

## **Peak District National Park Development Management Policies**

### **Independent Examination**

#### **Opening Address by Brian Taylor – Head of Policy and Communities**

##### **Matters covered**

- National Park context
- Nature of the document and the intent of policies (overview)
- How it relates to the Core Strategy
- How it was produced
- How we believe it addresses soundness issues
- Relationship to submitted modifications and any further changes arising from Inspector's matters and issues

##### **National Park context**

National Park Authorities are granted planning powers in order to effectively pursue the legal purposes and duty set out in the 1949 National Parks and Access to the Countryside Act and as amended in the Environment Act 1995.

National Parks are designated in order to pursue 2 statutory purposes:

- To conserve and enhance the Natural Beauty, Wildlife and Cultural Heritage of these areas; and
- To promote opportunities for understanding and enjoyment of the special qualities of these areas by the public

These purposes have equal weight and status unless there is irreconcilable conflict, in which case conservation takes priority. This is known as the Sandford Principle and is demonstrated for example in policy for tourist accommodation which seeks to work with the Natural beauty and special qualities of the National Park.

In pursuing these purposes National Parks also have a duty to have regard to the social and economic well-being of the Parks' communities. This provides a context both for sustainable development but also for our engagement with and pursuit of National Planning Policies.

Key paragraphs of the National Planning Policy Framework reflect and footnote the protections anticipated by legislation.

Paragraph 14 relating to the presumption in favour of sustainable development refers readers to the restrictions provided by National Park designation and paragraph 115 reflects the statutory purposes themselves by stating that great weight should be afforded to National Parks which have the highest level of protection in terms of landscape and scenic beauty.

Paragraph 115 also refers to the National Parks Vision and Circular from 2010 as a key place where further guidance may be found on the management of National Parks which goes beyond the expectations of the Framework alone.

### **Nature of the document and the intent of policies (overview)**

The Development Management Policies represent part 2 of the Local Plan for the National Park and will replace the saved policies of the 2001 Local Plan in their entirety.

The new policies will provide a robust approach to development management, building and expanding on the principles in the adopted Core Strategy from 2011.

They are criteria based policies used to help planners and other decision takers consider proposals in detail, by assessing:

- Impact or harm to the natural beauty and other special qualities of the National Park
- Business cases
- Local needs
- Exceptional circumstances e.g. in relation to major development (such as minerals), or development in areas of highest protection (such as the Natural Zone)

### **How it relates to the Core Strategy**

The Core Strategy was adopted in October 2011 and therefore just predated the Framework. As such the Authority has regularly sought to monitor consistency with the Framework:

- In 2012 on publication of the Framework itself a consistency check was produced which demonstrated a high level of consistency;
- In 2015 (as part of the DM process) a report was prepared by the Planning Advisory Service which considered the consistency of the emerging plan and the relevance of the DM Policies by benchmarking against other equivalent DPD's across England;
- By on-going monitoring of appeals looking at inspectors' statements on the consistency of policy; and most recently
- By the review of the NPPF which maintains the existing relationship. Any new matters such as amended definitions to affordable housing policy are picked up by the DM policies.

All this evidence has given the Authority confidence that the long established principles and objectives of the spatial strategy and its core policies remained sound and provided an appropriate starting point for detailed development management policies.

**In all cases the Development Management Policies need to be read alongside the Core Strategy**

## How it was produced

Earlier versions of the Local Development Scheme had publicised the intent to produce a part 2 document.

Owing to the continuation of long term principles (previous Structure Plan 1994, East Midlands Regional Plan 2009 and National Park purposes) it was felt that the saved policies provided a sound basis for producing an **Issues and Preferred Approaches** consultation.

The adopted core strategy, along with the Sustainability Appraisal and Habitats Regulations Assessment that supported it all set the context for development management issues and meant that the scope for options was limited.

Nevertheless in consultation with specialist consultants assisting with the SA and HRA processes we developed our early consultation with an interim Sustainability Report.

This broadly showed that the scope of issues was appropriate.

However it also allowed a deeper period of conversation with parishes and stakeholders to take place with unearthed several matters which required further debate before a draft plan could be drafted. Significant matters arising included:

- Affordable housing criteria and definitions
- Heritage matters and definition of the terms in the Core Strategy
- Barn conversions
- Replacement dwellings
- Business sites
- Agricultural developments
- Parking; and
- Railway developments

Alongside the DM issues the matter of climate change was also raised by a few stakeholders. This led to the production of a Supplementary Planning Document during 2012/13 expanding on the 5 Core Policies, plus a series of case studies which are used for promotional purposes. The combination of core policies and detailed guidance led to the decision not to include additional DM policies, except with regard to strengthened wording in respect of replacement dwelling policy (DMH9).

A series of parish and stakeholder discussions continued during 2014 as set out in our submitted consultation and duty to cooperate statements.

A member steering group was established to finalise the document drawing in a range of Parish, local councillors and Secretary of State Members.

As a principle the production of the document sought to embrace proportionality, e.g. by:

- Utilising the core strategy as context and parameters for options setting
- Utilising existing saved Local Plan policies as a template for preferred approaches
- Not overproducing draft documents
- Not producing unnecessary amounts of new evidence

- Not repeating either the NPPF or the Core Strategy but adding further detail and clarity
- But focussing on high quality debate to focus on issues affecting people that could lead to more positive outcomes

### **How we believe it addresses soundness issues**

As such the Authority believes it has taken positive steps to updating its Local Plan coverage taking the opportunity of improving the consistency with National Policy by creating a more positive interpretation of the Core Strategy and by using modifications both at the pre-submission stage and during this examination process to explore language that improves the clarity and therefore

- Effectiveness; and
- Justification of the plan and its policies.

### **Relationship to submitted modifications and any further changes arising from Inspector's matters and issues**

Following the Publication stage the Authority found many opportunities to respond to points raised in representations and considered these could be positively addressed via modifications. A large proportion of these are considered by the Authority to be minor in nature as they represent grammatical or presentational matters.

The Authority will continue to refer to these as our starting point for further improvements to the plan, in addition to the further modifications drafted in preparing the hearing statements. One notable example is in relation to heritage policy, whereby dialogue with both the National Trust and the Chatsworth Estate has led to more substantive modifications which all parties believe address the soundness concerns raised at Publication stage. We would wish to refine these suggestions to clarify the final agreement between the Authority, National Trust and Chatsworth as our agreed way forward.

We would now wish to assist the inspector in moving through his matters and issues and we are willing to offer further constructive suggestions to ensure the plan is both sound and clear to all future users.

Thank you