

Responses received from the consultation on the Development Management Policies document between 18th November 2016 and 27th January 2017 in policy order



[Contents, Chapter 1 \(Introduction\) and Chapter 2 \(DM Practices\)](#)

Policy Reference: Contents

Responder: Stella McGuire

Responder Reference: 10

Response comments: Do you intend to add page refs for Appendices and Figures to the final version? I always find this helpful in long documents

Policy Reference: DM

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Suggested line 5 amended to read “should” instead of “could”. Suggest last sentence amended to read “...will press this case, where appropriate.”

Policy Reference: DM

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: what happens when an application accords with one policy and not another, as so many of them do?

Policy Reference: DM

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum is unaware of any call for investigation into the wider use of s106 powers in the way described. These paragraphs read as an intention to use S106 powers to impose a tax on applicants who obtain a permission which is contrary to policy. This is unjustified and almost impossible to interpret and to police - This suggestion goes beyond paras 203 and 204 of the National Planning Policy Framework (“NPPF”) and the Forum OBJECTS to it.

Policy Reference: DM1

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DM1 Presumption in favour of sustainable development in the context of National Park purposes

The current wording of Policy DM1 attempts to set the presumption in favour of sustainable development (‘the presumption’) in the National Planning Policy Framework (‘the NPPF’) in the context of the restrictions applied in the NPPF, where land is designated within a National Park.

Whilst Policy DM1 states that the National Park Authority will take a positive approach in the context of the presumption and will work with applicants to find solutions, also echoing the approach of the NPPF in respect of decision taking (paragraphs 186, 187), it then only proposes to carry out this approach in the context solely of the National Park purposes, which the policy repeats from Section 61 (1) of the Environment Act 1995.

Policy DM1 however does not attempt to reconcile the economic role of sustainable development with the National Park. The NPPF makes it clear these roles are mutually dependent, and that (paragraph 8) “economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities.”

The NPPF also goes on to make it clear that economic, social and environmental gains are to be sought jointly. The current wording of Policy DM1, by not considering the economic dimension, is not consistent with national planning policy.

Economic gains within the National Park are important in order that local communities benefit from employment, economic growth and for the future viability of economic activity in the National Park. This includes local businesses, suppliers and the multiplier effects which benefits local services, as well as continuing to attract tourism investment. Moreover, Section 62 (1) of the Environment Act 1995 also makes it clear there is a statutory requirement for the National Park Authority to support economic well-being in its communities: “A National Park authority, in pursuing in relation to the National Park the purposes specified in subsection (1) of section five of this Act, shall seek to foster the economic and social well-being of local communities within the National Park”

This requirement under Section 62 (1) applies to plan-making, as a function of the National Park, and Policy DM1 provides the opportunity for the economic dimension, underpinning social benefits, to be included as role of sustainable development, as well as the environmental dimension which the current wording focuses on. The absence of an economic dimension, which can often be the driver of development, also means the policy fails the tests of soundness, as the policy is not fully positively prepared, is not justified in the context of the need to consider the economic dimension, and is not likely to be effective it does not assist in the delivery of economic and social well-being over the plan period. The adopted Core Strategy cannot be relied on in respect of the economic dimension of sustainable development as the date of adoption (2011) predates the NPPF (2012).

The DMP, as with the adopted Core Strategy, can lack a Peak District specific spatial element and whilst the DMP is correct through Policy DM1 to apply the purposes of sustainable development to National Park purposes, this needs to be done in the context specifically of the Peak District. The economic dimension offers an opportunity to achieve this.

The Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth.

The Chatsworth Settlement Trustees raised similar concerns during the consultation to the Issues and Preferred Approaches consultation in 2012 that the importance of economic activity to sustainable development had not been recognised, although this has not been addressed in the Publication version.

This can be overcome by amending criterion (A) of the policy to reflect the economic dimension, and for this to be reflected in the supporting text. Amend Criterion A to Policy DM1 as follows (in italics):

A. When considering development proposals the National Park Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions that are consistent with National Park purposes and the duties of the National Park Authority and other public bodies:

- to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park;
- to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park; and
- to foster the economic and social well-being of local communities within the National Park.

Add the following supporting text to Policy DM1 (paragraph 1.23, or as a new paragraph 1.24):

Achieving sustainable development however is the purpose of the planning system under the National Planning Policy Framework, which applies to all areas, including the National Park. There are three dimensions to sustainable development under the National Planning Policy Framework, economic, social and environmental, each which require the planning system to perform a number of roles. The economic role in the National Park is important so that communities can continue to benefit for employment and continued economic growth and that local businesses can continue to prosper. A strong economic role is vital as this will both support the social

well-being of local communities, including for retaining and attracting younger generations to live in the National Park, and provide resources to support National Park purposes. This is also consistent with the recognition under the National Planning Policy Framework that the dimensions of sustainable development are mutually dependent and should be sought jointly, and the statutory role of all public bodies in the National Park to seek to foster the economic and social well-being of local communities. The environmental role is reflected in the National Park purposes. Assessing the amendments to Policy DM1 against the tests of soundness
These amendments are considered to make Policy DM1 'sound' as the policy will be positively prepared by considering the economic dimension of sustainable development, justified, effective and clearly consistent with national policy.

Policy Reference: DM1

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: Policy DM1 sets out how the presumption in favour of sustainable development, as set down within the NPPF should be applied to ensure that it does not conflict with the National Park's Statutory purposes. The approach set out in the policy is considered to be in accordance with the approach set out in the NPPF. However the policies which seek to deliver the spatial framework set out within the Core Strategy and Development Management Policies document must be equally positive in terms of facilitating development considered suitable within the National Park. The emphasis within Policy DM1 is on ensuring that development proposals seek to ensure that so far as possible they are compatible with the statutory purposes of the National Park. Whilst this satisfies the legislative requirements there is concern about the extent to which rigidly adhering to the statutory duties actually delivers sustainable development which meets the social, economic and environmental aspirations of the NPPF can be delivered across the National Park. In terms of the position set out in respect of the introduction of CIL and the continued use of S106 Obligations, whilst there is no significant concern about the approach taken, it is considered that the National Park Authority should satisfy themselves that where infrastructure provision is being sought that have not unknowingly ended up in a situation where the pooling limits for s106 obligations have been or may be exceeded.

Policy Reference: DM1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: EITHER Replace the term 'valued characteristic' with 'special qualities' for consistency; OR Clarify the difference between these two terms, and use 'valued characteristics' as a basis for setting out a more self-contained approach within the DPD, that embraces spatial differentiation between places and how planning decisions should be informed by them.

Policy Reference: DM1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: We are not confident that this policy actively harnesses the special qualities of the Park as a decision-making tool, but rather regards them as contextual. There are three specific problems: 1) The supporting text suggests that 'special qualities' are the same as 'valued characteristics' but no justification is offered for using the latter term – which lacks the statutory meaning of the former term in relation to National Parks

Policy Reference: DM1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: We are not confident that this policy actively harnesses the special qualities of the Park as a decision-making tool, but rather regards them as contextual. There are three specific problems: 2) Because the DMDPD lacks spatial differentiation it relies on the special qualities to provide this, but those special qualities are in themselves somewhat inconsistent and are currently under review

Policy Reference: DM1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: We are not confident that this policy actively harnesses the special qualities of the Park as a decision-making tool, but rather regards them as contextual. There are three specific problems: 3) The 'Landscape First' approach is weak, as described in our FDP Evidence Paper. The combination of these factors means that the contribution of any given planning proposal to promoting the special qualities of the Park may be a matter of deeply subjective judgement, and lead to lengthy planning appeals. As a result, the ability of the DPD as a whole to promote the special qualities may be impaired.

Policy Reference: DM1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part B is presumably (although it doesn't say so) intended to reflect Para.15 of the NPPF which refers to "sustainable development" not "policies in the development plan". As drafted, it implies development that is sustainable but not in accordance with the Local Plan will not be dealt with promptly.

Policy Reference: DM1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: DM1 reads as a reluctant acceptance of Government Policy rather than a wholehearted adoption of the principles behind that policy. By only taking "a positive approach" it does not accept the policy itself. Consequently, any sustainable development that does not strictly accord with the Local Plan will per se be a departure from the Development Plan. Sustainable development should be within new Local Plan policy unless material considerations dictate otherwise. This particularly so if, for example, Policy DMC10B is to be adopted or if the interpretation of "valued vernacular" in CS Policy HC1 is to be limited to heritage assets (DMC10C).

Policy Reference: DM1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: If the policy is to be accepted as it stands, the Forum would wish to see a clear reference to sustainability including the sustainability of local communities

Policy Reference: DM1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Policy DM1 should enlarge upon and develop CS Policy GSP1, which is not cross-referenced in the preamble. Policy DM1 is little more than a repeat of GSP1D and it is not clear what it is

intended to add, not least because development that does not meet the first purpose of a National Park is unlikely to be sustainable.

Policy Reference: DM1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Presumably, development that accords with the Local Plan will be regarded as sustainable. Where development may not accord with the Local Plan but would nonetheless be sustainable, the Forum supports a presumption in its favour.

Policy Reference: DM1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum OBJECTS to the policy as drafted and would wish to see a positive adoption of the presumption in favour of sustainable development that conserves or enhances the National Park, reflecting the approach of the National Planning Policy Framework (“NPPF”), coupled with a requirement that other policies of the Local Plan (such as local affordable housing) must be addressed unless for viability or physical reasons they cannot be met.

Policy Reference: DM1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: There is also an inconsistency with Para.2.2 which asserts emphatically that policies not in accordance with the Local Plan will be refused unless material considerations indicate otherwise.

Policy Reference: DM1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment i) Policy DM1 fails to fully reflect the National Park Management Plan, and in particular that aspect relating to 'Thriving and Vibrant Communities'. Notwithstanding the NP's statutory purposes, sustainable development, and particularly of affordable housing in the settlements included in Core Strategy DS1, is a key objective of the National Park which should be reflected in DM1. Modification proposed: Policy DM1 should be amended to reflect a presumption in favour of development which supports the achievement of thriving and vibrant communities. Infrastructure in the context of the National Park has a far wider meaning than in other areas. In particular it includes aspects of the landscape such as dry stone walls, whose upkeep is of the utmost importance to the vitality of the agricultural industry; but the majority of stone walls are in a poor state of repair with farmers unable their maintenance in good order. Other aspects of infrastructure include fibre optic broadband which remains inaccessible to many more remote settlements and is uneconomic to provide. The resotation of upland peat areas, and other landscapes under threat from erosion could also be legitimately considered as appropriate for the use of CIL monies. Paras 1.24 - 1.27 fail to recognise the above infrastructure issues and the DMPs rejection of the operation of a CIL regime. Modification proposed. The PDNPA should re-consider its decision not to operate a CIL regime, and acknowledge that a wider definition of infratsructure is appropriate

Policy Reference: DM Practice

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments - The role of pre-application advice needs to be clarified here. This is especially important because, in our recent experience of planning cases in the Park, serious problems have arisen in the process due to applicants being given pre-application advice that appears, in our view, to be based on a narrow interpretation of planning policies and is not mindful of the likely range of community views and objections that might arise when the application is submitted. The result of this is that the applicant receives inconsistent and conflicting advice from the Authority at different stages of the process, which is not in the interest of any party. Suggested changes - Clarify the process for pre-application advice, including provision for pre-application consultation with consultees, communities and other key stakeholders as appropriate to the scale, location and type of development, especially when there is potential for an application to be controversial. Applicants should be made aware, in receiving pre-application advice, not only of the planning policy issues that may influence the determination of their application, but also of the range and relevance of community views and objections that may arise.

Policy Reference: DM Practice

Responder: National Trust

Responder Reference: 50

Response comments: This is not consistent with (or at least does not fully reflect) national policy. Paragraph 116 is a key policy restricting major development in National Parks and should therefore be highlighted alongside paragraphs 14 and 115. Paragraph 116 is a key policy restricting major development in National Parks and should therefore be highlighted alongside paragraphs 14 and 115.

Chapter 3 (Conserving and Enhancing the National Park's Valued Characteristics)

Policy Reference: DMC

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The Council supports the policies protecting the natural and built heritage to maintain the National Park's profile for the benefit of both residents and visitors.

Policy Reference: DMC

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The development of brownfield sites should be promoted in the National Park to alleviate pressure on the development of Greenfield sites adjoining the National Park.

Policy Reference: DMC

Responder: East Midlands Chamber (Nick Chischniak)

Responder Reference: 3

Response comments: Making better use of heritage sites would be useful – or simply converting them for modern purposes, whilst retaining their character – would receive our strong support (eg barn conversions).

Policy Reference: DMC1

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: However an issue with this draft document is that the Peak District National Park Authority (PDNPA) continues to show its landscape character types extending beyond its boundary. Whilst accepting that landscape does not stop at an arbitrary administrative boundary and that the landscape descriptions are relatively consistent between the PDNPA's landscape character assessment and that undertaken by DCC, it can lead to some confusion with applicants who are making applications to DCC but quoting recommendations or guidance from the PDNPA's Landscape Strategy, which might be less relevant to planning in Derbyshire.

Policy Reference: DMC1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments - Whilst we welcome the 'Landscape First' approach in principle, we do not consider it to be robust as it is described here. The reasons for this are discussed in our Evidence Paper. We support the reference to cumulative effects, including sequential effects. Landscapes do not usually respect administrative boundaries, and Policy should explicitly consider development decisions in adjacent planning authorities that share the landscapes within which the Park sits. Part A(ii) of the policy touches on this issue, but a much stronger and more comprehensive policy is needed. Suggested Changes - Delete references to the Landscape Strategy and Action Plan (unless a commitment is made to update these as a matter of urgency). Refer explicitly to the Natural England Landscape Character Assessments as the key evidence for the approach. Make clear that the role of development management – and the applicant's responsibility in complying with the 'Landscape First' approach, is not just to minimise and mitigate harm to the landscape but to make a pro-active contribution to the landscape protection and enhancement actions that are pertinent to the Landscape

Character Area in question. Strengthen DMC1 to cover the issue of landscape impacts arising in adjacent planning authorities.

Policy Reference: DMC1

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports policy DMC1 as a whole. However, minor clarifications are required to ensure that the policy is consistent with national policy and other industry standards. Specifically, the policy refers to 'landscape assessment' rather than Landscape and Visual Impact Assessment.

It is currently not clear whether part A(ii) of the policy refers to the impact of development within the National Park on places outside (e.g. because of views) or the impact of development outside the National Park on views of/from the National Park. Part A of the policy should ideally refer to Landscape and Visual Impact Assessment with supporting text referencing the Guidelines for LVIA, which are the standard industry guidelines prepared by the Landscape Institute and IEMA.

We suggest that part A(ii) recognises that in consideration of cumulative impacts, developments both inside and outside of the National Park should be considered in terms of their impacts on both the National Park and its setting.

Policy Reference: DMC1

Responder: Natural England

Responder Reference: 22

Response comments: DMC1: Conservation and Enhancement of Nationally Significant Landscapes

Natural England supports this policy as it consistent with the Natural Environment and Rural Communities Act (NERC) 2006 and the National Planning Policy Framework. We also welcome the reference to the Landscape Strategy and Action Plan. We therefore consider that the policy provides a strong framework for the protection of the nationally significant landscape and is therefore sound.

Policy Reference: DMC1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part C of the Policy is contrary to para 204 of the NPPF and is in practice unenforceable.

Policy Reference: DMC1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Para 3.15 is contrary to para 204 of the NPPF and is in practice unenforceable.

Policy Reference: DMC1

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: Whilst supporting the need to protect valued landscape character, I object to the requirement for a "landscape assessment". An assessment of landscape impact will invariably be undertaken by the NPA. ANY landscape assessment undertaken by the applicant will inevitably seek to show that the impact is minimal and can be mitigated. If it is a poor assessment it will be useless, if it is a good assessment it will merely

duplicate necessary work undertaken by the NPA. The requirement places an additional unnecessary burden on the developer, contrary to government advice.

Policy Reference: DMC1

Responder: Rowsley PC

Responder Reference: 69

Response comments: Potential development should not just deal with the structure being proposed. The overall position in the landscape needs to be considered, not just how it will sit in its location, but how it will be viewed from afar. The National Park is made up of vistas and long range, far reaching views, those must be maintained and considered with regard to all development. Final restoration of the site following any development must be to the fore, conditioned at the point of permitted applications.

Policy Reference: DMC1

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Potential development should not just deal with the structure being proposed. The overall position in the landscape needs to be considered, not just how it will sit in its location, but how it will be viewed from afar. The National Park is made up of vistas and long range, far reaching views, those must be maintained and considered with regard to all development. Final restoration of the site following any development must be to the fore, conditioned at the point of permitted applications.

Policy Reference: DMC1

Responder: Stella McGuire

Responder Reference: 10

Response comments: I think this is the first of many refs to the Landscape etc Plan. Would be good if there was a more detailed footnote here to give it its title, date, website ref. Also would be good to include it in Glossary, to cover later refs.

Policy Reference: DMC1

Responder: Stella McGuire

Responder Reference: 10

Response comments: I'm not quite clear about the meaning of the first 6 lines.

Policy Reference: DMC1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Also, re para 3.109, I'm not sure how the reference to 'other' rudimentary buildings relates to the previous 2 paras. What is being distinguished from what here?

Policy Reference: DMC1 and DMC2

Responder: Jean Howarth

Responder Reference: 1

Response comments: My comment on the policies is that wind turbines are eyesores which blight the country scene for miles around, and should never be allowed in a National Park. The Peak District is increasing in value as the population of Britain increases, providing an oasis of calm and beauty, reminding us of our rural heritage. Wind turbines constantly distract the eye as their blades turn, detracting from this serenity, and bringing a constant reminder of the industrial, hectic lifestyle of the conurbations which surround the park. The policies should ban them outright.

Policy Reference: DMC2

Responder: Allen Newby

Responder Reference: 9

Response comments: Personal consents

This is the same as Saved Local Plan Policy LC1. Although the policy by definition covers exceptional circumstances, personal consents are rarely acceptable.

If controlled by condition, the personal consent is likely to fail the six tests set out in PPG. Paragraph: 015 Reference ID: 21a-015-20140306. It should always be possible to positively word a condition so it relates to the land, the described development / activity without naming an individual or organisation. For example: The occupation of the caravan, as proposed in the submitted application, shall be limited to a person solely or mainly employed in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, and to any resident dependants.

Policy Reference: DMC2

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: We support this policy, but have some concern in respect of C(iii) and (iv) in respect of applicability and appropriateness in relation to sensitive micro-hydro power development. In such cases the sustainability of the development (with its benefits for low carbon energy generation and climate change mitigation), will need to be measured in much longer timeframes or rendered too risky to implement. Impacts of any development should be judged at the point of determination and only appropriate conditions imposed, based on statute. We would not expect, in such circumstances, either temporary or personal consents to be necessary and/or appropriate.

Policy Reference: DMC2

Responder: National Trust

Responder Reference: 50

Response comments: National Trust is concerned that Part B of this policy is overly restrictive and conflicts with Part A of the policy. Part A(i) indicates that development for 'management of the Natural Zone' may be acceptable, whereas Part B states that development 'that would serve only to make land management or access easier will not be regarded as essential'. Revise Policy DMC2 Part B to ensure that it will not inhibit effective management and restoration of the landscape.

Depending on the interpretation of this policy it may not allow, for example, a temporary access track to enable cutting of heather for blanket bog restoration. It may therefore inhibit effective conservation management. If part B is to be interpreted as referring to management of, or access to, areas where access (albeit difficult) already exists then this needs to be clarified.

Policy Reference: DMC2

Responder: NFU (Paul Tame)

Responder Reference: 2

Response comments: We are concerned about policy DMC2 about protecting and managing the Natural Zone, however. You mentioned that you knew of six farmsteads within the boundary of the Natural Zone and there may be more on the boundaries of it. As you suggested, I wonder if our concern about the effects on the farmsteads within the Natural Zone and on its boundary could be overcome by the addition of a sentence or two at the end of paragraph 3.20 to the effect that:-We are concerned about policy DMC2 about protecting and managing the Natural Zone, however. You mentioned that you knew of six farmsteads within the boundary of the Natural Zone and there may be more on the boundaries of it. As you suggested, I wonder if our concern about the effects on the farmsteads within the Natural Zone and on its boundary could be overcome by the addition of a sentence or two at the end of paragraph 3.20 to the effect that:-
"There are a small number of farmsteads within the Natural Zone and on its borders. Policy DMC2 is not intended to curtail the normal farming activities within the Natural Zone or make farming unworkable. Applications for essential development and activities at these farmsteads will not be unreasonably restricted."

Policy Reference: DMC2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: PART A: See comments on DMT6.

Policy Reference: DMC2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part C, paras (iii) and (iv) propose onerous conditions ("where necessary and appropriate")

Policy Reference: DMC2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: paragraph 3.21 says that these conditions will always be imposed and it is expected this intended to be the norm not only for those paragraphs but also for (ii). The Forum therefore OBJECTS to this part of the policy as drafted as being contrary to para 204 of the NPPF and seeks greater clarification as to how the policy would in practice be applied and as to whether an Article 4 Direction would not be a more appropriate approach as it would encompass both old and new development.

Policy Reference: DMC2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part C of the policy as drafted is contrary to para 204 of the NPPF.

Policy Reference: DMC2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: We seeks greater clarification as to how the policy would in practice be applied and as to whether an Article 4 Direction would not be a more appropriate approach as it would encompass both old and new development.

Policy Reference: DMC2

Responder: Rowsley PC

Responder Reference: 69

Response comments: Protecting and managing the natural zone. This needs to include guidance for all developers that all works have to be carried out with full adherence to environmental regulations. i.e. stop builders burying waste on sites.

Policy Reference: DMC2

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Protecting and managing the natural zone. This needs to include guidance for all developers that all works have to be carried out with full adherence to environmental regulations. i.e. stop builders burying waste on sites.

Policy Reference: DMC2

Responder: Stella McGuire

Responder Reference: 10

Response comments: I found the intro slightly confusing (re Zone, 'area', 'areas', map, Section 3). Not always clear what's what. Could maybe remedy this by making para 3.22 the opening line, and then adjusting following lines a little. E.g.: "The extent of the NZ is shown on Fig 3 on the next pg. The Zone reps the wildest and least developed part of the NP, where high wildlife value is combined with min obvious human interference. The map overleaf is used etc etc ...

Policy Reference: DMC2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Later in para, would it be useful to include Natura 2000 in Glossary? Also, because of the bracket before (Special..., which doesn't have a final matching bracket at the end of the sentence – except the bracket 'owned' by SPA -- I don't know whether SACs and SPAs are Natura 2000 sites, or if they are in addition to Natura 2000 sites.

Policy Reference: DMC2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Does the 'Policies Map' need a footnote?

Policy Reference: DMC3

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: We are concerned with the general tone of the policies which seem to impose a common set of planning criteria across all the villages in a way that ignores the individual characteristics and history of each and could if imposed insensitively result in all villages becoming a pastiche of identical vistas, more like a

television set than living villages. The Council therefore objects to policy DMC3 as far as it imposes a common set of design criteria that do not consider the individual characteristics of each village.

Policy Reference: DMC3

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports Policy DMC3: siting, design, layout and landscaping.

Policy Reference: DMC3

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The last sentence of Part A is poorly drafted: "Siting.....will be essential.....". However, it also seems to be duplicated by Part B(i).

Policy Reference: DMC3

Responder: Peter Abbott

Responder Reference: 24

Response comments: Unusual use of "protects20" in DMC3A

Policy Reference: DMC3

Responder: Rowsley PC

Responder Reference: 69

Response comments: Rowsley PC are concerned about light pollution. Please ensure dark skies remain

Policy Reference: DMC3

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: What about light pollution? Ensure 'dark skies' remain.

Policy Reference: DMC3

Responder: United Utilities

Responder Reference: 44

Response comments: United Utilities supports the inclusion of the following sentence under point B of draft Policy DMC3, which deals with the design of new development: "Particular attention will be paid to: v) flood risk, water conservation and sustainable drainage;" We wish to highlight the importance of understanding the implications that the design of new development can have on flood risk, water conservation and sustainable drainage. All new development should be designed so as to minimise potential flooding and they should incorporate water efficiency measures as part of the design process.

Policy Reference: DMC4

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: It is considered Policy DMC4 is overly restrictive and will significantly limit the ability of the Peak District National Park Authority to deliver the jobs and affordable homes required to meet future housing need and ensure local communities remain sustainable.

Policy Reference: DMC4

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Part C. Comments - With reference to the recent case of the former Dove Dairy site at Hartington, the site was regarded by the appeal Inspector as being part of the village; however, as it was outside the Conservation Area of the village, it could be argued that it was outside the area where the 'valued characteristics' of the settlement itself applied, and that only the 'valued characteristics' of the wider landscape were considered pertinent. In our view, this contributed to a poor planning decision, which put the self-contained aesthetic benefit of clearing and re-using a derelict site above most other considerations, not least the role of the site within its host settlement. In urban Sheffield, the now very popular and characterful Kelham Island area was pro-actively protected from poor, generic demolition and re-development from the 1980s onwards by being designated as a Conservation Area, at a time when much of it was already derelict or blighted. This far-sighted planning manoeuvre harnessed the restorative potential of the Conservation Area designation, by embracing sites that could come to be valued and characterful in the future. From that exemplar we can see that a Conservation Area is a functional planning tool, and is not only about aesthetics. Suggested changes - We recommend that the DMDPD sets a much more pro-active agenda for the role and use of Conservation Areas within the Park, especially in defining the valued characteristics of settlements. Where there are sites within or on the edges of settlements that do not currently contribute to the character of the Conservation Area, they should be embraced within the Conservation Area designation so that any future planning decisions for those sites can be harnessed to enhance the settlement.

Policy Reference: DMC4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part B is out of place under this heading as such open areas will often be found within the settlement rather than at its limits.

Policy Reference: DMC4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Policies on the protection of open areas in and around settlements are found in DMC3B(i), with no cross reference to the inset maps; in DMC4B, with a reference to conservation areas in paras 3.38 and 3.41; and DMC8A(i), with a cross reference to the inset maps. The Forum supports policies that ensure that the importance of open areas is taken into account in determining planning applications and is comfortable with the wording of Policy DMC8A(i) which allows due weight to be given to important open spaces within conservation areas balanced against any public benefit of the development. DMC4B on the other hand places an absolute limitation on development of open spaces "forming an essential part" etc of the built environment. This could be acceptable in principle because open spaces are of different qualities and importance. For some, the approach in DMC8 is appropriate and for others the approach in DMC4. However, DMC4 is framed by paras 3.38 and 3.41 and it is not clear whether DMC4B is intended to apply to all open spaces identified by conservation area plans, i.e all those identified on the inset maps.

Policy Reference: DMC4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of this policy, for the following reason: The maps are based upon conservation area appraisals carried out over many years, applying different criteria and approaches. This produces anomalies such as: Not every conservation area has had an appraisal so that important open areas will not have been identified and mapped ; Some that have had an appraisal undertaken some years ago will not necessarily have had important open spaces mapped (eg Wardlow); Some boundaries are tightly drawn and some more loosely, so that important spaces that define the setting of a village will appear on some maps and not on others; For some, the open areas illustrated seem to be only agricultural land, whereas very important open areas might well include church and school grounds, large gardens or groups of gardens and other unbuilt areas; For others, a churchyard, say, might be recorded as important open space (eg Bakewell and Winster) but for most others is not; The maps are not always up to date because development will already have been approved in some open areas considered less worthy of permanent protection.

Policy Reference: DMC4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of this policy, for the following reason. When land is identified on a map as being specially protected, it means that other pieces of land, including those outside a conservation area, that may be of equal or greater merit are thereby more vulnerable. A National Park Authority's duty both in and outside conservation areas is the same (to conserve or enhance). By mapping only open spaces in conservation areas, the maps weaken the protection offered by all three policies. By identifying only certain types of land, i.e. agricultural, for protection, the maps weaken the status of other land within a conservation area that may also contribute to the character of the area.

Policy Reference: DMC4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of this policy, for the following reason. The maps, being based solely upon conservation area appraisals and not having regard to wider considerations, cannot be a reliable guide to the interpretation of DMC8A(i) or DMC4, if it applies, nor do the preambles justify the approach taken or adequately explain the difference between the two. The Forum therefore OBJECTS to policies DMC4B and DMC8A(i) having regard to all the issues set out above.

Policy Reference: DMC4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of this policy, for the following reason. The kind of protection proposed by DMC4B is akin to the protection given to "Local Green Space" referred to in paras 76 and 77 of the NPPF, but there is no evidence that the considerations set out in those paras. have been addressed. It is highly desirable that open areas carrying the kind of protection implied by Policy DMC4B should either be identified by map in accordance with the NPPF or that there should be clear criteria to distinguish them from other open spaces covered by Policy DMC8A(i).

Policy Reference: DMC5

Responder: Allen Newby

Responder Reference: 9

Response comments: Loss of significant features.

This is the same as LC6 ii). However there may be circumstances where a heritage asset has a significant original feature, eg a queen truss but the condition of the truss has deteriorated to such an extent that the best course of action would be to replace it. The wording of the policy doesn't make clear the distinction between loss and replacement, whether like for like replacement or otherwise. The policy is black and white and doesn't distinguish between substantial harm and less than substantial harm. There are likely to be circumstances where the loss of a feature amounts to less than substantial harm but nonetheless has public benefits taking into consideration the optimum viable use of the asset. NPPF paras 132 133.

Policy Reference: DMC5

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMC5 Assessing the impact of development on heritage assets

Policy DMC5 is the key policy for determining planning applications that concern heritage assets because it sees to provide a set of development management criteria which apply to all forms of heritage assets and their settings, whether designated (such as listed buildings, conservation areas, etc.), or undesignated (such as undesignated archeological finds).

Policy DMC5 applies an overly restrictive approach to development (“must clearly demonstrate”, “Development will not be permitted if..”) concerning the need for the development to fully consider the significance of the asset and where development may adversely affect significance, or character, or appearance. The policy also sets out requirements for supporting information from applicants, when planning applications are submitted, as well as advice on archaeological works and archaeological interest.

Policy DMC5 is however selective, and one dimensional, in terms of how it cites and utilizes the approach to heritage assets under the National Planning Policy Framework (‘the NPPF’). The positive aspects the NPPF recognises that development can bring to heritage assets are not reflected in the policy, or that benefits need to be balanced against impacts on heritage assets. The NPPF is clear that development can make positive contributions to heritage assets (paragraph 131):

☐ “the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;” The NPPF also makes clear that public benefits must also be considered when there is perceived to be ‘harm’ to the significance of the asset, applied on a proportionate basis dependent on the level of ‘harm’ and the protection to the asset. In respect of ‘less than substantial harm’ and the effects on non-designated assets the NPPF states the following (paragraphs 134, 135):

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

The NPPF also recognises that there will be instances where the benefits of development to conserve a heritage asset can be acceptable, where this conflicts with planning policy (paragraph 140):

“Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.” It is not considered therefore that Policy DMC5 satisfactorily reflects these aspects of the NPPF as it focusses on a more restrictive approach to development.

The supportive text to the policy similarly does not reflect the benefits that development can bring to designated heritage assets. Paragraph 3.54 states that “adaptive re-use may be possible where it does not harm

their significance...”, yet there is no recognition that re-use is an important positive way of ensuring that heritage assets can be maintained and do not fall into disrepair.

The adopted Core Strategy cannot be relied on as the date of adoption (2011) predates the NPPF (2012) and, as such, predates up to date national planning policy on heritage assets.

Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. This involves managing a significant number of heritage assets and the Chatsworth Settlement Trustees are committed to conserving and preserving those assets. In order to achieve this objective, there is a need to permit development that enables the viability of these assets to be maintained. Economic viability is key which, as set out above, is specifically cited in the NPPF in order to conserve heritage assets. This can also mean the need to consider the public benefits of the development, as well as its impacts, and that in making a positive contribution to conserving the asset, this may require a development management approach that is more flexible, and thus require a different policy approach that may permit a broader range of uses to maintain the viability of heritage assets.

The proposed wording of Policy DMC5 and the supporting text is therefore not consistent with national policy and in the absence of the realisation that the development can assist in the conservation of assets, and the need to consider public benefits, is not positively prepared. As such, it is considered not be justified and not likely to effective over the plan period if it leads to assets not been conserved, because of a restrictive approach to development. Add the following additional criteria to Policy DMC5:

G. Proposals that make a positive contribution to the conservation of heritage assets will be supported, including where the benefits arising from conserving the asset will outweigh any departure from other Local Plan policies; and

H. When considering the impacts from proposals on the significance of a heritage asset, including setting, the public benefits which arise from the proposals will also be taken into account. The public benefits will be weighed against any impacts. Add the following supporting text to Policy DMC5 (new paragraphs):

Proposals for development can also result in positive impacts on heritage assets, where they contribute towards the conservation of asset. It is important that heritage assets are put to viable uses consistent with their significance, so that they are conserved and do not fall into disrepair. It is necessary to consider whether the need to conserve heritage assets will outweigh other planning policies contained within the Peak District National Park Local Plan (parts 1 and 2), because of the weight the National Planning Policy Framework attaches to the conservation of heritage assets.

The National Planning Policy Framework is also clear that public benefits are to be weighed against harm to the significance of an asset. ‘Less than substantial’ harm is to be weighed against public benefits, including securing its optimum viable use. Substantial harm, or loss of the asset, will only be permitted where substantial public benefits outweigh that loss. In the case of non-designated assets, simply a balanced judgement is to be made. It is important that when deciding planning applications that a balancing exercise is carried out, based on the level of ‘harm’ and public benefits, and this is reflected in Policy DMC5. Public benefits may include economic, social and environmental benefits, and this can include a consideration of economic vitality, in accordance with the National Planning Policy Framework. Assessing the amendment to Policy DMC5 against the tests of soundness These amendments are considered to make Policy DMC5 ‘sound’ as the policy will be positively prepared and consistent with national policy, by considering the benefits development can bring to heritage asset, and allowing a consideration of the public benefits of the development against harm. This will also give a more appropriate, and thus a justified, approach and will be more effective in conserving heritage assets across the plan period.

Policy Reference: DMC5

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment: It is considered that certain elements of draft Policy DMC5 and the supporting text are not sound when considered against the paragraph 182 of the National Planning Policy Framework. Paragraph A, criterion (ii) of DMC5 requires that planning applications clearly demonstrate why the proposed development or related works are desirable or necessary. This is not a requirement of the NPPF, which states

(at para 128) that applicants should be required to “describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.” Paragraph 131 maintains that there are three matters to be considered by Local Planning Authorities when determining planning applications affecting heritage assets. These are: · the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. There is no general requirement to development to be “necessary”. Paragraphs 132-134 of the NPPF make it clear that justification for proposed development affecting a heritage asset is only required in cases where the development would cause harm to the heritage asset or, in the case of enabling development (para 140), where a departure from planning policy would secure the future conservation of a heritage asset. Paragraph D As policy DMC5 is worded so as to apply to both designated and non designated heritage assets, it is considered that paragraph D is unnecessary and should be removed. There is no draft policy relating specifically to designated heritage assets in isolation and the remainder of policy DMC5 affords adequate protection for both designated non-designated heritage assets. Modifications Proposed In order to be consistent with the NPPF, criterion (ii) to paragraph A should be removed or amended to qualify the circumstances under which this applies (in line with paragraphs 132- 134 and 140 of the NPPF). Remove Paragraph D

Policy Reference: DMC5

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports Parts A-E of this policy. While we support the general direction of Part F (which guards against any adverse effects on heritage assets) we consider that Parts F(i), (ii) and (iii) are currently unsound as they are not consistent with national policy. NPPF paragraphs 133-134 require decision makers to weigh harm/loss against public benefits. By comparison DMC5 Part F appears to allow no harm or loss (however minor) to any heritage assets. This fails to recognise that alterations and additions to heritage assets are sometimes required in order to keep them in good repair, fit for purpose and viable for the future. The policy is also negatively couched and does not recognise the scope for enhancements to be secured, for example by removing inappropriate modern elements. We suggest that parts F(i), (ii), and (iii) of the policy are modified to clarify that adverse effects/loss/damage will not be permitted unless they are justified and off-set by enhancements achieved through the wider scheme. For the scheme as a whole, public benefits will also need to outweigh harm/loss. Reason - To ensure that policy DMC5 allows for sensitive alterations and additions to heritage assets and their settings, recognising the particular significance of the asset.

Policy Reference: DMC5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The preamble should outline the process and criteria that the National Park Authority will use to identify and review non-designated heritage assets and how local communities can be involved in this.

Policy Reference: DMC5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: There should also be recognition that some local heritage assets will be seen as of greater importance to the community than to the National Park Authority.

Policy Reference: DMC5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part A(ii) wording (desirable or necessary) varies from the wording in DMC7 Part Aii) (desirable and necessary)

Policy Reference: DMC5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part C. It is not clear how an applicant would identify 'potential interest'

Policy Reference: DMC5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part F is a prescriptive policy that does reflect even the exceptional circumstances provision of Core Strategy L3B

Policy Reference: DMC5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Core Strategy policy L3B does not reflect the tenor of Part 12 of the NPPF, particularly paras 133 and 134 that weigh public benefits against any harm to the heritage asset. One would have expected the DMP policies to interpret "exceptional circumstances" (in CS policy L3B) to reflect the policies of the NPPF. The Forum therefore OBJECTS to both policies because there is no provision to balance public benefit against impact on heritage assets.

