surrounding the quarry locations, many of these stone types have also been used in other areas of the UK where they have been deemed a match to the local stones which are no longer quarried." This appears to show a fair degree in the flexibility of the existing supply to meet the demand across the country.

7.14.5 Guidance in the document 'Planning for the Supply of Natural Building and Roofing stone in England and Wales' looks at three main areas of the market. The first being for the repair and maintenance to historic buildings and structures using materials from original or compatible sources. The document identifies that this represents "a relatively small but very important sector of the market, where demand usually relates to specific types of stone, often from specific quarries." The document goes onto identify how small building stone quarries in many areas including National Parks have contributed greatly to, and are needed to maintain, the character of the historic landscape. Policy MIN3 recognises this fact by allowing small scale quarries to come forward which would be demonstrably required to help to repair and maintain the buildings and structures in the National Park which make up the character of the Park.

7.14.6 Put simply the tension could be put into the question: 'Is it right to extract stone in the National Park potentially affecting the character and landscape of the Park to repair Listed Buildings elsewhere in the Country?'.

7.14.7 Marshalls Natural Stone seek a change of wording to Policy MIN3 based around the term 'predominantly', such a policy would be imprecise and would be open to significant potential for abuse. Derbyshire Dales DC also want a wider policy approach. English Heritage want to see a much tighter form of words allowing for an exception to Policy MIN3 where it is necessary for the conservation of important historic buildings or monuments outside the National Park. The Authority would still have concerns about the prospect of widening the policy in the manner English Heritage want. As although it would still be a restrictive approach the concern arises because of the proximity of major urban areas on the edge of the National Park and the number of important historic buildings in these towns, cities and conurbations could be substantial.

7.14.8 It is also not considered appropriate to develop a policy based on the potential of 'exceptional circumstances' as English Heritage suggest, as such circumstances may always justify a decision which warrants a departure from development plan policies in any event. Policy MIN3 is not considered to be inappropriate by neighbouring MPAs.

7.14.9 Minor text changes to Policy MIN3 and its introductory text were proposed previously (see suggested changes 100.37 and 100.38).

#### **Policy MIN4: Mineral safeguarding**

**7.17 Is the approach of policy MIN4, which seeks to safeguard some mineral reserves of economic importance but not all, consistent with national policy and is it based on sound evidence?**

**7.18 Is the argument to not safeguard some mineral reserves on the grounds that conservation policies prevent the risk of sterilisation occurring sufficient reason to not comply with national safeguarding policy?**

- 7.17.1 The overall approach to safeguarding is set out in paragraphs 120 to 133 of the Minerals Background Paper (CD D044). The position is also compared to other National Parks with adopted DPDs and to the proposals in the neighbouring MPAs in paragraph 3 of the Background Paper. A minor text change to paragraph 14.50 was set out previously (see suggested change 100.39).
- 7.17.2 National policy on mineral safeguarding is set out in MPS1 (CD B046) and the MPS1 Companion Guide (CD B069), this is then amplified in the BGS Guide to Mineral Safeguarding in England (CD E064), with the BGS/DoE Mineral Resource Map for the Peak District National Park (CD E067) forming the geological evidence base. National policy sets out the position that minerals should be safeguarded as far as possible. However the BGS Guide in Step 3 of the methodology indicates that the MPA should "Decide how the physical extent of the resource areas to be safeguarded should be determined", which implies that safeguarding less than the full resource is a potentially suitable option.
- 7.17.3 The East Midlands Regional Plan (CD C001) in Policy 37 looks for LDFs to: "indicate areas within which sites needed for land-won, minerals should be safeguarded from development that would sterilise future exploitation, including those required to maintain historic buildings and monuments or new construction that reflects local character;". It does not prescribe what minerals should be safeguarded.
- 7.17.4 The SA for the East Midlands Regional Plan did conclude that: "The policy has the potential to negatively affect the landscape and tranquillity of the region. Safeguarding sites indicates that such sites may be used for mineral extractions in the future. Such workings have the potential to significantly and negatively affect the region's landscape. However, other policies in the plan have the potential to mitigate impacts."
- 7.17.5 The SA for the Core Strategy (CD A003) looked at the issue of mineral safeguarding both from the perspective of no safeguarding and safeguarding all resources. The SA concluded that: "The policy options allow for either no safeguarding or total safeguarding, ...Option 2.1 (No safeguarding): Although the scope for other development to affect the future availability of mineral reserves is limited, in not protecting mineral reserves from other forms of development, this option could have negative effects on landscape character (if local stone etc was not available for the repair of historic buildings or features or to ensure new development blend in with existing buildings and character). A decision not to safeguard any mineral deposits could be seen as an example of poor governance because it might remove the freedom of future generations to make a balanced decision. Not safeguarding minerals could possibly, benefit the Park's economy in the short term if other types of development were permitted. Option 2.2 (Safeguard all minerals): A decision to safeguard all mineral resources would potentially prejudice other aspects of the economy since large areas of land would be involved even though there would be no long term likelihood of these areas receiving planning consent for mineral extraction. This option would however ensure that inappropriate development did not sterilise any critically important

mineral reserves. The sustainability analysis suggests that a middle position might be worthy of consideration."

