

Independent Examination of Peak District National Park Development Management Policies

Peak District National Park Authority Responses to Matters and Issues

NB, existing modifications are highlighted in red with suggested new changes shown with strikethrough and underline.

Matter 2 – Other legal requirements

Issue: Does the Plan meet the relevant legislative requirements?

Planning and Compulsory Purchase Act 2004, Section 19 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

1 Does the DMP (or the Plan as a whole) include policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change?

In response to strengthening legal requirements and the National Park Authority's own commitment to climate change the Core Strategy provided a dedicated chapter containing 5 policies. These are aimed at mitigating and adapting to the challenges of climate change with a focus on building standards, promoting renewable energy, flood risk, sustainable drainage and management of waste including the promotion of on farm anaerobic digestion.

In order to take this issue further, particularly in terms of providing clarity on the balance between benefits and harm and promoting sustainability in all buildings projects, the Authority produced a Supplementary Planning Document on Climate Change and Sustainable Building in 2013.

Because of this existing coverage of policy and a growing set of best practice case studies produced and displayed alongside the adopted policies and guidance, the starting assumption was that no additional Development Management policy content was needed at this time on the climate change issues.

Nevertheless following the publication stage it became clear that respondents felt there was scope for a further area to be clarified with respect to replacement dwellings. Adopted Core Strategy policy CC1 already sought high energy standards in all replacement dwellings. In its proposed modifications (M6.41 set out in the modifications schedule SD03) the Authority recognises this and

proposes a change to the plan to reflect the intent of core policy to strive for increased environmental sustainability when considering the replacement of poorer materials. The following text was proposed for insertion to Policy DMH9:

"E In all cases the replacement dwelling must exhibit high sustainability standards and conserve and enhance its built environment and/or landscape setting;"

2 Is the DMP prepared in accordance with the Local Development Scheme?

Since the production and adoption of the Core Strategy in October 2011 the Authority has consistently highlighted its intention to bring forward a part 2 Local Plan document covering detailed Development Management Policies and revising the Policies Map.

Prior to the Publication Stage the Authority adopted an up to date Local Development Scheme (CD41) and this sets out the intention to consult on the Publication version between November and December 2016. Consultation took place as planned, however the outcome of the consultation revealed a range of areas which the Authority believed could be rectified through a series of modifications. As such the Authority undertook to continue working through its member steering group and produced a schedule of changes which were approved in October 2017. These then formed the basis of an additional period of consultation. As a result, the planned Submission was delayed until Feb 2018.

In all other regards the current Local Development Scheme remains valid and also highlights the intention of the Authority to move straight into a full combined review of the Local Plan looking at both core policies and development management detail in a comprehensive and cohesive manner.

3 How has the preparation of the DMP complied with the Statement of Community Involvement, specifically in terms of those consulted and the methods used for consultation?

The Authority has sought to follow the broad groups set out in the SCI (SD14) and has added bodies and organisations as we have moved through the stages of document preparation.

A key aspect of the SCI standard is to allow more time at key stages for formal consultation responses, principally in response to parish councils as a significant stakeholder in the National Park. A 12 week period was applied at Issues and

Preferred Approaches stage and 8 weeks was used as the basis of consultation at the Publication and modifications stages.

A range of consultation methods have been applied in accordance with the SCI. Page 10 of the Duty to Cooperate Statement (SD15) sets out a detailed timeline which highlights many of the methods advocated in the SCI (e.g. use of media, forums, parish meetings etc).

Conservation of Habitats and Species Regulations 2017 Part 6

4 The amended policies in the Modification Addendum have been subject to consultation. Do the amendments raise any issue that would require further assessment under the Conservation of Habitats and Species Regulations?

The Development Management Policies have been prepared in a style which complements and provides coherence with the Core Strategy. Both the full Sustainability Appraisal (SD12) and the Habitats Regulation Assessment (SD13) found no significant effects arising from the Development Management Policies. As such, when it came to assessing the impact of proposed modifications it was clear that the same tests applied. Proposed modifications were still considered to be drafted in the context of the Core Strategy and in themselves did not take policies further and result in any significant impact, as such it was not considered necessary to require any further assessment of the policies in the light of modifications.

National Parks and Countryside Act 1949

5 How does the Plan promote the requirements of the Act with specific regard to seeking to foster the economic and social well-being of local communities (Section 11A)?

The whole document is predicated on the basis of achieving sustainable outcomes for the National Park's communities in the context of statutory National Park purposes.

There are many examples of how the development management policies seek to identify positive opportunities for development.

The key to section 11A of the Act is the understanding of the interplay with National Park purposes themselves. It is the ability to connect social and economic well-being to purposes through the words "in-pursuing". Representations commonly seek greater flexibility and the Authority has sought to respond to that

demand in key areas whilst not losing sight of the principles laid out in the Core Strategy.

The ability to achieve genuinely affordable homes that are protected and managed for local communities has had long success by virtue of the controls that go with them. While the controls applied are necessarily robust they do raise concerns by some locally. However, the need to retain the concept of a strong local connection and a clear demonstration of housing need (DMH1 and DMH2), is widely supported where appropriate flexibility can also be applied at the point of delivery. This is explained further under Matter 8 issue 5.

Principally, housing policies seek to address the long term issue of affordability, allowing people to remain in the area and contribute to their community. Policies recognise the need for young people to set up a home for the first time by virtue of their existing accommodation being overcrowded.

Questions have been raised about the ability of policies to respond to changing needs as people move into old age. Firstly policies already seek to assist people whose accommodation is unsatisfactory. This can include people whose mobility has deteriorated and require a more suitable home. Text also recognises that people's circumstances change and this needs to be taken into consideration as people age or become more infirm.

Two new examples of flexibility include firstly an approach built into replacement dwelling policy (DMH9). This is principally a conservation and enhancement driven approach that seeks to both upgrade the built environment and find opportunities for new homes in the process. Previous saved policy has now been redrafted to consider the scope for 2 dwellings to replace 1 in village locations where such a development would be beneficial in the street scene (thus achieving enhancement).

Secondly policies seek to respond to the issue of farmer succession. Policies now give greater scope for both the conversion of outbuildings for ancillary accommodation and extensions to existing ancillary accommodation subject to close consideration of design and character. Tourism policies provide more scope for farmers and other local landowners to diversify their tourism offer through the development of camping pods and shepherd huts in appropriate locations as a limited exception to the Core Strategy rule of no permanent static or lodge-style developments.

Community policies have been strengthened to seek to protect a range of community services by virtue of rigorous marketing requirements and by safeguarding both community and employment related land-uses.

Bakewell policies have been reduced to a simpler set of principles giving more 'space' for the Bakewell Neighbourhood Plan to fill the gap with locally developed policies appropriate for the town. In total the Authority is working with 9

communities to bring forward locally developed Neighbourhood Plans which will work alongside the Core Strategy and Development Management Policies.