Policy Reference: DMC5

Responder: Peter Abbott

Responder Reference: 24

Response comments: If DMC5F(i) is referring to a list of characteristics of the proposed development as opposed to the asset, it should read something like ".....and its setting by any means including

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 3.46, line 6: insert 'the' before Neolithic.

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 3.51, line 1: make 'asset' plural in both cases.

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: 2nd bullet point, top left of page: Add footnote re Historic Landscape Character Project and include in Glossary?

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: 2nd bullet point: Appx 4 title given here is a bit different from the actual Appx title.

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: Reference to Historic Landscape Characterisation: see note above re footnote / Glossary entry.

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 3.64. typo: bracketed sentence at foot of para: Measures needs capital M

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para D: 'Non-designated assets of archaeological interest...'. Is it right to restrict this to 'archaeological' interest, or would e.g. cultural heritage interest' be more inclusive? Am sure Ken S can advise.

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: 3rd bullet point: qualify 'features'? (See point above re parks and gardens)

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: 4th bullet point: qualify 'assets' for same reason?

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 3.52: re 'cultural heritage significance assessed by NPA using Appx 5 criteria'. Is this an accurate statement, given that Appx5 is aimed at applicants? Does Appx 5 in fact act as statement of criteria used by NP? Maybe it does and I've misunderstood.

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: Should the list of ways in which non-designated assets may be identified include results of farm surveys carried out by NP, and major surveys by NP and other orgs. I'm thinking of the survey of the Eastern Moors by ArcHeritage (nearly 6000 features, mostly undesignated), and e.g. Bevan survey of Burbage / Houndkirk; Barnatt survey of Gardom's / Birchen. I know these latter examples are mainly landscape surveys, but in some cases include built environment. Ken cld advise I'm sure.

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: 'In open countryside locations it is more likely that the setting of the heritage asset will have cultural heritage significance'...Is this true? Doesn't seem compatible with e.g para 3.70 on Listed Buildings

Policy Reference: DMC5

Responder: Stella McGuire

Responder Reference: 10

Response comments: First bullet point, top left of page: need to qualify 'unregistered parks and gardens' - otherwise implies all parks and gardens are undesignated heritage assets?

Policy Reference: DMC6

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMC6: Scheduled Monuments

Policy DMC6 is a restrictive policy which seeks to permit development involving scheduled monuments, in exceptional circumstances. It is selective, and one dimensional, in terms of how it cites and utilizes the approach to scheduled monuments, as heritage assets, under the National Planning Policy Framework ('the NPPF'). The positive aspects that the NPPF recognises that development can bring to heritage assets are not reflected in the policy, or that benefits need to be balanced against impacts on heritage assets. The NPPF also makes clear that public benefits must also be considered when there is perceived to be 'harm' to the significance of the asset, applied on a proportionate basis dependent on the level of 'harm' and the protection to the asset. The adopted Core Strategy cannot be relied on as the date of adoption (2011) predates the NPPF (2012) and, as such, predates up to date national planning policy on heritage assets. Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. This involves managing a significant number of heritage assets and the Chatsworth Settlement Trustees are committed to conserving and preserving those assets. In order to achieve this objective, there is a need to permit development that enables the viability of

these assets to be maintained. Economic viability is key which, as set out above, is specifically cited in the NPPF in order to conserve heritage assets. Add the following additional criterion to Policy DMC6:

C. When considering the impacts from proposals on scheduled monuments, including setting, the public benefits which arise from the proposals will also be taken into account. The public benefits will be weighed against any impacts.

Policy Reference: DMC6

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports policy DMC6. Consideration should be given to the need to incorporate the NPPF 133-134 planning balance, for example in relation to wider settings.

Policy Reference: DMC6

Responder: Peter Abbott

Responder Reference: 24

Response comments: Should DNC6A read "...development that might affect a scheduled monument..." since the development itself is unlikely to "involve" one. Also singular is more precise than plural and clearly covers plurality whereas the converse could be argued not to be so (cf DCM10).

Policy Reference: DMC6

Responder: Rowsley PC

Responder Reference: 69

Response comments: Scheduled Monuments are not just buildings, they include sites of ancient historical significance and should be included, e.g. Stanton Moor which is a Scheduled Ancient Monument afforded the highest protection. These are just as important as buildings such as Chatsworth.

Policy Reference: DMC6

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Scheduled Monuments are not just buildings, they include sites of ancient historical significance and should be included, e.g. Stanton Moor which is a Scheduled Ancient Monument afforded the highest protection. These are just as important as buildings such as Chatsworth.

Policy Reference: DMC7

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMC7: Listed Buildings

Policy DMC7 is a restrictive policy which seeks not to permit development involving listed buildings, unless detailed criteria are met. It is selective, and one dimensional, in terms of how it cites and utilizes the approach to listed buildings, as heritage assets, under the National Planning Policy Framework ('the NPPF'). The positive aspects that the NPPF recognises that development can bring to heritage assets are not reflected in the policy, or that benefits need to be balanced against impacts on heritage assets.

The NPPF also makes clear that public benefits must also be considered when there is perceived to be 'harm' to the significance of the asset, applied on a proportionate basis dependent on the level of 'harm' and the protection to the asset.

The adopted Core Strategy cannot be relied on as the date of adoption (2011) predates the NPPF (2012) and, as such, predates up to date national planning policy on heritage assets. Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. This involves managing a significant number of heritage assets and the Chatsworth Settlement Trustees are committed to conserving and preserving those assets. In order to achieve this objective, there is a need to permit development that enables the viability of these assets to be maintained. Economic viability is key which, as set out above, is specifically cited in the NPPF in order to conserve heritage assets. Add the following additional criterion to Policy DMC7:

F. When considering the impacts from proposals on the significance of listed buildings, including setting, the public benefits which arise from the proposals will also be taken into account. The public benefits will be weighed against any impacts.

Policy Reference: DMC7

Responder: Emery Planning

Responder Reference: 48

Response comments: Criterion A (ii) of draft policy DMC7 requires that planning applications clearly demonstrate why the proposed development or related works are desirable or necessary. This is not a requirement of the NPPF, which states (at para 128) that applicants should be required to “describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.” Paragraph 131 of the NPPF maintains that there are three matters to be considered by Local Planning Authorities when determining planning applications affecting heritage assets. These are: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. There is no general requirement to development to be “necessary”. Paragraphs 132-134 of the NPPF make it clear that justification for proposed development affecting a heritage asset is only required in cases where the development would cause harm to the heritage asset or, in the case of enabling development (para 140), where a departure from planning policy would secure the future conservation of a heritage asset. Modifications Proposed. In order to be consistent with the NPPF, criterion (ii) to paragraph A should be removed or amended to qualify the circumstances under which this applies (in line with paragraphs 132-134 and 140 of the NPPF).

Policy Reference: DMC7

Responder: Fisher German (Kay Davies)

Responder Reference: 52

Response comments: It is considered that elements of the policy are too onerous as they would be equally applicable to small scale planning applications that would normally benefit from Permitted Development rights but, due to the buildings Listing, require a full planning application. Proposed amendments are suggested to allow some proportionate flexibility. (underlined wording should be inserted and Strike through wording should be deleted)

It is considered that criteria D(vii) and (viii) are too restrictive as an overriding policy stance. There could be some instances where extensions to the front of a Listed building or of two storey to a terrace house would be acceptable and to prevent this as a starting point in policy is too restrictive. If the development is inappropriate it would fail to meet sufficient other criteria to warrant refusal. As such the criterion should be deleted. As such the criteria should be deleted.

Criterion E of the policy is again considered too onerous and would be disproportional to smaller scale developments when the details of the application itself provide sufficient record of the changes to the Listed Building. As such the criterion should be deleted. D. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead

to:

- (i) unnecessary removal of original walls, stairs, or entrances, or subdivision of large interior spaces;
- (ii) unnecessary removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and, floors;
- (iii) the unnecessary removal, alteration or replacement of features such as windows, doors, fireplaces and plasterwork;
- (iv) the unnecessary loss of curtilage features which complement the character and appearance of the listed building (e.g. boundary walls, railings or gates);
- (v) repairs or alterations involving materials, techniques and detailing inappropriate to a listed building;
- (vi) the replacement of traditional features other than with like for like, authentic or original materials and using appropriate techniques;
- (vii) extensions to the front of listed buildings;
- (viii) extensions of more than one storey to the rear of listed small houses or terraced properties.
- (ix) inappropriate impact on the setting of the listed building.

E. Where change to a listed building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.

Policy Reference: DMC7

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: Consent for alterations to listed buildings should take into account the original reasons for listing and should not unnecessarily prevent alterations which do not alter the characteristics on which listing was based.

Policy Reference: DMC7

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DCM7.A.ii- The requirement that works to listed buildings must be “desirable and necessary” is unduly restrictive. Some acceptable developments may be desirable but not necessary and some may be necessary but not desirable. This element of the policy should be deleted or, at the very least “and” should be replaced with “or”.

Policy Reference: DMC7

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DCM7.C.ii – In this policy the word “or” should be replaced with “and”. Or, alternatively the words “original features or other features of importance” should be replaced with “original features of importance.” As currently drafted, acceptable development only affecting insignificant features, unworthy of protection, would be prevented.

Policy Reference: DMC7

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DCM7D.i – This policy is unduly restrictive and could thwart acceptable and desirable development. Some loss of internal walls, stairs, or entrances, or subdivision of large interior spaces and other features listed, will be acceptable in comprehensive schemes of enhancement. The word “unacceptable” should be introduced at the end of the opening paragraph.

Policy Reference: DMC7

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DCM7.E. This is an unreasonable requirement to impose on all listed building PROPOSALS. It should only apply to schemes where very significant works are proposed. The requirement places an additional unnecessary burden on the developer, contrary to government advice.

Policy Reference: DMC7

Responder: Stella McGuire

Responder Reference: 10

Response comments: Last line: ‘Design Guide SPD’ needs a fuller title / date – poss in footnote, as you’ve done elsewhere for these sorts of refs.

Policy Reference: DMC7

Responder: National Trust

Responder Reference: 50

Response comments: DMC7: Listed Buildings. Parts A-C of the policy repeat text that is already found in DMC5 on heritage assessments. It is not necessary to repeat this policy wording and subtle differences between the two policies may result in issues of interpretation when preparing or determining an application.

We support the general direction of Parts D(i), (ii) and (iii). However the policy is overly restrictive in relation to alterations to listed buildings and therefore appears to conflict with NPPF paragraphs 133-134 requiring harm/loss to be weighed against public benefits. The policy is also negatively couched and does not recognise the scope for enhancements to be secured, for example by removing inappropriate modern elements. We suggest that Parts A-C are reviewed in relation to Policy DMC5 in order to remove repetition and/or to avoid any conflicts between the different wording.

Parts D(i), (ii) and (iii) should be modified to clarify that adverse effects will not be permitted unless they are justified and off-set by enhancements achieved through the wider scheme. For the scheme as a whole, public benefits will also need to outweigh harm/loss. Reason

To ensure that policies DMC5 and DMC7 reflect national policy and conserve buildings and features according to their significance, recognising that minor adjustments may need to be made to secure a sustainable future for the building.

Policy Reference: DMC7

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: It is not clear why both DMC5 and DMC7 are required. To the extent that they overlap, it will be in everyone’s interests that similar wording is used, to avoid confusion.

Policy Reference: DMC7

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part D, if it is necessary at all (listed building legislation will control all of those things), would be more acceptable if the “public benefit” rule referred to above were to be acknowledged in the policy. The Forum does, however OBJECT to D(vii) and (viii) which, whilst possibly generally good conservation practice, must in the end depend upon the particular characteristics of the building concerned as well as public benefit.

Policy Reference: DMC7

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum does, however OBJECT to D(vii) and (viii) which, whilst possibly generally good conservation practice, must in the end depend upon the particular characteristics of the building concerned as well as public benefit

Policy Reference: DMC8

Responder: Anita Dale

Responder Reference: 66

Response comments: DMC8 - Surely an outline plan is a way of guidance from you to a full plan?

Policy Reference: DMC8

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMC8: Conservation Areas

Policy DMC8 is a restrictive policy which seeks not to permit development in conservation areas, unless detailed criteria are met. It is selective, and one dimensional, in terms of how it cites and utilizes the approach to conservation areas, as heritage assets, under the National Planning Policy Framework (‘the NPPF’). The positive aspects that the NPPF recognises that development can bring to heritage assets are not reflected in the policy, or that benefits need to be balanced against impacts on heritage assets.

The NPPF also makes clear that public benefits must also be considered when there is perceived to be ‘harm’ to the significance of the asset, applied on a proportionate basis dependent on the level of ‘harm’ and the protection to the asset.

The adopted Core Strategy cannot be relied on as the date of adoption (2011) predates the NPPF (2012) and, as such, predates up to date national planning policy on heritage assets. Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. This involves managing a significant number of heritage assets and the Chatsworth Settlement Trustees are committed to conserving and preserving those assets. In order to achieve this objective, there is a need to permit development that enables the viability of these assets to be maintained. Economic viability is key which, as set out above, is specifically cited in the NPPF in order to conserve heritage assets. Add the following additional criterion to Policy DMC8:

H. When considering the impacts from proposals on conservation areas, the public benefits which arise from the proposals will also be taken into account. The public benefits will be weighed against any impacts.

Policy Reference: DMC8

Responder: Fisher German (Kay Davies)

Responder Reference: 52

Response comments: It is considered that three of the criteria of this policy are unjustified when having regard to National Planning policy and do not allow flexibility, placing too great a restriction on development which could make small scale proposals unreasonably costly. It is therefore considered that criteria C, E and F of Policy DMC8 be deleted. More specific reasoning is provided against each point below.

C. Outline applications for development will not be permitted. (The confirmation that the principle of development would be acceptable remains an important part of the development process, providing certainty to landowners and developers alike. There remains full control over reserved matters to assess the detail of any development.)

E. Where development is acceptable, a record of the current site, building or structure and its context will be required, prior to or during development or demolition. (This is onerous on small scale development where the details contained in any planning application would be sufficient to provide a record of the existing and proposed development.)

F. Plans for re-use of an area where demolition is proposed must be agreed and a contract for redevelopment signed before the demolition is carried out. (Whilst it is acceptable that some form of basic restoration of a site is required after demolition in a Conservation Area, to require a contract for this is not considered expedient. A planning condition would be acceptable and enforceable. The policy criteria should be amended accordingly)

Policy Reference: DMC8

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: as for DMC4

Policy Reference: DMC8

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DMC8(G) -PDNPA need to more proactively encourage the timely replacement of selected older trees in such a way as to ensure that stands of trees with a significant amenity value do not all reach an age where they all become unsafe or unviable at about the same time.

Policy Reference: DMC8

Responder: National Trust

Responder Reference: 50

Response comments: Paragraph 3.82 suggests that 'where a building (or other element) does not make a positive contribution to the significance of the [conservation] area, the loss of that building or feature should be treated as less than substantial harm.'

This is not correct as presumably some buildings of this sort could be removed without causing any harm at all, while potentially enhancing the outlook of the area. Remove or amend this statement within paragraph 3.82.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of this policy, for the following reason. The maps, being based solely upon

conservation area appraisals and not having regard to wider considerations, cannot be a reliable guide to the interpretation of DMC8A(i), nor do the preambles justify the approach taken or adequately explain the difference between the two. The Forum therefore OBJECTS to policies DMC8A(i) having regard to all the issues set out above.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of either policy, for the following reason. When land is identified on a map as being specially protected, it means that other pieces of land, including those outside a conservation area, that may be of equal or greater merit are thereby more vulnerable. A National Park Authority's duty both in and outside conservation areas is the same - to conserve or enhance. By mapping only open spaces in conservation areas, the maps weaken the protection offered by all three policies. By identifying only certain types of land, ie. agricultural, for protection, the maps weaken the status of other land within a conservation area that may also contribute to the character of the area.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of this policy, for the following reason: The maps are based upon conservation area appraisals carried out over many years, applying different criteria and approaches. This produces anomalies such as: Not every conservation area has had an appraisal so that important open areas will not have been identified and mapped ; -Some that have had an appraisal undertaken some years ago will not necessarily have had important open spaces mapped (eg Wardlow); Some boundaries are tightly drawn and some more loosely, so that important spaces that define the setting of a village will appear on some maps and not on others; -For some, the open areas illustrated seem to be only agricultural land, whereas very important open areas might well include church and school grounds, large gardens or groups of gardens and other unbuilt areas; -For others, a churchyard, say, might be recorded as important open space (eg Bakewell and Winster) but for most others is not; -The maps are not always up to date because development will already have been approved in some open areas considered less worthy of permanent protection.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum has concerns about the use of National Park conservation area appraisals to identify open spaces for the purposes of this policy, for the following reason. The National Planning Policy Framework ("NPPF")(Para126) asks LPAs to take into account "the desirability of new development making a positive contribution to local character and distinctiveness" of conservation areas. There is no evidence that this has been done (the NPPF postdates most conservation area appraisals) in mapping the open areas shown on the inset maps and yet very often the choice of sites for new affordable housing lies between a site in a conservation area and a site in a green field somewhere on the edge of the village.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Policies on the protection of open areas in and around settlements are found in DMC8A(i), with a cross reference to the inset maps. The Forum supports policies that ensure that the importance of open areas is taken into account in determining planning applications and is comfortable with the wording of Policy DMC8A(i) which allows due weight to be given to important open spaces within conservation areas balanced against any public benefit of the development.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part C: Any planning applicant has a legal right to submit a planning application in outline. The local planning authority has legal powers to demand additional necessary information. A general policy against outline applications is against public policy and is an unacceptable attempt to circumvent rights under law. The Forum therefore OBJECTS to Part C.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part D: Whilst the intention of this policy is welcomed, it does not acknowledge the possibility of a development coming forward that may offend against the policy but may nonetheless enhance the conservation area as a whole to the public benefit in accordance with Part 12 of the NPPF and to that extent the Forum OBJECTS to the policy.

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: On a point of detail, the Forum also OBJECTS to the inclusion of the word “modern” in D(iii)

Policy Reference: DMC8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part F: This provision is not understood, nor is it explained or justified in the text and for that reason the Forum OBJECTS to it

Policy Reference: DMC8

Responder: Stella McGuire

Responder Reference: 10

Response comments: Footnote 31 to para 3.76. Needs something more than ‘ibid’

Policy Reference: DMC8

Responder: Taddington PC

Responder Reference: 19

Response comments: The Council shares the concern of the Forum about the confusion over the protection of valued open spaces, whether in or outside Conservation Areas. This was amply demonstrated recently when a planning application for four affordable houses was submitted on a site at Townend that local residents considered to be a valuable open space. Because it was not marked as such on any National Park Authority plan, their case was considerably undermined even though the land in question easily ranked in value to other sites shown on the Map. This applies equally to sites outside conservation areas, for example the field on the eastern entrance to the village within the Conservation Area is protected by the policy but the equally important field opposite is not.

Policy Reference: DMC8

Responder: National Trust

Responder Reference: 50

Response comments: DMC8 Conservation areas. National Trust supports this policy but considers that certain adjustments are required to ensure that the policy is sound.

The policy currently does not commit the Council to periodic preparation and review of Conservation Area Character Appraisals in line with statutory obligations. Where views 'into or out of' the conservation are referred to, we suggest that views 'within or across' the conservation area should also be protected. We suggest that the policy includes a positive commitment by the National Park Authority to prepare and review Conservation Area Character Appraisals. We also suggest that views 'within and across' conservation areas are recognised and protected.

Policy Reference: DMC8

Responder: Taddington PC

Responder Reference: 19

Response comments: There are issues about the accuracy and completeness of the Taddington Conservation Area Inset Map as follows:

* The churchyard is possibly the most valued open space in Taddington village but is not shown as such but is dubiously described as a "community recreation area."

* Gardens are (possibly correctly) not generally shown as valued open spaces but those behind Ade House, Fold Farm and Beech Close and the converted barn behind Town End are

* Land behind Ash Tree Barn and the Old Mill has been developed with a house and barn respectively

* The triangle at Townend has been omitted

The result is inconsistency and a lack of clear direction

Policy Reference: DMC8F

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DMC8(F) -we question if the requirement for a contract to be signed is actually enforceable in practice. Unless the PDNPA are sure that such a contract can be legally water tight and enforceable then an alternative way to achieve the required assurance that re-development will actually take place as proposed needs to be determined.

Policy Reference: DMC9

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMC9: Registered Parks and Gardens

Policy DMC9 simply sets out that an assessment from the impact of a development on a registered park and garden will be made with reference to information sources, citing specifically the National Register compiled by Historic England. The policy however does not recognise, as set out by the National Planning Policy Framework ('the NPPF'), the positive aspects that development can bring to heritage assets, or that benefits need to be balanced against impacts on heritage assets.

The NPPF also makes clear that public benefits must also be considered when there is perceived to be 'harm' to the significance of the asset, applied on a proportionate basis dependent on the level of 'harm' and the protection to the asset.

The adopted Core Strategy cannot be relied on as the date of adoption (2011) predates the NPPF (2012) and, as such, predates up to date national planning policy on heritage assets. Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth House (Grade I) Registered Park and Garden. This involves managing a significant number of heritage assets and the Chatsworth Settlement Trustees are committed to conserving and preserving those assets. In order to achieve this objective, there is a need to permit development that enables the viability of these assets to be maintained. Economic viability is key which, as set out above, is specifically cited in the NPPF in order to conserve heritage assets. Add the following additional criterion to Policy DMC9:

B. When considering the impacts from proposals on registered parks and gardens, the public benefits which arise from the proposals will also be taken into account. The public benefits will be weighed against any impacts.

Policy Reference: DMC9

Responder: National Trust

Responder Reference: 50

Response comments: Policy DMC9 currently states how applications will be assessed, but not how they will be determined. We therefore suggest a 'Part B' is required (refer to Modifications) or that the supporting text clarifies that applications will be determined according to NPPF policies for designated heritage assets.

The supporting text refers to four Registered Parks and Gardens within the Peak District. It is also worth noting that at Ilam Park is on Staffordshire's local list of Historic Parks and Gardens. Policy DMC9 would benefit from a Part B setting out the approach to protecting Registered Historic Parks and Gardens, e.g.

'Development proposals should conserve or enhance the significance of a Registered Historic Park and Garden and will be refused if they would result in harm that is not clearly justified and outweighed by public benefits.'

A reference to Ilam Park within the supporting text, highlighting its current status as a non-statutory heritage asset would be beneficial.

Policy Reference: DMC10

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DCM10.A.iii. Elements of this policy are contradictory. It is unlikely that a "higher intensity use" (eg a dwellinghouse) in a smaller hamlets, farmsteads or groups of buildings will be in "sustainable locations" but such changes of use may nevertheless be acceptable under Core Strategy Policy. This element of the policy is thus inconsistent with the Core Strategy.

Policy Reference: DMC10

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DCM10.B and DCM10.C.i and ii – These elements of policy DCM10 are not consistent with Core Strategy HC1.C. The phrase “heritage asset” should be replaced with “valued vernacular or listed building” for consistency. Paragraph C.ii should be deleted.

Policy Reference: DMC10

Responder: Allen Newby

Responder Reference: 9

Response comments: The wording is insufficiently nuanced. There will be circumstances where a high quality designated asset has significant structural defects which would require more significant remedial work to safeguard the building than would be acceptable on a fairly ordinary and commonplace field barn. It would be better to accept a greater level of intervention on higher value assets where the alternative is collapse and loss.

Policy Reference: DMC10

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMC10 Conversion of heritage assets

Criterion B of Policy DMC10 and the associated supporting text in paragraph 3.96 seeks to introduce a system of lower and higher intensity uses for conversions of heritage assets. Lower intensity uses are defined (in paragraph 3.96 of the supporting text) to include storage; stabling and camping barns. Higher intensity uses are defined to include recreation; environmental education/interpretation; holiday accommodation; community facilities; shops and business use; groups of buildings in a single unit; and housing related to affordable housing, assisted accommodation, key workers in rural enterprise and when open market housing will conserve or enhancement a heritage asset. Criterion B states that buildings not deemed to be a heritage asset will not be permitted to these higher intensity uses. The higher and lower intensity approach the policy takes is considered flawed. The assigning of the various uses to either higher or lower intensity is arbitrary and without justification in Policy DMC10. For example, whether a storage use is lower or higher intensity will depend on the intensity of the business and operation, and this can equally be applied to uses in the higher intensity category, such as business or holiday accommodation. Policy DMC10 itself then only refers to the higher intensity category in the context of buildings which are not deemed heritage asset, but yet Policy DMC10 is titled, and concerned, with the conversion of heritage assets. With the flawed approach of criterion B and arbitrarily seeking to restrict uses, Policy DMC10 cannot be considered effective, justified, or positively prepared. This approach has no basis in national policy, and so therefore is not consistent with national planning policy. Criterion B and supporting text paragraph 3.96 should simply just be deleted. It is noted, and acknowledged that Criterion C (iii) will permit conversion of a heritage asset to a market dwelling, where it will achieve the conservation and where appropriate the enhancement of the significance of the heritage asset and contribution to its setting. Criterion C (iii) does not however allow for the consideration of other public benefits a development may bring, so such as economic considerations.

The National Planning Policy Framework does not restrict the desirability of sustaining and enhancing heritage assets just to housing use and supports a consideration of the public benefits of a development against any ‘harm’ which may be caused to the asset, based a proportionate approach dependent on the level of ‘harm’, and protection to the asset.

The policy can be made more consistent with national policy by amending Criterion C (iii) to allow for public benefits to be considered.

The adopted Core Strategy cannot be relied on in respect of the conversion of heritage assets as the date of adoption (2011) predates the NPPF (2012) and, as such, predates up to date national policy on the conversion of heritage assets. The Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and runs farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. The Chatsworth Settlement Trustees raised similar concerns during the consultation to the Issues and Preferred

Approaches consultation in 2012 that the policy towards conversions was overly restrictive and not consistent with national policy, although these have not been addressed in the Publication version.

The policy can be made consistent with national policy, by including an additional criterion that allows for conversions to uses, where it would result in the conservation of the asset, and to allow the consideration of public benefits, including economic viability. Delete Criterion B to Policy DMC10.

B. Buildings which are not deemed to be a heritage asset will not be permitted for conversion to higher intensity uses.

Amend Criterion C (iii) to Policy DMC10 as follows (in italics):

(iii) it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and where appropriate the enhancement of the significance of the heritage asset and the contribution of its setting, or is justified by the public benefits which arise from the conversion. Add the following criterion to Policy DMC10:

Conversions that make a positive contribution to the conservation of the heritage assets will be supported and when considering the impacts on the significance of the asset, the public benefits which arise from the proposals will also be taken into account.

Delete paragraph 3.96 of the supporting text to policy DMC10. Add the following supporting text to Policy DMC10 (new paragraph):

Proposals for conversions can also result in positive impacts on heritage assets, where they contribute towards the conservation of asset, so that they are conserved and do not fall into disrepair. It is also important that when deciding planning applications, that a balancing exercise is made, based on the level of harm and public benefits, and is reflected in Policy DMC10. Public benefits may include economic, social and environmental benefits, and this can include a consideration of economic vitality. This reflects the approach taken in the National Planning Policy Framework to considering impacts on heritage assets. Assessing the amendments to Policy DMC10 against the tests of soundness

These amendments are considered to make Policy DMC10 sound, so policy can be considered to be positively prepared and consistent with national planning policy. The amendments will also give a more appropriate, and thus a justified, approach and will be more effective in conserving heritage assets across the plan period.

Policy Reference: DMC10

Responder: Emery Planning

Responder Reference: 48

Response comments: Paragraph B and supporting paragraphs 3.107-3.108 prevent the conversion of buildings that are not heritage assets, to higher intensity uses (as set out within paragraph 3.96). Paragraph 3.108 states that these buildings will rarely be worthy of conversion to higher intensity uses and as such, their conversion “will not be permitted”. The statement that these will “rarely be worthy of conversion” is contested, however it does (correctly) suggest that there will be instances where such buildings are worthy of conversion. Indeed there are situations where the conversion of a disused building could lead to enhancements to the immediate/wider setting in accordance with paragraph 55 of the NPPF. In view of this, the application of a blanket ban on conversion is not justified (as required by paragraph 182 of the NPPF). Such conversions can be effectively managed through existing Core and other Draft Policies. Paragraph B to DMC10 and the draft paragraphs in the main text, are in conflict with Policy HC1 (New Housing) of the Core Strategy which states that “exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted” subject to specified criteria, none of which restrict conversions to heritage assets alone.

Policy Reference: DMC10

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment : The draft paragraphs also conflict with draft policies DME2 (Farm Diversification), and DMH5, which would often involve the conversion of buildings that are not heritage assets. The NPPF states that local plans should “support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings”

(para 28). Paragraph 55 indicates that housing development which would re-use redundant or disused buildings and lead to an enhancement to the immediate setting is capable of being a very special circumstance. Neither of these paragraphs are restricted to heritage assets and consequently, the draft paragraphs are in direct conflict with the NPPF.

Policy Reference: DMC10

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment. Part A. Criterion A (iii) restricts the locations in which the conversion of heritage assets will be permitted. This is inconsistent with the NPPF. Paragraph 28 of the NPPF states that Local Plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, including through the conversion of existing buildings. It also requires Local Plans to “support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.” (para 28). It does not restrict such development to that occurring within settlements, smaller hamlets, farmsteads and in groups of buildings. Similarly, paragraph 55 of the NPPF indicates that residential conversions in isolated locations may be acceptable where, “development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting”. Proposed criterion A (iii) would thwart HC1 compliant proposals that accorded with paragraph 55 of the NPPF and is therefore not consistent with existing local or national policy.

Policy Reference: DMC10

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment: Part C states the proposals under HC1 part C1 will only be permitted where the building is a designated heritage asset, or based on the evidence the National Park Authority has identified the building as non-designated heritage and it can be demonstrated that a market dwelling is required in order to achieve the conservation and where appropriate the enhancement of the significance of the heritage asset and the conversion of the setting. Policy HC1 part C states that housing may exceptionally be allowed where it is required in order to achieve conservation and for enhancement of valued vernacular or listed buildings’. It essentially repeats HC1 part C and is therefore unnecessary. Modifications Proposed. Revise paragraphs 3.107-3.109 to read, “However there are other buildings (i.e. those that do not possess the same qualities as heritage assets in terms of their materials and traditional design) that may also be the subject of planning applications for conversion. All applications to convert such buildings will be assessed against Core Policies GSP1, GSP2 and GSP3 regarding the conservation and enhancement of the National Park; Core Policies L1, L2 and L3 regarding the conservation of biodiversity, cultural heritage and landscape; and other detailed policies in this plan. Whilst these buildings are not as valued as heritage assets they may nonetheless form valuable components of the landscape. Applicants should therefore propose a standard of conversion and uses that conserve the valued characteristics of buildings themselves and the wider landscape setting.” Remove DMC10, criterion A (iii); · Remove DMC10, paragraph B; Remove DMC10, Paragraph C and replace with the following: ‘Conversions to open market residential must accord with Policy HC1 C.’

Policy Reference: DMC10

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comment. Part D of the policy attends to the ‘impact of domestication and urbanisation’ to some degree, but this policy as a whole – especially part C – needs to be much clearer that any conversion to a market dwelling(s) to enable conservation / restoration of a building should be considered in the context of

whether market dwellings are appropriate to the location, and whether the conversion / restoration amounts to an acceptable degree of community benefit. In other words, it should not always be assumed that the benefit of restoration warrants conversion to a market dwelling. Suggestion. A more refined approach is needed that balances the merits of the building and its contribution to its setting with the impacts – both positive and negative – of domestication, not just on the special qualities of the Park, but on the characteristics and needs of the location.

Policy Reference: DMC10

Responder: Holme Valley PC

Responder Reference: 7

Response comments: The need for heritage assessments for any changes to historic buildings (defined as heritage assets in the Plan) are welcomed, as the Parish Council values both the attractive built and natural environment within our corner of the National Park.

Policy Reference: DMC10

Responder: National Trust

Responder Reference: 50

Response comments: Much of Policy DMC10 is supported by the National Trust. The policy relates to conversions but does not appear to relate to alterations and extensions. Are these adequately covered by Policies DMC3 (siting, design, layout and landscaping) and DMC5 (Assessing the impact of development on heritage assets and their settings) or is an additional policy on alterations and extensions required? Part A(iv) ought to reflect the NPPF 133-134 balancing exercise.

Part B suggests that unless a building is a heritage asset, no conversion to a 'higher intensity use' will be allowed. Does the policy fail to recognise that there may be buildings of architectural merit which are not heritage assets? Consider including a policy on alterations and extensions.

Amend Part A(iv) to conclude with (for example) 'unless clearly justified and outweighed by public benefits'.

Amend Part B to say: 'Buildings which are not deemed to be a heritage asset and do not exhibit significant architectural merit will not be permitted for conversion to higher intensity uses.'

Policy Reference: DMC10

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The re-use of redundant buildings is a fundamental principle underlying sustainability. The Forum acknowledges the concern implied in Part B, i.e. that the life of poorly designed buildings should not be unnecessarily perpetuated in a National Park, but considers that this policy as drafted goes beyond what is needed and is not sustainable. There will sometimes be buildings that are not heritage assets but may nonetheless be worthy of a new use, rather than be allowed to fall into ruin and decay. Such buildings, often 20th century, may in future generations even be regarded as heritage assets. The desirability of finding new uses for redundant buildings is recognised in Para 55 of the NPPF, and this can often be done in a way that conserves and enhances the National Park. The Forum therefore OBJECTS to Part B because it undermines sustainability and does not reflect Para 55 of the NPPF. (See also DMH6.)

Policy Reference: DMC10

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part A: As with Policies DMC5 and DMC7, the wording of this Part needs to reflect the advice in Part 12 of the NPPF, and to that extent the Forum OBJECTS to it.

Policy Reference: DMC10

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part A(iii): "Within or close to existing settlements" is suggested

Policy Reference: DMC10

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part B is out of place in a policy on the conservation of heritage assets

Policy Reference: DMC10

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: These considerations may well be relevant to CS Policy HC1 part C1. That policy supports the re-use of "valued vernacular" buildings, a vague term that can be wider than "heritage assets", and the Forum therefore also OBJECTS to Part C because it limits both the opportunity for sustainable development in this way and the opportunity to meet local housing needs. The remaining policies of DMC10 and elsewhere are sufficient safeguard.

Policy Reference: DMC10

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part C(iii): The opportunity should have been taken either in the text or in the policy itself to explain the tests needed to establish whether open market housing is required to secure a building for the future and the Forum OBJECTS to that omission.

Policy Reference: DMC10

Responder: Peter Abbott

Responder Reference: 24

Response comments: Suggest DCM10B should read "Conversion of a building that is not deemed to be a heritage asset to a higher intensity use will not be permitted." Do you actually mean "to a more intensive use" or do you have in mind a list of or examples of what is meant by "higher intensity uses."

Policy Reference: DMC10

Responder: Stella McGuire

Responder Reference: 10

Response comments: Not sure 'rudimentary' is the right word in these 3 paras. Dictionary definition gives 'basic; incompletely developed'.

Policy Reference: DMC10

Responder: Stella McGuire

Responder Reference: 10

Response comments: In para 3.108. something has gone wrong with the wording, so it reads that 'permissions ... will rarely be worthy of conversion'.

Policy Reference: DMC10

Responder: Stella McGuire

Responder Reference: 10

Response comments: Page 36: 1st para: Syntax in first few lines a bit odd, so meaning not clear

Policy Reference: DMC10

Responder: Stella McGuire

Responder Reference: 10

Response comments: Am a bit confused about point B. States that under no circumstances can a building not deemed to be a heritage asset be converted to higher intensity uses. But this would leave us with a situation where you can convert a heritage asset to higher intensity use (in some circumstances) but never a building which isn't a heritage asset. Isn't that a bit odd?

Policy Reference: DMC11

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comment - This policy will not be effective in promoting an improvement, over time, in the biodiversity of the National Park, and thereby to its resilience to climate change and its ability to provide ecosystem services, both to the communities within the Park and to its beneficiaries in adjacent urban areas. Suggested changes - We would recommend a 'net gain' approach in preference to 'no net loss'. There should also be consideration – with supporting evidence – of the extent to which the biodiversity of the National Park is constrained by factors of land-use, land management and transport planning, especially with regard to road traffic, air and noise pollution, and the relationship between urban flood risk and the land drainage management within the Park. These are important factors in terms of the 'ecosystem services' role of the Park, as highlighted by the PAS Report.

Policy Reference: DMC11

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports policy DMC11 which applies a principle of no net loss and seeks further enhancement.

Policy Reference: DMC11

Responder: Natural England

Responder Reference: 22

Response comments: DMC11: Safeguarding, recording and enhancing nature conservation interests
Natural England supports this policy as it provides clear guidance on protecting and enhancing natural habitats and species which will encourage a net gain for nature. The policy therefore complies with the guidance set out in the National Planning Policy Framework and can be considered to be sound.

Policy Reference: DMC11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Something has gone wrong with wording of lines 3 to 4, so meaning not clear.