7.17.6 Given the conclusion of the SA the Core Strategy has examined and focussed upon the middle position of safeguarding some defined minerals, namely Fluorspar and Limestone of at least 98% calcium carbonate. This approach has been objected to by parties who have asked specifically for the safeguarding of the surface coal resource and the overall mineral resource generally. The safeguarding of the overall mineral resource would raise the issues that the SA identified as being an inappropriate for the National Park.

7.17.7 The wording suggested by CEMEX UK particularly wants mineral resources for construction aggregates safeguarded. This would effectively be the whole mineral resource safeguarded across the Park, however it would be of concern to the Authority in implying that the mineral resource of limestone and sandstone/gritstone may be suitable for aggregate purposes which would appear at odds with Policy MIN1 which looks to reduce the proportion and amount of aggregate from the National Park.

7.17.8 In the other National Parks mineral safeguarding has not generally been undertaken and such an approach has been found sound at examination. There has been no intervention from the Secretary of State in those cases on the basis of such an approach being fundamentally contrary to national policy. The Core Strategy is also deemed in general conformity to the East Midlands Regional Plan, including Policy 37.

7.17.9 Safeguarding is a long-term planning tool, as is the National Park designation and the general presumption against major development in National Parks. It is considered that the restrictive national, regional and local policy approach towards new non-mineral development within the National Park should be a material consideration in determining that mineral sterilisation can be prevented through an overall spatial approach and a suite of policies in addition to the designation of a Mineral Safeguarding Area (MSA).

7.17.10 Whilst the Authority has questioned the general merits of safeguarding minerals within a national park designation, we do not argue that any environmental or other designations should be removed from MSAs. Paragraph 133 of the Minerals Background Paper (CD D044) sets out the way in which the Core Strategy has applied the step by step approach indicated in the BGS Guide to Mineral Safeguarding. In the absence of the necessary evidence base for local building and roofing stone quarries yet being completed the policy only sets out the principle which will then be undertaken through the Development Management Policies DPD.

## ***TOPIC PAPER 8 – Accessibility, Travel and Traffic***

### **MAIN MATTER 8**

#### **Policies T1-T7**

#### ***Accessibility, Travel and Traffic***

**ISSUE - Whether the policies and proposals of the Core Strategy will achieve a sustainable approach to transportation that is justified, effective and consistent with the purposes of the National Park, and with national policy.**

#### **Questions**

##### **Chapter 15: Accessibility, travel and traffic**

- 8.1 The Sustainable Transport Action Plan has a publication date of December 2010 and thus was not in the public domain at the time when the CS was consulted upon. In the interests of transparency, is this approach reasonable? Is the document now available for public viewing? Also, chronologically, how have the CS transport policies been developed to complement this transport strategy, as stated in paragraph 15.1 of the CS?

##### Reasonableness of Approach

- 8.1.1 The Sustainable Transport Action Plan (STAP) has been in development since the winter of 2008 and has been through two Stakeholder Consultations, with a Draft Plan being taken to the National Park Authority Meeting in May 2009. Unfortunately a published STAP was not available at the time of consultation on the Core Strategy. However, because of the extensive Stakeholder Consultation, and the public availability of a Draft STAP, the Authority believes that the approach taken was reasonable under the circumstances.

##### Availability of the Sustainable Transport Action Plan

- 8.1.2 The Authority regrets that whilst the STAP has been given a publication date of December 2010 within the Core Strategy, the publication of the document has been delayed beyond the timescales of the Core Strategy's Examination in Public.

##### Chronology of the Development of the Sustainable Transport Action Plan

- 8.1.3 Within National Parks, National Park Authority policy documents operate alongside other Plans and Strategies that are developed in conjunction with a wide range of stakeholders and which are documents for the National Park, rather than just for the National Park Authority. Of these, the principle document is the National Park Management Plan, which has a number of topic based strategies and plans flowing from it. The Sustainable Transport Action Plan is one such document. Because of the complementary way in which the Core Strategy, National Park Management Plan and other National Park Plans and Strategies need to work; and because of the timescales involved, there has been a synchronicity between the development of the Core Strategy and the STAP. The Draft STAP which underwent Stakeholder

Consultation in January and February 2009 was being developed within the same time-frame as the Transport Section of the Refined Options Document, Pages 192-234 (CD D006). Since the publication of the Draft STAP which was taken before the National Park Authority Meeting in May 2009, further work on the STAP has continued to influence, and be influenced by the development of the Preferred Approaches Document, Pages 184-220 (CD D007) and the Core Strategy. The principle of core strategy policies operating alongside other strategies and action plans will be the same for the STAP when it is completed, with the objectives and actions of the STAP complementing the spatial policies of the LDF.

- 8.2 With reference to the anticipated outcomes of the transportation policies set out in paragraph 15.14, what is the evidence to support and justify the specific proposals listed? Are they appropriate and complementary to other CS spatial outcomes? How realistic is their delivery? Should they be located within the relevant transport policies, rather than in supporting text?**

Evidence

- 8.2.1 Paragraph 15.14 refers to the expected outcomes of the transportation policies across specific areas of the National Park, and helps to demonstrate how the policies help deliver spatial outcomes. Therefore, the evidence used to justify the outcomes is given within the transport policies and their supporting text. The outcomes are appropriate and are complementary to other Core Strategy spatial outcomes, as set out in paragraph 15.3.

Appropriateness

- 8.2.2 The outcomes reflect core policies which are justified by the evidence base. They are considered appropriate and complimentary and this is demonstrated by bringing them all together for the whole National Park and by spatial area in the spatial and development strategy section.

Location

- 8.2.3 The contribution outcomes section in each theme chapter is purposefully set out this way to demonstrate how all core policies contribute to spatial outcomes. It would not be consistent with the style of the whole document to present these differently just for this section.

- 8.3 What is the justification for the abandonment of the line of a Bakewell relief road?**

- 8.3.1 The evidence justifying the abandonment of the line of a Bakewell relief road is contained within the Evidence Library in Document D007 Preferred Approaches for the Peak District National Park Core Strategy, paragraphs 13.55 and 13.56.
- 8.3.2 In summary, the National Park Authority undertook a traffic flow survey in 2007 to ascertain the movement of through and stopping traffic within the

town. The findings indicated that a relief road along the safeguarded line would do little to remove congestion from the town centre. In addition the Agricultural Business Centre has encroached onto the safeguarded line of the route, and any scheme utilising such a route would have detrimental impact on pedestrian access from the Agricultural Business Centre to Bakewell Town Centre. Finally, Derbyshire County Council, has not included a Bakewell Relief Road Scheme within its Local Transport Plans.

**8.4 Should reference to the potential to use transport networks and hubs to inform and educate visitors and residents about the National Park be added to the preamble to the transport policies?**

- 8.4.1 Core Policy RT1A explains the NPA will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the Park's valued characteristics. It also states that opportunities for access by sustainable means will be encouraged.
- 8.4.2 The Authority suggests that because the mechanism to inform and educate visitors and residents about the National Park is covered by Core Policy RT1A, it is unnecessary to repeat it in Transport policies as it applies to all development

**8.5 Does the Highways Authority support the hierarchy of roads set out at paragraph 15.20 and in policy T2? If not, how realistic is it?**

- 8.5.1 For the purposes of clarification, the area of the Peak District National Park lies within boundaries of seven separate Highway Authorities; Derbyshire County Council, Staffordshire County Council, Cheshire East Council, Sheffield City Council, Barnsley Metropolitan Borough Council, Kirklees Metropolitan Borough Council and Oldham Metropolitan Borough Council. The area of the National Park is therefore covered by six Local Transport Plans.
- 8.5.2 The hierarchy of roads set out at paragraph 15.20 and Policy T2 is in keeping with the prioritisation of road space as evidenced within the majority of Draft Local Transport Plan 3's covering the National Park. However, it is acknowledged by the National Park Authority within the submitted Core Strategy that such a hierarchy across the National Park can only be achieved through Partnership working – see Document A001 Submission Core Strategy, paragraph 15.20. The National Park Authority sees its constituent highway authorities as key partners in achieving this policy.

**8.6 Is the footnote 151, referred to in paragraph 15.18, correct?**

- 8.6.1 The reference given within the footnote 151 is incorrect; the reference should refer to "*Department of Environment. (1976), Circular 4/76: Report of the National Park Policies Review Committee. Para 58*" (see Document B012 Circular 4/76: Report of the National Park Policies Review Committee A) See suggested change 300.51.

**8.7 Should the transport chapter of the CS emphasise more the problem in the National Park of dangerous roads with high accident rates, together with a commitment to seek to work with partners to reduce these dangers?**

- 8.7.1 The issue of road safety is picked up in the spatial portrait and the development implications are dealt with in core policy T3 regarding the design of transport infrastructure. However, the Authority recognises that there is a synchronicity between improvements in road safety, and the delivery of core Transport Policies including; T1: Reducing the general need to travel and encouraging the use of more sustainable modes of transport; T2: Reducing and directing traffic within the National Park; T3: Design of transport infrastructure; T4: Managing the demand for Freight Transport; T6: Routes for walking, cycling and horse riding, and waterways and T7: Minimising the adverse impact of motor vehicles and managing the demand for car and coach parks. The Authority already works in formal partnership with other public sector organisations to address road safety issues in both Derbyshire and South Yorkshire, and this is likely to continue within the lifespan of the Core Strategy.

- 8.7.2 Therefore the Authority proposes the inclusion of the following text within the Introduction to Chapter 15 (see suggested change 300.52): -

*"Because of the National Park's location it attracts large numbers of motor vehicles, both cross-Park and those of visitors. Whilst the requirements of these differing type of journey may be different with regard to speed and familiarity with the road network, the routes used are often common to both type of user. When combined with local traffic, and the often demanding topography and weather conditions, this has led to roads within the Peak District National Park being cited as amongst the most hazardous within the United Kingdom. It is intended that the policies within this chapter in combination with the emerging Sustainable Transport Action Plan will enable a partnership approach to the issue of road safety, and the utilisation of appropriate solutions where they are deemed necessary that meet the objectives of the LDF".*

**Policy T1: Reducing the general need to travel and encouraging sustainable transport**

**8.8 Whilst the intentions of policy T1 may be justified, how in practical terms will its aspirations be delivered?**

- 8.8.1 Policy T1 is in accordance with the aspirations of all of the current Local Transport Plans covering the National Park, and those of the Draft Local Transport Plans of the same authorities, due to take effect from 1<sup>st</sup> April 2011. The five National Goals to be delivered by the third series of Local Transport Plans are set by Government (see Document B091 Guidance on Local Transport Plans (2009). The links between the two levels of policy accords with National Policy in providing closer links between Planning and Transport (see Document B077 Delivering a Sustainable Transport System,

paragraph 2.3). The synchronicity between the CS and constituent LTPs will provide a partnership approach to delivery.