Policy Reference: DMC11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Page 38 Para 3.120 – 3rd bullet point re Geodiversity Action Plan features. Need for a footnote. Also include GAP in Glossary, including an indication of which GAP is being referred to.

Policy Reference: DMC11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 3.111 typo: word or words missing in line 4.

Policy Reference: DMC11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Ref to BAP in line 6 from end: see my comments below re BAP entry in Glossary.

Policy Reference: DMC11

Responder: Stella McGuire

Responder Reference: 10

Response comments: In point B, do we need to qualify which BAP is being referred to?

Policy Reference: DMC12

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports the general direction of Policy DMC12. However, Part B of this policy is currently not clear in relation to a number of matters.

‘Exceptional circumstances’ are referred to in Part B and should probably be followed by ‘where development may be permitted’ (as per Part A). It should also be made clear that the term ‘management’ in DMC12 Bi refers to management for the nature conservation interests for which the site is important. Otherwise the word can be misinterpreted to refer to all types of management that do or could take place on that site, some of which might be regarded as ‘essential’ in terms of another aspect of the management of the site but which would be damaging to the nature conservation interest.

In relation to Part C of the policy, it is not clear whether ‘loss’/‘harm’ relates only to impacts on the special interest of the site, or to all impacts of the development on wildlife/geology, or to the impacts of the development taken as a whole. The policy should also make clear at what scale conservation status of a species or habitat will be judged. Is it at the site level, the locality, the Peak District, England etc.? Amend Part B to include the text ‘where development may be permitted’.

Clarify the meaning of Part C.

Policy Reference: DMC12

Responder: Natural England

Responder Reference: 22

Response comments: DMC12: Sites, Features and species of wildlife, geological or geomorphological interests
Natural England supports this policy and welcomes the clear guidance on the hierarchy of protected sites.

Policy Reference: DMC12

Responder: Rowsley PC

Responder Reference: 69

Response comments: Sites, features or species, wildlife, geological or geomorphological importance. Is there a maintained list of these locations and is it updated on a regular basis, otherwise developers may not be aware.

Policy Reference: DMC12

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Sites, features or species, wildlife, geological or geomorphological importance. Is there a maintained list of these locations and is it updated on a regular basis, otherwise developers may not be aware.

Policy Reference: DMC13

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: In DM2, the 'exceptional circumstances' pertaining to the policy are specified, where as in DM13(B) they are not. We do not necessarily take a position on whether exceptional circumstances should be specified – in which case there may be a need for them to be exhaustive; or left open to an evaluation of each case on its merits. However, inconsistency between the uses of exceptional circumstances in different policies may lead to difficulties in planning appeal cases. The approach to specifying exceptional circumstances should be consistent across the DPD.

Policy Reference: DMC13

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports Policy DMC13

Policy Reference: DMC13

Responder: Natural England

Responder Reference: 22

Response comments: DMC13: Protection of trees, woodlands or other landscape features put at risk from development

Natural England supports this policy and considers that it complies with the guidance set out in paragraph 118 of the National Planning Policy Framework and can therefore be considered to be sound.

Policy Reference: DMC13

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Parts B and C of the policy address the retention of trees or otherwise within development. The Forum would have liked to have seen a commitment to ensuring that layouts avoid future threats to trees in the future, eg because of root damage, boundary issues, proximity to buildings etc

Policy Reference: DMC13

Responder: The Woodland Trust

Responder Reference: 55

Response comments: We would like to support the policy on trees and woodland DMC13 and the strong protection which it gives to woodland and to ancient woodland in particular, saying that it should only be lost to development in exceptional circumstances. The policy could be improved by saying that ancient and veteran trees will be given a similar level of protection, as they are also of great environmental and often historic and cultural significance.

Policy Reference: DMC14

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: A primary cause of air, light and noise pollution is road traffic, yet there is no reference to roads or vehicle movements in this policy. The policy should be amended to read: A. "Development, including transport development proposals and the road traffic impacts of other development proposals, that presents a risk...."

Policy Reference: DMC14

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports Policy DMC14

Policy Reference: DMC14

Responder: Peter Abbott

Responder Reference: 24

Response comments: DMC14B – suggest "...removal of any consequent pollutants..."

Policy Reference: DMC14

Responder: United Utilities

Responder Reference: 44

Response comments: United Utilities supports part C of Policy DMC14, which deal with (inter alia) development affecting Groundwater Source Protection Zones: "Development affecting a Source Protection Zone, Safeguard Zone or Water Protection Zone must assess any risk to water quality and demonstrate that it will be protected throughout the construction and operational phases of development". Whilst it is acknowledged that the DMD does not allocate specific sites, we feel it is important to highlight that new development sites are more appropriately located away from locations which are identified as Ground Source Protection Zone 1 (SPZ1).

Groundwater is a vital resource, supplying around one third of mains drinking water in England, however groundwater supplies are under pressure from development associated with an increasing population.

Policy Reference: DMC15

Responder: The Coal Authority

Responder Reference: 36

Response comments: Whilst not clearly referring to coal mining legacy, we are pleased to note that Policy DMC 15 requires development proposals on unstable land or land which likely to become unstable as a result of development to be accompanied by an appropriate stability assessment to demonstrate that the site is or can be made stable.

The Coal Authority wishes to highlight that 'unstable land' should be taken to include land within the defined Coal Authority Development High Risk Area. Under the agreed risk based approach to Development Management, development proposals within the Development High Risk Area should be accompanied by a Coal Mining Risk Assessment prepared by a suitably qualified and experienced person which assesses whether or not past coal mining activity poses any risk to the specific development proposal and what, if any, remedial measures are required to ensure the safety and stability of the development.

Reason –

In accordance with paragraphs 120-121 of the National Planning Policy Framework and Section 45 of the National Planning Practice Guidance.

Policy Reference: DMC15

Responder: Rowsley PC

Responder Reference: 69

Response comments: Contaminated and unstable land. This should include such things as Japanese knotweed and Himalayan Balsam, ensuring removal and ongoing maintenance to ensure eradication from a site.

Policy Reference: DMC15

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Contaminated and unstable land. This should include such things as Japanese knotweed and Himalayan Balsam, ensuring removal and ongoing maintenance to ensure eradication from a site.

Policy Reference: DMC15

Responder: United Utilities

Responder Reference: 44

Response comments: United Utilities supports Part B of Policy DMC15, which deals with development in close proximity to (among others) sewage treatment works: "B. Development will not be permitted in the vicinity of sewage treatment works, high pressure or gas pipelines, or other notifiable installations, where they would present an unacceptable loss of amenity or risk to those using the development." We wish to highlight that a wastewater treatment works can result in emissions which include odour and noise. Therefore in determining proposals for new development near to a wastewater treatment works, you should carefully consider the site with your Environmental Health colleagues. The position of United Utilities is that when considering sites to meet housing needs, it would be more appropriate to identify new housing sites, which are sensitive receptors, which are not close to a wastewater treatment works.

Chapter 4 (Farming and Economy)

Policy Reference: DME

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: In respect of development management policies related to B1 employment uses in the countryside it is considered that a degree of flexibility should be encouraged to ensure such uses are permitted where they provide social and economic benefits to the wider Peak Park economy and sustainability as a whole, and that B2 uses should be permitted where they provide overriding social and economic benefit.

Policy Reference: DME

Responder: East Midlands Chamber (Nick Chischniak)

Responder Reference: 3

Response comments: the laudable messages of conservation need to be balanced sensitively with the needs of business too, and the ability to support those living/working in the Peak District to discreetly run their operations in a way that allows them to be environmentally sensitive, and operate 'from home', as opposed to needing to drive to Manchester, for example. Many are having to do this in the High Peak area... eg access problems to New Mills estates & inadequate space for ambitious firms there (to expand into) were cited to us just a few days ago, as a Chamber... That's why p3's claim that there's 'no strategic need for any new employment sites' is at odds not only with the above observations, but also all three of the counties this Chamber covers.

Policy Reference: DME

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: We need to encourage high quality low impact jobs and ensure that there is suitable housing for the entrepreneurs and workers that will make these successful (i.e. families with principal earners in their 30s & 40s). PDNPA policy needs to encourage the appropriate provision of both domestic and commercial premises.

Policy Reference: DME

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: I would also like to suggest that some serious thought is given to the implications of suggesting that there is no strategic need for new employment sites in the Park. I find this very questionable and particularly when permissions are being given for existing premises to be converted to alternative uses. Whilst I recognise any such new development must be done sensitively to protect the Park, this approach is likely to further undermine the sustainability of communities in the Park, which you yourself recognise are in decline.

Policy Reference: DME - E1, RT1, RT2

Responder: High Peak Borough Council

Responder Reference: 59

Response comments: The inappropriate restraint placed on economic investment and in particular the undermining of the drive to increase overnight stays and increase the economic impact of tourism

Policy Reference: DME - E1, RT1, RT2

Responder: Staffordshire Moorlands District Council

Responder Reference: 58

Response comments: The inappropriate restraint placed on economic investment and in particular the undermining of the drive to increase overnight stays and increase the economic impact of tourism

Policy Reference: DME - E1, RT2

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: The inappropriate restraint placed on economic investment and in particular the undermining of of the drive to increase overnight stays and increase the economic impact of tourism.

Policy Reference: DME1

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DME1: Agricultural or forestry operations

The wording of Policy DME is not clear due to the way the policy has been constructed. As such the policy in its current form is likely to be subject to misunderstanding, and thus be ineffective. Reword Policy DME1 as follows:

(A) New agricultural and forestry buildings, structures and associated working spaces or other development will be permitted where the building at the scale proposed is functionally required for the purposes of agriculture. The Authority will expect the Applicant to provide the following information to establish whether they development will be permitted:

- (i) Location and size of farm
- (ii) Type of agriculture practiced on the farm;
- (iii) Intended use and size of proposed building;
- (iv) Intended location and appearance of proposed building.
- (v) Stocking type, numbers and density per hectare;
- (vi) Area covered by crops;
- (vii) Existing buildings, uses and why these are unable to cope with existing or perceived demand.
- (viii) dimensions and layout;
- (ix) Predicted building requirements by type of stock/crop/other usage; and
- (x) Contribution to NPA objectives, e.g. winter housing to protect landscape

(B) New agricultural and forestry buildings and structures shall:

- (i) be located close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features;
- (ii) not be in an isolated location requiring obtrusive access tracks, roads or services;
- (iii) respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design;
- (iv) avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and
- (v) avoid harm to the setting, fabric and integrity of the Natural Zone.

Policy Reference: DME1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments. There appears to be some conflict between DME1 (D&E) and paras 4.13-4.15. The implication given is that 'modern' agricultural buildings are effectively temporary, being system-built and then rapidly replaced according to business need; while 'traditional' agricultural buildings are intrinsic to the character of the place. Whilst we understand this distinction from an aesthetic perspective, it implies that 'traditional' agriculture is more appropriate to the National Park than contemporary agricultural practice, which seems at odds with supporting the continuing role of agriculture as 'critical to the ongoing conservation and enhancement of the National Park landscape.' Suggested changes. If farming within the National Park requires different or specialist agricultural methods in order to conserve and enhance the Park's special qualities – as we believe it does then this needs to be made much more explicit so that agricultural business decisions can be made on that basis. The tension between DME1(D) and (E) should be resolved with this aim in mind.

Policy Reference: DME1

Responder: National Trust

Responder Reference: 50

Response comments: As part of National Trust's Land Outdoors and Nature programme the organisation has aspirations to improve the environmental and welfare performance of farms. For example providing muck storage to meet standards that would be applied in Nitrate Vulnerable Zones, and providing livestock housing to RSPCA freedom foods standards.

We are concerned that this policy could constrain farmers and organisations in providing higher environmental and welfare standards. If so we consider that the policy would be unsound due to failing to be positively prepared and consistent with National Policy (NPPF paragraph 28). National Trust requests clarification and reassurance in either the policy or the supporting text that where new operational development is required to support higher standards this will be taken into account and carry positive weight. Reason To ensure that policy DME1 is sufficiently flexible to support higher environmental and welfare standards in the Peak District National Park.

Policy Reference: DME1

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DME1 -The word "proven" in section A sets the bar too high. It should be replaced with "shown." Elements A(v) and A(vi) are too draconian and will place an additional unnecessary burden on the farmer. These sections should be replaced with a simple requirement to identify existing/proposed livestock numbers and or the area devoted to crops. Element A(x) is meaningless, wholly unreasonable and unnecessary. The footnote (this policy does not apply to buildings justified for agricultural purposes through prior notification procedure) as is proposed at policy DME2.

Policy Reference: DME1

Responder: Stella McGuire

Responder Reference: 10

Response comments: 'unlikely to be tolerated': you don't normally use words like 'tolerated', which sounds a bit stumpy and red faced. Is it intentional or accidental here?

Policy Reference: DME1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.9, last line 'and principally away from business sites'. Not sure about the implication of this – could the wording be ambiguous?

Policy Reference: DME1D, DME3

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: Policy E1D is unnecessarily restrictive. The 12 month marketing requirement is too long and does not take sufficient account of the site viability. It is clear that given the length of time that has elapsed since active employment uses were on-site many of these sites could and should be made available for housing. The lack of development on brownfields in the Park places unnecessary pressure on greenfield sites adjoining the Park. Some or part of these sites should form part of a housing allocation figure for the Peak District Local Plan.

Policy Reference: DME2

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The Council feel that Policy E2 should be less restrictive and should be more supportive of high value employment sectors to promote economic growth and job creation.

Policy Reference: DME2

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The policy of promoting diversification of agricultural and land management businesses and offering scope for business enterprise through the positive re use of traditional buildings will have benefits to both local farmers and the local economy as a whole. It is considered that the policy approach will enable the visions for a stronger and more sustainable economy to be achieved.

Policy Reference: DME2

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment Part A: It is considered that certain elements of draft Policy DME2 are not sound when considered against paragraph 182 of the National Planning Policy Framework. In particular, no justification is provided for the restrictions that would be imposed by paragraph A. Paragraph 206 of the NPPF makes it clear that such restrictive planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. There is no evidence that the above could be demonstrated in the case of every application for farm diversification and the issues should therefore be addressed through the imposition of conditions on a case by case basis, where the relevant tests are met. Accordingly, paragraph A is both unjustified, unnecessary, in conflict with the NPPF and does not represent the most appropriate strategy when considered against reasonable alternatives and proportionate evidence. Modifications Proposed Remove paragraph A and clarify that restrictive conditions to planning permissions will only be used where these meet the tests outlined at paragraph 206 of the NPPF.

Policy Reference: DME2

Responder: Fisher German (Kay Davies)

Responder Reference: 52

Response comments: Objection is raised to Policy DME2 in criteria A and B. Criterion A does not provide flexibility to the rural and farming economy. Where a business unit becomes vacant there needs to be flexibility to market that building to a wide variety of businesses and secure continued support and growth to the local rural economy in line with the NPPF and Government Policy in the Rural Productivity Plan. Similarly, Criterion B also restricts the growth and development of rural businesses. There should not be a restriction on suitable rural businesses becoming a greater part of any traditional farm business, this would stifle sustainable economic growth and would be contrary to Government policy. The policy criteria below should therefore be deleted.
A. Diversification of economic activity on a farm will be restricted to the specific use or range of uses for which permission is given rather than to a use class.
B. Development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business.

Policy Reference: DME2

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments. Part E. Whilst farm diversification can be useful and sometimes essential for the continued operation of a farm business and the landscape stewardship associated with it, this policy appears to presume that a diversifying use is appropriate unless harm to the landscape or the buildings is evident. This fails to account for the issue that the diversifying use may not, in itself, be an appropriate development in the locality. Suggested Changes This policy should take as a starting point the appropriateness of a proposed diversifying use (eg campsite, wedding venue) on its own terms. Its potential to support the diversification and viability of a farm may then be a mitigating factor that may or may not make the proposed use acceptable in planning terms.

Policy Reference: DME2

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: Policy E2 is unnecessarily restrictive in confining job-creating investment. We believe that there should be more scope for economic growth especially where it supports high-value employment.

Policy Reference: DME2

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports policy DME2

Policy Reference: DME2

Responder: Rowsley PC

Responder Reference: 69

Response comments: Farm diversification. This could be seen as a 'green light' to convert many more existing farm buildings into holiday accommodation, leading to possible significant loss of heritage, farming landscapes. There needs to be clear guidelines

Policy Reference: DME2

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Farm diversification. This could be seen as a 'green light' to convert many more existing farm buildings into holiday accommodation, leading to possible significant loss of heritage, farming landscapes. Turning working farms into 'neat farmyards and car parks and leading to the loss of farmed landscapes

Policy Reference: DME2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.17, typo: line 9 – Landscape Strategy needs caps

Policy Reference: DME2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Penult line: prob need 'Policy' in front of DMR1

Policy Reference: DME2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: It is not clear how this policy relates to DME5, and which would take priority, eg. DME2 allows new build but DME5 it is limited to existing buildings.

Policy Reference: DME2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The aim should be to encourage high value employment opportunities wherever this can be done in a manner that is compatible with National Park purposes. The approach taken by both policies is too restrictive and may well be a threat to investment and sustainability. A more positive approach is needed that sets clear parameters but gives clear encouragement to employment opportunities in the right locations.

Policy Reference: DME3

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The policy approach to support the retention of existing strategic employment sites and smaller scale employment sites is welcomed. In this regard it is considered that these policies could also include a proviso which seeks to ensure that there is sufficient land on these sites to accommodate future employment development

Policy Reference: DME3

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments: Deepdale Business Park and Newburgh, Bradwell are already subject to residential developments, which appear to conflict with this policy. In objecting to residential conversions at

Deepdale Business Park we highlighted the risks of the loss of business premises, some of which has now taken place, so it does not seem that this policy can be effective in safeguarding business premises. Suggested Changes: The policy should include provisions for: How the overall supply of business premises will be protected in instances where a site that is intended to be safeguarded for employment is permitted to change use; How DME3 will enable the authority to refuse a change-of-use application on one safeguarded site if it will have knock-on implications for other sites.

Policy Reference: DME3

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DME3 -Cartledge Farm Business Park in Great Hucklow should be added to the list.

Policy Reference: DME3

Responder: High Peak Borough Council

Responder Reference: 59

Response comments: DME 3 does not allow sufficient scope for other uses if there is no viable employment use. There should be more flexibility to accommodate other uses in particular the use of brownfield land for housing development

Policy Reference: DME3

Responder: IBA Planning on behalf of D Clapham

Responder Reference: 46

Response comments: National Planning Policy

Contrary to national planning policy which advises that planning policies should avoid the long-term protection of sites allocated for employment use

Policy Reference: DME3

Responder: IBA Planning on behalf of D Clapham

Responder Reference: 46

Response comments: The extent of the designated 'Safeguarded Employment Site' at Deepdale Business Park. Given the known (and evident) lack of demand for B1, B2 and B8 uses within Deepdale Business Park, my client considers the designation of the whole of the business park as a 'Safeguarded Employment Site' to be unjustified and will in its present form serve to unnecessarily restrict the development of some of those undeveloped plots within the site for alternative uses.

Objects to the inclusion of the two vacant plots closest to the residential quarter at the front of the site within the 'Safeguarded Employment Site' designation.

Policy Reference: DME3

Responder: IBA Planning on behalf of D Clapham

Responder Reference: 46

Response comments: Employment Land Review 2016

(Identifies) 1.0 Ha surplus of potential employment land within Bakewell

Did not take into account . . . two vacant plots (plots 3 and 11a) within Deepdale Business Park and considered only the vacant land with development potential to the rear of the site.

Plots 3 and 11a were therefore specifically not included in the '0.4Ha of potential employment land' identified (within the business park) in the Employment Land Review and therefore neither the Authority nor the Plan relies on the delivery of business uses on either plot to meet its future employment requirements. Propose to reconfigure the extent of the designation to exclude "land closest to the established residential quarter towards the front of the site . . "

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (3) Litton agree that Neighbourhood Plans have an important role to play within the planning system; however, Policy DME3 in its current form could result in an unreasonable restriction on the future development potential of sites.

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (2) Litton therefore consider that the reference to the inclusion of the reference to "any adopted neighbourhood plan evidence or policy" within the presently proposed draft policy is inappropriate and conflicts with paragraph 184 of the NPPF which clearly provides that it is for the Local Plan to take a clear planning policy lead on key sites: "Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan....Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans should not promote less development than set out in the Local Plan or undermine its strategic policies".

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (5) The utilisation of evidence derived through a neighbourhood plan for decision-making purposes, in conjunction with the additional policy requirements is considered to be inappropriate. The burden of policy requirements is a particularly important consideration where sites are subject to constraints, and the effective double layering of policy requirements could result in a failure to take full account of wider economic and employment impacts. In doing so it could prevent viable and achievable development proposals from coming forward. Consequently it is considered that the proposed Policy DME3 is contrary to the objectives of paragraph 21 of the NPPF, which provides that investment in business should not be over-burdened by the combined requirements of planning policy expectations.

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (4) Paragraphs 160 and 161 of the NPPF clearly state that it is for the local authority to collate an appropriate evidence base and have a clear understanding of business needs and economic markets within its area.

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (1) In considering the PDNPA's desire to safeguard the identified sites from non B class uses, Litton Property Group (Litton) believe that these sites should be regarded as sites of strategic importance to the National Park and its wider economic and social development objectives. Indeed in relation to Policy DS1(f) of the Core Strategy, the PDNPA express the strategic importance of such sites in paragraph 8.11 of the DMP document : "The strategic need for employment sites mean that the policy safeguards existing employment sites....."

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (7) The Riverside Business Park is the largest existing employment site within the National Park. However, it has experienced a significant period of under-occupation due to the condition and layout of the buildings which are, in many cases, no longer of a sufficient quality, size or format to serve the needs of modern business.

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (10) Having regard to the above, Litton consider that it would be appropriate that a site specific policy should be incorporated at Local Plan level. Such an approach would reflect the position of Riverside Business Park within the 2001 Local Plan and allow development proposals to be considered on their own merits.

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (6) Notwithstanding our general comments on Policy DME3, which should be amended for the reasons set out above, we note that the policy does not account of the increasingly mixed use status of the Riverside Business Park (incorporating Lumford Mill) at Bakewell. Having regard to recent changes on site, namely the successful planning appeal for a hotel scheme, it is considered inappropriate for the Riverside Business Park to be subject to the requirements of Policy DME3 (whether subsequently amended or not).

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (8) The site has a range of complex physical and environmental constraints including historical assets, flood risk, and ecology, each of which imposes significant limitations on development. There have been a number of proposals to bring the site forward for development which seek to maximise its economic contribution, both to Bakewell and the wider National Park area.

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: (9) In accordance with Paragraph 21 of the Framework regard should be given to the difficulties these barriers present to investment, and policy should not result in additional burdens which would be likely to prevent future development activity. In particular, the existing accessibility issues would be improved through the construction of a new bridge over the River Wye. Whilst there is an implemented planning permission for a new bridge access there are significant viability constraints to its construction. The scope to accommodate high value uses within the site would contribute significantly to the viability of the scheme, facilitating the sustainable redevelopment of the site in accordance with the core planning principles set out in paragraph 17 of the NPPF.

Policy Reference: DME3

Responder: Litton Properties

Responder Reference: 57

Response comments: It is recommended that Policy DME3 is amended by removing reference to neighbourhood plan evidence and policy as set out above. In addition, reference to the Riverside Business Park should be removed from this policy and a separate policy should be drafted to provide policy guidance on this site. Proposed New Policy – Riverside Business Park The policy should have regard to the site constraints and existing planning permissions which propose a mix of uses, whilst retaining most of the site in employment use. Future policy should provide scope to accommodate a range of potential uses subject to compliance with other policies of the plan: “Redevelopment proposals at Riverside Business Park for Class B Uses will be permitted provided that: a) The heritage assets and their settings are adequately safeguarded in the long term; b) The design, layout, and landscaping are satisfactory; c) There would be no significant adverse impact on the amenity of surrounding uses; and d) The access arrangements are satisfactory. Development proposals for non- class B uses will be permitted provided that the site is developed predominantly for employment use (Class B uses) and the proposals comply with other Development Plan policies.”

Policy Reference: DME3

Responder: Rowsley PC

Responder Reference: 69

Response comments: Safeguarding employment sites. What provision does the plan have for identifying business sites/use that cease and are then taken up by inappropriate activity? Examples exist of unauthorised use taking years to be curtailed and in some instances, finally allowed

Policy Reference: DME3

Responder: Staffordshire Moorlands District Council

Responder Reference: 58

Response comments: DME 3 does not allow sufficient scope for other uses if there is no viable employment use. There should be more flexibility to accommodate other uses in particular the use of brownfield land for housing development

Policy Reference: DME3

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Safeguarding employment sites. What provision does the plan have for identifying business sites/use that cease and are then taken up by inappropriate activity? Examples exist of unauthorised use taking years to be curtailed and in some instances, finally allowed

Policy Reference: DME3

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.21: something has gone wrong in line 3.

Policy Reference: DME3

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.22: line 1 Prob useful to add 'B class uses', not just 'B', and to include a cross-ref to a brief explanation, or a footnote re what these are.

Policy Reference: DME3

Responder: Stella McGuire

Responder Reference: 10

Response comments: Also (same sentence) : does 'requires sites in Bakewell and HV to be protected etc' need a qualification e.g. 'certain sites' or 'specified sites'?

Policy Reference: DME3

Responder: Stella McGuire

Responder Reference: 10

Response comments: Penult sentence: Core Strategy needs caps.

Policy Reference: DME3

Responder: Stella McGuire

Responder Reference: 10

Response comments: First para : word missing in line 2.

Policy Reference: DME3

Responder: Stella McGuire

Responder Reference: 10

Response comments: In the list below – is 'Aston Industrial Estate' in wrong place, given others are in alphabetical order?

Policy Reference: DME3

Responder: Stella McGuire

Responder Reference: 10

Response comments: 'Devel Plan' needs caps

Policy Reference: DME3-5

Responder: High Peak Borough Council

Responder Reference: 59

Response comments: DME 4 and DME 5 are too restrictive. There is scope for appropriate employment uses within and outside the main towns and villages. The Local Plan should not seek to unduly restrict job-creating activity. We believe that there should be more scope for economic growth especially where it supports high-value employment. In relation to the policies DME 3-5 we believe they are unnecessarily restrictive. The 12 month marketing requirement is too long and does not take sufficient account of the site viability. It is clear that given the length of time that has elapsed since active employment uses were on-site many of these sites could and should be made available for housing. The lack of development on brownfields in the Park places unnecessary pressure on greenfield sites adjoining the Park. For example, we feel that the options for the redevelopment of the Marquis of Granby site should be explored particularly given its relatively sustainable location adjacent to good road links and a railway station

Policy Reference: DME3-5

Responder: Staffordshire Moorlands District Council

Responder Reference: 58

Response comments: DME 4 and DME 5 are too restrictive. There is scope for appropriate employment uses within and outside the main towns and villages. The Local Plan should not seek to unduly restrict job-creating activity. We believe that there should be more scope for economic growth especially where it supports high-value employment. In relation to the policies DME 3-5 we believe they are unnecessarily restrictive. The 12 month marketing requirement is too long and does not take sufficient account of the site viability. It is clear that given the length of time that has elapsed since active employment uses were on-site many of these sites could and should be made available for housing. The lack of development on brownfields in the Park places unnecessary pressure on greenfield sites adjoining the Park

Policy Reference: DME4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: should refer to site "in or on the edge of" DS1 settlements.

Policy Reference: DME4

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DME4 – The requirement that sites should be marketed for 12 months is unreasonable. In some cases the change of use will be desirable from a planning point of view. In others keeping a building unused for 12 months is an unreasonable burden on the owner. The section following element "A" is confusingly drafted, strangely numbered and completely unnecessary.

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.26: 'Devel Plan' need caps.

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.31: line 3: should be 'community's'

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Last line shld begin with 'it' rather than 'they', I think.

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Footnote 57 re Employment Land Review should be attached to this first ref, rather than later.

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: In line 3, the meaning of 'That evidence' isn't quite clear. Replace with eg 'The evidence from this Review'??

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Penultimate line: need to specify what is meant by 'the following policy'.

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.42 (d) Add what RICS stands for, either in footnote or Glossary.

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Are the numbers 1.218, 1.219 and 1.220 included in error here?

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Lines 6 and 7: am not sure of meaning of "but also in ways that reflect more the role of a settlement". Could this be made clearer?

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Page 50 Lines 3 and 4 (in continuation of para 4.37). Is there a need to specify the overall area in which there is an identified need for these hectares of industrial and office space? The whole Nat Park I assume?

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.29: not sure about 'is sustaining' in penultimate line...

Policy Reference: DME4

Responder: Stella McGuire

Responder Reference: 10

Response comments: This begins 'In order to meet part A'. Wld be useful to specify what Part A is part of.

Policy Reference: DME4 and DME5

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: DME4 and DME5 are too restrictive. There is scope for appropriate employment uses within and outside the main towns and villages. The Local plan should not seek to unduly restrict job-creating activity.

Policy Reference: DME5

Responder: Allen Newby

Responder Reference: 9

Response comments: Personal consents. See points in comment 9.1

Policy Reference: DME5

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DME5: Class B1 employment uses outside DS1 settlements

The Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. This includes sites which may be unoccupied or under-occupied, and may lend themselves to other uses, including B1. It is important that Policy DME5 allows for B1 uses on sites where there is no obvious realistic prospect of the delivery. Amend Policy DME5 as follows, additional text in italics, and additional criterion C:

Planning permission for a B1 employment use in an existing building or site will be granted provided: ...

C. Where the Authority agrees there is no realistic prospect of delivery of the site for use within the current use class.

Policy Reference: DME5

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment: Part B to policy DME5 is not the most appropriate strategy when considered against reasonable alternatives. In order to accord with national planning policy and guidance, such restrictions as those outlined should only be used exceptionally and where justified. For example National Planning Policy Guidance states that "Unless the permission otherwise provides, planning permission runs with the land and it is rarely appropriate to provide otherwise" (Paragraph: 015 Reference ID: 21a-015-20140306). While there may be circumstances where the withdrawal of permitted development rights or the grant of a personal or temporary permission does meet the tests for a valid planning condition, this would be only be the case where it were necessary to ensure compliance with other local and national policy requirements. As such, an assessment of proposals in the normal manner would identify whether restrictive conditions were required. It is therefore unnecessary to include a policy relating to the exceptional use of restrictive conditions and no justification has been given for doing so. Modifications Proposed Delete section B and associated criterion.

Policy Reference: DME5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: It is not clear how this policy relates to DME5, and which would take priority, eg. DME2 allows new build but DME5 it is limited to existing buildings.

Policy Reference: DME5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: CS Policy E2A envisages new build by way of replacement but DME5 does not address the issue and indeed limits the Core Strategy policy and is therefore incompatible with it.

Policy Reference: DME5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The aim should be to encourage high value employment opportunities wherever this can be done in a manner that is compatible with National Park purposes. The approach taken by both policies is too restrictive and may well be a threat to investment and sustainability. A more positive approach is needed that sets clear parameters but gives clear encouragement to employment opportunities in the right locations.

Policy Reference: DME5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum OBJECTS to the confusion caused by the two policies, the limitations, particularly of DME5, and to the lack of criteria for dealing with new build.

Policy Reference: DME6

Responder: Cheshire East Council

Responder Reference: 27

Response comments: Whilst the introduction to Policy DME6 – Homeworking, recognises the importance of increasing access to broadband, Cheshire East Council would like to emphasise the importance of improved access to broadband both to businesses and local residents

Policy Reference: DME6

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: Para. 4.49 illustrates a feeble approach to broadband provision on the part of PDNPA. Enhanced broadband facilities are already vital to the rural economy in many places, including within the Park, and the PDNPA should have a much stronger and more cogent policy to lobby the County Councils and government for support for the required investment in infrastructure. If the objectives for developing high grade employment opportunities are to be achieved it is essential that the communications infrastructure is enhanced to at least national levels without holes in the coverage.

Policy Reference: DME6

Responder: Martin Beer

Responder Reference: 56

Response comments: Para. 4.49 illustrates a feeble approach to broadband provision on the part of PDNPA. Enhanced broadband facilities are already vital to the rural economy in many places, including within the Park, and the PDNPA should have a much stronger and more cogent policy to lobby the County Councils and government for support for the required investment in infrastructure. If the objectives for developing high grade employment opportunities are to be achieved it is essential that the communications infrastructure is enhanced to at least national levels without holes in the coverage.

Policy Reference: DME7

Responder: Stella McGuire

Responder Reference: 10

Response comments: Policy DME7: same typo in last line of point B (“or to traffic safety”) and last line of point E.

Policy Reference: DME8

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.64: word missing at end of line 3

Policy Reference: DME8

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 4.65 Line 1: ‘such buildings’: need to qualify what this refers to.

Policy Reference: DME8

Responder: Stella McGuire

Responder Reference: 10

Response comments: First bullet point: 'visibility from vantage points'. Is there a need to qualify 'vantage points' – e.g. 'significant / important' or whatever?

Chapter 5 (Recreation and Tourism)

Policy Reference: DMR

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: It is considered that the development management policies recognise that recreation and tourism is an important element of the local economy and is supported. However it is considered that a balanced and flexible approach should be taken that encourages development that is of benefit to meeting recreation and tourism needs, particularly where it does not adversely impact upon the special characteristics of the National Park.

Policy Reference: DMR

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: It is further considered that there should be a policy that supports the provision of a small hotel somewhere within the National Park, in order to provide this as an alternative source of tourist accommodation.

Policy Reference: DMR

Responder: East Midlands Chamber (Nick Chischniak)

Responder Reference: 3

Response comments: We should also make optimal use of the opportunities brought about by the boom in cycling: this could help generate wealth, as well as healthy lifestyle benefits, by encouraging more people to visit the area in overnight stays/weekend breaks, as opposed to being day-trippers. The extension of the successful Monsal Trail is a perfect example....as well as a great case study of further untapped potential elsewhere.

Policy Reference: DMR

Responder: High Peak Borough Council

Responder Reference: 59

Response comments: Under Recreation and Tourism we strongly believe that more attention should be paid in the policies to creating a planning framework which increases the number of overnight stays and increases the contribution of tourism to the local economy. To achieve this there should be more policies to encourage the appropriate growth of hotels and similar accommodation. We support the views expressed in the Aecom report (paragraph 2.6.7) recommending a policy that encouraged appropriate hotel development. We understand and support the special purposes but feel that this policy prevents appropriate investment and unnecessarily restricts the growth of the overnight visitor economy

Policy Reference: DMR

Responder: Staffordshire Moorlands District Council

Responder Reference: 58

Response comments: Under Recreation and Tourism we strongly believe that more attention should be paid in the policies to creating a planning framework which increases the number of overnight stays and increases the contribution of tourism to the local economy. To achieve this there should be more policies to encourage the appropriate growth of hotels and similar accommodation. We support the views expressed in the Aecom report (paragraph 2.6.7) recommending a policy that encouraged appropriate hotel development. We understand and

support the special purposes but feel that this policy prevents appropriate investment and unnecessarily restricts the growth of the overnight visitor economy

Policy Reference: DMR

Responder: Cheshire East Council

Responder Reference: 27

Response comments: Cheshire East Council would welcome further discussions regarding the proposed production, by the PDNPA, of a SPD for a range of popular recreation sites or hubs, particularly in relation to the problem of insufficient parking in Macclesfield Forest and its adverse impact on local businesses, residents and the emergency services;

Policy Reference: DMR - RT2

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: Under Recreation and Tourism we strongly believe that more attention should be paid in the policies to creating a planning framework which increases the number of overnight stays and increases the contribution of tourism to the local economy. To achieve this there should be more policies to encourage the appropriate growth of hotels and similar accommodation. Policy RT2 is too restrictive because it does not allow new additional hotel or restaurant space. We understand and support the special purposes but feel that this policy prevents appropriate investment and unnecessarily restricts the growth of the overnight visitor economy.

Policy Reference: DMR1

Responder: Allen Newby

Responder Reference: 9

Response comments: Pod structures. The policy acknowledges the trend for wooden pods, shepherd's huts etc. and is welcomed, but the limit on a single shepherd's hut is questionable as is its inclusion as a specific type of accommodation. Although traditionally a farm is unlikely to have more than one shepherd's hut, the key issue is the cumulative impact on the surroundings. Why refer to shepherd's hut at all, but not gypsy caravan, converted horse box etc.

Policy Reference: DMR1

Responder: Greg Potter

Responder Reference: 65

Response comments: I made representations to the plans examiner when the core strategy framework document was being developed. That representation concerned policy RT3 – particularly part B. It is somewhat disappointing to see that amendments to the core policy, pursuant to examination, are not being entirely reflected in the management plan.