- 8.8.2 The Authority can also have a direct role in the delivery of this policy through its own planning processes, and the planning decisions that it makes.

### **Policy T2: Reducing and directing traffic**

- 8.9 Whilst it may be appropriate for the CS to support the aim of reducing the need to travel and encouraging the use of more sustainable modes of transport, the practicalities of achieving this will require partnership working with other agencies such as Derbyshire County Council. What evidence is there of such joint working?**

- 8.9.1 The Peak District National Park Authority already works closely with other agencies including our constituent Highway Authorities, particularly Derbyshire County Council. This is evidenced in our membership of Derbyshire County Council hosted Partnerships including the Derwent Valley and High Peak and Hope Valley Community Rail Partnerships. We also work closely with the both Derbyshire and Staffordshire County Councils to review area specific traffic management schemes, as well as part subsidising Derbyshire County Council leisure bus services providing access to the National Park.

- 8.10 Furthermore, there appears to be no definitive sources of funding identified to support the delivery of these transport aims within the accompanying Delivery Plan. If the resources are not available can the aspirations of the policy be effectively delivered?**

- 8.10.1 As discussed in the answer to Question 8.9, the National Park Authority already works extensively in partnership with other agencies to deliver the aims of this policy, and will continue to do so in the future. However, the implementation of infrastructure associated with the delivery of this policy would usually be undertaken by other authorities and agencies, and the funding for such measures would be from partner organisations budgets. It is expected that in some cases funding will be derived from Local Transport Plans with links to the Implementation Plans of the LTP3s being built through the emerging Sustainable Transport Action Plan.

- 8.11 With reference to parts A and B of policy T2, they give mixed messages regarding the management of cross-Park traffic. Furthermore, it is not clear how an increase in such traffic could bring clear long term net environmental benefits to the National Park. Clarification, supported by evidence is required.**

### Mixed Messages about Traffic Management

8.11.1 The disparity between Parts A and B of policy T2 relate to the fact that under Government Guidance and Policy, there may be occasion for a major transport development which is deemed in the National Interest (see Document B032 PPS 7: Sustainable development in rural areas, paragraphs 21-23). Therefore, whilst the National Park Authority in Part A takes an approach which opposes all transport infrastructure that increases the amount of cross-Park traffic, or which has other adverse affects; it is possible that a major road or rail scheme through the National Park could be deemed by Government to be in the National Interest, and that any detrimental effects on the National Park are acceptable. Part B of Policy T2 takes account of this possibility.

#### Net Environmental Benefit

8.11.2 In the event that a scheme is brought before the Authority where net environmental benefit was a factor, it would be up to the applicant to demonstrate that such benefit would result. An example of this could be a scheme to free capacity on the Hope Valley Railway Line. Such improvement could increase rail movements along the railway line, but would offer more sustainable travel than road, and could take people from road to rail. Similarly, a scheme that removes traffic from a particularly sensitive area in terms of its landscape, ecology or townscape may bring environmental benefit, but the removal of the blockage in traffic occasioned by such a scheme may also induce more traffic overall.

**8.12 With reference to part C of the policy, as the Authority is not the Highways Authority, how can it refuse permission for a new road scheme?**

8.12.1 In the event of a road scheme being included within a planning application for development within the National Park, the National Park Authority is able to refuse permission for all or part of the scheme, if it goes against the Authority's planning policies.

#### **Policy T3: Design of Transport infrastructure**

**8.13 The wording of policy T3 is aspirational. How and by whom will it be delivered, and how will it be monitored?**

#### Delivery

8.13.1 The purposes of National Parks are set out in the National Parks and Access to the Countryside Act (1949) Section 5 (CD B001) as amended by Section 61 of the 1995 Environment Act (CD B005). The purposes of the National Park are to: -

- (i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and

- (ii) to promote opportunities for the understanding and enjoyment of the special qualities [of the Parks] by the public.

8.13.2 Section 62 of the 1995 Environment Act (CD B001) places a duty on all relevant authorities, including National Park Authorities to have regard to these purposes, in exercising or performing any functions in relation to, or so as to affect, land in a National Park.

8.13.3 In terms of delivery, this policy will be delivered by any agencies responsible for the implementation of transport infrastructure within the National Park, including the National Park Authority, in accordance with Section 62 of the Environment Act (1995).

8.13.4 In addition to the statutory role that the National Park Authority will take with regard to determination of planning decisions, the Authority will also seek to influence, possibly through the development of a Supplementary Planning Document relating to the Design of Transport Infrastructure inside the National Park.

#### Monitoring

8.13.5 The monitoring of this policy will be derived from the increase in proportion of new infrastructure sympathetically designed. In addition monitoring will include the recording of schemes undertaken to reduce transport infrastructure clutter.

### **Policy T4: Managing the demand for freight transport**

#### **8.14 No questions.**

8.14.1 No response required.

### **Policy T5: Managing the demand for rail, and re-use of former railway routes**

#### **8.15 Should a further criterion be added to policy T5 which states that all proposals should be subject to the test for major development?**

8.15.1 The Policy relating to major developments within the National Park is contained within the submitted Core Strategy; Policy GSP1: Securing National Park Purposes and Sustainable Development – see Document A001 Submission Core Strategy; Policy GSP1, Part D. The supporting text states at paragraph 8.12 that transport infrastructure proposals are included under major development proposals. It is felt that the overarching Policy at GSP1 negates the requirement for this position to be restated at Policy T5.

### **Policy T6: Routes for walking, cycling and horse riding, and waterways**

**8.16 What is the evidence that the partnership arrangements necessary for the successful implementation of this policy are in place and are working well?**

8.16.1 A key partnership involves the management of the rights of way network in the National Park. There are seven different Highway Authorities responsible for protecting, maintaining and enforcing the use of public rights of way. They each have a duty to produce a Rights of Way Improvement Plan in consultation with the National Park Authority and joint accords/agreements are in place with Derbyshire County Council and Staffordshire County Council to facilitate day to day working arrangements. The Peak District National Park Authority also has a long-standing arrangement with Natural England and the relevant Highway Authorities over the management of the Pennine Way National Trail.

**8.16 What is the evidence that the cross-boundary proposals of this policy are supported by the relevant adjoining Council's?**

8.17.1 The evidence that the cross-boundary proposals of this policy are supported by the relevant adjoining councils is apparent within their respective Rights Of Way Improvement Plans.

**Policy T7: Minimising the adverse impact of motor vehicles and managing the demand for car and coach parks**

**8.18 With reference to car parking standards, does paragraph 15.39 accord with recent amendments to PPG13?**

8.18.1 It is the Authority's view that Policy T7 is in accordance with guidance on Parking and Parking Standards contained within the revised PPG13 (see Document G048 Planning Policy Guidance 13: Transport (Updated), Sections 49-62).

**8.19 Where will parking standards be defined? Will they be subject to prior public consultation?**

8.19.1 The parking standards for the National Park will be defined within the subsequent Development Management Document, as part of the Local Development Framework. These documents will be subject to the public consultation process as laid out in regulation and the Authority's Statement of Community Involvement (CDA008).

***TOPIC PAPER 9 - Delivery, Monitoring, Implementation and Flexibility***

**MAIN MATTER 9**

**Whole Core Strategy**

***Delivery, Monitoring, Implementation and Flexibility***

**ISSUE** - *Whether the delivery and monitoring strategy for the Core Strategy effectively demonstrates; what, where, when and by whom its policies and proposals will be delivered and that its contingencies for promoting their delivery are flexible, appropriate and effective.*

**Questions**

- 9.1 Although the CS is essentially an enabling tool it is nevertheless necessary, in order to demonstrate soundness, for it to clarify how, by whom, with what funding and when, its vision, objectives and policies will be achieved. This necessary implementation detail should be added in respect of each of the CS policies.**
- 9.1.1 The Authority accepts that there is scope to improve the clarity of the plan with regard to its implementation. A change has previously been proposed and appended to the Authority's response to the Inspector's Note 1. It is proposed that this Appendix be added to the Core Strategy as Appendix 3, with the existing Glossary moving to Appendix 5.
- 9.2 Similarly, the CS should contain sufficient detail in order to measure, monitor and manage the achievement of the CS policies in delivering its vision and objectives. Measurable targets and indicators should be provided for each of the CS policies.**
- 9.2.1 Similarly the Authority accepts that there is scope to improve the clarity of the plan with regard to the way in which it is intended to measure, monitor and manage the achievement of Core policies. A change is attached as Appendix 1 to this topic paper. It is proposed that this Appendix be added to the Core Strategy as Appendix 4, with the existing Glossary moving to Appendix 5.

Appendix 1 – Revised Monitoring schedule

**Peak District National Park Core Strategy Monitoring Framework**

NB: To be supported by a range of other contextual indicators collected and used to monitor the State of the Park for the National Park Management Plan (e.g. from Census, IMD, NOMIS, DEFRA, English Heritage, Environment Agency, STEAM, constituent councils, etc). The Authority has an on-going commitment to improving data quality , e.g. accuracy, completeness, etc

Owing to the small numbers of development anticipated in the National Park, a proportionate approach to monitoring is anticipated, with some matters considered more appropriate to be monitored on a 3 yearly basis. Indeed some indicators will observe the degree circumstances have been maintained (or conserved and enhanced in the terms of National This will also give an opportunity to compare spatial planning data to contextual state of the park data gathered for the National Park Management Plan. This will allow an overall view to be made on the achievement of high level outcomes.

The first full monitoring year is anticipated to be 2013/14, so for the purposes of developing a baseline the 2011/12 year will be considered as year 1.. As such the table shows a commitment to develop baseline information during 2011/12.

The Authority is aware that on-going changes to permitted development mean that it is not possible to gather all data relating to physical change to the National Park, only through cases captured through the planning system.