5. Guests on our holiday park support the surrounding pubs, shops, cafes and the wider local economy, so there is a knock on effect for all year employment in other businesses.
6. The accommodation can be bigger & more luxurious, attracting a higher spending clientele, and also creates more jobs for cleaners, local laundry & other maintenance services.
7. Whilst many touring caravans and motorhomes are imported, every single static caravan, lodge & Camping Pod on our site has been manufactured in Derbyshire or East Yorkshire – considerably over £1m at purchase cost to date – plus the ancillary materials, transport & labour.
8. It can have more sustainable forms of heating – solar/PV panels/ground source heat pumps – is better insulated and more energy efficient

9. It can be adapted to specific needs & be more suitable for wheelchair users due to its larger size – our accessible lodges have wider doorways, ramps, hoists, 5' turning circles for wheelchairs, larger profiling beds and so on.
10. People with different physical issues have different needs – so people can buy lodges specifically adapted to their needs.
11. Most existing stone buildings in Derbyshire are not easily converted to accessible use, being on different levels, on steep hills, with narrow doors – we know we have done it! Lodges can be purpose-designed for accessible use, with ramps, with accommodation all on the ground floor – as are the two on our park which are graded M1/M2 accessible. Tellingly, about the only M3 graded accommodation in the Peak District area is at Hoe Grange – and is in pine lodges.

So we can identify that lodge/static accommodation would support the following core strategy policies:-

1. The fundamental strategy of providing access for all, particularly people with special needs and the under-represented (proportionately) visitors from inner cities.
2. Protection of the environment by reducing traffic, emissions, using greener forms of transport & better insulated accommodation with more sustainable heating.
3. Support for sustainable transport policies.
4. Support policies for recreation & tourism.
5. Support for a sustainable economy & the employment & services provided to local people.

See below for examples of some of these*

However, the narrow roads, steep topography & visual impact of most potential sites means that in nearly all cases, those benefits are impossible to realise or would have an unacceptable visual impact.

Our location has the following qualities:-

1. Zero visual impact.
2. A bus stop opposite the site with buses running from Ashbourne Bus station to Buxton Train station, from which there are rail connections to Manchester and bus connections to Derby mainline station.
3. Dove Dale, is a 1 mile walk down a public footpath direct from our site, Biggin Dale, Eaton & Alsop Dales are also directly accessible, many of the attractions, popular villages of the White Peak area can be reached without a car from our site .
4. There is already extensive infrastructure and buildings on this site – probably more so than in the smaller local settlements which the NPA sees as the natural location for further development – and there are existing consents still to be completed.

My objection to that policy was the continued blanket ban on Static caravans, chalets or lodges in the National Park.

I understand, and fully support, policies that protect the landscape value, biodiversity and sustainability of the National Park – because that, in large part, is the core of our “corporate mission” about providing a very diverse range of accommodation, to suit most budgets, ages & physical abilities in the heart of the beautiful White Peak area – from which they can enjoy the great outdoors – directly from our site.

However, our holiday park is the exception that proves the rule – the topography of our site in an old quarry, means that there is no visual impact on the surrounding area, regardless of whether our pitches are occupied by tents, touring caravans, statics or lodges or huge motorhomes's. In fact, as the National Park Authority can control the colours of our lodges, the latter will have less visual impact for those overflying in a hot air balloon than, say, a large white motorhome.

All caravans, and most family tents require transport by car, however, we pointed out the considerable advantages possessed by accommodation that does not have to be transported by motor-vehicle which is supported by most of the NPA's other core policies:-

1. Guests can arrive by public transport, bicycle or on foot, supporting the use of public transport services and reducing the negative impact of motor vehicles.
2. In the case of vehicles towing touring caravans, the caravan is not supposed to weigh more than 80% of the towing vehicle for safety reasons – so we are talking about large 4 x 4 gas guzzlers with a queue of cars behind.
3. Not everybody has a car – people medically unfit to drive, people who can't afford to run one, people who live in inner cities who don't ordinarily need one.
4. Tents are very seasonal – with a season of about 8 weeks maximum over the summer. Most touring caravans are parked up before Easter & after October half term because many owners are nervous about driving in winter conditions & the caravans are about half as well insulated as a pine lodge, with less interior space. So if the PDNPA wants a sustainable tourism economy with well-trained, full-time jobs all year round it needs

accommodation that is comfortable & viable in winter that guests will use. The PDNPA's attraction as a centre for short breaks for the surrounding conurbations, does mean we have a viable business in the winter, if we can provide the appropriate accommodation and entertainment.

5. The Tissington Trail bridle way 100 metres away from our entrance – which is planned to be re-opened all the way to Buxton. Which also joins the High Peak Trail and runs down to Cromford – from which there are rail connections to St Pancras, London.

6. A site management policy at Rivendale that has led to 17 David Bellamy Gold awards & a special commendation for the environmental/fly fishing lake, recycling, use of local suppliers & working with the special characteristics of the Peak District.

7. A hidden car park, toilets & café open for use by people using the Tissington Trail.

8. Also, the membership of accessible Derbyshire with two bedroom suites & two lodges graded M1/M2 accessible. One of which is owned by the Together Trust Charity based in Manchester that promotes holidays for people with special needs.

9. We have received further enquiries from other charities who wish to provide accommodation for members with special needs.

10. The site is accessible directly from the main road without any impact on the local community – although local people can easily walk to the shop, café, laundrette and other facilities on site (otherwise the nearest shop in a settlement is about 3 miles away).

11. We have created 12 permanent full time jobs on a formerly derelict industrial site, plus about 5 full-time seasonal jobs.

The problem with the current Development Management Policies document is that, given the hierarchical approach that is used to assess planning applications, whilst the unique characteristics of our site might lead to an assessment that lodge type development was appropriate for this particular site, it would be rejected if the core strategy/management strategy comprised purely the statement in RT3 part B.

At the meeting with the plans examiner, we reached agreement that the following clause be inserted into the Core Strategy – se 10.26."Exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive to the landscape."

We also note the planning appeals inspector allowed our appeal to site static caravans on our site in 1998 application number NP/DDD0997/441. In that appeal the inspector stated in his appeal decision....."You put forward various potential benefits of the proposal and suggest that the wide range of facilities at the site could achieve a high occupancy rate, attract different users of the park & cater for the special needs of elderly and less mobile visitors. I accept that the proposal could encourage visits to be spread more evenly through the year, and that this could, to some extent support permanent rather than seasonal jobs in the Park. PPG note 7 ...encourages development & I think that, in this regard, PPG7 supports your intention to attract additional off-season & disabled visitors to the Park. The Authority concedes your proposal would accord with adopted recreation policies, which encourage the provision of year round facilities which are accessible to all parts of society." So it has turned out to be – a strategy for this location that we believe to be very much in the public interest – and one that should continue to be pursued, but is liable to be ruled out, if the Development Management Policy remains as it is.

In conclusion we propose that "statics, lodges and similar structures should exceptionally be permitted in locations where they are not intrusive to the landscape."

Examples of Core/Proposed Development Management Policies that support Accommodation in Lodges/Chalets/other structures

e.g. Core strategy 4.1.

"Core Strategy policy RT1 is clear that proposals for recreation, environmental education and interpretation will be supported where they encourage understanding and enjoyment of the National Park's valued characteristics. Furthermore, opportunities for sustainable access will be encouraged." From proposed Development Management Policies.

"The more gentle White Peak landscape and much of the South West Peak generally attract pursuits such as walking and cycling, but the extensive road network also lends itself to car and coach borne visitors moving between attractive villages and towns. The presence of many settlements means that the landscape, whilst still highly valued, is slightly less sensitive than the Dark Peak. The challenge here is to support the development of appropriate facilities in recognised visitor locations such as Bakewell, Castleton, the Hope Valley and Dovedale; and consolidate Bakewell's role as a tourist centre and hub, possibly accommodating a new hotel. However the challenge is also to create alternatives to car visits; this is being addressed in part by encouraging smarter

routing and timetabling of public transport services to generate greater use by residents and visitors." Per Recreation & Tourism Core Strategy 4.10.

Also Paras 4.12 – climate change & sustainable building, 4.2 – the need to avoid the existing housing stock becoming second holiday homes – lodges provide an alternative 4.24 concerning reducing lengthy commutes to work – better to have work IN the park all year, 4.27 desirability of making work less seasonal, 4.29 desirability of supporting public transport 10.9 preference for sustainable tourism. 5.18

We propose that the above paragraph is altered to reflect para 10.26 in the Core Strategy.

"Core Strategy policy RT3 is clear that static caravans, chalets and lodges are not acceptable features in the National Park but may exceptionally be permitted in locations where they are not intrusive to the landscape, provided such development is supportive of other Core Policies....."

Policy Reference: DMR1

Responder: National Trust

Responder Reference: 50

Response comments: Paragraphs 5.1-5.4 which introduce the chapter on Recreation and Tourism make no reference to Recreational Hubs, which we understand to be an important aspect of the Peak District National Park Authority's future strategy. We therefore suggest that this section needs to be expanded in order to include an indication of intentions for Recreational Hubs and any policy documents that will support their development and use. This will ensure that the plan is positively prepared and consistent with national policy (NPPF para 28). Expand the Strategic Context section (para 5.1-5.4) to clearly set out the Authority's intentions in relation to Recreational Hubs. How have/will these Hubs be identified and supported by the National Park Authority? What policies and/or guidance will be applied to Recreational Hubs? Reason To ensure that the National Park's most important and visited recreational sites are recognised and that the planning regime in relation to these sites is flexible enough to ensure their future conservation, accessibility and economic viability.

Policy Reference: DMR1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: should refer to "... neighbouring residents and uses...."

Policy Reference: DMR1

Responder: Rowsley PC

Responder Reference: 69

Response comments: When granting any expansion of touring camping & caravanning sites, although this policy highlights factors such as inappropriate road access etc. How can this policy actually control those aspects? PDNPA are not responsible for highways, signage, routing etc. therefore, they may grant an application which creates issues that are outside their control or conversely, refuse an application.

Policy Reference: DMR1

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: When granting any expansion of touring camping & caravanning sites, although this policy highlights factors such as inappropriate road access etc. How can this policy actually control those aspects? PDNPA are not responsible for highways, signage, routing etc. therefore, they may grant an application which creates issues that are outside their control or conversely, refuse an application.

Policy Reference: DMR1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Policy DMR1: In part B, is there a need for a reference to the potential impact of such facilities on the landscape / built environment etc? I know this is referred to in general terms in A, but might it be safer to repeat it in relation to 'shopping, catering, sport and leisure facilities'?

Policy Reference: DMR1 and DMR2

Responder: The Caravan Club

Responder Reference: 37

Response comments: The Caravan Club supports the approach being taken through Policies DMR1 and DMR2. These policies support the presence of Holiday Caravan sites within the national park, and allow The Caravan Club to continue to provide a storage facility for private caravans. The Caravan Club may wish in the future to diversify the accommodation provided at Castledon by adding Lodges or Camping Pods on the site. These are generally small scale, permanent or semi permanent structures of varying sizes, typically of timber construction and containing a bedroom as well as cooking facilities and/or bathroom facilities depending on their size. The provision of this type of accommodation ensures that The Caravan Club can continue to meet the changing needs of their members and the visitor economy as a whole. The inclusion of policies DMR1 and DMR2 in the emerging Local Plan, providing specific guidance over caravans and caravan sites, is welcomed by The Caravan Club. However, The Caravan Club would welcome more detailed policies regarding the operation of existing caravan sites within the area. The Caravan Club provides supporting economic benefits to the wider area by providing visitor accommodation, and the inclusion of positive policies giving support for the development of existing tourist facilities and accommodation will help to ensure their continued economic health and success. Tourism policies must be sufficiently flexible to allow businesses to adapt to changing economic trends and changes in the demands of tourists. Supporting the growth of the local economy by ensuring the ability of existing tourist accommodation sites to develop and enhance their facilities will help ensure the future viability of the business, and support the tourist industry within the Peak District. Flexibility is key for The Caravan Club to ensure that their site remains economically viable, and can continue to support the local economy, local employment, and the tourism industry. The Caravan Club are supportive of Policies DMR1 and DMR2 as they set out support for caravan sites and caravan storage areas within the region. However, it would be beneficial for policies to set out more positive guidance with regard to supporting existing touring caravan sites.

Policy Reference: DMR3

Responder: Chelmorton PC

Responder Reference: 26

Response comments: DMR3 needs to address new builds for holiday lets as we consider such builds to be unacceptable. New builds should be only for housing stock to make villages more sustainable communities. Holiday let accommodation building should be restricted to conversion of existing buildings such as barns etc.

Policy Reference: DMR3

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The policy approach outlined in DMR3 which allows the authority to approve the removal of holiday occupancy conditions to create a further home which may meet a local affordable need is supported and will assist, if implemented in the need to meet future housing needs.

Policy Reference: DMR3

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: OBJECT to Part B(iii) - See comments on DMH1 : Affordability. The real question is whether the property would serve a reasonable need as an affordable house, not its size.

Policy Reference: DMR3

Responder: Stella McGuire

Responder Reference: 10

Response comments: I'm not sure I follow the logic here. If permanent occupation of unsuitable premises would have an inappropriate relationship to adjoining houses, unacceptable potential for landscape harm, unacceptable impact on neighbours' amenity or harm the relationship between buildings, why wouldn't holiday occupancy pose the same problems? Although it wouldn't apply all year, surely it would have equivalent impact on those occasions when it was occupied? Which might be frequent.

Policy Reference: DMR3

Responder: Stella McGuire

Responder Reference: 10

Response comments: Point C. The same point applies (see above). If residential use wld cause unacceptable harm to neighbours, why isn't it the case that holiday occupancy would do the same, even if not over the whole 12 months?

Policy Reference: DMR4

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment: Part C requires that new facilities for keeping and riding horses are located adjacent to existing buildings or groups of buildings. While it is appreciated that this can reduce the visual effects of development, it is not always possible (for example where the land owned is not adjacent to existing buildings or groups of buildings). As any proposals will be assessed against paragraph D of this policy (which requires that facilities do not, "alter the valued landscape character by changing the landform or in any other way have an adverse impact on its character and appearance"), it is considered that locational effects of proposed development can be adequately addressed through the remainder of the policy. Modifications Proposed: Reword to read: "is located adjacent to existing buildings or groups of buildings wherever possible".

Policy Reference: DMR4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The policy is too prescriptive and discourages more sustainable options in tune with the landscape. The argument in Part B could be applied to farm buildings, tourist and employment sites etc. but a similar policy is not suggested in those cases, which suggests that this policy is based more upon prejudice than any factor relative to the keeping of horses. A planning application to convert a stable to residential would need to be considered on its merits.

Policy Reference: DMR4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: OBJECT to Parts A and B. Many modern horse stables, often prefabricated in wood, may well be of a design alien to the Peak District landscape. Something more like a traditional stone barn or similar may well be a preferable solution

Policy Reference: DMR4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The policy would be strengthened if there were issues to be considered such as cumulative impact on the landscape of equestrian facilities, eg stabling, manege, outside storage of horseboxes, field shelters, jumps and ranch fencing

Policy Reference: DMR4

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DMR4 – In section B, the phrase “or a building that would lend itself to future conversion for such (new dwelling) purpose should be deleted. The NPA has adequate controls to prevent a future change of use. Section C should be deleted. There may not be any existing buildings in the vicinity but careful siting and landscaping can be employed to make a proposal acceptable.

Chapter 6: Housing

Policy Reference: DMH

Responder: Anita Dale

Responder Reference: 66

Response comments: Housing - there seems to be no effort made by the Peak Park to integrate the government housing targets, which is putting extra pressure on the surrounding counties to make up the difference.

Policy Reference: DMH

Responder: Chelmorton PC

Responder Reference: 26

Response comments: The Parishes Forum stance on DMH11 is wholeheartedly supported and council considers that the proposals are too restrictive for any developer. There should be more flexibility in defining affordability and essential worker accommodation. Criteria for purchasing affordable homes should include those who have jobs in the Peak Park/Buxton and who wish to bring their families into rented or purchased accommodation thus helping to make villages more sustainable. There is a need for the eligibility criteria to be based on a shorter time frame and have greater flexibility

Policy Reference: DMH

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: A flexible approach to allow housing to meet local needs and particularly those of the younger generation should be encouraged in order to promote sustainable communities within the Peak District National Park.

Policy Reference: DMH

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: At the current time any subsidy from the Homes and Communities Agency needed to deliver affordable housing in the National Park is now at the same level as that provided by the District Council, making use of Right to Buy receipts. However as the District Council has a lot less scope to continue funding new affordable housing schemes inside the National Park additional subsidy to fund affordable housing in the National Park is required. One way of achieving this could be to allow in appropriate circumstances the cross subsidy of affordable housing by a limited amount of open market housing through s106 Obligations. Providing housing in this way would be similar approach taken to that in the Derbyshire Dales Local Plan (Policy HC5) and would allow the settlements in the National Park to maintain their resilience and sustainability as well as provide support for the schools, shops, pubs and other services in these locations.

Policy Reference: DMH

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The aspiration to provide more affordable housing through exception sites and conversion is supported. However the development strategy outlined in the Core Strategy and subsequent development management policies are considered to represent an unreasonably restrictive framework for the provision of affordable homes, Furthermore it is considered that the policies have a limited ability to effectively deliver the overarching aims of reducing unmet levels of affordable housing need across the Park.

Policy Reference: DMH

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The evidence from the Assessment of Housing and Economic Needs (September 2015 – G L Hearn) indicates that across the whole of the District Council area there is a need for 101 affordable homes per annum – equating to 41% of all demographic based need. Assuming that this is a constant figure across both the local planning authority area and the Peak District National Park, this equates to 44 affordable homes required per annum in the Derbyshire Dales part of the National Park.¹ This level of requirement is more than double that agreed with the National Park (20 dwellings per annum) as its contribution to meeting the housing requirements for the whole of Derbyshire Dales in the Derbyshire Dales Local Plan.

Policy Reference: DMH

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The policy approach to allow the redevelopment of previously developed sites for housing is noted and welcomed; however the requirement that development conserves and enhances the valued character of the landscape/built environment is likely to result in only a limited number of development proposals being deemed suitable for granting planning permission.

Policy Reference: DMH

Responder: Emma Humphreys

Responder Reference: 71

Response comments: Comments centred on the eligibility criteria for housing as set down by the NPA and secured through Section 106 Agreements. The commenter disagrees with the tightness of the definition and feels that common sense should enable many others to have their housing need met in the National Park. The email enquiry outside of this consultation (and the officer response) also outside this consultation are available to view if felt necessary by the Inspector. Officers have notified the commenter that their views would be built into the consultation record since it addresses a housing issue of relevance to policies DMH2 and DMH3.

Policy Reference: DMH

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: The words "sustainable" and "affordable" are widely used in the document, therefore there is an urgent need for proper definitions of 'sustainable' and 'affordable housing'. These are defined (fairly tightly in the case of 'sustainable', less so in the case of 'affordable') in the National Planning Policy Framework and while there is nothing wrong with the PDNPA adapting these definitions if it can justify doing so, there is currently no proper basis for this in the document. In particular, it is clearly nonsense to define 'affordable' in anything other than purely financial terms, and given that lenders all have a reasonably uniform basis of affordability for borrowing, and income data for social groups is widely available, it should not be too complicated to come up with a justifiable benchmark figure which can be inflation adjusted over the life of the planning policy

Policy Reference: DMH

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: The word "sustainable" appears to be applied to developments that are restricted to younger people i.e. houses that are cheap enough for younger families to afford, provided they fulfill certain residential criteria. This ignores the fact that a viable, lively community needs a full range of ages, and experience. The retired are essential to a village because they have the leisure time, knowledge and experience to organise events yet in the policy new housing is restricted to those of age 40 or below.

In our Parish there are several retired people who would like to downsize from their family house and build themselves a smaller environmentally sustainable house in their unnecessarily extensive gardens, which of course are in Conservation areas. They could then release their houses for use by people with children. However, this is not classed as 'sustainable' and leaves the elderly residents having to move out of the homes and villages they have occupied for many years, taking with them the valuable attributes required to engage with and help build/organise strong local communities.

Policy Reference: DMH

Responder: John Youatt

Responder Reference: 54

Response comments: What I would like to explore is an argument and policy that gives far more weight to local views, perhaps even a requirement that all development be community led. Which would not rule out a commercial partner and betterment, but would place the community in control

Policy Reference: DMH

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: A significant part, roughly a third of my constituency by geography, is part of the National Park, and I represent many communities which border the Park. I would raise concern that in its current form, not only will this undermine those communities within the Park that I represent, but also put undue pressure on those surrounding the Park. Many of those just outside the Park are small rural communities similar to those in the Park, and will simply not be able to cope with the additional pressures on housing, jobs and services. The people living in the Park must have the lion-share of these provided within the Park, and in so doing, helping to keep communities in the Park alive.

Policy Reference: DMH

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: The approach taken to housing in the document is also detrimental to communities which need to stem the rate of decline. A policy which puts nearly all the emphasis only on affordable housing is likely to have a severe impact on the future viability of communities. This fails to recognise the actual housing needs within such communities. Rural Communities do not just have a demand for affordable housing, and if all the emphasis is solely focussed on affordable housing there will be an over supply without the jobs to attract people to fill these properties. these communities need a range of types of housing, some affordable for families, but also homes for people who are retired, larger homes for people who's families have grown, and established residential for people to move into. A vibrant community is only founded upon having diverse ranges of people who have different needs in terms of housing. A community that has the facilities local people need can only survive if there are homes that people actually want to live in.

Policy Reference: DMH

Responder: Peter Abbott

Responder Reference: 24

Response comments: I hope that the loss of "more affordable" as a concept which is more flexible than affordability / income ratio's does not prove to be a serious error in the longer term.

Policy Reference: DMH

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment: The Duty to Cooperate Statement refers to a number of meetings with Derbyshire Dales District Council in relation to the housing content of the DMP in particular. There is clearly a difference of opinion between the DDDC and the Authority on the approach to housing delivery and associated policies. However the Authority appears to have presented its position at the outset of the plan preparation process a fait accompli, and notwithstanding significant evidence presented by DDDC as part of the preparation of its own LDF Core Strategy, has been unwilling to enter into a discussion as to whether alternative approaches to housing delivery would be more appropriate. To my mind, having 2 or 3 meetings at which positions are put is not 'cooperation' as required by the Localism Act. The implications of a failure to 'cooperate' should be discussed with the Authority

Policy Reference: DMH

Responder: High Peak Borough Council

Responder Reference: 59

Response comments: The unnecessary restriction on housing development to the detriment of local need and choice and which leads to pressure on communities neighbouring the Park such as Chapel en le Frith.

Policy Reference: DMH

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: The unnecessary restriction on housing development to the detriment of local need and choice and which leads to pressure on communities neighbouring the Park such as Chapel-en-le-Frith

Policy Reference: DMH

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: We do not support the absence of a housing target. This undermines the national policy to "boost significantly the supply of housing". We understand and support the special purposes of the Park but in our view these purposes do not preclude appropriate house-building to contribute to the Government target and support the viability of local communities. In addition the lack of a target places increased pressure on those communities that are adjacent to the Peak Park who are required to provide land to accommodate the unmet supply from the Peak Park.

Policy Reference: DMH

Responder: Staffordshire Moorlands District Council

Responder Reference: 58

Response comments: The unnecessary restriction on housing development to the detriment of local need and choice and which leads to pressure on communities neighbouring the Park

Policy Reference: DMH

Responder: Rowsley PC

Responder Reference: 69

Response comments: There are no comments regarding the increasing issue of second homes within the National Park, these adversely affect local business, they arrive with their goods, spend nothing locally and depart. They reduce the stock of affordable homes, it leads to the loss of community, in some cases the actual viability of some hamlets and villages are at risk.

Policy Reference: DMH

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: There are no comments regarding the increasing issue of second homes within the National Park, these adversely affect local business, they arrive with their goods, spend nothing locally and depart. They reduce the stock of affordable homes, it leads to the loss of community, in some cases the actual viability of some hamlets and villages are at risk.

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum's members have found the preamble over long and complicated, not user friendly and at times muddling (and the numbering went wrong at the second 6.11).

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The tenor of the preamble does not seem to address the essential purpose of housing policy - to support thriving villages.

Policy Reference: DMH

Responder: IBA Planning on behalf of D Clapham

Responder Reference: 46

Response comments: Object to the omission of a specific policy in the Development Management Policies Consultation Version allowing some market housing within the National Park where it would facilitate the provision of significant additional affordable housing to meet local needs.

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The National Parks Circular 2010 absolves the National Park Authority from setting housing targets, but it does not remove the other obligations required by the NPPF, particularly para 50, and the

need for policies that contribute to choice in the housing market, including starter homes and self-build. Such initiatives are dismissed out of hand, whereas it would be expected that the National Park Authority would have assessed needs, as required by the NPPF, and either responded to them or demonstrated why they should not be met.

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Neither the National Park Authority or its partner organisations have any proposals to deliver opportunities for intermediate housing for sale.

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum OBJECTS to the policies because they inadequately address the requirements for choice in the housing market in that they omit any proposal to assist the release of land for affordable housing that will support thriving villages

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: This is particularly so in Bakewell where the present built-up area boundary, approved some years ago, is retained without review and without any attempt to assess the future housing needs of the town and without criteria that would help to determine when the boundary can be breached. (One consequence is that most new housing in Bakewell will be contrary to the development plan and Paras 1.29 and 1.30 would apply - see above.)

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Those aspiring to intermediate affordable housing for sale are reliant on the chance of whether or not they own or can access a site. There is no incentive within policy whereby land can be released for affordable housing. Particularly, para 54 of the NPPF has not been addressed.

Policy Reference: DMH

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Whilst the policies of the Local Plan accommodate new housing, particularly affordable housing, there is concern about whether the policies proposed, taken with those of the Core Strategy and the National Park Authority's Management Plan, will necessarily deliver. The rate of new housing provision has slowed since the Core Strategy came into full effect. The policies are heavily dependent upon public funding and delivery of social housing, even when a site is readily available

Policy Reference: DMH1

Responder: Allen Newby

Responder Reference: 9

Response comments: I welcome the increase in the size limits over those in the SPG on affordable housing. However, I consider the size limits remain an overly simplistic mechanism for controlling cost and affordability. Overly small houses lead to pressure for external clutter, garden sheds etc. The case is set out by the RIBA publication "the Case for Space".

<https://www.architecture.com/files/ribaholdings/policyandinternationalrelations/homewise/caseforspace.pdf>
Submitted plans should include indicative layouts showing furniture which demonstrate that the proposed floor plan has adequate storage and circulation space and meets lifetime homes standards. Over time, new construction methods may provide opportunities to deliver more spacious affordable housing more cheaply. An alternative approach might be to require that applicants provide an assessment of the construction and delivery costs.

Policy Reference: DMH1

Responder: Anita Dale

Responder Reference: 66

Response comments: 3.5 times income is an unreasonable figure in today's markets and a straightforward income multiplier is no longer used as you state. However this point appears to just be a statement rather than coming to any conclusion in terms of affordable housing. Will you ignore this figure as a definition?

Policy Reference: DMH1

Responder: Anita Dale

Responder Reference: 66

Response comments: Completely agree that new housing should not be sold on. However, it seems that the Peak Park is happy to grant planning permission to convert buildings for holiday cottages without having anything in place to state that priority should be given to producing long term rental homes or homes for returners. This links back to what seems to be a bias towards tourism in preference to local people.

Policy Reference: DMH1

Responder: Anita Dale

Responder Reference: 66

Response comments: the max floor areas are extremely small to live practically within, whether they come within building reg guidelines or not

Policy Reference: DMH1

Responder: Bakewell and District Civic Society)

Responder Reference: 8

Response comments: its rather than it's

Policy Reference: DMH1

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The Council does not support the restrictive affordability criteria and feels that it should make allowance for the need for affordable housing and starter homes. This has been evidence locally in both Chapel-en-le-Frith and Dove Holes housing needs survey reports.

Policy Reference: DMH1

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The Council feel that the restriction on housing development will have a detrimental effect on the Parish, which neighbours the National Park and which includes parts of Combs and Sparrowpit in the National Park boundary. It is the opinion of the Council that the lack of housing target will place increased pressure on the Parish to provide land to accommodate the unmet supply from the Peak Park and in turn place pressure on the Chapel-en-le-Frith Neighbourhood Plan, which within 6 months of being adopted was subject to a Public Inquiry for the refusal of Planning Permission for housing and faces a similar test in February 2017.

Policy Reference: DMH1

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: Section 6.9 to 6.12 set out details of the range of types of housing that are defined as affordable. The Government, through the Housing and Planning Act 2016, has clarified that it is supportive of the growth in provision of Starter Homes, which are now to be considered as a form of affordable housing. However, the Act (Chapter 1 Section 5) provides local planning authorities with the power to dispense with the requirement for the provision of Starter Homes where an application is made for planning permission on a rural exception site. In this context, paragraphs 6.11 and 6.29 provide a well justified argument that Starter Homes will not be acceptable on rural exception sites in the National Park. Paragraph 6.11 highlights that Starter Homes (which are classed as homes at 20% less than market value) are unlikely to address local affordable housing needs because they are still likely to be more expensive than can be afforded by local people in housing need. Paragraph 6.29 provides clarification that, although some greenfield land will need to be developed to address housing need, any site that is developed will be classed as an exception site and that development of exception sites will be for 100% affordable housing and that planning permission will not be granted for market housing on green field land in the National Park. Paragraph 6.13 goes on to clarify that market housing may be permitted as part of a development of housing sites to enhance previously developed land, particularly which helps to conserve and enhance the valued characteristics of the National Park. This is a well-balanced and justified approach which should help to ensure that the supply of affordable housing is significantly increased in and around the settlements in the National Park whilst some, but more limited numbers of market housing units, will also be provided to ensure that the National Parks' communities remain vibrant and thriving. Overall, therefore, the approach above is fully supported, which is appropriately reflected in Policy DMH1: New Affordable Housing.

Policy Reference: DMH1

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: The overall policy approach to the provision of housing development is fully supported. There is an acute shortage and need for more affordable housing in the National Park and it is fully supported, therefore, that the overall policy approach seeks to facilitate the increase in provision of affordable housing within and on the edge of the National Park's settlements with a permissive policy for the development of affordable housing in Policy DMH1, subject to their being a proven need for the dwellings through a Local Housing Needs Study. It is a wholly correct approach that the provision of market housing in the National Park is

not seen as a priority and will only be permitted where it is facilitated through conversion and redevelopment opportunities.

Policy Reference: DMH1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments: We are broadly supportive of the approach set out here. Any changes to the strategic context should be addressed in due course as an when the Core Strategy is reviewed, but we are satisfied that there is not currently a need for that review. However there are some details of the approach that do not appear robust, and our suggested changes here seek to address these. Suggested Changes Para 6.2: Add a sentence that “The Park Authority considers that an increase in overall provision of market housing would, rather than meet needs within the Park, stimulate market demand from outside the Park, with cumulative negative consequences for the special qualities of the Park and for the ability of existing communities to access and afford the homes they need.” Para 6.4: Amend the last sentence to: “All such development is only permitted on the basis that it can demonstrate a positive contribution to the National Park purposes and special qualities, and to the needs of communities within the Park.” Para 6.5: Add opening sentence: “Since there is no strategic objective within the National Park to provide market housing, our priority in all cases is to optimise the delivery of affordable housing.” Para 6.6: Add a sentence to the effect that: “Notwithstanding that all new housing is an exception to the Core Strategy in terms of specific site location, planning permissions for new housing should be broadly consistent with the settlement hierarchy set out in Core Strategy DS1”.

Policy Reference: DMH1

Responder: Osmaston and Yeldersley Parish Council

Responder Reference: 63

Response comments: Whilst Osmaston and Yeldersley Parish Cllrs do not wish to see the beauty of the Peaks diminished, it seems unreasonable that the Peak District National Park is seemingly exempt from sharing the burden of the housing development, which is being forced on the Derbyshire Dales.

Policy Reference: DMH1

Responder: Peak District Rural Housing Association

Responder Reference: 25

Response comments: This paragraph deals with the size of plots and implies that larger plots will command a higher price. We work on the basis of a fixed price per plot, irrespective of the size of those plots.

Policy Reference: DMH1

Responder: Peak District Rural Housing Association

Responder Reference: 25

Response comments: Moorlands Choice’ is mentioned later in this paragraph as the choice based letting scheme. It is our understanding that Staffordshire Moorlands will join the Home –Options scheme soon and Moorlands Choice will no longer exist..

Policy Reference: DMH1

Responder: Peak District Rural Housing Association

Responder Reference: 25

Response comments: We would take issue with the assertion in this paragraph that 'it is rare that accommodation is considered unsuitable because of its condition'. Although anecdotal we have met many cases of people living in houses in severe disrepair or in caravans which are unsuitable.

Policy Reference: DMH1

Responder: Peak District Rural Housing Association

Responder Reference: 25

Response comments: We note that your policy is not to allow cross subsidy on exception sites

Policy Reference: DMH1

Responder: Peak District Rural Housing Association

Responder Reference: 25

Response comments: The dwelling sizes given are at the top end of space standards we work to and therefore seem appropriate

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Even if size limitation can be justified as the test for affordability, an applicant must as an alternative be able to demonstrate affordability by value.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum OBJECTS to an affordability test based solely on size

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Without good evidence of impact on value, the prejudice against reasonably sized gardens in para 6.38 or outside storage/garage space cannot be supported.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Para 8.24 of the CS seems to acknowledge the possibility of some new housing outside DS1 settlements. Other forms of new-build development, ie for tourism or employment purposes, are permissible outside DS1 settlements so there can be no in principle argument against a new building.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: By setting maximum (as opposed, say, to guide) sizes for local affordable housing, Forum members report that there is the unintended consequence that opportunities are lost to create affordable housing by way of conversion, because the qualities of the building do not accommodate units of those dimensions; consequently, the only alternative under the Local Plan is open market housing or nothing at all (eg, see also comment on DMR3: Self-catering accommodation).

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: DMH1 supports housing in non-DS1 villages by conversion, so that there is no sustainability or strategic issue raised by the fact of an additional home in the settlement.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Forum members are also very much aware that house/land prices vary greatly from one village to another and that other factors, such as a choice of building materials, may also be relevant.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Forum members report concerns about the size of affordable dwellings and their lack of storage and space. Bearing in mind that it is the value of the house (albeit related to income) that governs affordability, it is of concern that there is no up-to-date evidence produced to demonstrate whether the house sizes and other criteria discussed do represent the optimum living conditions related to price for those taking on local affordable housing, whether as a tenant or owner occupier. Estimates of the effect of the local occupancy s106 agreement on house values seem to vary from about one quarter to one example where a £250K house was valued at £150K after taking account of the s106 agreement.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: It is significant that neither the policy nor the Glossary defines what the National Park Authority means by "affordable".

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Parts of the National Park are very remote from DS1 settlements. The Forum is aware of cases at Aldwark and Meerbrook (neither being a DS1 settlement) where intermediate affordable housing has been approved by the NPA to meet the individual needs of a local family with strong local connections. This is right, provided that development conserves or enhances the National Park. It should not be achieved through departures from policy, as at Meerbrook and Aldwark, but from a constructive and sustainable approach with appropriate safeguards.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The relating of size to the number of rooms is unnecessary. Social housing providers can be expected to make their own decisions and the policy is over prescriptive. For those building for owner occupation, a house is affordable at, eg £150K, whether it is one bedroom or five. With the right evidence, a maximum size might be justifiable but, again, the policy as drawn is over prescriptive and the FORUM therefore OBJECTS on those grounds too.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: There does not appear to be any justification for this policy in the preamble to it and it is such an important policy, if it is proceeded with, that it perhaps deserves to have a separate policy heading, properly justified, rather than being in the small print of Policy DMH1. The Forum OBJECTS to it given its lack of reasoned justification and for the reasons stated.

Policy Reference: DMH1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part A of the Policy contains an unacceptable and inflexible limitation, namely that new affordable housing cannot be provided outside DS1 settlements except by way of conversion. The principle that CS Policy DS1 settlements should be the focus of most new build development is a reasonable one which can in principle be supported and reflects para 55 of the NPPF. However, neither para 55 nor the policy itself explicitly precludes new built development elsewhere ("where it will enhance the vitality of rural communities" (NPPF, para 55)) and Para B of CS Policy DS1 clearly envisages between 10% and 20% of new housing being provided outside DS1 settlements. Para 6.32 says that new build housing will "largely" be in DS1 settlements.