Contributing to all spatial outcomes						
Policy	Indicator(s)	Type of Indicator (Local/Contextual)	Baseline	Data Source	Target/Direction of travel	Frequency
DS1 – Development Strategy	Proportion of net housing development permissions in named settlements	Local	To be developed during 2011/12		80-90% of housing development to be in named settlements	3 yearly
	Applications granted contrary to policy	Local	AMR – 2009/10 - 1 AMR – 2008/9 - 1 AMR – 2007/8 - 3	PDNPA Planning records AMR	Reducing with tolerance of 3	Annual
	Applications that have raised significant policy issues	Local	AMR – 2009/10 - 11 AMR – 2008/9 - 12 AMR – 2007/8 - 7	PDNPA Planning records AMR	Reducing with tolerance of 10	Annual
	Proportion of development approved in named settlements	Local	To be developed during 2011/12	PDNPA Planning records	80-90% of development to be in named settlements	Annual
	Overall number and range of services across named settlements	Local	Information contained on settlement matrix	PDNPA Planning records	Maintain current numbers/range	3 yearly
	Access to specified services and facilities within target times by public transport (including bank/building society; GP surgery; NHS dentist; petrol station; post office; primary & secondary	Contextual	Information contained on settlement matrix	Rural services data series (CRC)	Maintain current level	3 yearly

	school; supermarket; hospital)					
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Contributing to all Spatial Outcomes						
Policy	Indicator(s)	Type of Indicator (Local/Contextual)	Baseline	Data Source	Target/Direction of Travel	Frequency
GSP 1 - Securing National Park purposes and Sustainable Development	No. of major developments completed (number and text) (e.g. housing over 10 dwgs Development over 1000sqm All minerals and waste proposals)	Local	To be developed during 2011/12	PDNPA Planning records	Maintain current levels	Annual
	Applications granted contrary to policy (text)	Local	AMR - 2009/10 - 1 AMR - 2008/9 - 1 AMR - 2007/8 - 3	PDNPA Planning records AMR	Reducing	Annual
	Applications that have raised significant policy issues (text)	Local	AMR - 2009/10 - 11 AMR - 2008/9 - 12 AMR - 2007/8 - 7	PDNPA Planning records AMR	Reducing	Annual
GSP2 – 2 Achieving Enhancement of the National Park	Number of permissions approved on enhancement grounds	Local	To be developed during 2011/12	PDNPA Planning records	100% of proposals for enhancement demonstrate they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.	Annual

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	Cases where non-conforming uses have been removed through planning permissions completed (text)	Local	To be developed during 2011/12	PDNPA Planning records	100% of cases involving non-conforming uses	Annual
GSP3 – 1 Development Management Principles	Applications granted contrary to specialist (internal advice) and statutory consultee advice	Local	To be developed during 2011/12	PDNPA Planning records	Reducing with tolerance of 25%	Annual
GSP4 – 2 Securing Planning Benefit	Number and type of section 106 agreements or infrastructure secured through other mechanisms including any introduced Community Infrastructure Levy	Local	To be developed during 2011/12	PDNPA Planning records	Using all appropriate mechanisms to increase the capacity to facilitate National Park purposes and duty through development and enable appropriate contributions to infrastructure development.	Annual

Contributing to Spatial Outcome for Landscapes and Conservation						
Policy	Indicator(s)	Type of Indicator (Local/contextual)	Baseline	Data Source	Target/ Direction of travel	Frequency
L1 –	No. of planning permissions	Local	To be	PDNPA	No development in	Annual and

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Landscape Character and Valued Characteristics	for development in the Natural Zone		developed during 2011/12	Planning records	the Natural other than that justified by exceptional circumstances	3 yearly
	No. of permissions granted with conditions to incorporate conservation or habitat creation, landscape treatment and provision of other features which enhance valued characteristics	Local	To developed during 2011/12 be	PDNPA Planning records	An increasing number	Annual
L2 – Sites of biodiversity and geo-diversity	Loss in areas of biodiversity importance as listed in policy	Local (formerly core)	To developed during 2011/12 be	PDNPA Planning records  Protected species forms as part of validation requirements	No losses. 100% of development must conserve and enhance sites, features or species of biodiversity importance or their setting	3 yearly
L3 – Cultural Heritage assets or archaeological, architectural, artistic or historic significance	Losses to designated cultural heritage assets of archaeological, architectural, artistic or historic significance	Local	To developed during 2011/12 be	PDNPA Planning records	No loss of designated cultural heritage features	3 yearly

Contributing to Spatial Outcome for Recreation and Tourism						
Policy	Indicator(s)	Type of Indicator	Baseline	Data Source	Target/ Direction	Frequency

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		(Local/contextual)			of travel	
RT1 – Recreation, environmental education and interpretation	No. of applications granted and completions for development to promote understanding	Local	To be developed during 2011/12	PDNPA Planning records	An increasing number	Annual
	No. of applications granted and completions for development to promote recreation	Local	To be developed during 2011/12	PDNPA Planning records	An increasing number	Annual
	Proportion of permissions and completions for development to promote understanding or recreation which are in/on the edge of named settlements	Local	To be developed during 2011/12	PDNPA Planning records	At least 75%	Annual
RT2 – Hotel, Bed and Breakfast and Self catering accommodation	Applications granted and completions of holiday accommodation by type (gross and net)	Local	Hotel demand study	PDNPA Planning records	An increased number	Annual
RT3 – Caravans and camping	Applications granted for and completions of new sites and improvements to existing camping and caravan sites	Local	Audit of caravan and camping sites	PDNPA Planning records	An increased number	Annual

Contributing to Spatial Climate Change and Sustainable Building						
Policy	Indicator(s)	Type of Indicator (Local/contextual)	Baseline	Data Source	Target	Frequency
CC1 - Climate	Proportion of new residential	Local	To be	PDNPA	An increasing number	Annual

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change mitigation and adaption	development meeting the standard required by government for affordable housing provided by Registered Social Landlords in the Code for Sustainable Homes		developed during 2011/12	Planning records		
	Proportion of new non-residential development with a Building Emissions Rate less than Target Emissions Rate (restricted to development of more than 1000m <sup>2</sup> )	Local	To be developed during 2011/12	PDNPA Planning records	100% of development captured by policy achieve Building Emissions rate at least 10% less than Target Emissions Rate	Annual
	Housing quality - number and proportion of new build completions on housing sites reaching standard ratings on Building for Life Assessments	Local	To be developed during 2011/12	PDNPA Planning records	An increasing number	Annual
	Fabric first improvements in existing building stock and extensions as part of a planning application	Local	To be developed during 2011/12	PDNPA Planning records	An increasing number	Annual
CC2 – Low carbon and renewable energy development	Applications granted and completed for renewable energy generation	Local	Peak Sub region energy study	PDNPA Planning records Design and access statements	An increased number	Annual
	Applications granted and completed for other low carbon developments	Local	Peak Sub region energy study	PDNPA Planning records Design and	An increased number	Annual

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				access statements		
CC3 – Waste management – domestic, industrial and commercial waste	Number of small-scale community waste management facilities granted (excluding on-farm manure and slurry development (see CC4))	Local	To be developed during 2011/12	PDNPA Planning records	An increased number of additional small-scale community schemes permitted over the whole plan period upto 2026	Annual
CC4 – Waste management – on-farm anaerobic digestion of agricultural manure and slurry	Number of new on-farm Anaerobic Digestion waste management facilities permitted	Local	To be developed during 2011/12	PDNPA Planning records	An increased number of additional on-farm AD facilities permitted over the whole plan period upto 2026	Annual
CC5 – Flood risk and water conservation	Strategic Flood Risk Assessment	contextual	Baseline survey maps available from SFRA	PDNPA/Partnership research	No development in mapped zone 2 and 3 flood risk areas	Related to plan review. Partnership approach with constituent authorities
	Number of planning permissions granted contrary to Environment Agency advice on flood risk and water quality grounds	Local (formerly Core)	To be developed during 2011/12	Environment Agency/PDNPA Planning records	none	Annual
	Number and proportion of applications granted and completed with Sustainable	Local (formerly regional)	To be developed during	PDNPA Planning records	An increasing number	Annual

	Urban Drainage		2011/12			
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Contributing to Spatial Outcome for Homes, Shops and Community Facilities						
Policy	Indicator(s)	Type of Indicator (Local/contextual)	Baseline	Data Source	Target	Frequency
HC1 – New Housing	Housing stock by type	Contextual (formerly Core)		PDNPA Planning records and Census of Population (ONS)	N/A	3 yearly
	Level and nature of local housing need (and stock)	Contextual	Strategic understanding of need established through SHNS and advice from Housing Authorities	Future Reviews of Need Surveys PDNPA Planning Records and constituent councils	Decreasing	3 yearly
	Change to housing stock – IE: Number of dwellings permitted and completed (gross and net) by type (including open market, affordable, key workers, grant assisted, new-build, change of use)	Local	none	PDNPA planning records	Increasing (NB: whilst there is no numerical target, monitoring will take account of the estimates in the Core Strategy / Delivery Plan)	Annual

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HC2 – Housing for key workers in agriculture, forestry or other rural enterprises	Number of dwellings permitted and completed tied to S106 occupancy restriction (gross and net)  Number of dwellings which have the Section 106 occupancy restriction agreement removed, by type of restriction	Local  Local	To be developed during 2011/12  To be developed during 2011/12	PDNPA planning records  PDNPA planning records	An increasing number  decreasing	Annual  Annual
HC3 – Buying existing homes to add to the affordable housing stock	Number of acquisitions to meet local housing need	Local	To be developed during 2011/12	Registered social landlords	An increasing number	Annual
HC4 – Gypsy, Traveller or Showman's sites	Number of gypsy and travellers' pitches available	contextual	Baseline data available in Gypsy and Traveller study	PDNPA	N/A	3 yearly

Contributing to Spatial Outcome for Homes, Shops and Community Facilities						
Policy	Indicator(s)	Type of Indicator (Local/contextual)	Baseline	Data Source	Target	Frequency
HC5 – Provision and retention of community	Losses of community facilities through change of use, by settlement and overall	Local	To be developed during 2011/12	PDNPA planning records	No net change overall and aiming for no individual settlement to be left with no service/facility	Annual