Policy Reference: DMH1

Responder: Peter Abbott

Responder Reference: 24

Response comments: Para 6.1: I think "unmet" is one word

Policy Reference: DMH1

Responder: Peter Abbott

Responder Reference: 24

Response comments: Unusual use of..... "population65" in para 62

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment ii) Para 6.2, and the whole of the Strategic Context, fails to point out that the level of assumed housing delivery in the National Park is very significantly below that estimated to required in recent housing need/demand appraisals undertaken by partner authorities, and in particular by Derbyshire Dales District Council. The levels of delivery of affordable housing are only around half of that assessed to be required. This is a key element of any 'strategic context', and would help to set the parameters for detailed housing policies. This omission means that the soundness of all the subsequent housing DMP policies is seriously undermined. Modification proposed: The Strategic Context introduction should be re-drafted to take account of the points made above, and the implications of the consequences of the low levels of housing delivery properly analysed, with modifications to subsequent policies made if appropriate. If it is the intention, as is implied in para 6.5, that the basis of the way in which affordable housing is delivered via S106 agreements is to be changed, this should be made explicit and incorporated as a separate Policy. If this is not the intention, para 6.5 makes no sense and should be redrafted, and subsequent policies indicate how the issue of reducing delivery of affordable housing as a result of the Core Strategy's policies is to be addressed

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment iii) para 6.5 is not logical. A reduction in the numbers of open market housing being delivered would normally result in a consequent reduction in the numbers of affordable dwellings, given that the latter are delivered via S106 agreements. The DMP rejoices in the reduction in the number of open market dwellings being completed (seen as a vindication of its policies), but fails to acknowledge that this contradicts the DMP's affirmations that it supports the delivery of more affordable housing. There is an indirect implication in para 6.5 that the basis on which affordable housing is required as a condition of the grant of permission for open market housing may be changed, but this is not detailed nor is any evidence presented that such a change, if it were designed to change the basis, is economically viable. Modification proposed: The Strategic Context introduction should be re-drafted to take account of the points made above, and the implications of the consequences of the low levels of housing delivery properly analysed, with modifications to subsequent policies made if appropriate. If it is the intention, as is implied in para 6.5, that the basis of the way in which affordable housing is delivered via S106 agreements is to be changed, this should be made explicit and incorporated as a separate Policy. If this is not the intention, para 6.5 makes no sense and should be redrafted, and subsequent policies indicate how the issue of reducing delivery of affordable housing as a result of the Core Strategy's policies is to be addressed

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: The statement that affordable housing needs cannot be met in full in the National Park is not evidenced. The current level of delivery, which is less than half what is estimated to be required, is largely based on a) funding availability for RSL's and b) policy restrictions which place barriers in the way of developers, and RSL's, in developing more sites. The landscape designation of the National Park itself does not necessarily inhibit development (if it is undertaken sensitively, and respects the local settlement context), and the Authority have not carried out any assessment of the development potential of the settlements in Core Strategy CS1. Given the level of under-delivery of housing proposed in the DMP, and consequences of this for local communities, the Authority should undertake an assessment of the development potential of the settlements in the Core Strategy CS1 (or alternatively a SHLAA) This would incentivise developers to seek ways of delivering more affordable housing.

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: a) Comment: i) Para 6.10 incorporates a definition of 'intermediate housing' (as one aspect of affordable housing), and includes what are termed 'low-cost homes for sale'. Para 6.17 subsequently and helpfully clarifies that developments of 2 or more dwellings intended for sale to local people, and whose sale/occupation is controlled by a local occupancy clause, is included in this definition. It should however be made clear that this is not the same as 'Custom Build' housing (para 6.12). It would however be more helpful (in order to encourage the delivery of more affordable housing) if developments of small 'clusters' of housing for sale to local people is identified separately as an acceptable form of affordable housing

b) Comment ii) the definition of 'housing need' (para 6.11 to 6.22) is over-elaborate, but more importantly in the context of local communities in the National Park excludes a very significant number (probably the majority) of people who wish to buy a (new) home but are unable to do so because of) the costs and b) the lack of availability. The focus on unsatisfactory and over-crowded accommodation completely misses the point that it is the aspiration of most individuals and families is to own their own homes, but that this aspiration is extremely difficult to realise in the National Park. Consequently, younger people and families are faced with having to leave their home communities and move outside the Park. The socio economic and age profiles of many Park villages illustrate the dramatic effect that this is having on the sustainability of communities. The DMP offers not rationale or justification as to why it uses such a narrow definition of 'housing need', and one which ignores the most significant element of this key issue. As a consequence of this definition, subsequent policies (particularly DMH1) deny the possibility of low cost housing being built for local people people to buy who otherwise would not be able to afford to do so. Modification proposed: i) the definition of affordable housing should be amended to clearly and explicitly include dwellings built for sale to local people, with an appropriate local occupancy clause ii) the definition of 'housing need' should be simplified, and include all local people who wish to buy a new home, without any reference or recourse to overcrowding or unsatisfactory accommodation

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment iii) the proposal to specifically exclude 'starter homes' from developments on exceptions sites is not based on any evidence (simply a rather arrogant and unjustified assertion in para 6.11 that they ' may still be more expensive than can be afforded by local people in need'. Starter homes are a welcome Government initiative to increase the supply of new homes that are more affordable for young people to buy, and it is totally unjustified for the Authority to try to stifle this initiative, thus preventing local people from benefiting. Whilst such starter homes may still be expensive, they will by definition be 25% cheaper than open market housing, and thus more 'affordable'. If a threshold of 5 dwellings is adopted, the inclusion of starter homes on sites being developed by RSL's (of predominantly social rented housing) would be a welcome addition to the supply of affordable housing to buy. Likewise, the proposal to exclude a requirement for starter homes to be provided as part of developments on previously developed land is not evidenced or justified. Given the very low level of delivery of affordable, such a proposal appears to work against the Authority's commitment to support sustainable communities; this is further exacerbated by the that the DMP is ambivalent (para 6.31) about the need for affordable housing (outside of starter homes) to be provided as part of any development provision

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment i) I have already addressed the issue of the definition of 'need', and the unduly restrictive definition used in the DMP - which totally ignores the pressing issue of affordability. In the same context, the requirement to 'prove' the need for affordable dwellings is disproportionately restrictive, particularly in relation to the delivery of affordable dwellings for sale. It is totally unreasonable to expect a developer to undertake a needs assessment as set out in para 6.17, and this requirement will act as a powerful disincentive to any developer proposing to build - thus further reducing the opportunity to increase the delivery

of affordable housing. Developers will not build unless they have a reasonably degree of certainty as regards their market, and they are in a far better position to ascertain this than the Authority. It is reasonable to ask a developer for a statement as to how their proposal will address the need for affordable housing, but that is sufficient. Likewise, the requirement for RSL's to undertake such a complex assessment is unnecessary (they have to undertake this anyway, to obtain funding approval) and the bureaucracy involves causes delay and adds to costs.

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment i) As far as I am aware, Derbyshire Dales DC have not agreed to 'reasonable estimates for housing delivery' in the National Park (para 6.2). They have presented a case, based on up to date and robust evidence, for a significantly higher number of dwellings to be planned for than is assumed in the DMP. The fact that the PDNPA have chosen not to accept this evidence, nor to take account of it in the DMP, does not imply agreement by DDDC to the housing estimates. Comment ii) Para 6.2, and the whole of the strategic context fails to point out that the level of assumed housing delivery in the National park is very significantly below that estimated to required in recent housing need/demand appraisals undertaken by partner authorities, and in particular DDDC. The level of delivery of affordable housing is only around half of that assessed to be required. This is a key element of any strategic context, and would help set the parameters for detailed housing policies. The omission means that the soundness of all the subsequent housing DMP policies is seriously undermined. Comment iii) Paragraph 6.5 is not logical. A reduction in the numbers of open market housing being delivered would normally result in a consequent reduction in the number of affordable dwellings, given that the latter are delivered via S106 agreements. The DMP rejoices in the reduction in the number of open market dwellings being completed (seen as a vindication of policies), but fails to acknowledge that this contradicts the DMP's affirmations that it supports the delivery of more affordable housing. This is an indirect implication in para 6.5 that the basis on which affordable housing is required as a condition of the grant of planning permission for open market housing may be changed, but this is not detailed nor is any evidence presented that such a change, if it were designed to change the basis, is economically viable

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment: 'Strong local connection' is always going to be problematic in terms of definition and fairness. There will inevitably be occasions where people have genuine connections, but fall outside the 10 year rule. Some mechanism to 'appeal' against the definition would be appropriate. Also, there may well be circumstances where a family has moved to a particular Parish, and where the children are teenagers at that time; although these children would be genuinely 'local', the 10 year rule would not apply until they were in their mid to late 20's, meaning they would not be eligible for local needs affordable housing before then. Consequently they would be likely to be forced to move away. This is not I believe the intention of the DMP. The requirement to have lived in a particular or adjoining Parish is also unduly restrictive, given the acknowledged shortage of affordable housing. Typically over history, families and individuals have moved further afield than this, whilst still retaining a feeling of localness. This should continue to be encouraged rather than restricted. Modification proposed: The definition of 'strong local connection' should be reconsidered to take account of the points above. The requirement to live in a particular or adjoining Parish should be relaxed, unless there is compelling evidence to show that this unfairly discriminates against people having a very local connection

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment: Para 6.30 is unnecessary, and acts as a further restriction on the delivery of affordable housing. To be 'acceptable', exception sites must already meet strict design criteria, and if they do so, there is no logical reason why development should not be permitted. Modification proposed: Delete para 6.30 as it acts as a further barrier to the delivery of affordable housing

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment: The effect of the content of para 6.31 would be to reduce still further the delivery of affordable housing. Given the acknowledgment that less than half the requirement for new affordable dwellings is likely to be delivered, the absence of a presumption that all development of open-market housing should require associated affordable provision is astonishing. The only exceptions would be in specific circumstances where a) the developer can demonstrate that there is no need or demand for affordable housing of any type or tenure b) the developer can demonstrate that the provision of any affordable housing would undermine the viability of the project, to the point where it would not be delivered. Modification proposed: para 6.31 should be amended to reflect the above, and Policy DMH1 amended to include a requirement for affordable housing to be provided as part of the open-market housing led development on previously developed land

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Policy DMH1 should be modified to reflect the above concerns: a) a redefinition of housing need, b) the removal of A ii, and c) starter homes to be required on all developments (exception sites and previously developed land) of above 5 dwellings

Policy Reference: DMH1

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment ii): the proposed use of size thresholds to limit the size of new dwellings is totally inappropriate, as a mechanism to control or influence the supply of affordable housing. It is not for the Authority to decide how big a dwelling should be; if a dwelling is classed as affordable, its size is a matter for the developer and occupier. There is no logic whatsoever in the implication that dwellings above the sizes specified are somehow 'not affordable', and the proposed restrictions limit unfairly families or individuals housing choice. The same argument applies to the unduly restrictive proposal to limit the size of gardens. Existing planning and design controls are perfectly adequate to ensure that new developments, including the size and density of dwellings, are appropriate to their community context

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.1 line 6. 'Unmet', not un met.

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Points B and C: is it 'previously developed sites' or 'a previously developed site'? Same point applies at end of both B and C.

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Line 5: 'its' not it's.

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Take out the first word ('However') as it provides a confusing / inappropriate link to what's gone before. (or so it seems to me...)

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.6, penultimate line: a missing 'y' in July. Plus some additional capitals here and there wld make clearer which parts of the text represent the document title.

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.9, penultimate line: 'helps' not help

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.10, 2nd bullet point:

Line 3: add an 's' to landlord.

Line 5: add and 's' to Rent.

Line 7: remove punctuation after 'to'.

Last line: omit 'and', as it implies that the text which follows leads on from the 2nd bullet point, whereas it's raising a new subject.

Policy Reference: DMH1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Am a bit concerned that this para (esp its 2nd half) weakens our ability to stick out for a reasonable allocation of affordable housing – e.g. in schemes like Hartington and Bradwell. Are we stuck with this position or could the text be tightened?

Policy Reference: DMH1

Responder: Taddington PC

Responder Reference: 19

Response comments: The Townend application reinforces and exemplifies another issue - how sites are assessed and released for affordable housing. In that case, there was a clear view in the village that there were other sites that could be developed for affordable housing which would achieve a much higher level of conservation and enhancement. The site chosen was the one on offer, but by no means the best available. The Parish Council agrees with the Forum that a more coherent approach to finding affordable housing sites that either provides the incentive or the compulsion to release them.

Policy Reference: DMH1

Responder: Waterhouses PC

Responder Reference: 17

Response comments: the Peak Park's strategy is driven by local housing need and development that would only strictly benefit the area in terms of things such as the economy of the area and in areas where housing is needed to aid employment, such as agricultural areas. The Parish Council are supportive of this exception policy followed by the Peak Park.

Policy Reference: DMH1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comment. We are uncomfortable with the DMDPD's approach to affordable housing, because: Policy DMH1 specifies maximum gross floor areas for affordable housing which appear very close to the minimum net floor areas in the highly-regarded Parker Morris Standards, which subsequently informed HCA guidance. What is the logic in making affordable homes small? Our recent experience of planning applications within the Park is that lack of opportunities arising for affordable home provision is leading to a degree of desperation, such that poor schemes or schemes offering inadequate affordable provision are supported by the Rural Housing Enabler because they are better than nothing. This is not in the interests of good planning, nor of the Park as a whole, and a much more robust process needs to be set out. Suggested changes. Maximum space standards may be appropriate, but minimum standards should also be set.

Policy Reference: DMH1 & DMH2

Responder: Martin Beer

Responder Reference: 56

Response comments: The economic and housing policies are intimately linked. Changes in the UK economy mean that there will be many opportunities to develop high value, low impact industrial activity within the Park. There are already several businesses that meet this description located either within or close to the Parish and we wish to encourage more. Not only does it bring enhanced economic activity to the villages, but provides opportunities for higher income employment than is available with traditional employment opportunities without the need to commute out of the Park. Currently opportunities are limited by the availability of suitable locations, lack of communications and transport infrastructure and the limited availability of suitable mid-range housing at affordable prices due to the large premium placed on open market housing in the National Park. I therefore objects to the restrictions placed on affordable housing by policies DMH1 and DMH2 as these do not

provide effective means of supporting those that can develop new high quality employment opportunities and need the full range of mid-market housing as their families grow. Also, there needs to be better provision for suitable elderly accommodation so that residents can stay in their communities and not have to move away because there is no suitable accommodation to meet their needs. This has the added benefit of freeing family accommodation for new residents. I would like to see a wider specification of eligibility for affordable housing to include family formation, local employment and a more graduated expansion of applicable area rather than just local parishes and then the whole park.

Policy Reference: DMH1, DMH2

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: We do not support the restrictive affordability criteria. This policy unnecessarily restricts demand and it does not contribute to choice in the housing market. In particular the policy makes no allowance for the expansion of the affordable housing products and in particular the introduction of starter homes.

Policy Reference: DMH2

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: Policy DMH2 sets out a 10 year local connection within the settlement/parish in order to be eligible for any new affordable housing provision. This is a long standing policy requirement of the National Park. Whilst this ensures that occupiers have a well established connection with the village it is considered that this becoming too onerous a requirement for housing providers and has the potential to have an impact upon affordable housing investment in the National Park. It is suggested that the policy should be halved to reflect Derbyshire Dales' approach to local occupancy.

Policy Reference: DMH2

Responder: Peak District Rural Housing Association

Responder Reference: 25

Response comments: We note the policy for first occupiers and that people working in the parish with an essential need to be near their employment are not included as they have been previously. We have rarely used this connection in housing people but urge that it continues to be included

Policy Reference: DMH2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum OBJECTS to Policy DMH2 because it fails to define need with any clarity, it does not address thriving communities, does not deliver what is required by the NPPF and, in particular, that it does not address the reasonable needs of the following who may not be in overcrowded or unsatisfactory accommodation but who have a reasonable need for an affordable home: Those setting up household for the first time. They will usually be younger people fulfilling the normal human desire to live independently, and in so doing stake a claim in the community in which they grew up; Growing families wanting accommodation that better suits their needs; Elderly people, probably in or near retirement, who have a wish to downsize, perhaps requiring capital to support their old age or because they can no longer manage their property, and with a reasonable desire to remain in a community of which they have been part for years, with all the social networks a community can provide, and to which they can continue to contribute; Service families or their dependants.

Policy Reference: DMH2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The Forum also considers that the presentation and format of the preamble/reasoned justification requires redrafting to make it a usable working document.

Policy Reference: DMH2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: "Need" is capable of more than one interpretation and Parish Councils have frequently raised more housing for younger people and housing for the elderly as key issues (notably families with children and older people are both referred to in para 50 of the NPPF). Para 50 clearly demands a wide range of housing types to meet housing needs and for plans to deliver a mix of housing. Despite the lengthy preamble, there seems to be no evidence that this has been addressed.

Policy Reference: DMH2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: This may or may not be acknowledged by Para 6.22 which refers to homes for downsizing and for smaller family homes for young or single people, but this is still qualified by the limitation in Policy DMH2 to "overcrowded or unsatisfactory accommodation" or "an essential need arising from infirmity". Because of the cross referencing to statutory definitions, eg in Paras 6.12 and 6.14, there is a lack of clarity as to how the categories listed in Para 6.22 will be applied in practice or how the tests for proving need set out in Appendix 8 will be applied.

Policy Reference: DMH2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: A key issue is how "need" in CS Policy HC1 is defined. Policy DMH2 and Paras 6.11 to 6.21 of the preamble limit need solely to those in "unsatisfactory and overcrowded" accommodation, which seems to cover: Lack of space (6.13) Statutory overcrowding (6.14) Decreased mobility (6.20) Financial problems (6.21) and Household breakup. At first sight, addressing such acute problems, even recognising the social argument, does not seem to be addressing the objective of the NPA's Core Strategy or Management Plan, namely that of thriving and vibrant villages. The policy addresses desperation rather than aspiration and yet it is the latter that is the more likely to achieve thriving villages.

Policy Reference: DMH2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: At the extreme, it can be argued that in a National Park no new housing is needed because almost all the demand can be met outside its boundaries. However, the English National Parks Vision and Circular 2010 encourages proactive measures to sustain strong communities and support of social local networks and, in para 70, argues for concerted efforts to this end. This theme is reflected in the NPA's own vision as set out in its Management Plan (cross-referenced in Part 3 of the Core Strategy) which calls for a "lived in, sustainable, thriving and innovative Peak District". The Forum totally supports the notion of thriving villages

and communities and, as with the 2010 Circular and the Management Plan, and believes housing policies should therefore be measured against that aim as well as paras 50 and 55 of the NPPF.

Policy Reference: DMH2

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: This policy replaces Policy LH2 of the Local Plan. The Forum has long argued for a more flexible and reasonable approach to defining local need that is directed towards sustaining thriving communities. It is therefore horrified to see that, far from a more reasonable approach, the National Park Authority has now further limited those with a qualification for a house by excluding people forming a household for the first time (Policy LH2(ii) of the Local Plan). It is particularly concerned that this significant change was not highlighted in the summary that was sent out with the consultation documents.

Policy Reference: DMH2

Responder: Peter Abbott

Responder Reference: 24

Response comments: Para 6.52: suggest "The eligible person would be considered equal to persons in....."

Policy Reference: DMH2

Responder: Peter O'Brien

Responder Reference: 64

Response comments: Comment: I have previously commented on paras 6.23 - 6.26, and the unreasonable definition of 'strong local connection' in relation to the proposed 10 year rule. The same logic applies to DMH2, where the 10 year local occupancy rule may be unfair or discriminatory in certain circumstances. Modification proposed. DMH2 should be modified to take account of particular circumstances where a 10 year local occupancy rule is unfair or not appropriate, and there should be the ability to 'appeal' against the proposed imposition of this requirement - other than going through the statutory planning appeal process

Policy Reference: DMH2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.52, line 9: something missing after 'equally'.

Policy Reference: DMH2 & DMH3

Responder: High Peak Borough Council

Responder Reference: 59

Response comments: We do not support the restrictive affordability criteria set out in DMH2 and DMH3. This policy unnecessarily restricts demand and it does not contribute to choice in the housing market. In particular the policy makes no allowance for the government's proposed expansion of the range of affordable housing products and in particular the introduction of starter homes.

Policy Reference: DMH2 & DMH3

Responder: Staffordshire Moorlands District Council

Responder Reference: 58

Response comments: We do not support the restrictive affordability criteria set out in DMH2 and DMH3. This policy unnecessarily restricts demand and it does not contribute to choice in the housing market. In particular the policy makes no allowance for the government's proposed expansion of the range of affordable housing products and in particular the introduction of starter homes.

Policy Reference: DMH3

Responder: Peak District Rural Housing Association

Responder Reference: 25

Response comments: We note the 'cascade' system which is much as we have been using apart from the exclusion of people with a work connection.

Policy Reference: DMH3

Responder: Peter Abbott

Responder Reference: 24

Response comments: DMH3B – doesn't this need "owners and managers must" at the end of the intro sentence.

Policy Reference: DMH3

Responder: Peter Abbott

Responder Reference: 24

Response comments: DMH3C – similarly "owners and managers must." I think (i) and (ii) should be rolled together for clarity of meaning.

Policy Reference: DMH4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part F: there could well be situations where the needs of the family or of the business require the new house to be larger than the original, and this should be allowed for in the policy.

Policy Reference: DMH4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part C: there is no need to limit re-use of buildings to traditional buildings. Other buildings with merit for conversion should also be considered where this can be done in a way that conserves and/or enhances the National Park (See DMC 10 above).

Policy Reference: DMH4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.57, penultimate line: best to specify what 'plan' is being referred to?

Policy Reference: DMH4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Policy DMH4: word missing before 'business' in line 3 of opening para.

Policy Reference: DMH4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Footnote 73: replace 'is' with 'are'.

Policy Reference: DMH4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.62: not sure I understand why this para is here rather than in text re affordable dwellings? I found it confusing

Policy Reference: DMH5

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment: It is noted that in the vast majority of cases, the use/conversion of domestic outbuildings within the curtilage of existing dwellings, for ancillary domestic accommodation, will not require planning permission and it would be unlawful for DMH5 to impose restrictions on permitted development. Where permission is required for either the conversion (where the building is not currently in ancillary residential use or not within the curtilage or where the alterations exceed permitted development), or building of a new build ancillary dwelling, it should always be possible to secure its ancillary status through use of a planning condition. National Planning Practice Guidance states that "It may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation under section 106 of the Town and Country Planning Act 1990. In such cases the local planning authority should use a condition rather than seeking to deal with the matter by means of a planning obligation." (Paragraph: 011 Reference ID: 21a-011-20140306). The Planning Inspectorate has a model condition for securing the ancillary status of an outbuilding/extension/annex: "The extension (building) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as []". It is therefore unnecessary to provide for restricting occupancy by way of a section 106 agreement. Modifications Proposed: Delete the final sentence to DMH5, B (relating to section 106 agreements) or reword to indicate that planning conditions will be used to restrict the occupancy of such buildings.

Policy Reference: DMH5

Responder: NFU (Paul Tame)

Responder Reference: 2

Response comments: We are extremely supportive of policy DMH5 about ancillary dwellings. We are very pleased to see policy DMH5 about ancillary dwellings in the curtilages of existing dwellings. You know our concern that farmers' children or parents have not been allowed to have houses developed on the farm even when the buildings are there to convert. So, many thanks to the Peak Park for listening.

Policy Reference: DMH5

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part B. See comments on DMH11 (S106 agreements)

Policy Reference: DMH6

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports the commitment to re-using previously developed land.

Policy Reference: DMH6

Responder: NHS Property Services

Responder Reference: 38

Response comments: NHSPS supports the principle of Policy DMH6, recognising that the effective re-use of previously developed land represents an important supply of housing. However, NHSPS objects to point two of the policy, which seeks to restrict permission for an alternative use of a brownfield site where an adopted Neighbourhood Plan has identified the land for continued community or employment use or open space. As with the comments on DMS2 above (lack of flexibility), there will be circumstances where the loss of a community facility (e.g an agreed programme of social infrastructure re-provision) is acceptable, and an alternative use of the building/site should be considered, and not strategically constrained or subject to restrictive policies or excessive periods of marketing.

Policy Reference: DMH6

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: It is not clear from the preamble, nor from the policy itself, why this policy is needed. Taking each bullet point in turn: All development must conserve and enhance (CS Policy GSP2 and GSP3) and DMC3; DMC3B(i), DMC4 and DMC8A(i) all deal with open areas (see above); Repetition of CS Policy HC1; Insofar as this is understood, it is dealt with as follows. It is not clear whether this policy is intended to enlarge upon CS Policy HC1 (CII) or has another purpose. However, the test in Policy HC1 for the redevelopment of sites (which could include buildings) is clear: conservation or enhancement within a DS1 settlement. It is therefore not understood why the list of sites in Para 6.77 (see also definition of previously developed land in Appendix 11) has been included - why, for example, exclude a site of a dilapidated prefabricated barn, simply because it was agricultural and why limit it to sites that have had a permanent structure rather than despoiled sites generally? If it is in a DS1 settlement and conservation/enhancement occurs, would its redevelopment for much needed housing not in principle be sustainable and be to the benefit of the National Park and of the community?

Policy Reference: DMH6

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Paragraphs 6.78 and 6.79 are not understood

Policy Reference: DMH6

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The fourth bullet point of DMH6, taken with paras. 6.84 to 6.86, is confusing and the objectives are not clear . If a site comes forward capable of accommodating two or more dwellings, whether previously developed or not, under CS Policy HC1C(IV), policies are needed: 1.To ensure that the site is put to the optimum use, having regard to National Park purposes and the need to maximise housing provision, eg. a policy is needed to ensure a site capable of taking, say, four houses does not just have one large one; 2.To prevent partial development; 3.To ensure that any lawful financial contribution is payable, ie. to prevent in the above example four separate applications of one house each to avoid the financial contribution.It is not at all clear that either objective is met by the policy as written.

Policy Reference: DMH6

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The policy appears to relate to building conversions as well as brown field sites, in which case it is contradicted by DMC10B

Policy Reference: DMH6

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The relationship of this policy to DME4 needs to be explained

Policy Reference: DMH6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.80, line 8. I think 'consequently' is wrong here. Replace with e.g. 'however', or omit altogether ?

Policy Reference: DMH6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.85, line line 8: word missing after 'units'.

Policy Reference: DMH6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.86: 'have' not 'has'.

Policy Reference: DMH6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.87: last line: omit 'the' before Ch 3.

Policy Reference: DMH7

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part A(iv): the words from “create” to “curtilage” are unnecessary. By implication, they also imply that the adverse effects listed are acceptable within the residential curtilage.

Policy Reference: DMH7

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.88: 4 lines from end. I think ‘listed ‘ needs a capital L here.

Policy Reference: DMH7

Responder: Stella McGuire

Responder Reference: 10

Response comments: A(ii) implies that extensions and alterations will be permitted to dominate the original dwelling, as long as it isn’t a heritage asset. I assume this isn’t the case? Or have I misunderstood this?

Policy Reference: DMH7

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 6.90: The end of the para refers to an SPD and gives it its full title plus a footnote re how to access it. Both of these things seem like a good idea – but, on the whole SPD refs in this document aren’t as comprehensive as this. Could they all be adjusted to reflect this model?

Policy Reference: DMH8

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment: One of the statutory purposes of the National Park is to conserve and enhance natural beauty, wildlife and cultural heritage. Clearly there will be situations where it is possible to conserve the desirable features of the National Park, but where there are no opportunities for further enhancement. In these circumstances, it would be illogical suggest that conservation was not desirable in the absence of opportunities for enhancement. Policy DMH8 as it is currently worded does not support applications for new outbuildings that conserve the immediate dwelling and curtilage (and the other features/characteristics referred to in the draft policy) but may not enhance. Such proposals (provided they complied with other local and national planning policies) would not undermine the purposes of the National Park and the policy is therefore unduly restrictive. This would be reasonable as the policy is a permissive policy meaning that the principle of development has already been considered to conserve and enhance in the context of National Park objectives. Modifications Proposed: Revise the wording of DMH8 A, to read: “the scale, mass, form and design of the building conserves or enhances...” This is a more appropriate wording that would enable the delivery of sustainable development in accordance with the policies in the NPPF and the purposes of the National Park.

Policy Reference: DMH8

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The last sentence of para 6.91 should be listed as Part C of the policy, at least insofar as it relates to garaging. On-street car parking, particularly in the village centres that are also conservation areas, is a key local concern because of its impact on local residents as well as on the National Park environment. It has an unacceptable impact on the conservation area. Garage space should be available for off-street parking.

Policy Reference: DMH8

Responder: Rowsley PC

Responder Reference: 69

Response comments: This should include extensions to existing garages and storage facilities not just new builds.

Policy Reference: DMH8

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: This should include extensions to existing garages and storage facilities not just new builds.

Policy Reference: DMH9

Responder: Allen Newby

Responder Reference: 9

Response comments: The wording replaces LH5 iii) which used the phrase "similar size". The preamble to LH5 mentioned +25% as a rule of thumb but was routinely breached. The wording of DMH9 B seems to incentivise larger designs which enhances their setting. However...There is no DMP incentive for either sustainable low carbon design or good contemporary design. This may imply we only ever achieve pastiche in the National Park. I doubt the controversy over the size of replacement dwellings will end.

Policy Reference: DMH9

Responder: Bakewell and District Civic Society)

Responder Reference: 8

Response comments: not largerer

Policy Reference: DMH9

Responder: Bakewell and District Civic Society)

Responder Reference: 8

Response comments: neighbours'

Policy Reference: DMH9

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: In para 6.100, there should be a clear and unambiguous reference to the need to consider carefully before further single story dwellings are lost.

Policy Reference: DMH9

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Para E is supported, but would be better placed after A, so that the remaining tests would apply to “dwelling(s)” rather than a single dwelling;

Policy Reference: DMH9

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Whilst heritage assets should clearly be given special consideration, in Part A(c) the prime test should be one of conservation and enhancement of the National Park;

Policy Reference: DMH9

Responder: Rowsley PC

Responder Reference: 69

Response comments: Replacement dwellings is weaker than was specified in the previous LH5. This is totally unacceptable because it will allow for further monstrosities if the same footprint is dismissed. We need to be sympathetic and address accommodation for an ever increasing numbers of senior citizens

Policy Reference: DMH9

Responder: Stella McGuire

Responder Reference: 10

Response comments: typo line 1 ('largerer')

Policy Reference: DMH9

Responder: Stella McGuire

Responder Reference: 10

Response comments: Line 2 typo: neighbours'

Policy Reference: DMH9

Responder: Stella McGuire

Responder Reference: 10

Response comments: Typo 5 lines from end: 'range defined range'.

Policy Reference: DMH9

Responder: Stella McGuire

Responder Reference: 10

Response comments: lines 10 / 11: 'the replacement dwelling must produce a significant overall benefit to the natural beauty, wildlife and cultural heritage of the area'. Is it reasonable to require this? I wasn't clear how easy it would be for a mere house to achieve most of this. Would something more general (eg on the built environment and landscape setting) be more appropriate? Or a general ref to Park purposes?

Policy Reference: DMH9

Responder: Stella McGuire

Responder Reference: 10

Response comments: Line 7: word missing after 'than'.

Policy Reference: DMH11

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMH11 Section 106 Agreements

It is not considered necessary to have a policy which concerns Section 106 Agreements as this relates to matters that are already dealt with through the other housing policies in the Development Management Policies and Core Strategy Local Plan documents.

Whether these matters are to be dealt with via Section 106 Agreement, or planning conditions, is ably addressed through the tests that are applied in the National Planning Policy Framework section 'Decision taking', paragraphs 203 to 206 concerning planning conditions and obligations.

Delete Policy DMH11: Section 106 agreements and supporting paragraphs.

Policy Reference: DMH11

Responder: Emery Planning

Responder Reference: 48

Response comments: Comment: Paragraph 6.107 suggests that Section 106 agreements have been successful in preventing breaches of condition and for this reason, the Authority will continue to use them in the manner set out in draft Policy DMH11. However, there is no evidence to support this assertion and this is inconsistent with national planning policy. National Planning Practice Guidance makes it clear that where it is possible to deal with a matter by means of a planning condition, this approach should be adopted, instead of using a Section 106 agreement (Paragraph: 011 Reference ID: 21a-011-20140306). It is considered that in almost all circumstances, the issues covered in draft policy DMH11 could be effectively dealt through the imposition of planning conditions. Indeed, the Planning Inspectorate has model conditions to account for such circumstances as outlined in the draft policy. The purpose of Section 106 agreements is not to address breaches of planning control and there is no suggestion within national planning policy or guidance that this is an appropriate reason for imposing such agreements. Breaches in planning control should be dealt with through the Authority's planning enforcement powers and procedures, as outlined in the Town and Country Planning Act 1990 (as amended) and in line with the National Planning Practice Guidance. These procedures have been specifically developed to enable the Authority to investigate and remedy such breaches of planning control. Modifications Proposed DMH11 should be retitled and reworded to set out the manner in which "planning conditions" will be applied to housing development (as opposed to section 106 agreements).

Policy Reference: DMH11

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comment Policy DMH11 does not robustly explain a method for establishing the quantity and quality of affordable housing that would make an otherwise unacceptable development acceptable in planning terms, especially with consideration to the special qualities of the National Park. Our recent experience of planning applications within the Park is that lack of opportunities arising for affordable home provision is leading to a degree of desperation, such that poor schemes or schemes offering inadequate affordable provision are supported by the Rural Housing Enabler because they are better than nothing. This is not in the

interests of good planning, nor of the Park as a whole, and a much more robust process needs to be set out. Suggested change: The policy and supporting text should explain that any market housing must enable enhancement of both the local community and the Park as a whole, not just one or the other; affordable housing schemes should meet needs for affordable housing, but must also be developed in a way that is consistent with the other policies of the DPD, such that the benefits of providing affordable housing are not regarded as excusing development that is of lower quality or located on a site that is inappropriate for the type of development proposed.

Policy Reference: DMH11

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The motive behind the policy is clearly spelt out in para 6.107: the agreements are being used because the National Park Authority is not enforcing planning conditions and therefore agreements are being used as a long stop to get around this deficiency. This is wrong in principle and in law and the rationale behind paras 1.24 to 1.30 cannot be used to justify it. A planning agreement may only constitute a reason for granting planning permission for the development if it 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.

Policy Reference: DMH11

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The use of s106 agreements as proposed in Part A is supported but would be better placed in relation to DMH 2 and 3, to which it relates.

Policy Reference: DMH11

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: For other purposes, the Forum is concerned that S106 agreements, which cause unnecessary delay and expense to local residents and businesses, should only be used when fully justified and necessary

Policy Reference: DMH11

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Government advice was for many years that it was unnecessary to tie essential worker homes to the land, and that standard conditions, eg as for agricultural workers were an adequate safeguard. The Authority's practice has grown up notwithstanding this advice

Policy Reference: DMH11

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: The powers in s106 allow a local planning authority to regulate the use of land or specified operations on land. Neither of these would cover "tying" the land whatever that may mean.

Policy Reference: DMH11

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Whilst exceptionally, a s106 agreement may be justified in the context of part B to H of the policy, the Forum must OBJECT to those parts of the policy as it is drafted because it clearly goes beyond what is reasonably required, as well as beyond Paras 203 and 204 of the NPPF, and is, it is believed, beyond the legal scope of s106 in any event

Policy Reference: DMH11

Responder: Stella McGuire

Responder Reference: 10

Response comments: B: remove the (i) and make this point part of the main sentence? Or was there a second point which has gone missing?

Policy Reference: DMH11

Responder: Stella McGuire

Responder Reference: 10

Response comments: D: typo in (iii) 'a local person'.

Chapter 7: Shops, Services and community facilities

Policy Reference: DMS

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The development management policies approach to support the promotion, retention of shops, services and community facilities is welcomed. The retention and provision of such facilities is crucial to the social wellbeing of communities.

Policy Reference: DMS

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: For the future sustainability of communities the document recognises the importance of resisting the loss of community facilities but does not really present any realistic ways of averting this. In contradiction, many of the policies outlined are likely to have the opposite effect, in further eroding community facilities.

Policy Reference: DMS1

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: The overall policy approach to shops, services and community facilities is fully supported, particularly Policy DMS1 which is broadly consistent with the requirements of the National Planning Policy Framework (NPPF), that seeks to direct new shops and services to town, district or local centres so that their vitality and viability is maintained and enhanced; and particularly paragraph 28 which requires local planning authorities to promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Policy Reference: DMS1

Responder: Litton Properties

Responder Reference: 57

Response comments: (1) Proposed retail developments within defined town centres are considered for their accordance with the NPPF's town centre first approach (which considers town centres as a whole). Importantly, there is no retail test in the NPPF which requires an assessment of retail impact for proposed retail developments within town centres on existing town centre retail destinations. Proposed retail developments within a town centre will, in all likelihood, increase the turnover of the town centre and will have an overall positive impact. Competition between retail destinations in defined town centres is not discouraged in the NPPF.

Policy Reference: DMS1

Responder: Litton Properties

Responder Reference: 57

Response comments: (2) Policy DMS1 refers to a requirement for evidence that local convenience shopping will not be 'adversely affected or undermined'. Paragraph 26 of the NPPF states that the impact test only applies to proposals exceeding 2,500 sq. m floorspace unless a different proportional locally set threshold is adopted by

the local planning authority. Paragraph 27 of the NPPF states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on [one or more of the factors listed in paragraph 26] it should be refused. Any development may have an impact but the NPPF is only concerned with 'significant adverse impacts'. It follows that any development below the floorspace threshold will not have a 'significant' adverse impact. It is noted that the Peak District National Park Authority has not adopted a locally set retail impact threshold for retail developments

Policy Reference: DMS1

Responder: Litton Properties

Responder Reference: 57

Response comments: (4) Policy DMS1 makes no reference to the sequential test as set out in Paragraph 24 of the NPPF. The NPPF states that local planning authorities should apply a sequential test to applications for main town centre uses that are not located in an existing centre and are not in accordance with an up-to-date Local Plan. It requires applications for main town centre uses to be located first in town centres, then in edge of centre locations and only if suitable sites are not available should out-of-centre sites be considered. The fact that the sequential test is not referenced in Part 2 of the Local Plan is a key omission. On the basis of the above, Policy DMS1 is unsound as it is not in accordance with the guidance on vitality of town centres set out within the NPPF.

Policy Reference: DMS1

Responder: Litton Properties

Responder Reference: 57

Response comments: It is recommended that Policy DMS1 is amended to accord with the NPPF so that proposals for retail and other 'main town centre uses' outside Bakewell Town Centre and the named settlements listed in Policy DS1 of the Core Strategy will only be permitted if they: a) comply with the sequential test as set out in Paragraphs 24 and 25 of the NPPF; and b) avoid having a 'significant adverse impact' upon existing, committed and planned public and private investment in a centre or centres in the catchment area of a proposal as assessed by the requirements set out in paragraph 26 of the NPPF. The policy should be redrafted accordingly

Policy Reference: DMS1

Responder: Litton Properties

Responder Reference: 57

Response comments: There is no justification for Policy DMS1 limiting the requirement for a retail impact assessment to convenience retailing only. The policy should comply with paragraph 26 of the NPPF.

Policy Reference: DMS1

Responder: Stella McGuire

Responder Reference: 10

Response comments: When I was reading thro the policy text, I got confused by Point C, in a kind of 'what's this all about?' way. Then I found the explanation in para 7.8 below. Does this mean that DMS1 C belongs in the DMS2 'change of use' policy text on pg 84? Or that the explanation in para 7.8 should occur earlier in the text, in advance of Policy DMS1?

Policy Reference: DMS2

Responder: Cheshire East Council

Responder Reference: 27

Response comments: With regard to Policies that relate to the loss of shops, services, and community facilities and in particular Policy DMS2, Cheshire East Council fully supports the approach taken but requests that the approach is strengthened, to enable any such uses that are lost to only be used for affordable housing in future

Policy Reference: DMS2

Responder: Emery Planning

Responder Reference: 48

Response comments: In cases where a business is failing, it is considered that paragraph A (i) of this policy is overly restrictive and would result in unnecessary financial hardship for business owners, which could be alleviated by a shorter marketing period or the provision of reasonable alternative evidence that would still achieve the objectives of the policy. In view of this, the policy does not represent the most appropriate strategy when considered against reasonable alternatives. Furthermore, the policy is more restrictive than the DCLG Advice Note entitled "Community Right to Bid" (2012). This advice note is aimed at helping local authorities to implement Part 5 Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012. This advice note suggests a 6 week period, from the point the owner notifies the local authority of their intention sell a property to allow community interest groups to make a written request to be treated as a potential bidder. If none do so, the owner is free to sell their asset at the end of the 6 weeks. If a community interest group does make a request during this interim period, then it is advised that a 6 month moratorium (again from the point the owner notifies the local authority) should operate. Given that the national policy position suggests that the absolute maximum marketing period should be 6 months, it is considered a policy which requires marketing for a minimum of 12 months is entirely unjustified and is not consistent with Government guidance. It is suggested that the marketing period should be amended to no more than 6 months.

Policy Reference: DMS2

Responder: Holme Valley PC

Responder Reference: 7

Response comments: DMS2A: The Parish Council also welcomes the consideration of community sustainability with marketing for a year being required prior to any loss of a community facility, with retention of a community use being the priority.

Policy Reference: DMS2

Responder: NHS Property Services

Responder Reference: 38

Response comments: It is noted that Paragraph 7.12 excludes health facilities from the types of 'community facilities' that would be expected to require viability and marketing tests. Whilst supporting the exclusion of health services from this list, NHSPS seeks formal clarification that health facilities would be explicitly excluded from the requirements of this policy (for the reasons below). NHSPS would strongly object to any inclusion or interpretation that health facilities would be considered under this policy.

Policy Reference: DMS2

Responder: NHS Property Services

Responder Reference: 38

Response comments: NHSPS would only support Policy DMS2 if it is clear that evidence of the wider NHS estate reorganisation programme would be accepted as justification for the loss of a community facility, and would therefore be excluded from the requirements of this policy. NHSPS would support the inclusion of the following: “The loss or change of use of existing health facilities will be acceptable if it is shown that this forms part of a wider estate reorganisation programme to ensure the continued delivery of services. Evidence of such a programme will be accepted as a clear demonstration that the facility under consideration is neither needed nor viable and that adequate facilities are or will be made available to meet the ongoing needs of the local population. In such cases Part A of Policy DMS2 would not apply, and no viability or marketing information will be required.”

This would be in accordance with the requirements of NPPF Paras 28 and 70, and adopted Core Strategy Policy HC4.

Policy Reference: DMS2

Responder: NHS Property Services

Responder Reference: 38

Response comments: Planning Advisory Service in 2015 . . . “NPPF paragraph 28 promotes the retention and development of local services and community facilities in villages, including local shops. This policy sets out to achieve the NPPF aim, by regulating change of use (to a non-community use). However, the steps required could potentially be overly onerous (i.e. the requirement to undertake investigations over a period of 6 months, and draw on the findings of a Housing Needs Survey).” It is important to note that there are separate, rigorous testing and approval processes employed by NHS commissioners to identify unneeded and unsuitable healthcare facilities. These must be satisfied prior to any property being declared surplus and put up for disposal. Restrictive policies, especially those which require substantial periods of marketing, could prevent or delay required investment in new/improved services and facilities.

Policy Reference: DMS2

Responder: NHS Property Services

Responder Reference: 38

Response comments: This approach is also in conflict with the requirements of adopted Core Strategy Policy HC4 (referenced within supporting text). As written any change of use of an existing community facility would be required to meet a number of separate and very different tests for demonstrating that a change of use is acceptable, regardless of whether services are being re-provided either on/off site and continue to serve the population. The policy as drafted would likely prevent or delay required investment in services and facilities.

Policy Reference: DMS2

Responder: NHS Property Services

Responder Reference: 38

Response comments: NHSPS strongly objects to the wording and requirements of Policy DMS2 in considering the change of use of vacant and surplus ‘community facilities’. An essential element of supporting the wider transformation of NHS services and the health estate is to ensure that surplus and vacant NHS sites are not strategically constrained by local planning policies, particularly for providing alternative uses (principally housing). Faced with financial pressures, the NHS requires flexibility in its estate. In particular, the capital receipts and revenue savings generated from the disposal of unneeded or unsuitable sites and properties for best value is an important component in helping to provide funding for new or improved services and facilities.

Policy Reference: DMS2

Responder: NHS Property Services

Responder Reference: 38

Response comments: The policy also provides no flexibility for alternative forms of development, for example to accommodate continuing community use on part of a site in new fit for purpose facilities, with redevelopment of the wider site for an alternative use.

Policy Reference: DMS2

Responder: Roger Yarwood Planning Consultant Ltd

Responder Reference: 60

Response comments: DMS2 – The requirements in section A(ii) and A(iii) are unreasonable and places an additional unnecessary burden on the developer, contrary to government advice. The need to show either lack of need or non-viability is adequately addressed by the requirement in A(i).

Policy Reference: DMS2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 7.16, penultimate line: 'diversity' should be 'diversify'.

Policy Reference: DMS2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 7.19: just a syntax thing. Needs some sort of intro, maybe on the lines of 'Applicants must provide'?

Policy Reference: DMS2

Responder: Stella McGuire

Responder Reference: 10

Response comments: A (i): word missing in first line.

Policy Reference: DMS2

Responder: Stella McGuire

Responder Reference: 10

Response comments: C Last para ('If segregation ... residential use'). I'm confused by this, having read section C through a few times. Does it need a few extra words to clarify meaning?

Policy Reference: DMS2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 7.12: Include Post Offices in list of community facilities? We seem to be losing quite a few

Policy Reference: DMS3

Responder: Stella McGuire

Responder Reference: 10

Response comments: D: 'must assess the impact of the development in its landscape context by ref to ... Landscape Strategy'. Do you think this is strong enough? Elsewhere, the document has been much more specific about assessment against impacts on built environment; landscape, setting etc etc.

Policy Reference: DMS3

Responder: Stella McGuire

Responder Reference: 10

Response comments: 'principally offering for sale goods which are produced on the premises'. I remember we discussed this in one of the working group mtgs. We felt that very few products in garden centres (including plants) could be described as 'produced on the premises'. Are you happy that this current text is realistic?

Policy Reference: DMS5

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports policy DMS5

Policy Reference: DMS5

Responder: Stella McGuire

Responder Reference: 10

Response comments: C (ii): I found the text "and the sign or advert has individual lettering attached to it" hard to understand. Is there a clearer way to put this?

Policy Reference: DMS6

Responder: NHS Property Services

Responder Reference: 38

Response comments: As above NHSPS objects to Policy DMS6, where evidence from a wider NHS estate reorganisation programme should be accepted as justification for the loss of a community facility, and should therefore be excluded from the requirements of this policy. This policy provides no flexibility for sites where existing services are to be re-provided either on or off site, to continue to serve the local population. Without prejudice to the above, the policy wording should recognise that the sites allocation as a 'community facility' needs to form part of an adopted development plan document (as with DMH6 below).

Policy Reference: DMS6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 7.36: I confess I got a bit lost in the second part of this para (in the section following the 'part C of the Core Strategy'. Could the next few lines be rejigged to make the meaning clearer?

Policy Reference: DMS6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Policies Map: there are several refs to this thro the document: useful to include it in the Glossary?

Chapter 8: Bakewell

Policy Reference: DMB

Responder: Bakewell and District Civic Society)

Responder Reference: 8

Response comments: . . . policies seem less strict than proposed in the draft Bakewell Neighbourhood Plan and wonder whether the BNP policies would take precedence:

The DMP has 'substantial element of business use' but the BNP has 'predominantly B class'.

Policy Reference: DMB

Responder: Bakewell and District Civic Society)

Responder Reference: 8

Response comments: . . . policies seem less strict than proposed in the draft Bakewell Neighbourhood Plan and wonder whether the BNP policies would take precedence:

The DMP has 'rarely justification to use planning to influence offer or prevent change of use' but the BNP has 'further changes of use from A will not be permitted'.

Policy Reference: DMB

Responder: Bakewell TC

Responder Reference: 49

Response comments: 8.10 "national park" should be "National Park"

Policy Reference: DMB

Responder: Bakewell TC

Responder Reference: 49

Response comments: 8.11 there is a spare comma at end of first sentence.

Policy Reference: DMB

Responder: Bakewell TC

Responder Reference: 49

Response comments: "Bakewell is the only settlement boasting a wide range of shops..." contrasts poorly to the "modest settlement" and "modest size" in paragraph 8.9. It is suggested a better balance can be struck here.

Policy Reference: DMB

Responder: Bakewell TC

Responder Reference: 49

Response comments: it is felt that this paragraph should be reviewed and reworded to make its intent clearer to the reader.

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: Plus 'National Park' on line 2 pg 90 needs caps.

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: Here and overleaf (various paras) ' Central Shopping Area is sometimes given caps and sometimes not.

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: Line 6: make it clear what 'this plan' is referring to? The last 6 lines (re significant retail development) are rather hard to follow. Or perhaps this is just me?

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: Line 1: Amend to "The boundary of the Central Shopping Area' to make clearer what 'this area' means?

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: I got a bit confused in lines 5 to 7. Maybe a minor rewrite on lines of: "Given the strategic need for employment sites, the policy safeguards existing employment sites, and ensures that their redevelopment etc etc

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 8.14 (3 lines from end): would the meaning be clearer if sentence ran something like "The Central Shopping Area covers? / comprises? a small area of the town" – rather than 'includes'?

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: Line 11 typo: Evidence from the Core Strategy...' - rather than 'for'.

Policy Reference: DMB

Responder: Stella McGuire

Responder Reference: 10

Response comments: The use of the word 'unhealthy' doesn't seem quite right here.

Policy Reference: DMB1

Responder: Bakewell and District Civic Society)

Responder Reference: 8

Response comments: the bus services to Sheffield and Chesterfield are also good.

Policy Reference: DMB1

Responder: Bakewell TC

Responder Reference: 49

Response comments: "This plan does not include policies that are specific to Bakewell..." then lists policy DMB1 "Bakewell's Settlement Boundary". Suggest this be reworded.

Policy Reference: DMB1

Responder: Bakewell TC

Responder Reference: 49

Response comments: Whilst the paragraphs may add to the Core Strategy, on their own they appear to be disjointed. It is suggested that the information is either expanded to provide a fuller picture or, (as this is available elsewhere) the introduction signposts the other sources.

Policy Reference: DMB1

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: The approach and inclusion in Section 8 of a specific policy chapter that sets out a development management policy for development in Bakewell is welcomed and merited as the largest town in the National Park. Although it brings together a narrative of a range of policies covered in the Core Strategy for Bakewell, Policy DMB1: Bakewell Settlement Boundary, provides very little in the way of specific policy advice other than that 'future development will be contained within the development boundary'. Whilst there might be a risk of repeating much of the policy content of the Core Strategy policies, it is considered that Policy DMB1 could be expanded to set out some key development management principles for Bakewell that are reflective of the Core Strategy but provide more detail to give the policy approach more weight and substance.

Policy Reference: DMB1

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: Bakewell is the largest settlement within the Peak District National Park, and given the range of services and facilities it provides for those living in the surrounding catchment area it is considered that support should be given to the policies within the document that seek to maintain and enhance the future prospects of the town. However given the role and function that Bakewell plays within the Peak District National Park, it is considered that there should be more support and flexibility shown within the plan to the delivery of housing and employment development that maintains its future sustainably. Whilst this may result in

Bakewell taking slightly more development, it is considered that having additional development on the edge of the town would be less harmful on the landscape character than development elsewhere in the plan area.

Policy Reference: DMB1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 8.7: Last line: include Proposals Map in Glossary or add footnote?

Chapter 9: Travel and Transport

Policy Reference: DMT

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: Whilst it is appropriate 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 within the Peak District National Park will require partnership working with other agencies such as Derbyshire County Council. The provision of appropriate transport infrastructure and sustainable travel modes is important for the residents, visitors and businesses operating within the National Park and those from surrounding areas. Consideration of the wider social and economic benefits of travel and transport proposals must be adequately weighed against the requirement to conserve and enhance the valued characteristics of the Park and its landscape or else these policies would be applied unsustainably.

Policy Reference: DMT

Responder: Disley PC

Responder Reference: 15

Response comments: The Council fully supports all policies from neighbouring authorities that promote public transport and is encouraged to see traffic issues and public transport appear in the proposed Peak District policies.

Policy Reference: DMT

Responder: East Midlands Chamber (Nick Chischniak)

Responder Reference: 3

Response comments: One way of mitigating the impact of the weight of transport is to utilise the benefits of broadband technology; though I didn't notice this mentioned at all within the document – we consider this an essential 'utility' these days, and it would allow those small firms operating in the Peak (eg B&B's) to effectively showcase themselves within a UK/global marketplace. The Chamber is concerned about the limitations of Digital Derbyshire's roll-out in rural areas; and we'd hope that PDNP joins with us to help lobby for wireless/satellite solutions that might help alleviate the 'isolation' many Peak District firms tend to report: a dependable connection is all that's needed; it needn't necessarily be 'superfast'.

Policy Reference: DMT

Responder: High Peak and Hope valley Community Rail Partnership

Responder Reference: 32

Response comments: The High Peak & Hope Valley Community Rail Partnership (HP&HVCRP) offers its broad support for the principles and values expressed in the content of the policy document. We welcome, and agree with, the authority's support for sustainable public transport in preference to unchecked growth of private car usage within the park. One tangible manifestation of this is the park authority's valued presence as a Funding Partner and Member of the Management Group of the HP&HVCRP. The regular attendance at the rail partnership's meetings of the authority's Transport Policy Officer and some of its elected members is noted with gratitude. The rail partnership and the park authority have a long history of collaboration on railway issues and projects of joint interest.

Policy Reference: DMT

Responder: High Peak and Hope valley Community Rail Partnership

Responder Reference: 32

Response comments: The HP&HVCRP observes the continuing rise in rail passenger numbers locally and regionally. When this is combined with the proposals of Transport For The North, Northern Trains and Trans-Pennine Express to deliver a significant increase in rail passenger capacity by the end of this decade, it is possible that a degree of modal shift towards rail travel, and away from the private car, will indeed be visible in travel patterns to/from the national park.

Policy Reference: DMT

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: The Transport section of the document places a particular emphasis on the need to support sustainable transport yet it also states that the car is the only option for many residents. Whilst I agree with the importance of sustainable transport for isolated communities, this will not happen if the communities themselves continue to decline, a problem that this document does little to address, and even promotes in some cases. I also find it surprising that the suggestion is made that all new roads should be resisted as a matter of course. Does this not somewhat contradict the fact that there is an admittance of a reliance on car without any suggested realistic alternative.

Policy Reference: DMT

Responder: Stella McGuire

Responder Reference: 10

Response comments: As far as I can see this section doesn't include anything on buses. I think we discussed this at one of the working groups? Even if it's hard to make a real difference in relation to bus provision, it seems important to include a policy statement about strategies to deal with an imperfect situation. If we have a section on aircraft surely we must include something specific on the still relatively ubiquitous bus!

Policy Reference: DMT1

Responder: Bakewell TC

Responder Reference: 49

Response comments: Bakewell welcomes DMT1

Policy Reference: DMT1

Responder: Canal and River Trust

Responder Reference: 13

Response comments: The only part of our waterway within the Peak District National Park is a small part of the Huddersfield Narrow canal which is within Standedge Tunnel and crosses to the north of the park. The Trusts comments on the draft Development Management Policies – Part 2 of the Local Plan are therefore limited to ensuring that the line of the tunnel is protected and provided for in the policies and proposals of the Plan. Paragraph 9.13 – Travel and Transport: The Trust welcomes the reference to Core Strategy policy T6 which seeks to protect the Huddersfield Narrow Canal as an inland waterway. The Trust considers that existing policy T6 within Core Strategy would be sufficient to ensure the protection of our waterways within the National Park and that there is not a requirement within the Part 2 of the plan to have a further Development Management policy relating to this matter.

Policy Reference: DMT1

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The Mottram-Tintwistle by-pass is very much needed to alleviate the environmental impact on local communities and easier movement to and from Manchester would have an economic benefit.

Policy Reference: DMT1

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The Policy relating to cross Park travel is restrictive and the Council does not agree with the presumption against cross-park travel. The proposed policy states that 'new roads or railways for cross park travel will not be supported and no proposals for major alteration to an existing road or railway will be permitted'. The exception tests in relation to this policy does not take into account the impact on communities that neighbour the National Park which include Tintwistle, Hope Valley communities and Buxton.

Policy Reference: DMT1

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMT1 Cross-park Infrastructure

Policy DMT1 Criterion A only permits cross park infrastructure where there is a national need and so would prevent cross park infrastructure where the need may be more of a local or regional need.

The Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. This includes providing infrastructure to access these uses on land which forms part of the Chatsworth Estate.

An important issue at Chatsworth House is traffic management and congestion, associated with its success as a visitor destination. A major cause is the current vehicular access arrangements, which is taken from a single access point off the B6012, narrowing to a single carriageway where it crosses a Grade I listed Paine's bridge over the River Derwent, on the approach to house. A potential traffic management solution is the use of an existing access which joins onto the A619, north of Baslow, as well as maintaining the existing access. This will also the significant benefit of improving traffic flow through Baslow, and a secondary benefit of reducing the frequency of damage to the Chatsworth Gates (themselves a grade 1 listed structure). As the vast majority of visitors to Chatsworth are from outside the National Park, access improvements can be viewed as 'cross park' infrastructure.

It is important therefore that Policy DMT1 criterion A does not prevent access improvements to Chatsworth, where the need may be more local or regional, rather than national. Amend Criterion A to Policy DMT1 as follows, deleting 'national':

A. There is a compelling national need which cannot be met by any reasonable alternative means, and ...

Policy Reference: DMT1

Responder: Derbyshire & Peak District Campaign for Better Transport

Responder Reference: 62

Response comments: DMT1 Cross-park infrastructure reads as if criteria A to E must all be met. If that is so, it seems to rule out almost any scheme. Although it may be necessary for a major cross park scheme to meet all these tests, there may be schemes which impinge upon the park but result in an overall reduction of traffic in the park. For example a scheme which effected only a small corner of the park may bring substantial benefits. Suggest that after "E." the policy could continue " or F. A substantial overall benefit to the park can be demonstrated."

Policy Reference: DMT1

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: Can't see any reference to the possibility that crawler lanes may be located in the National Park as part of the Mottram by-pass ... but would like something in saying that this is acceptable if the design is sympathetic to the environment.

Policy Reference: DMT1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments: We are broadly supportive of the policies for travel and transport, but consider that their effectiveness is weakened by: Tensions with neighbouring local authorities on the merits of cross-park infrastructure, especially with regard to the agendas of the Greater Manchester and South Yorkshire Combined Authorities; Lack of linkage between road traffic, development that encourages road traffic, and the impacts on air, noise and light pollution associated with road traffic which are, in themselves, at odds with promoting the special qualities of the National Park. Suggested Changes. DMT1 should additionally provide the terms in which the Park Authority will object to development and transport development proposals in adjacent authorities that may compromise the special qualities of the Park; require adjacent authorities to consult and co-operate with the Park Authority to enable the effective implementation of this policy. As covered in our Evidence Paper, the effects of DM policies on the special qualities, including tranquillity and dark skies, should be integrated across the document to ensure that development does not individually or cumulatively undermine the special qualities; road traffic impacts are especially important in this regard.

Policy Reference: DMT1

Responder: Gordon Rooke

Responder Reference: 53

Response comments: I would like to comment on the policy of not allowing any cross park road improvements. My view is that there should be improvements on roads such as the A623 for the following reasons: 1. The increased traffic is caused partly by the Peak Park encouraging more tourism so that there are tailbacks of traffic especially in the summer at Baslow and Calver. 2. This road is extremely dangerous for cyclists as the road is of insufficient width therefore it would be a good idea to widen such a road for a cycle lane on each side of the road. 3. For the development of business for those who live in the Peak Park and along the edges of it e.g. transport of goods in places such as Whaley Bridge, Chapel and New Mills to Chesterfield. 4. In bad wintry weather the A623 is often the only route passable and therefore is of strategic importance.

Policy Reference: DMT1

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DMT1: The policy should consider transport developments both inside and outside the park such as the Manchester Airport Relief Road and developments along the Woodhead route. Two cross park corridors pass through or close to the parish (the A263 and the B6049) and congestion on other routes is encouraging increased traffic on these more rural and less sustainable routes. The parish would like to see a coordinated policy that considers both local traffic needs and the effects of other developments, including the proposed Trans Pennine Tunnel. For example, the construction of a road tunnel under Woodhead is likely to reduce traffic on the A623 but the routing of the Manchester Airport Relief Road opening a far better corridor from the M56 to the A6 may well have the effect of increasing it. These developments may make it desirable for some enhancement of the routes in the park.

Policy Reference: DMT1

Responder: Highways England

Responder Reference: 31

Response comments: Policy DMT1 is important in the context of the Trans-Pennine Upgrade Programme which is investigating ways to improve connectivity between Manchester and Sheffield. Any SPD should recognise the Strategic Road Network within the National Park and in particular Highways England's responsibility for its management and the appropriate standards to be applied (Design Manual for Roads and Bridges).

Policy Reference: DMT1

Responder: Martin Beer

Responder Reference: 56

Response comments: The policy should consider transport developments both inside and outside the park such as the Manchester Airport Relief Road and developments along the Woodhead route. Two cross park corridors pass through or close to the parish (the A263 and the B6049) and congestion on other routes is encouraging increased traffic on these more rural and less sustainable routes. I would like to see a coordinated policy that considers both local traffic needs and the effects of other developments. For example, the construction of a road tunnel under Woodhead is likely to reduce traffic on the A623 but the routing of the Manchester Airport Relief Road opening a far better corridor from the M56 to the A6 may well have the effect of increasing it. These developments may make it desirable for some enhancement of the routes in the park.

Policy Reference: DMT1

Responder: National Trust

Responder Reference: 50

Response comments: National Trust particularly supports Part D of this policy which requires a long term environmental benefit to the National Park as a result of any new cross-park road or rail infrastructure.

However, we consider that the policy as a whole requires clarification.

The Government is currently conducting research into the potential for a 'Trans-Pennine' road tunnel, while we understand that there is also research ongoing into rail options by HS2 and Network Rail. It would be helpful to understand, perhaps within the supporting text, how this policy relates to those projects.

It is not clear currently whether the policy would be equally applicable to above ground infrastructure and below ground infrastructure, i.e. a road or rail tunnel. Adapt policy and supporting text as appropriate to (i) place the policy within the context of ongoing work and (ii) clarify whether the approach to overground and underground infrastructure will be the same.

Policy Reference: DMT1

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: CS Policy T2C acknowledges exceptional circumstances in which such projects might be supported. The Forum understands that there are investigations presently in hand for the Longendale Valley and considers that the outcome of these should be considered positively and on merit balanced against National Park interests. It would wish to see the policy positively framed, ie. such schemes will be supported if the criteria set out are met.

Policy Reference: DMT1 / DMT3/ DMT4

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: Likewise, the re-opening of the Buxton to Matlock railway line would bring economic and environmental benefits and support the sustainable travel ambitions of the National Park.

Policy Reference: DMT1 and DMT3

Responder: High Peak Borough Council

Responder Reference: 59

Response comments: DMT1 and DMT3 are too restrictive. They do not take account of the adverse impact of congestion on the edge of the Park and in particular the major problem at Mottram which has an adverse impact on the amenity of people living in the Longdendale villages . The policy will also restrict rail development in the area and may prevent the development of rail infrastructure to assist the shift of quarry traffic from roads in the area.

Policy Reference: DMT1 and DMT3

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: We do not agree with the blanket presumption against cross-Park travel ("New roads or railways for cross-park travel will not be supported, and no proposals for a major alteration to an existing road or railway will be permitted"). The exception tests for environmental and economic impact are focussed too much on the Park itself and gives insufficient attention to the impact on neighbouring communities such as Tintwistle in the north; on the various communities of the Hope Valley, the High peak central area and most particularly Buxton in the south of our Borough. For example, the Mottram-Tintwistle by-pass is likely to significantly enhance the environmental amenity for the residents of the Longdendale villages. the re-establishment of the Buxton-Matlock rail link would also bring many economic and environmental benefits to our residents. In addition it would make a significant contribution to the Peak Park's sustainable travel and freight ambitions. the Peak Park Local plan should take these factors into account when assessing the impact on the area.

Policy Reference: DMT1 and DMT3

Responder: Staffordshire Moorlands District Council

Responder Reference: 58

Response comments: DMT1 and DMT3 are too restrictive. They do not take account of the adverse impact of congestion on the edge of the Park . The policy will also restrict rail development in the area and may prevent the development of rail infrastructure to assist the shift of quarry traffic from roads in the area.

Policy Reference: DMT1, DMT3, T2

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: The test for road and rail infrastructure places too much emphasis on the impact of the Park and gives insufficient attention to the impact on neighbouring communities such as Tintwistle and the other Longdendale villages.

Policy Reference: DMT2

Responder: Bakewell TC

Responder Reference: 49

Response comments: Bakewell welcomes DMT2

Policy Reference: DMT2

Responder: Highways England

Responder Reference: 31

Response comments: Policy DMT2 Access and Design criteria references the intention to bring forward a park wide Transport Design Guide Supplementary Planning Document which should be taken into account when developing transport schemes. We therefore request to be kept informed with the development of this document.

Policy Reference: DMT2

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports policy DMT2 Access and design criteria

Policy Reference: DMT3

Responder: Bakewell TC

Responder Reference: 49

Response comments: The Town Council agrees with the PPPF comment regarding DMT3 item D. This policy would appear to preclude a development such as the extension of the heritage railway from Matlock to Bakewell, for example."

PPPF response: Para 9.32 does not adequately explain the justification of Part D of the policy. New railways, tourist or otherwise, may be an unlikely proposition but could well prove a sustainable and popular facility for a National Park and should be permitted where this can be done in a sustainable manner likely to meet National Park purposes. The National Park in part exists for tourism. Discouraging a means whereby people can access the National Park without their cars seems perverse. The Forum therefore OBJECTS to Part B of the policy.

Policy Reference: DMT3

Responder: Derbyshire & Peak District Campaign for Better Transport

Responder Reference: 62

Response comments: There is no part of this policy which allows for improving the access to the national rail network for residents of the Peak District National Park. One or more new rail stations within the park connected to the national network could reduce the distance residents drive within the park to access stations which lie outside the park. Suggest an addition to DMT3 as follows "(v) It is principally to improve access to the national rail network for residents of the park and for visitors to the park."

Policy Reference: DMT3

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DMT3: The Parish would welcome further development of railway travel opportunities particularly along the Hope Valley route. It considers easy and frequent services connecting to HS2 when that opens to be essential to the envelopment of new and vibrant businesses. It would also welcome opportunities for development of regular services to Buxton and Matlock whether these are part of the national rail network or local heritage initiatives. It therefore objects to DMT3D.

Policy Reference: DMT3

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports policy DMT3 Railway construction

Policy Reference: DMT3

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Para 9.32 does not adequately explain the justification of Part D of the policy. New railways, tourist or otherwise, may be an unlikely proposition but could well prove a sustainable and popular facility for a National Park and should be permitted where this can be done in a sustainable manner likely to meet National Park purposes. The National Park in part exists for tourism. Discouraging a means whereby people can access the National Park without their cars seems perverse. The Forum therefore OBJECTS to Part B of the policy.

Policy Reference: DMT3

Responder: Peak Rail Plc

Responder Reference: 61

Response comments: We consider that Policy DMT3D is not legally compliant because the decision whether or not to allow the construction of any railway rests with the Department for Transport under the provisions of the Transport and Works Act 1992 not planning authorities. Furthermore, the method of operation/usage/ type of traction used is a purely commercial matter for the operator of a railway. A planning policy cannot therefore restrict the type of operation. 2. The above, allied to the lack of regard for national policy trends in respect of heritage railways, in our opinion renders the policy unsound. For example, the All Party Parliamentary Group on Heritage Rail's July 2013 report on the value of heritage railways identified such railways as being particularly suited to providing "public tourist transport" even where conventional public transport would not be viable. It went on to suggest that heritage railways can help reduce road traffic to sensitive areas such as national parks and on congested roads to popular holiday resorts.

Policy Reference: DMT3

Responder: Peak Rail Plc

Responder Reference: 61

Response comments: We consider that the reference to "railways acting primarily as tourist attractions" should be removed.

Policy Reference: DMT3

Responder: Rowsley PC

Responder Reference: 69

Response comments: DMT3 Railway construction (D): Rowsley Parish Council questions the legality and validity of this policy in the light of government policy and legislation and also the fact that in a public meeting (including the press) in June 2013 the CEO promised 3 bridges at Rowsley to take all 4 users ie, trains, horse riders, walkers and cyclists.

Policy Reference: DMT3

Responder: Martin Beer

Responder Reference: 56

Response comments: I would welcome further development of railway travel opportunities particularly along the Hope Valley route. It considers easy and frequent services connecting to HS2 when that opens to be essential to the development of new and vibrant businesses. I would also welcome opportunities for development of regular services to Buxton and Matlock whether these are part of the national rail network or local heritage initiatives. I therefore object to DMT3D.

Policy Reference: DMT4

Responder: Cheshire East Council

Responder Reference: 27

Response comments: In relation to highway matters, Cheshire East Council would welcome future discussions regarding proposals for new/improved cycle routes. With regard to public transport, a forthcoming bus service review, by Cheshire East Council, will include consultation with yourselves

Policy Reference: DMT4

Responder: David Carlisle

Responder Reference: 68

Response comments: In reference to paragraph 9.42: We would like to see the Peak Pedal II extend to Buxton, preferably linking cyclists to Buxton Station, where a cycle hub could be developed.

Policy Reference: DMT4

Responder: National Trust

Responder Reference: 50

Response comments: While much of policy DMT4 is supported by the National Trust, we consider that part D may be interpreted as overly restrictive without justification. The current wording of the policy suggests that new walking/cycling routes will not be allowed unless they (i) connect into the wider rights of way network, and (ii) connect with settlements. This would not appear to allow small scale additions to existing networks of permissive footpaths, for example at Longshaw estate. While some of these may indirectly connect with Public Rights of Way and ultimately settlements, this may not be so in all cases. Amend policy to ensure that small scale footpath developments, for example within an existing park or network of permissive routes, will also be supported.

Policy Reference: DMT4

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: OBJECT: There should be an additional criterion that ensures that the enjoyment of an existing public footpath by walkers will not be detrimentally affected by the introduction of new users, particularly cyclists.

Policy Reference: DMT - T4 and T5

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: There is a tension between policies T4 and T5 which needs to be resolved in our opinion. We support T4 and the ambition to shift more freight from road to rail. However one potential solution is the re-opening of the Buxton to Matlock rail line. But policy T5 appears to place a number of difficulties in its path. We would like more detail on the requirement to re-route trails, footpaths and bridleways.

Policy Reference: DMT6

Responder: Holme Valley PC

Responder Reference: 7

Response comments: The Authority's proposals on temporary parking to cope with occasional events and the tourist season, for example, are pragmatic

Policy Reference: DMT6

Responder: National Trust

Responder Reference: 50

Response comments: The supporting text to this policy at paragraph 9.63 recognises the need for additional parking capacity at popular visitor destinations. It goes on at 9.64 to suggest that appropriate visitor facilities are needed in line with Defra's 8 Point Plan for National Parks.

National Trust has been aware for a number of years of the National Park Authority's intention to identify key Recreational Hubs. In order to manage access and conservation at these Hubs we suggest that a more flexible policy regime would be appropriate. The final sentence of paragraph 9.64 suggests that Hubs will be dealt with through a Supplementary Planning Document (SPD). According to the NPPF SPDs are 'Documents which add further detail to the policies in the Local Plan'. However, without a specific policy on Hubs or any references to Hubs in relevant policies such as DMT6, it is not clear which policies a SPD would expand upon? To ensure that the plan is sound (positively prepared and consistent with national policy) we think this issue needs to be addressed. Focusing specifically on Policy DMT6 Visitor parking, the policy is very restrictive in relation to new or expanded carparks. Part A allows for expansion where 'a clear, demonstrable need can be shown'. However, Part B is more problematic. This states that 'for visitor car parking additional off-street parking will normally only be permitted where it replaces equivalent on-street parking spaces'. In certain places where there are already significant parking issues (such as at Ilam and Dovedale) the scope for restricting on-street parking is likely to be much less than the current parking demand. The ability to restrict parking also may not be within the gift of the party seeking planning permission. While we recognise that the word 'normally' allows some flexibility, we suggest that it would be most appropriate to exercise this flexibility at Recreational Hubs and in places that are close to the boundary of the National Park. This accords with the Recreation and Tourism section of the National Park Authority's Core Strategy which states that: "One of the Authority's main aims is to increase awareness of what the National Park has to offer people who currently do not know about it and find it hard to visit. 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." Provide further clarification within policy of the potential for additional parking to be provided at Recreational Hubs and accessible locations close to the National Park boundary, including in places where there is little scope for on-street parking restraint. Reason – to ensure policies are appropriate for Recreational Hubs and accessible visitor sites

Policy Reference: DMT6

Responder: Rowsley PC

Responder Reference: 69

Response comments: Visitor parking - this fails to address the already massive increase in visitor numbers, greatly affecting on street parking in towns and villages. Within DMT7 developers are having to provide off street parking as part of any development, this leads to visitors then utilising the on street areas as free parking due to the lack of provision of visitor parking facilities! This does nothing to alleviate the parking issues at all.

Having extended the cycle facilities no additional parking has been provided leading to vehicles parked in gateways, passing places, anywhere that's free. There needs to be a far more positive view for new and enlarged car parks, there is already a clear, demonstrable need.

Policy Reference: DMT6

Responder: Rowsley PC

Responder Reference: 69

Response comments: Additionally, with the advent of AirBnB, more clarity is required on policy. It currently appears that 1 parking place per 2 bed or 2 per 3 bed is the rule for housing (DMT7) but does this include on street parking? When a 2 bed property is rented out, it is quite usual for 2 cars to turn up, with the increase of room rental by the night this will increase the issue. Residents should be given far more priority over tourism, the issue in some villages is leading to complete gridlock with residents unable to access their own premises.

Policy Reference: DMT6

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Visitor parking - this fails to address the already massive increase in visitor numbers, greatly affecting on street parking in towns and villages. Within DMT7 developers are having to provide off street parking as part of any development, this leads to visitors then utilising the on street areas as free parking due to the lack of provision of visitor parking facilities! This does nothing to alleviate the parking issues at all. Having extended the cycle facilities no additional parking has been provided leading to vehicles parked in gateways, passing places, anywhere that's free. There needs to be a far more positive view for new and enlarged car parks, there is already a clear, demonstrable need.

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Policy Reference: DMT6A

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part A: the Forum would support this if the word "benefit" were substituted for "need".

Policy Reference: DMT6B

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: Part B: it is unclear whether this Part qualifies Part A is additional to it. On-street parking damages both landscape and heritage assets such as conservation areas, quite apart from the nuisance to local residents. Encouraging visitor parking into discreet well landscaped car parks is something that needs to be

encouraged and the policy should do this even though sometimes there may be no mechanism for removing on-street parking.

Policy Reference: DMT7

Responder: Bradwell PC

Responder Reference: 11

Response comments: A specific concern is that the policies relating to reducing the need for car parking, both residential and visitor, by providing minimum facilities is not likely to meet future needs. The planning authority currently states that it follows the 6C's policy on car parking. However the DMP would provide support for meeting lower values that are identified in the 6C's policy. This is not acceptable

Policy Reference: DMT7A

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: OBJECT to Part A. It is not made clear that these are minimum standards as set out in Appendix 10.