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services and facilities	Applications granted/completed for community facilities or shops by type of provision and by type of development (new build, conversion, change of use) (floorspace)	Local	To be developed during 2011/12	PDNPA planning records	An increasing number	Annual
	Proportion of floorspace developed for community facilities & shops which is in /on the edge of named settlements by type of provision	Local	To be developed during 2011/12	PDNPA planning records	increasing	Annual
HC6 – Shops, professional services and activities	Amount of floorspace developed within Use Class A; and Proportion within/on the edge of named settlements	Local	Retail study	PDNPA planning records	An increasing number	Annual

Contributing to Spatial Outcome for Supporting Economic Development						
Policy	Indicator(s)	Type of Indicator (Local/contextual)	Baseline	Data Source	Target	Frequency
E1 – Business development in towns and villages	Amount of floorspace permitted and completed by Use Class (gross and net)	Local	Employment Land Review	PDNPA and constituent councils	No net decline	Annual
	Proportion of floorspace permitted and completed in/on the edge of named settlements by Use Class	Local	To be developed during 2011/12	PDNPA planning records	increasing	Annual
	Losses of employment floorspace to alternative uses	Local	To be developed during 2011/12	PDNPA planning records	decreasing	Annual

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E2 – Businesses in the countryside	Net amount of employment floorspace permitted and completed outside named settlements by Use Class	Local	Employment land review	PDNPA and constituent councils	No net decline	Annual
	Number of permissions in isolated open countryside locations?	Local	To be developed during 2011/12	PDNPA planning records	None.	Annual

Contributing to Spatial Outcome for Minerals						
Policy	Indicator(s)	Type of Indicator (Local/contextual)	Baseline	Data Source	Target	Frequency
MIN1 – Minerals development	Production of primary land-won aggregates (million tonnes)	Contextual	To be developed during 2011/12	PDNPA planning records	Progressive Reduction in Output	Annual
	Aggregates apportionment in the National Park	Contextual	To be developed during 2011/12	Aggregates Working Party	Progressive reduction reaching 3.2 million tonnes per annum by 2026	Annual
	Number and area of quarries in the National Park: • Active; • dormant	Local	To be developed during 2011/12	PDNPA	Progressive reduction in number and area	Annual
	Number of permissions granted for extraction by type	Local	To be developed during 2011/12	PDNPA	decreasing	3 yearly

MIN2 – Fluorspar proposals	Number of new permissions for fluorspar extraction by surface mining granted (not including from tailings dams)	Local	To be developed during 2011/12	PDNPA	None	Annual
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	Percentage of fluorspar extraction by underground methods as part of the total output of fluorspar from the National Park	Local	To be developed during 2011/12	PDNPA	Increasing	Annual
MIN3 – Local small-scale building and roofing stone	Proportion of permissions for new local small-scale additional workings subject to appropriate end-use controls to restrict use to buildings within the National Park	Local	To be developed during 2011/12	PDNPA	100%	Annual
MIN4 – Minerals safeguarding	Extent of Minerals safeguarding area	Local	To be developed during 2011/12	PDNPA	maintained	Annual
	Number of major non-mineral developments granted in the Mineral Safeguarding Areas where safeguarded minerals have been unnecessarily sterilised	Local	To be developed during 2011/12	PDNPA	None	Annual

Contributing to Spatial Outcome for Accessibility, Travel and Traffic						
Policy	Indicator(s)	Type of Indicator (Local/contextual)	Baseline	Data Source	Target / Direction of	Frequency

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T1 – Reducing the general need to travel and encouraging sustainable transport	Average annual daily traffic flows	Contextual	2009/10 data	Constituent highways authorities	No >2% increase pa	Annual
T2 – Reducing and directing traffic	Changes to road traffic network (text)	Contextual	2010/11 road network	Constituent highway authorities	This is a text indicator that seeks to comment on the number and significance of changes to the road traffic network	Annual
T3 – Design of transport infrastructure	Sympathetic design (taking account of valued characteristics) and decluttering of infrastructure	Local	To be developed during 2011/12	Constituent highway authorities	Increase in proportion of new infrastructure sympathetically designed	Annual
		Local	To be developed during 2011/12	Constituent highway authorities	This is a text indicator that will comment on whether anywhere has been decluttered from transport infrastructure	Annual
T4 – Managing the demand for freight transport	Applications granted contrary to policy	Local	To be developed during 2011/12	PDNPA Planning records AMR	0	Annual
	Indicator for T1 will provide an indication of freight movements					
T5 – Managing the demands for rail, and reuse of former railway routes	Changes reported in safeguarded rail routes (text)	Contextual	To be developed during 2011/12	PDNPA	This is a text indicator that will comment on changes in safeguarded rail routes	Annual

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T6 – Routes for walking, cycling and horse riding, and waterways	Change in length of network of: permissive routes and statutory routes	Local	2007/08	PDNPA	Opportunities are taken as they arise, so no specific target identified	Annual
T7 – Minimising the adverse impact of motor vehicles and managing the demand for car and coach parks	Report changes to traffic management arrangements (text)	Contextual	To be developed during 2011/12	PDNPA	This is a text indicator that will comment on changes in traffic management arrangements	Annual
	Number of new off-street parking spaces provided, and proportion that replaces on-street parking	Local	To be developed during 2011/12	PDNPA Planning records	A target is not appropriate	Annual