Policy Reference: DMT7B

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: OBJECT to Part B. It should be clear that conditions will, where appropriate, be imposed within settlements that reserve off-street parking spaces and garaging for that purpose and no other.

Policy Reference: DMT8

Responder: Chelmorton PC

Responder Reference: 26

Response comments: Helicopter trips are on the increase in both private and commercial guise and do nothing for the "peace and tranquillity" of the environment

Chapter 10: Utilities

Policy Reference: DMU

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The provision of infrastructure is essential to maintaining sustainable communities across the Peak District National Park. Whilst these policies seek to ensure that where infrastructure is provided that it does not have an adverse impact upon the valued characteristics of the area it is considered that in some instances that where planning permission is required for such infrastructure development some degree of flexibility and/or pragmatism should be shown in the application of these policies in order to ensure that infrastructure is provided for the benefit of the local communities. Furthermore it is considered that there should be support within the plan for the necessary infrastructure to improve high speed broadband provision and improved mobile phone coverage

Policy Reference: DMU

Responder: United Utilities

Responder Reference: 44

Response comments: United Utilities wishes to highlight that we will work closely with the Council during the Local Plan process to develop a coordinated approach to delivering sustainable growth in sustainable locations which are accessible to local services and infrastructure. United Utilities will continue to work with the Council to identify any infrastructure issues and most appropriately manage the impact of development on our infrastructure during the preparation of the Local Plan.

Policy Reference: DMU1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Comments: We have made suggested changes here for consistency and clarity. Suggested Changes. Para.10.1: strongly suggest in last sentence amending to ‘...undergrounding electricity and telecommunications (including broadband) cables, ...’ which then better supports DMU2.

Policy Reference: DMU1

Responder: United Utilities

Responder Reference: 44

Response comments: United Utilities supports Policy DMU 1 which deals with service infrastructure required to support development: “A. New or upgraded service infrastructure will be provided to development provided that it: (i) does not adversely affect the valued characteristics of the area; and (ii) can be provided before any new land use begins.” In some instances it may be necessary to coordinate infrastructure improvements with the delivery of development. In accordance with paragraphs 156 and 162 of the National Planning Policy Framework (NPPF), we recommend the following wording is included as part of the emerging Local Plan in relation to infrastructure provision: “Once more details are known on development sites, for example the approach to surface water management and proposed connection points to the foul sewer network, it may be necessary to coordinate the delivery of development with timing for the delivery of infrastructure improvements.”

Policy Reference: DMU1 / DMU4

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: The Council is concerned about the comments on paras. 1.29 and 1.30 which assert (1.24) that 'there is minimal strategic infrastructure need' since there is a very clear need for better broadband and mobile infrastructure (as identified in Para. 4.49) and this should not just rely on national investment. The Council therefore objects to policies DMU1 and DMU4 where implementation of the policies would lead to a less effective service.

Policy Reference: DMU1 / DMU4

Responder: Martin Beer

Responder Reference: 56

Response comments: I am concerned about the comments on paras. 1.29 and 1.30 which assert (1.24) that 'there is minimal strategic infrastructure need' since there is a very clear need for better broadband and mobile infrastructure (as identified in Para. 4.49) and this should not just rely on national investment. The Council therefore objects to policies DMU1 and DMU4 where implementation of the policies would lead to a less effective service.

Para 1.24 should be modified to make it clear that a planning objective is to provide a full high quality mobile and broadband infrastructure to the whole of the national park and that all avenues will be pursued to obtain the necessary funding. Policies DMU1 & DMU4 should also be modified to reflect the need to minimise the impact on the valued characteristics of the park rather than prioritise them.

Policy Reference: DMU2

Responder: Cheshire East Council

Responder Reference: 27

Response comments: Policy DMU2 – 'New and Upgraded Utilities Services' does recognise that improvements to infrastructure will need to be made within the Peak District National Park however Cheshire East Council request that relevant Policies, including the 'landscape first approach' (Policy DMC1) emphasise the importance of increasing access to broadband

Policy Reference: DMU2

Responder: Stella McGuire

Responder Reference: 10

Response comments: I know very little about infrastructure related to utilities, so I can't judge how comprehensive this text is. Does the text in part B 'infrastructure services to new development' etc cover all the things that we would wish to see placed underground?

Policy Reference: DMU3

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Table between paras 10.12 and 10.13: this table must be made clearer; although BPD and CD are explained in para.10.11, this could be made clear in the table legends. The dual figures in each of the BPD and CD columns are unexplained and highly confusing.

Policy Reference: DMU4

Responder: Stella McGuire

Responder Reference: 10

Response comments: I think a sub-header has been omitted between Policy DMU3 and para 10.14

Policy Reference: DMU6 - New policy renewables

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMU6 Renewable Energy

The Development Management Policies document ('the DMP') currently fails to provide a planning policy that will enable planning applications for renewable energy development to be properly determined over the plan period.

The adopted Core Strategy (Policy CC2 Low carbon and renewable energy development) cannot be relied upon as the date of adoption (2011) of the Core Strategy predates the NPPF (2012) and, as such, it predates up to date national planning policy on renewable energy.

The NPPF is in principle supportive of renewable energy development. The 'Core Planning Principles' (paragraph 17) state that planning should:

☑ "support the transition to a low carbon future in a changing climate..., and encourage the use of renewable resources (for example, by the development of renewable energy);" The NPPF is clear that planning has a key role in supporting renewable energy, and identifies this is central to the economic, social and environmental dimensions of sustainable development. Local Planning Authorities (LPAs) need to recognise the role of all communities to contribute to energy generation from renewable sources, in order to increase the use and supply of renewable energy. LPA should also (paragraph 97):

☑ "have a positive strategy to promote energy from renewable and low carbon sources;

☑ design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;..." The NPPF also is clear that there is no requirement for applicants to demonstrate need for renewable energy development (paragraph 98), stating that LPAs should:

"not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions"

This national policy contained within paragraph 98 is important in the context of National Parks as renewable energy projects are likely to be small scale so that development is consistent with National Park purposes.

Paragraph 98 goes onto to provide further highly relevant guidance to inform the DMP concerning how planning applications are to be determined:

"approve the application if its impacts are (or can be made) acceptable." The Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and run farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth. The renewable energy initiatives are important from an economic dimension as they provide a level of certainty of energy supply and price, as well as contributing to commitments to the high environmental standards at Chatsworth. This is a practical example of how the sustainable development should be achieved under the NPPF (paragraph 8) with economic, social and environmental roles being sought jointly to secure higher standards.

The Chatsworth Settlement Trustees, as part of the Devonshire Group, is committed to sustainable development and has already delivered several projects on the Chatsworth Estate and is seeking to deliver more projects. There is a constant battle between the thermal efficiency of old buildings and the need to provide renewable energy systems.

It is therefore important that the National Park provides a development management policy that is permissive towards renewable energy development, and that also has regard to economic, environmental and amenity considerations.

The current absence of a policy means the DMP fails the tests of the soundness. The DMP is not seeking to meet objectively assessed renewable energy development and infrastructure requirements, especially as it is not consistent with achieving sustainable development, and as such has not been positively prepared. The absence of such a policy means the DMP will not be effective in respect of renewable energy, and is not consistent with national policy.

Policy DMU6 Renewable Energy

A. Proposals for renewable energy development will be supported, subject to a balanced consideration of the following criteria:

- (i) the contribution to renewable energy consumption and reducing carbon emissions, and associated legally binding targets;
- (ii) the demonstrable economic and other public benefits, which may arise;
- (iii) the effects on the special qualities of the National Park;
- (iv) landscape and visual impacts, including both stand-alone or cumulative impacts;
- (v) residential amenity impacts, including visual amenity and noise, and where relevant air quality and shadow flicker;
- (vi) hydrological and drainage impacts;
- (vii) impacts on designated nature conservation sites, protected species and habitats;
- (viii) impacts on the significance of designated heritage assets, and their setting;
- (ix) impacts on public rights of way and bridleways, and associated recreation use;
- (x) proposed access arrangements for the construction and maintenance of the development;
- (xi) impact on existing land use and agricultural land classification; and
- (xii) where relevant, impacts on telecommunications and aviation infrastructure.

B. Where the impacts of renewable energy development are (or can be made) acceptable proposals for renewable energy development will be approved. Mitigation, where this is proposed, will be considered favourably where this may address potential impacts.

C. At such time when a renewable energy development becomes redundant or reaches the end of its consented period, above ground structures shall be decommissioned and the site restored.

D. The Applicant will be required to provide information that is no more than sufficient to understand the potential benefits and impacts of the development.

Supporting Text to Policy DMU6:

Policy DMCH1 seeks to provide a positive approach for the management of renewable energy development in the National Park by taking a balanced approach between the national need for renewable energy development, and appropriate environmental and amenity safeguards.

Whilst large scale renewable development may not be compatible with the National Park, there are opportunities for smaller scale development that may have minimal impacts and allow the National Park to contribute to the need for renewable energy development. This approach is consistent with Core Strategy Policy CC2 Low carbon and renewable energy development and with the National Planning Policy Framework, which recognises the smaller scale projects make a valuable contribution towards cutting greenhouse gas emissions. Renewable energy development can also result in local benefits by way of economic considerations. As well as the potential to support and generate employment during the construction phase, renewable energy can provide energy security and certainty over price, which can benefit local business and communities. It is important that local business and communities have flexibility to achieve this and inherent to this is a consideration of the benefits of a renewable energy development against its impacts, when planning applications are determined.

It is still important that impacts are considered, especially in the context of protection which applies in the National Park and these are set out in Criterion B of the policy. Further guidance on these impacts and how they may apply to the different types of renewable energy development is provided in Climate Change and Sustainable Building – Supplementary Planning Document (Adopted March 2013).

The National Planning Policy Framework is also clear that where impacts of renewable energy development are (or can be made) acceptable, then planning applications should be approved. If there is potential mitigation available, this will also be considered favourably to establish if this can make the development acceptable.

Many renewable energy developments are temporary and time limited by planning condition. After the time limit expires, the site should be returned to its previous state about ground level, to minimise the longer term impact on the National Park when the renewable energy benefits of the development have ceased. This will normally be achieved via planning condition.

It is recognised that renewable energy developments can vary in terms of the type and scale of development.

This needs to be reflected in the amount of information that may be required to support a planning application.

The information submitted therefore should be made on a proportionate basis and no more than is sufficient to understand the benefits and impacts.

Assessing Policy DMU6 against the tests of soundness
Policy DMCH1 is considered to meet the tests of soundness as set out in the NPPF (paragraph 182):

Positively prepared: The policy is permissively worded and accords with the supportive approach to renewable energy development, under the NPPF. It also allows for the consideration of impacts in the planning balance. It is thus positively prepared.

Justified – The policy is the most appropriate strategy because this is the only approach that will allow all relevant development management considerations for renewable energy be properly considered. The alternative of not having a policy will mean the DMP will not reflect national planning policy in respect of how planning applications for renewable energy development are to be determined;

Effective – The policy will be used to determine planning applications which relate to the renewable energy development over the plan period, and as such the policy will be effective and deliverable over the plan period; and

Consistent with national policy - The policy will enable the delivery of sustainable development in accordance with the NPPF, which makes specific reference to renewable energy in this context. It will also be consistent with how planning applications for renewable energy are to be determined under the NPPF.

Chapter 11 Minerals and Waste

Policy Reference: DMMW

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: The unfettered extraction of minerals from the Peak District National Park would have an adverse impact upon the character and appearance of the National Park. As such it is considered that the policies seek to achieve a reasonable balance between the need for minerals and minimising any impact upon the National park.

Policy Reference: DMMW

Responder: East Midlands Chamber (Nick Chischniak)

Responder Reference: 3

Response comments: The quarrying industry brings about economic opportunity for those in/around the Buxton area and – although it needs carefully managing – shouldn't be overshadowed by an over-abundance of environmental constraints.

Policy Reference: DMMW

Responder: Patricia Miles

Responder Reference: 42

Response comments: This response raises no issues related to policy, but rather makes reference to a specific planning permission granted in connection with the underground working of fluorspar at Milldam Mine. As an introduction, the respondent states 'I would like to call special attention to the inadequate research undertaken before the granting of planning permission for mining activities and to the failure of the Peak Park to research adequately the likely effects upon those living and working in the area above the excavations.' There is no mention of any policies either within the draft DMP or the adopted Core Strategy.

Policy Reference: DMMW

Responder: Rowsley PC

Responder Reference: 69

Response comments: • Visual Impact is a very relevant aspect that must be considered, the visibility of mineral workings impact not just the nearest view points, but distant vistas both within the National Park and those views into the National Park. Extensions to quarries also need to give consideration to the potential detrimental change or irreplaceable loss of landscape, not just in the actual vicinity of the quarry but wider scale.

Policy Reference: DMMW

Responder: Rowsley PC

Responder Reference: 69

Response comments: • The Stanton Moor Principles will be obsolete once Stanton Moor Quarry extant rights are exchanged for rights elsewhere, a process which is currently under discussion, with a final planning application submitted at this time. No further quarrying rights are available to exchange on Stanton Moor, therefore, the Principles will become obsolete and are not required in the Development Management Policy.

Policy Reference: DMMW

Responder: Rowsley PC

Responder Reference: 69

Response comments: At a meeting held on 1 Sept 2016 to outline the forthcoming DMP, attendees were advised that impact on amenity, environment and restoration would be covered. The new policy was to add greater scrutiny on justification, restoration and aftercare plus importantly criteria on 'cumulative impact'. The refusal to allow wire saws at Dale View Quarry, Stanton in Peak was cited by the PDNPA as a prime example of taking a view of cumulative impact, as it would have led to the industrialisation of the Stanton Moor area. Looking at the Summary document first. Whilst listing 8 policies, within what is a very 'lightweight' Minerals & Waste summary of policy, one of the major aspects "Cumulative effect of mineral & waste development" doesn't get a mention.

Policy Reference: DMMW

Responder: Rowsley PC

Responder Reference: 69

Response comments: Please can PDNPA explain why ancillary mineral development should not be allowed as it can also lead to the total industrialisation of parts of the National Park, producing end product that is never destined for the National Park itself. That industrialisation rather than being isolated industrial units, sets precedence for other operations in the locality to seek similar industrial facilities

Policy Reference: DMMW

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

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Policy Reference: DMMW1

Responder: CEMEX

Responder Reference: 39

Response comments: The policy omits mention of any national considerations of need, consideration of the impact of permitting or refusing a development upon the local economy (given that the mineral industry is an important component of the economic fabric of the Park's economy), and the costs of developing elsewhere as advised by the NPPF para 116, and to the sustainability of long term mineral conservation (NPPF para 142). All of these considerations are an integral part of national policy but have not been incorporated into proposed development plan policy.

Policy Reference: DMMW1

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMMW1 The justification for minerals and waste development

The proposed wording of Policy DMMW1 'The Justification for Minerals and Waste Development', and the associated supporting text in paragraph 11.5, currently require the same level of evidence to be provided to justify a minerals (or waste) development, regardless of the size and scale of the proposed operations.

Whilst it is accepted under National Planning Policy Framework ('the NPPF') (paragraphs 142 to 149) that minerals development must be properly justified in the National Park, the NPPF also advises that requirements for planning applications (paragraph 193) "should be proportionate to the nature and scale of development proposals".

Policy DMMW1, as it stands, effectively applies a higher threshold for smaller minerals operators, and those who may only operate minerals operations to serve a specific end user, because the evidence requirement is the same as larger commercial operators who are more likely to require detailed justification in planning terms, to support their developments in the National Park.

The proposed wording of the policy and justification in the supporting text is therefore not wholly consistent with national policy, and is not considered justified, effective or positively prepared, as it does not permit a more proportionate approach to be taken to smaller minerals operations. The soundness test of 'justified' as set out in the NPPF (paragraph 182) makes specific reference to "proportionate evidence". The Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses and operate a small minerals operation at Burntwood Quarry. The level of justification and associated evidence that been required to gain planning permission (Peak District National Park Authority ref: NP/DDD/0513/0392) raised overall viability concerns associated with the cost of evidence. It is not considered this was required in a proportionate manner, given that the sole purpose of the minerals operation is to provide for stone to repair and reinstate designated heritage assets at the Chatsworth Estate, which significantly contributes to the special qualities of the National Park.

The Chatsworth Settlement Trustees raised similar concerns during the consultation to the Issues and Preferred Approaches consultation in 2012, although these have not been addressed in the Publication version.

This can be overcome by Policy DMMW1 including a criterion which reasonably allows for a proportionate approach to the level of justification and associated evidence, to reflect the size and scale of the minerals (or waste) operation. Add the following additional Criterion to Policy DMMW1:

B. The evidence required to justify minerals and waste development shall be made on a proportionate basis to the size and scale of the minerals, and no more than is sufficient to understand the potential impact of the proposed operations in relation to Criterion A and the amenity and environmental impacts of the development. Add the following to supporting text to Policy DMMW1 (paragraph 11.5):

It is also recognised that there are a variety of minerals operations in the National Park, which differ greatly in terms of size and scale. There are also minerals operations which perform only a function of providing materials for the repair and restoration of specific uses, including those required to maintain designated heritage assets. The evidence therefore which is required to justify minerals development, needs to be made on a proportionate

basis and no more than is sufficient to understand the potential operations, including amenity and environmental impacts.

Assessing the amendments to Policy DMMW1 against the tests of soundness

These additions are considered make Policy DMMW1 'sound' as a more proportionate approach will justify the policy, as well as increasing its effectiveness in dealing with smaller minerals operations, making the policy more positively prepared towards smaller minerals operations, as well as increasing its consistency with national policy.

Policy Reference: DMMW1

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: The NPPF at para 144 states that in determining planning applications planning authorities should (amongst other things): As far as practical provide for the maintenance of landbanks of non-energy minerals from outside National Parks etc. Reference to this requirement would be useful in the strategic context section.

Policy Reference: DMMW1

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Para.11.4: We are pleased that consideration is being given to the potential impact of extraction of unconventional hydrocarbons. We believe this approach is correct as, despite the PEDL licensing process objective to help ensure exploitation of a national resource, planning consent is also required. Applications for planning consent, including lateral drilling at depths below 1200m, must therefore be determined in accordance with the development plan, unless material considerations indicate otherwise. Therefore it is correct and appropriate, especially given the highest level of statutory protection offered to National Parks, that local policies set out the approach to the issue. However we do have a number of concerns as to the soundness of the approach set out in para.11.4: It would be clearer if this issue was set out in a stand-alone policy which could also incorporate the additional issues set out below; We are also concerned that an explicit approach is not taken to the impact of surface infrastructure for unconventional hydrocarbon exploration, appraisal or extraction immediately adjacent to the national park. The scale, nature and location of such development may cause significant adverse impact on the setting and special qualities of the park. With drill rigs of 35-40m height, constant operation (including lighting) there is scope for impacts on landscape, amenity and tranquillity. We would suggest policy to deal with impact on setting of adjacent development with the potential proposal of a buffer zone offset of at least 3.5km and the need for a detailed assessment of the potential impacts on the designated area to be submitted; policy text would need to state that permission would not be granted where proposals would result in unacceptable harm to the special qualities of the national park and/or are incompatible with the statutory purposes; The above point brings into sharp relief the need for a clearly stated planning mechanism with any adjacent mineral planning authority (MPA) to handle a 'straddling' application and that appropriate policies be developed jointly with such MPAs, both in relation to surface and sub-surface development.

Policy Reference: DMMW1

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DMMW1(v) appears to assume that stone is the only worthwhile mineral in the Park which is clearly not the case. The wording here needs to take account of other minerals.

Policy Reference: DMMW1

Responder: John Hollister/ AECOM (Stancliffe)

Responder Reference: 6

Response comments: Section 11.1 of the DMP explains that 'minerals development' means the winning and working of minerals (i.e. mineral extraction) and related development. As the PDNPA has previously taken the view that such 'related development' includes development involving the storage of minerals at a site (other than a railhead or wharf) which is remote from a mineral working, the opportunity should be taken here to confirm the more conventional understanding - which is that minerals and related development is the same as that defined for mineral related County Matters in Schedule 1 of the Town and Country Planning Act 1990.

Policy Reference: DMMW1

Responder: John Hollister/ AECOM (Stancliffe)

Responder Reference: 6

Response comments: The same section 11.1 of the DMP states that the 'policies in this DPD are applicable alongside the Core Strategy policies but only become relevant if an application is acceptable in principle when considered against the Core Strategy policy. This statement is contrary to section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that 'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise' and to section 2.1 of the DMP - which both make it clear that regard is to be had to the development plan as a whole and not just in respect of any part or on the basis that development plan policies are to be applied on a sequential basis.

Policy Reference: DMMW1

Responder: John Hollister/ AECOM (Stancliffe)

Responder Reference: 6

Response comments: Related to this point is the need for a clear statement to be included in section 11.5 of the DMP to the effect that any proposals for minor extensions or deepening at existing building and roofing stone quarries will fall to be assessed in terms of policy MIN3(A)(iii) and (B), rather than policy MIN1 of the CS. This clarification is needed to remove the ambiguity and the prospect of calls for such applications to be justified in terms of the criteria set out in the NPPF para 116, even though it would be perverse to hold that any such proposal amounted to 'major development'. Suggested amendments: Sections 11.1 and 11.5 should be amended as indicated in the above commentary and policy DMMW1 should be reworded (suggested reword provided).

Policy Reference: DMMW1

Responder: John Hollister/ AECOM (Stancliffe)

Responder Reference: 6

Response comments: Section 11.5 of the DMP states that 'mineral development' approved under MIN1 of the CS will only be permitted where justified in terms of major development criteria. This statement is incorrect since policy MIN1 of the CS relates to 'mineral extraction' only and not to 'mineral development'. The statement glosses over the fact that policy MIN1 of the CS applies the exceptional circumstances criteria in section 14 of the (now superceded) MPS1, whereas the DMP appears to seek to apply the major development criteria set out in NPPF para 116. Although the two sets of criteria are very similar, they are not the same - so this distinction needs to be made explicit. Importantly the statement also fails to recognise the separate policy regime which applies to proposals for fluorspar and small scale building and roofing stone extraction under policies MIN2 and MIN3 of the CS.

Policy Reference: DMMW1

Responder: Mineral Products Association

Responder Reference: 14

Response comments: Within the purview of the justification for mineral and waste development, the policy omits mention of any national considerations of need, and the impact of permission or refusal on the local economy, and the costs of developing elsewhere as set out in NPPF para 116, and to the sustainability of long term mineral conservation (NPPF para 142). All of these considerations are an integral part of national policy but are not proposed to be translated into local policy, which downplays, for example, the economic benefits of mineral working in the consideration of mineral proposals, and does not mention mineral conservation at all. In addition, the consideration of proximity to market may or may not be, relevant to considerations of public interest. If the justification for national need is demonstrated on the special qualities of the mineral it is unlikely that it would only serve a local market. As such, the policy should only require such evidence where it is relevant and appropriate. Finally, it is unlikely that existing dimension stone quarries would be able to continue to supply either purely local or single construction/repair projects and remain viable and we propose to strike reference to individual projects for building stone. Suggested changes to the wording to include reference to need, impact of permitting or refusing on the local economy, cost of and scope of working elsewhere and desirability of securing long term conservation of minerals sites through extending sites in time, or in depth or lateral extent.

Policy Reference: DMMW1

Responder: Peak Park Parishes Forum

Responder Reference: 24

Response comments: There is a drafting error over the repeated use of the word “evidence”.

Part A(iii): Parishes have questioned whether the proximity of the end-user market is a relevant consideration in considering applications and, if it is, whether the National Park Authority could have any control over what happens in practice.

Policy Reference: DMMW1

Responder: Rowsley PC

Responder Reference: 69

Response comments: Is it really acceptable to lump together Minerals & Waste? as section 11.2 points out ‘Mineral working is one of the most sensitive types of development in the NP, due to impact on landscape, biodiversity, heritage and most importantly communities. Its harmful impacts and long term effects on all aspects of Park communities, amenity and the future should ensure far more detailed guidance.

Policy Reference: DMMW1

Responder: Rowsley PC

Responder Reference: 69

Response comments: Section 11.5 How can you have a policy that may allow development of mineral sites which states that ‘precise details of its compatibility with any repair or restoration project it is proposed to supply’? How would that be controlled? would it be a case of, if stone is required for local projects, you can have development? the PDNPA already state it has vast reserves of stone applicable for local needs, it couldn’t be controlled, existing mineral sites export the majority of the stone to supply projects well outside the PDNPA. How would the management of the suitability, quality and volume of stone reserves be managed? These statements show a lack of understanding of the existing quarrying, methods, quantities, end user aspects of quarrying activity, which is destined to continue for many years to come due to the existing permitted rights, what about potential development of these sites?

Policy Reference: DMMW1

Responder: Rowsley PC

Responder Reference: 69

Response comments: Within the detailed document, section 11.1 is far from robust enough, it should not be a 'general direction to continue to enable progressive reduction in mineral working in the National Park' it should be stated as 'OF UPMOST IMPORTANCE TO REDUCE MINERAL WORKING IN THE NATIONAL PARK' in line with other published policies on Minerals.

Policy Reference: DMMW1

Responder: Rowsley PC

Responder Reference: 69

Response comments: this reads as though quarries are opened for small projects, not the major development that has been seen and is still being seen with applications to extend existing quarries.

Policy Reference: DMMW1

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

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Response comments: this reads as though quarries are opened for small projects, not the major development that has been seen and is still being seen with applications to extend existing quarries.

Policy Reference: DMMW1

Responder: Stella McGuire

Responder Reference: 10

Response comments: First bullet point: does the last sentence ('The proximity etc') deserve its own bullet point, as it's dealing with a separate issue?

Policy Reference: DMMW1

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 11.1: put DPD in full?

Policy Reference: DMMW1

Responder: Stella McGuire

Responder Reference: 10

Response comments: 'Policy DMMW4' rather than 'The policy'?

Policy Reference: DMMW1

Responder: The Coal Authority

Responder Reference: 36

Response comments: The Coal Authority is keen to ensure that coal resources are not unnecessarily sterilised by new development. Where this may be the case, the Coal Authority seeks where appropriate the prior extraction of the coal. Prior extraction of coal also has the benefit of removing any potential land instability problems in the process. As the Coal Authority owns the coal on behalf of the state, if a development is to intersect the ground then specific written permission of the Coal Authority may be required. It is noted that Core Strategy Policies MIN1 to MIN4 set out the overall strategic context for minerals development in the National Park. Paragraph 11.1 highlights that the general direction of policy is to enable the progressive reduction in mineral working in the National Park. In this context, it is noted that due to the likely absence of future interest in the exploitation of coal (along with other specified minerals) no mineral safeguarding areas were identified in Core Strategy Policy MIN4 Mineral safeguarding. We therefore welcome the clarification provided in paragraphs 11.1 to 11.5 that proposals for new mineral extraction (including coal) or extensions to existing mineral operations along with oil, gas and unconventional hydrocarbon proposals, should be considered in light of the requirements of Core Strategy MIN1, and will be permitted in exceptional circumstances where they meet the criteria set out in National Planning Policy and can be fully justified.

Policy Reference: DMMW1-DMMW8

Responder: Lynda Aylett-Green

Responder Reference: 5

Response comments: For a long while the Peak District landscape has been spoiled for residents and visitors by large-scale quarrying. This has often ruined the structure and very substance of the area, yet new building around the Midlands continues to use stone in estates and new developments. Until the 1600s Derbyshire village houses used a mainly timber and infill construction. Wood is a renewable resource and could be used again in a modern context, even though this would be a long-term change while more areas of woodland are developed for timber. Some extraction would still be necessary - sand for glass and materials for cement, but quarrying could be vastly reduced, with thoughtful use of waste and recycled materials brought into greater use. Permissions for new quarries have been reduced, but this good policy is often negated by permissions for extensions to old quarries and there are many examples in the Peak District and Dales. Builders do not want to put the extra effort and thought into the use of alternative materials - only the planning authorities can insist on a complete re-thinking of this coupled with rigorous enforcement. Many Peak landscapes have already been destroyed - please do what you can at local and national level to stop the ongoing use of stone - the fabric of the Peak District itself.

Policy Reference: DMMW2

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: The NPPF at paragraph 143 states that in preparing Local Plans, local planning authorities should: Set out environmental criteria ... so that permitted operations do not have unacceptable adverse impacts on ... human health including from dust. It is suggested that dust should be mentioned specifically somewhere in the criteria.

Policy Reference: DMMW2

Responder: Mineral Products Association

Responder Reference: 14

Response comments: Supported

Policy Reference: DMMW2

Responder: Rowsley PC

Responder Reference: 69

Response comments: Impact - Cumulative Impact must be considered, 2 quarries side by side work the same hours, their vehicles, move around at different times so produce constant noise, not periodic noise. There needs to be further considerations included, such as the ability of the road systems to cope with any intended vehicle movements, tonnage, impact on the physical infrastructure, i.e. can the bridges cope with the weight, increased damage to the infrastructure and compensation/contributions to upkeep of the infrastructure.

Policy Reference: DMMW2

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Cumulative Impact must be considered, 2 quarries side by side work the same hours, their vehicles, move around at different times so produce constant noise, not periodic noise. There needs to be further considerations included, such as: the ability of the road systems to cope with any intended vehicle movements; tonnage; impact on the physical infrastructure, i.e. can the bridges cope with the weight; increased damage to the infrastructure and compensation/contributions to upkeep of the infrastructure.

Policy Reference: DMMW2

Responder: Stella McGuire

Responder Reference: 10

Response comments: (ix) omit 'Minimise' as the sentence should have the same structure as the previous points, and follows on from para A.

Policy Reference: DMMW2

Responder: Tarmac (Heaton)

Responder Reference: 45

Response comments: The policy states that minerals and waste management development will only be permitted 'where the adverse impacts on amenity can be reduced to an acceptable level or eliminated'. The scope of impacts lists the elements to consider in determination of applications for minerals and waste development which must be satisfied in order for an application to be permitted. For noise, it is contained within overarching national-level planning policy (at paras 28 & 29 of NPPF Tech Guidance) that removal/elimination of unavoidable noise emissions can be considered by MPAs. However, consideration of removal/elimination does not extend to the full list of amenity issues listed in DMMW2. The potential for planning controls to require the elimination of potential adverse amenity impacts where this is not supported within NPPF and Technical Guidance should be revised through the rewording of Policy DMMW2.

Policy Reference: DMMW2 and 3

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Although these sections set out the issue of how minerals developments should be considered in the landscape, this does not come through clearly in the individual policies.

Policy Reference: DMMW2 and 3

Responder: Rowsley PC

Responder Reference: 69

Response comments: Conditions and obligations are only as good as the management of them, there are many instances of 'gentleman agreements' a practice which must be curtailed, robust and meaningful management of adherence to set conditions etc. must be laid out in this document.

Policy Reference: DMMW2 and 3

Responder: Rowsley PC

Responder Reference: 69

Response comments: Permitted Development Rights must be removed - not just 'generally removed' once again, not a strong enough statement, leaving interpretation open and ineffective.

Policy Reference: DMMW2 and 3

Responder: Stanton in peak PC (+Sue Fogg)

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Policy Reference: DMMW2 and 3

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Permitted Development Rights must be removed - not just 'generally removed' once again, not a strong enough statement, leaving interpretation open and ineffective.

Policy Reference: DMMW3

Responder: CEMEX

Responder Reference: 39

Response comments: This policy is considered unsound as it contains some elements that stray outside of a planning remit and into that of parallel regulatory regimes. As such, a conflict with the requirements of other legislation, e.g. health and safety, would be likely, which would be contrary to national policy, whose aim is to avoid potential overlap between regulatory regimes. It is also considered somewhat perverse that an applicant would be required to provide evidence of the likelihood of it carrying out a development as proposed (criterion (viii)). It would be illogical for an applicant to seek permission for a development whilst intending to undertake it in an alternative manner. The Company does not accept that the efficiency and effectiveness of working schemes or prevention of unauthorised access to sites are valid concerns of the MPA (criteria (viii) and (ix)). As such, these criteria should be deleted. Suggested re-word of criterion (viii) to say 'The phasing of the proposed development' and deletion of (ix).

Policy Reference: DMMW3

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DMMW3 needs to explicitly take account of the impact of development on underground features such as caves and historic mine workings.

Policy Reference: DMMW3

Responder: Mineral Products Association

Responder Reference: 14

Response comments: This policy contains some elements that stray outside of a planning remit and into operational concerns that might conflict with the requirements of other legislation, e.g. health and safety, which would be contrary to the national policy which is to avoid potential overlap between regulatory regimes. The issue may be a function of the way the policy has been worded. However, the MPA cannot accept that the efficiency and effectiveness of working schemes or the prevention of unauthorised access to sites are a valid concern of the LPA (criteria (viii) and (ix)). As such, these criteria need to be amended accordingly to remove such conflict. Proposed changes supplied in the letter.

Policy Reference: DMMW3

Responder: Peak Park Parishes Forum

Responder Reference: 25

Response comments: There is an ambiguity in the drafting of the policy: are the impacts to be eliminated or merely reduced to an acceptable level? There are parts of the National Park where tranquillity must be the overriding consideration and the Forum would have liked to see Part A(iii), in particular, strengthened to ensure that there should be NO adverse effects on important areas of tranquillity.

Policy Reference: DMMW3

Responder: Tarmac (Heaton)

Responder Reference: 45

Response comments: Policy DMMW3 addresses the need to make acceptable the impact of mineral and waste development proposals on the environment. Policy DMMW3 includes an even wider scope of potential features and receptors that are typically impacted upon by mineral development than the list within policy DMMW2. Similar to policy DMMW2, the Policy states that development will only be permitted where 'the impacts of the development on the environment of the National Park are reduced to an acceptable level, or eliminated'. As with Policy DMMW2, DMMW3 should be re-worded as the potential for planning controls to require the elimination of potential adverse environmental impacts where this is not supported within the NPPF and Technical Guidance is not compliant with adopted national-level planning policy.

Policy Reference: DMMW4

Responder: CEMEX

Responder Reference: 39

Response comments: This para is considered unsound as it requires pre-submission public consultation exercise to be undertaken prior to submission of any ROMP scheme which extends further than national guidance and policy. Although pre-application engagement is encouraged by NPPF para 189 it is explicitly stated there that mineral planning authorities cannot compel developers to engage before submitting an application. Paras 20-001 20-014 reiterate this advice. As the paragraph appears to contradict NPPF and PPG guidance on this matter and no justification has been advanced as to why national guidance is not considered appropriate in this matter it is concluded that this proposed paragraph is unsound and should be deleted.

Policy Reference: DMMW4

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Typo line 3 - ref to '81' - to be deleted.

Policy Reference: DMMW4

Responder: Mineral Products Association

Responder Reference: 14

Response comments: This paragraph requires public consultation prior to submission of any ROMP scheme which goes further than national guidance and policy. Although pre-application engagement is encouraged by NPPF para 189 it is explicitly stated there that LPAs cannot compel developers to engage before submitting an application. Neither do PPG paras 20-001 20-014 compel pre-application consultations. Propose to delete 11.13 in its entirety.

Policy Reference: DMMW4

Responder: Rowsley PC

Responder Reference: 69

Response comments: Non compliance of full consultation with Statutory Consultees and the local community should render any proposals as invalid. This should apply to the Planning Authority as well, no consultation documents should be added to an authorised/working scheme, there should be complete TRANSPARENCY with all changes/amendments to any scheme.

Policy Reference: DMMw4

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Non-compliance of full consultation with Statutory Consultees and the local community should render any proposals as invalid. This should apply to the Planning Authority as well, no consultation documents should be added to an authorised/working scheme. There should be complete TRANSPARENCY with all changes/amendments to any scheme.

Policy Reference: DMMW4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Joint Municipal Waste M'ment Strategy: footnote needed?

Policy Reference: DMMW4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Is there Policy which 'goes with' these paras. Maybe I misread other text, but I couldn't see what the accompanying policy was.

Policy Reference: DMMW4

Responder: Stella McGuire

Responder Reference: 10

Response comments: B (iv): 'Minimise and where possible avoid any adverse impact on valued characteristics of the area'. This seems a bit over general, and not strong enough. Elsewhere in this doc, we have specified types of impact, and what we're here to protect. I know Minerals policies relate to Core Strategy, where these things are spelled out. But don't they also need spelling out here?

Policy Reference: DMMW5

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: line 2/3 - perhaps insert 'outcome of' between 'the' and 'restoration'? Also add 'and aftercare process' after 'restoration'? Typo line 14, remove comma after 'sites'.

Policy Reference: DMMW5

Responder: Friends of the Peak District

Responder Reference: 28

Response comments: Part A(v) typo - remove semi-colon between 'of' and 'biodiversity'; All the minerals policies should take a consistent approach to assessing and mitigating their landscape impacts. This should

include both the landscape(s) immediately affected by the development and the landscape(s) that may see associated impacts, eg. from vehicle movements.

Policy Reference: DMMW5

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: DMMW5 should not eliminate the possibility that mineral development sites may have use as commercial or tourist facilities once mineral extraction has ceased.

Policy Reference: DMMW5

Responder: Mineral Products Association

Responder Reference: 14

Response comments: Supported

Policy Reference: DMMW5

Responder: National Trust

Responder Reference: 50

Response comments: National Trust supports this policy but suggests that it could be more positive and aspirational in outlook. Vision and planning are required upfront to ensure that a quarry can be shaped towards an end use throughout its lifetime.

There should also be recognition that in some cases it will not be possible or desirable to reinstate the original landform. Early recognition of the constraints to restoration at a specific site will allow for creative solutions to be found. Where infilling is not possible it may be appropriate to allow some parts of the quarry with thin soil to be colonised through natural processes, creating biologically diverse areas that are rare in the wider environment. This may take longer than five years to develop into something interesting. Forward planning is also required to ensure that water systems and connectivity are considered and managed throughout extraction and restoration. If open water is to be created as an after-use then this should be planned to ensure that it has visual and ecological interest, for example by creating shallow areas and islands that will support breeding birds and enable aquatic and wetland plant communities to establish.

Given the twin purposes of the National Park the role of worked sites in absorbing and therefore mitigating some of the impacts from recreation on the wider Park should be a serious consideration in deciding on after-uses. Examples would be mountain biking, climbing and other adventure sports. It may be instructive to look at how Snowdonia is approaching this issue as it promotes itself as the outdoor adventure sport capital (e.g. <http://www.visitwales.com/explore/north-wales/snowdonia-mountains-coast/great-activity-ideas>). Adjust policy and supporting text in order to:

(i) Promote early visioning and planning for after use

(ii) Specifically promote (within the policy) progressive restoration of sites

(iii) Recognise that in circumstances natural regeneration may be the best option for a site

(iv) Promote careful planning of water systems throughout the lifetime of a development and as part of restoration and aftercare

(v) Be open to the incorporation of an imaginative recreational end use that is relevant to a National Park but reduces pressure on other parts of the Park.

Policy Reference: DMMW5

Responder: Natural England

Responder Reference: 22

Response comments: DMMW5 Restoration and Aftercare

Natural England supports this policy and considers that it complies with paragraph 143 of the National Planning Policy Framework.

Policy Reference: DMMW6

Responder: John Hollister/ AECOM (Stancliffe)

Responder Reference: 6

Response comments: At section 11.20 of the DMP it is stated that 'gradual industrialisation can erode the very qualities of landscape biodiversity and cultural heritage that underpin National Park designation and erode the tranquility and quiet enjoyment that residents and visitors experience'. As mineral and waste developments do not typically involve industrial processes (see the definition given in para 2 of the Town and County Planning (General Permitted Development)(England) Order 2015), the reference made to 'gradual industrialisation' is both misleading and imprecise. Suggested reword to: '...the cumulative effects of such developments have the potential to erode the very qualities of.....'.

Policy Reference: DMMW6

Responder: Mineral Products Association

Responder Reference: 14

Response comments: This policy contains non sequiturs and is difficult to understand fully. There is a typo error where 'exiting' should be 'existing'. However, it is not clear how the next phrase 'its setting' fits in with the text around it. For this reason the MPA offers no suggested alternative wording until the policy wording is clarified.

Policy Reference: DMMW6

Responder: Peak Park Parishes Forum

Responder Reference: 26

Response comments: OBJECT: Cumulative effect should take account of other factors that will impact on local residents and the local environment, including:

- Noise;
- Traffic movements, especially lorry traffic, and the capacity of the road system;
- Air-borne pollution.

Policy Reference: DMMW6

Responder: Rowsley PC

Responder Reference: 69

Response comments: The Authority has not displayed an understanding of cumulative impact, they allowed development at Dale View Quarry regarding the concrete crane bases, they backed a planning proposal to install wire saws at the site, they gave no consideration to cumulative impact on the area, residents, amenity, proximity of other working quarries, only local people raised those issues and successfully fought off the total industrialisation of Stanton Moor, and the desecration of its prized Scheduled Ancient Monument. There is clear evidence that Mineral planning does not take a watching brief on current cumulative aspects nor does it appear to anticipate potential conflicts as in the case of Stoke Hall Quarry at Grindleford.

Policy Reference: DMMW6

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: The Authority has not displayed an understanding of cumulative impact, they allowed development at Dale View Quarry regarding the concrete crane bases, they backed a planning proposal to install wire saws at the site, they gave no consideration to cumulative impact on the area, residents, amenity, proximity of other working quarries, only local people raised those issues and successfully fought off the total industrialisation of Stanton Moor, and the desecration of its prized Scheduled Ancient Monument. There is clear evidence that Mineral planning does not take a watching brief on current cumulative aspects nor does it appear to anticipate potential conflicts as in the case of Stoke Hall Quarry at Grindleford.

Policy Reference: DMMW6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Para 11.20, last 2 lines: typo (mineral further).

Policy Reference: DMMW6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Line 7 typo: exiting / existing.

Policy Reference: DMMW6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Lines 8 and 9: I wasn't sure of the meaning of 'its setting, both concurrently and successively'. Is it possible to make this clearer?

Policy Reference: DMMW7

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: Policies for safeguarding are set out in the Core Strategy and DMP document. However, officers consider that the overall approach to safeguarding is confusing. The CS policy MIN4 (Part B) appears to be more like a detailed development management policy. Officers are not clear whether this policy applies to those areas that will be identified for building stone purposes on the Proposals Map as well as the limestone and fluorspar resources. Additionally, there does not appear to be a development management policy that relates to the safeguarded railheads (as in Part C of the Core Strategy Policy).

Policy Reference: DMMW7

Responder: John Hollister/ AECOM (Stancliffe)

Responder Reference: 6

Response comments: While policy DMMW7 and the building stone national safeguarding areas shown on the Policies Map are generally welcomed (since they aim to safeguard the mineral resources around Stoke Hall Quarry near Grindleford and Dale View Quarry near Stanton in Peak), it can be seen that, when read together, DMP policy DMMW7 and Core Strategy policy MIN4 fail to meet the national planning policy objective as stated in NPPF paragraph 143. This arises as the policies together: (i) do not clearly state that local building and roofing mineral resources will be safeguarded (ii) only fail to be invoked in the case of potential sterilisation resulting from major development as defined in the Town and Country (Development Management Procedure) Order 2015 - which will be a rare occurrence in the National Park, and (iii) ignore the threat of sterilisation

posed by lesser developments. Suggested reword to include ref to sterilisation by 'all forms of development', plus linkage to CS policy MIN4(B).

Policy Reference: DMMW7

Responder: Mineral Products Association

Responder Reference: 14

Response comments: We have no objection to safeguarding building stone and roofing stone resources but we note there is no reference to this policy in the online version of the Policies Map. There is an inconsistent reference to Policy DMMW1 and to MIN4 on all building stone safeguarding areas as far as we can see. We believe this should be policy DMMW7. In addition, there is no reference on the Policies Map to areas of safeguarded limestone.

Policy Reference: DMMW7

Responder: Rowsley PC

Responder Reference: 69

Response comments: Whilst stating that policy established that “a selection of small individual areas for local small-scale building and roofing stone for conservation purposes would be identified for safeguarding” the Maps detailing the Mineral Safeguarding areas clearly indicate quarries located on and around Stanton Moor as safeguarded for National & Intermediate use. This is not to say they would be reopened (see section 11.24) however, it goes on to say ‘the National Park is best served by ensuring that such a resource could, if absolutely necessary, be made available in the future’. This would surely be contrary to the overall policy suggested here, that there must be a local need? If this policy is aimed at ‘safeguarding’ the remaining mineral against potential adverse development, then it needs to clearly state that fact, at present the policy indicates to the public that the safeguarding element is to ensure reopening could go ahead with mineral extraction as the purpose of this policy. The associated maps also need to reflect this aspect and a consistent approach to all quarry demarcations regarding the reason for safeguarding needs to be reflected.

Policy Reference: DMMW7

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Whilst stating that policy established that “a selection of small individual areas for local small-scale building and roofing stone for conservation purposes would be identified for safeguarding” the Maps detailing the Mineral Safeguarding areas clearly indicate quarries located on and around Stanton Moor as safeguarded for National & Intermediate use. This is not to say they would be reopened (see section 11.24) however, it goes on to say ‘the National Park is best served by ensuring that such a resource could, if absolutely necessary, be made available in the future’. This would surely be contrary to the overall policy suggested here, that there must be a local need? If this policy is aimed at ‘safeguarding’ the remaining mineral against potential adverse development, then it needs to clearly state that fact, at present the policy indicates to the public that the safeguarding element is to ensure reopening could go ahead with mineral extraction as the purpose of this policy. The associated maps also need to reflect this aspect and a consistent approach to all quarry demarcations regarding the reason for safeguarding needs to be reflected.

Policy Reference: DMMW7

Responder: Tarmac (Heaton)

Responder Reference: 45

Response comments: Policy MIN4 'Mineral safeguarding' of the adopted Peak District National Park Core Strategy DPD (October 2011) protects the National Park's limestone resources from the sterilisation by non-

mineral surface development. Tarmac support the safeguarding of surface infrastructure in Policy DMMW7 and the protection of existing permitted mineral sites from new and adjacent development as discussed in para 11.23 of the Development Management Policies Publication version. However, the safeguarding of limestone resources across the National Park that facilitate the building and roofing stone resources (which are safeguarded) should be included in the Development Management Policies going forward. The inclusion of safeguarding limestone resources would bring the document into greater alignment with the Core Strategy.

Policy Reference: DMMW8

Responder: John Hollister/ AECOM (Stancliffe)

Responder Reference: 6

Response comments: DMP policy DMMW8 (Ancillary mineral development) lacks precision (in that it is intended to apply to mineral working sites but does not say so), introduces a potential confusion (i.e. what is 'ancillary minerals development' as distinct from 'related development' - see above commentary on DMP section 11.1) and wrongly assumes that ancillary mineral development involves industrial processes (see the above commentary on DMP section 11.2). Suggested modification: policy DMMW8 should be re-titled 'Related development' and reworded as follows: 'A. Related development will be permitted at mineral workings provided that: (i) there are clear practical and/or environmental benefits arising from co-location; and (ii) when planning permission for mineral working expires (or if the related development becomes redundant before the completion of mineral working) it will be removed and the site be recalimed to an agreed after-use'.

Policy Reference: DMMW8

Responder: Mineral Products Association

Responder Reference: 14

Response comments: Supported

Policy Reference: DMMW8

Responder: Peak Park Parishes Forum

Responder Reference: 27

Response comments: Subject to as below, the general intent of this policy is supported but the wording needs to be clearer: What does "the material to be used" mean?

The Forum is concerned at the practice of importing into a quarry stone from elsewhere that is then treated and transported out again. To the extent that the Policy is not clear about how such cases will be dealt with, the Forum OBJECTS to the policy.

Policy Reference: DMMW8

Responder: Rowsley PC

Responder Reference: 69

Response comments: Ancillary mineral processing - there is nothing under this section relating to the current practices of importation of stone from other sites to be processed. This section indicates that any processing, where carried out is done so at quarrying facilities, this is not always the case, once again at Stoke Hall Quarry, Grindleford, large quantities of imported stone is processed without the necessary permissions. Far more robust guidelines need to be included here.

Policy Reference: DMMW8

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: Ancillary mineral processing - there is nothing under this section relating to the current practices of importation of stone from other sites to be processed. This section indicates that any processing, where carried out is done so at quarrying facilities, this is not always the case, once again at Stoke Hall Quarry, Grindleford, large quantities of imported stone is processed without the necessary permissions. Far more robust guidelines need to be included here. Surely, this policy should also state the reasons why ancillary mineral development should not be allowed as it can also lead to the total industrialisation of parts of the National Park, producing end product that is never destined for the National Park itself. That industrialisation rather than being isolated industrial units, sets precedence for other operations in the locality to seek similar industrial facilities.

Policy Reference: DMMW8

Responder: Tarmac (Heaton)

Responder Reference: 45

Response comments: Policy DMMW8 states that ancillary mineral-related development is to be permitted provided that all plant, buildings and machinery are removed upon cessation of mineral working or if a plant becomes redundant prior to cessation. Tarmac consider that this is unnecessarily onerous on the mineral operator, as at certain phases throughout the greater scheme of development across large-scale quarry operations, plant, buildings and machinery may become temporarily redundant. Furthermore, in exceptional circumstances there remains a need for the retention of mineral-related facilities upon cessation of mineral extraction. The retention of mineral-related plant, buildings and machinery should be considered on a case-by-case basis, and it is suggested that this policy be revised to remove the requirement for all plant, buildings and machinery to be removed when not in use in order to make development proposals for ancillary mineral-related development acceptable.

General comments:

Policy Reference: DtC

Responder: Cheshire East Council

Responder Reference: 27

Response comments: Cheshire East Council do not consider that there are any outstanding significant cross border planning issues raised by the consultation document and therefore there are not any matters under Duty to Co-operate that are outstanding and would require any further discussion.

Policy Reference: General

Responder: Anita Dale

Responder Reference: 66

Response comments: Overall the policies seem to favour tourism, which I understand is a key driver for National Parks but undermines the fact that the local population should come first providing a place to live and work. Priority should be given to policies that support that infrastructure.

Policy Reference: General

Responder: Anita Dale

Responder Reference: 66

Response comments: The document itself is too detailed and complex. Whilst legalities need detail this can lead to inaccuracies and contradictions which could easily be challenged legally, leading to lack of enforcement. A simpler and shorter document would be easy to understand for all concerned. (e.g. DCM7)

Policy Reference: General

Responder: Anita Dale

Responder Reference: 66

Response comments: the whole document will be ineffective if these policies are not enforced. Current examples and working practices would suggest that the PDNP may not have the capability or motivation to enforce the policies. This will negate the whole process of this consultation document and its future application.

Policy Reference: General

Responder: Bradwell PC

Responder Reference: 11

Response comments: the language is not clear / friendly as required by the Crystal Mark campaign

Policy Reference: General

Responder: Bradwell PC

Responder Reference: 11

Response comments: The report is too long

Policy Reference: General

Responder: Bradwell PC

Responder Reference: 11

Response comments: there is a lack of justification for policies

Policy Reference: General

Responder: Bradwell PC

Responder Reference: 11

Response comments: there is duplication with other documents

Policy Reference: General

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: The Council does however, have some concerns in relation to the proposed policies relating to housing, infrastructure and investment. INCLUDE?? - general comment that was expanded on in their comments below.

Policy Reference: General

Responder: Chelmorton PC

Responder Reference: 26

Response comments: It was of note that the Sustainability Appraisal is a good, easy to read, well-constructed document and the consultants who prepared it should be commended

Policy Reference: General

Responder: Chelmorton PC

Responder Reference: 26

Response comments: There is a general aversion in these documents to targets, measurements and timescales. Monitoring is vague with no deadlines or goals being set

Policy Reference: General

Responder: Derbyshire Dales District Council

Responder Reference: 34

Response comments: It is recognised that the landscape of the National Park is an important asset and that the landscape and conservation development management policies will contribute towards the conservation and enhancement of the valued characteristics of the National Park. However it is considered that in order to ensure the economic and social wellbeing of local communities the policies should provide for a degree of flexibility. This would allow development proposals which accord with the principles of sustainable development and where the requirements for and benefits of development may be considered to outweigh the need to protect and conserve landscape, heritage and biodiversity/geodiversity to be approved. Furthermore there is concern that the weight given to the impact of development on landscape character, the historic environment and settlement pattern may preclude development in the named settlements being permitted and delivered. Whilst the need to ensure that the character and appearance of settlements in the Park is recognised, there remains a risk that development will be unable to meet the need for jobs and local affordable housing with associated implications for the ability of the Plan to meet the wider social and economic needs of the National Park. It is considered that a more flexible approach to development that is less restrictive is necessary to ensure the wider policy aspirations of reducing the level of unmet affordable housing need can be delivered.

Policy Reference: General

Responder: Historic England

Responder Reference: 47

Response comments: No detailed comments

Policy Reference: General

Responder: Holme Valley PC

Responder Reference: 7

Response comments: The Parish Council welcomes the Authority's balanced approach to sympathetic development within the Park, which both supports the local economy and residents, and recognises the value of tourism; the Authority's proposals to support affordable housing for local people (the 'local connection' concept to supporting need, for example) are particularly welcomed, as is the emphasis on heritage and conservation given in the Plan.

Policy Reference: General

Responder: Joseph Drewry

Responder Reference: 67

Response comments: Peak District National Park Authority have positively engaged with the Environment Agency throughout the Local Plan process. The Environment Agency are satisfied with the soundness and legal compliance of the Development Management Policy document

Policy Reference: General

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: there are many basic grammatical and spelling errors throughout the document which makes it look very unprofessional

Policy Reference: General

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: Shocked that MP's not initially consulted. Felt that while not statutory consultees, it would have been appropriate to seek the views of the people who are elected to represent the Park in Parliament.

Policy Reference: General

Responder: Karen Bradley MP

Responder Reference: 70

Response comments: I completely recognise that the Park must do everything possible to protect the important environmen and the unique nature of the Peak District, however this must also be balanced with the survival of the rural communities that live and work in the National Park in order to ensure the future of the Park itself. In some cases this will mean there is a fine balance, and some change will have to not only be tolerated, but encouraged, to preserve the wider viability of these areas.

Policy Reference: General

Responder: Over Haddon PC

Responder Reference: 18

Response comments: It also noted that viable communities need some room to expand so there is a need for local needs new development where there is space inside conservation areas.

Policy Reference: General

Responder: Peter Abbott

Responder Reference: 24

Response comments: You know my thoughts on positive or negative policies, but I suppose back in my day others often thought I was wrong or being too pedantic!!!!. In my view: Negatives are clear even if unpopular. Positives are less clear because they rarely specify what happens if stated provisions are not met. For example "only permitted provided that" is more specific than "permitted provided that." Anyway, last time through even I agreed that some policies could be expressed positively so as long as you are happy as to which are which I am sure the rest of the world will be.

Policy Reference: General

Responder: Waterhouses PC

Responder Reference: 17

Response comments: pleased to see that Calton was also considered within the local plan as a potential area for development and that it wasn't just restricted to Waterhouses

Policy Reference: General

Responder: Chelmorton PC

Responder Reference: 26

Response comments: The overall document is too wordy, repetitive and the message is lost in the confusion of words

Policy Reference: General

Responder: Derbyshire County Council

Responder Reference: 21

Response comments: The Development Management Policies often make reference to the overall character of the Peak District landscape and the overarching aim of protecting the main purposes of the National Park designation. The consultation draft takes a very restrictive approach to development through its Development Management Policies and there are clearly implications for this approach on those landscapes beyond the National Park boundary that will be required to accommodate more housing, mineral extraction, waste facilities and other supporting infrastructure. The preferred approach of the Development Management Policies and the embedding of landscape thinking into the planning process and plan making are fully supported by DCC.

Policy Reference: GSP1

Responder: HPBC (Cllr Tony Ashton)

Responder Reference: 4

Response comments: I would like to stress our support for the emphasis that the policies place on protecting the natural and built heritage in the Peak Park. We recognise that the Peak Park is an important and much-loved place for our residents and also as an attraction for visitors. However we believe that the proposed policies are too restrictive in a number of ways. See following points

Policy Reference: New policy for Chatsworth

Responder: Chatsworth Settlement Trustees

Responder Reference: 35

Response comments: Policy DMCH1 Chatsworth

The Development Management Policies document ('the DMP') currently fails to provide a planning policy that will enable planning applications for development on the Chatsworth Estate (Chatsworth) to be properly determined over the plan period.

The Chatsworth Settlement Trustees are responsible for leasing land for a variety of land uses (including agricultural, commercial, residential and sporting purposes) and runs farms and forestry enterprises, renewable energy initiatives, hotels and holiday cottages, and visitor activities associated with Chatsworth.

The Chatsworth Settlement Trustees face key and unique planning challenges with their development aspirations to ensure that sufficient income is generated in order fund the preservation and, where relevant, the enhancement of Chatsworth's nationally significant designated heritage assets. Chatsworth is fundamentally important to the Peak District economy, resulting from its role as a visitor destination and its broader development activities. Chatsworth provides over 450 full time equivalent jobs (Source: New

Economics Foundation 2014). The scale of Chatsworth's economic importance to the Peak District, together with the national significance of the heritage assets, is substantially greater than any other visitor attractions and estates. It is also fair to say there is a sense of ownership for local residents in relation as strong links are maintained with the local community through the substantial range of employment opportunities offered at Chatsworth, as well as local housing opportunities. Chatsworth is a clear example of approach to sustainable development that the National Planning Policy Framework ('the NPPF') promotes where economic benefits underpin social benefits for local communities (paragraph 8):

"Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system." Paragraph 8 of the NPPF goes on to state that:

"The planning system should play an active role in guiding development to sustainable solutions".

A development management policy which specifically addresses the planning and development issues that Chatsworth faces, given the size and importance of Chatsworth to the Peak District economy, would ably comply, and be supported, by the NPPF as contributing towards the achievement of sustainable development. Such a policy also needs to ensure that the designated heritage assets at Chatsworth are still afforded a significant degree of protection. Section 12 of the NPPF is however clear that heritage assets are to be put to a viable use consistent with their conservation and that the public benefits of development needs to be balanced against the impacts on the significance of the asset (based on the level of impact). Similarly, there is also need to fully consider the impacts on the special qualities of the National Park, the effects on the landscape qualities which substantially contribute to Chatsworth's own special qualities, as well as the range of the relevant development management criteria. These however need to be considered in a balanced and flexible manner. If there is not the economic activity to provide the finance support the preservation and, where appropriate, the enhancement of Chatsworth, this ultimately will detract from the special qualities of the National Park. Such an approach, in considering economic considerations, is not in conflict with National Park purposes. Section 62 (1) of the Environment Act 1995 is clear that National Parks are required under statute to "foster the economic and social well-being of local communities."

The adopted Core Strategy (2011) cannot be relied on, simply because, there is no policy which relates to planning and development issues at Chatsworth, and nor can it be relied on in respect of the economic dimension of sustainable development as the date of adoption (2011) predates the NPPF (2012).

The DMP, as with the adopted Core Strategy, can lack a Peak District specific spatial element. A Chatsworth policy will allow the DMP to demonstrate it is providing a policy that specifically seeks to address local planning issues, as opposed to a more generic approach. The current absence of a policy means the DMP fails the tests of the soundness. The DMP, in the absence of a Chatsworth policy, is not currently being prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements, especially as it is not consistent with achieving sustainable development, and as such has not been positively prepared. It is also not justified as it has not considered a policy dealing with Chatsworth, and is not effective as it will not lead to deliverable development at Chatsworth, which balances all considerations. It is also not consistent with national planning policy as it does not properly consider the economic dimension of sustainable development, nor that economic growth can secure higher social and environmental standards.

The shortcomings in the proposed DMP can be overcome by including a policy (Policy DMCH1 Chatsworth) and associated supporting text, so that planning applications for development proposals at Chatsworth can be properly assessed. It is noted that the DMP already proposes a similar locational based approach to planning policy, in relation to Bakewell (DMB1), and so a Chatsworth policy would not diverge from the approach of the DMP. Additional Policy as follows:

Policy DMCH1 Chatsworth

A. Proposals on the Chatsworth Estate that preserve, and where appropriate, enhance its designated cultural heritage assets will be supported, subject to the balanced consideration of the following criteria:

- (i) the demonstrable economic benefits to the local economy, in line with National Park requirements to foster the economic and social well-being of its local communities;
- (ii) the desirability of preserving and, where appropriate, enhancing the significance of designated cultural heritage assets, whilst also having regard to the public benefits and putting assets to viable uses; (iii) the effects on the special qualities of the National Park;
- (iv) the effects on landscape character, including landscape character, the parkland setting and prominent views across the estate;

- (v) the effects on designated ecological assets, protected species and habitats;
- (vi) the effects on drainage and flood risk, and avoiding wherever possible development which is in areas of flood risk (flood zones 2 and 3), closest to the River Derwent ;
- (vii) the effects on the amenities enjoyed by residents in local communities;
- (viii) the effects on safe access, car parking and access by foot, cycle and public transport; and
- (ix) where relevant, the potential to bring back redundant buildings back into use.

B. Where proposals are considered to comply with criterion A. of this policy, restrictions on the types of development set out in other Local Plan policies may not apply.

C. The use of the existing road access from the estate onto the A619, north of the Baslow, will be supported where it provides for safe traffic management for vehicular movements to and from the estate. D. The use of temporary buildings and structures will be supported where this relates to a specified time period and in order to support the preservation and, where relevant, the enhancement, of designated heritage assets on the estate.

E. The erection and use of buildings for the storage of Chatsworth's art treasures.

Supporting Text to Policy DMCH1:

The Chatsworth Estate comprises approximately 737 hectares of land related to Chatsworth House and its surrounding landscape, and further land assets within the National Park. Chatsworth House itself is a nationally important designated heritage asset. The main house, which dates from the 16th century, is Grade I Listed. A further associated 48 listed buildings and structures are located in the surrounding landscape on the estate. A number of these buildings and structures are also Scheduled Ancient Monuments. The parkland which surrounds the main house is of key importance nationally as an historic landscape and is a Grade 1 Registered Park and Garden. The estate villages also contain numerous listed buildings, are contained within conservation areas and are well maintained.

The Chatsworth Estate is also of key importance to the local economy and employment, as a visitor destination and for other development activities it undertakes which principally concern agricultural enterprises, farm diversification, accommodation and maintaining estate villages. These economic activities are critical to the success of Chatsworth as their purpose is to support the preservation and enhancement of its designated heritage assets. The scale of employment Chatsworth provides, in a predominant rural area, is significant at 450 full time equivalent jobs (Source: New Economics Foundation 2014). Local employment is further directly supported by estate tenant workers. The Peak District economy has more broadly benefitted through directly supporting local businesses and indirectly through multiplier effects, as is ably demonstrated by the propensity of services and the accommodation offer in the vicinity of Chatsworth that are reliant on its visitors. Chatsworth purchased supplies or services in 2014 from over 100 local suppliers (source: New Economics Foundation 2014). The total number of paying visitors in 2014 was in excess of 616,000 with the visitor profile showing the majority of visitors are within a three to four hour travel time, with 15% of visitors from overseas (source: New Economics Foundation 2014). This demonstrates the importance and appeal of Chatsworth at both a national and international scale. Chatsworth therefore enables visitors and residents to visit, and understand, a key national heritage asset within the National Park, which generates substantial and important economic activity to the National Park on a significant scale. It is therefore important to provide a specific development management policy that supports the conservation and, where appropriate, enhancement of these key designated heritage assets and its economic well-being. Policy DMCH1 seeks for key roles at Chatsworth to be reconciled, which also allowing for full consideration of the special qualities of the National Park and relevant development management considerations. Where these criteria are considered to have been met, greater flexibility will be permitted to the development types which can occur on the Chatsworth Estate in terms of what may be permitted under other DMP policies.

An important issue at Chatsworth is traffic management and congestion, associated with its success as a visitor destination. A major cause is the current vehicular access arrangements, which is taken from a single access point off the B6012, narrowing to a single carriageway where it crosses a Grade I listed Paine's bridge over the River Derwent, on the approach to house. A potential traffic management solution is the use of an existing access which joins onto the A619, north of Baslow, as well as maintaining the existing access. Policy DMCH1 therefore supports in principle supports the use of these improved access arrangements. The use of temporary buildings and structures at Chatsworth is also an issue. This can be important in terms of attracting further economic activity and complimenting Chatsworth's role as visitor destination, as with the Royal Horticultural Society annual show, which is due to take place from 2017. Temporary buildings and structures are also important to allow displaced activities to occur, whilst renovation works are taking place. Policy DMCH1 therefore supports temporary buildings and structures where they are for a specific time period (which will be

controlled through planning condition) and where it provides for the preservation and where relevant, the enhancement of the designated heritage assets.

As well as the historic significance of the house and parklands, Chatsworth contains internationally significant art treasures. Storage of art treasures requires conditions that may not be easily accommodated in existing buildings due to temperature and security controls. Policy DMCH1 supports development that can accommodate the storage of art treasures in order to protect this important element of the historical significance of Chatsworth. Amendment to Inset Map: Chatsworth

Show the road access through the Chatsworth House parklands to the A 619, north of Baslow, as a 'Secondary Road'. This will require the Inset map showing the full extent of Chatsworth estate land ownership up to the A619. Assessing Policy DMCH1 against the tests of soundness

Policy DMCH1 is considered to meet the tests of soundness as set out in the NPPF (paragraph 182):

Positively prepared - Providing the planning policy for Chatsworth will enable development to be objectively assessed, having regard to Chatsworth's important (and unique) economic role in the National Park and likely development aspirations, as well as the special qualities of the National Park and other relevant development aspirations. It would also be consistent with achieving sustainable development, as it would allow the economic dimension to be properly considered, as well as the role economic growth plays in supporting the social and environmental dimensions. It will also allow the DMP to demonstrate it is providing a policy that specifically seeks to address local planning issues, as opposed to a more generic approach; Justified – The planning policy is the most appropriate strategy because this is the only approach that will allow all relevant development management considerations at Chatsworth to be properly considered. The alternative of not having a policy will mean the DMP will not reflect the importance and uniqueness of Chatsworth to the National Park, in particular its economic importance;

Effective – The planning policy will be used to determine planning applications which relate to the development aspirations of Chatsworth over the plan period, and as such the policy will be effective and deliverable over the plan period; and Consistent with national policy - The planning policy will enable the delivery of sustainable development in accordance with the NPPF, because it will ensure the economic dimension of sustainable development is properly considered, as well as recognising the mutually dependent roles of sustainable development, where economic growth can secure higher social and environmental standards. The policy will not be in conflict with how the presumption in favour of sustainable development in the NPPF (paragraph 14) operates in National Parks, as this can ably co-exist with the policy. Crucially, restrictions on the presumption in favour of sustainable development in National Parks do not obviate the need for all planning authorities to contribute to the purpose of the planning system, to contribute to the achievement of sustainable development.

Policy Reference: CC1

Responder: Allen Newby

Responder Reference: 9

Response comments: Although DMP policies should not replicate Core Policies like CC1 or the SPD on climate change, there do not appear to be any specific DMP policies designed to encourage sustainable design.

Policy Reference: Support PPPF

Responder: Abney PC

Responder Reference: 30

Response comments: As a Parish Meeting following discussion we support the Peak Park Parishes Forum response

Policy Reference: Support PPPF

Responder: Bamford PC

Responder Reference: 29

Response comments: We consider that this PPPF submission also encompasses all of our Parish's views, and so we strongly endorse it.

Policy Reference: Support PPPF

Responder: Bradwell PC

Responder Reference: 11

Response comments: The main reasons for objection are given in the response given by the PPPF, which the council wholly supports.

Policy Reference: Support PPPF

Responder: Castleton PC

Responder Reference: 40

Response comments: Castleton Parish Council have asked me to advise you that they fully support the response made by the Peak Park Parishes Forum

Policy Reference: Support PPPF

Responder: Chapel-en-le-Frith PC

Responder Reference: 12

Response comments: I am writing to confirm that Chapel-en-le-Frith Parish Council are in support of the response to the consultation from the Peak Park Parishes Forum in addition to comments sent by the Council, specific to the Parish Neighbourhood Area

Policy Reference: Support PPPF

Responder: Chelmorton PC

Responder Reference: 26

Response comments: Having since received the final version of the PPPF comments Council gives it's support to all of their recommendations

Policy Reference: Support PPPF

Responder: Edale PC

Responder Reference: 41

Response comments: Edale parish Council are in full agreement with the above representation (i.e. the Peak Park Parishes Forum response) and give it their full support

Policy Reference: Support PPPF

Responder: Great Hucklow PC

Responder Reference: 43

Response comments: the Parish Council fully supports the response made by the Peak Park Parishes Forum

Policy Reference: Support PPPF

Responder: Hope with Aston PC

Responder Reference: 16

Response comments: would like to advise you that they agree with the response made by the Peak Park Parishes Forum.

Policy Reference: Support PPPF

Responder: Over Haddon PC

Responder Reference: 18

Response comments: It was agreed to note our support for the Peak Park Parish forum response, in particular DMMM3 giving priority to peace and tranquillity when considering the environmental impact.

Policy Reference: Support PPPF

Responder: Taddington PC

Responder Reference: 19

Response comments: The Parish Council has had the opportunity to read the comments of the Peak Park Parishes Forum and wishes to adopt those comments as its own with the following additions/qualifications

Policy Reference: Support PPPF

Responder: Winster PC

Responder Reference: 20

Response comments: Winster Parish Council resolved to endorse the detailed comments provided by the Peak Park Parishes' Forum

Policy Reference: Support PPPF

Responder: Youlgrave PC

Responder Reference: 51

Response comments: Youlgrave Parish Council fully endorses the comments of the Peak Park Parishes Forum. Local issues of parking and housing are reflected in their comments and more scrutiny needs to be given to ensure the policies reflect sustainable villages local requirements and community needs.

[Policies Map:](#)

Policy Reference: policies map

Responder: Mineral Products Association

Responder Reference: 14

Response comments: We note there is no reference to policy DMMW7 in the online version of the Policies Map. There is an inconsistent reference to policy DMMW1 and to MIN4 on all building stone safeguarding areas as far as we can see. We believe this should be policy DMMW7. In addition there is no policy reference on the Policies Map to areas of safeguarded limestone.

Policy Reference: policies map

Responder: Stanton in peak PC (+Sue Fogg)

Responder Reference: 33

Response comments: If the minerals map is purporting to identify 'safeguarded' geology, i.e. the geology that lies below the surface and not necessarily a resource that is/could be worked. Then the following inconsistencies would need to be explained.

Why are parts of Dale View and New Pilhough Quarries (previously quarried areas) excluded from the highlighted areas?

Why is Endcliffe Quarry not included when Lees Cross is?

(Both previously quarried

Other areas around Stanton Moor have been included, for example the disused Pilhough Quarry which lies within Sheepwalk Wood.

The designation detail is also puzzling, if you click on the coloured areas of the minerals map the area of Stanton Moor shows as safeguarded for 'Roofing Slate Safeguarding Areas'(Policy MIN4/DMMW1) Why would that classification be allocated to the geology of Stanton Moor?

Policy Reference: policies map

Responder: Taddington PC

Responder Reference: 19

Response comments: * The High Well recreation ground is not recognised as a "community recreation area" The result is inconsistency and a lack of clear direction

Appendices:

Policy Reference: Appendix

Responder: Stella McGuire

Responder Reference: 10

Response comments: Overall, it would be good if the Appendices could have a common font and font size (except for forms in Appx 8). At the moment there are some big differences, esp in font size, which looks a bit weird.

Policy Reference: Appendix

Responder: Stella McGuire

Responder Reference: 10

Response comments: If possible, page numbering throughout would be useful, following on from main text, so that Appendices are easier to locate via Contents list, without flicking through

Policy Reference: Appendix 1 and 4

Responder: Stella McGuire

Responder Reference: 10

Response comments: Would it be a good idea to combine Appendices 1 and 4 (though I know that wld mean changing all the Appendix numbers and altering refs in the main text). The info in Appx 1 is closely linked to Appx 4, and in fact, Appx 4 provides the kind of info which I was looking for when I first read thro Appx 1: e.g. where are the online contact details? Where is info on how to contact Heritage Gateway details? So – what I'm saying is that Appx 1 reads a bit oddly as a stand-alone.

Policy Reference: Appendix 2

Responder: Stella McGuire

Responder Reference: 10

Response comments: Appendix 2 Text has been pasted from something else – and why not, of course?! But needs a bit of tidying up, and either cross-referencing or referring to things more fully. Examples include the rogue 9.17 number at the beginning, and a rogue footnote reference. Natura 2000 sites need qualifying / explaining as does the ref to the ‘Section 3’ map.

Policy Reference: Appendix 3

Responder: Stella McGuire

Responder Reference: 10

Response comments: Appx 3: DS1 settlements. Crosses and asterisks against certain settlement names need an explanation.

Policy Reference: Appendix 4

Responder: National Trust

Responder Reference: 50

Response comments: Appendix 4: Source list for further information on historic environment. The National Trust owns around 15,000 hectares of land within the Peak District including listed buildings, scheduled monuments and archaeological remains. These are recorded in the National Trust’s Historic Buildings and Sites and Monuments Record (NT HBSMR). The NT HBSMR is available as an online resource but is not currently listed as a source of information in Appendix 4. Amend list at Appendix 4 to include the NT HBSMR, as follows: “The National Trust’s Historic Buildings and Sites and Monuments Record (NT HBSMR) lists heritage assets within National Trust owned lands: <https://heritagerecords.nationaltrust.org.uk/>”

Policy Reference: Appendix 5

Responder: National Trust

Responder Reference: 50

Response comments: Appendix 5: Guidance for preparing a heritage statement. On page three of this document there is a reference to information about sites on National Trust land, which can be found on Heritage Gateway. As above, for full information and mapping of these sites, we recommend that people refer to the NT HBSMR online. Amend the relevant paragraph as follows: “Other material, notably photographs, additional details of parks and gardens, and details of archaeological sites and finds on the National Trust’s estates, can be found in other sections of www.heritagegateway.org.uk or for National Trust sites specifically: <https://heritagerecords.nationaltrust.org.uk/>”

Policy Reference: Appendix 6

Responder: Stella McGuire

Responder Reference: 10

Response comments: Appx 6 Is there a real need to include this list? It doesn’t enable anyone to find out where the SAMs are, or precisely what they are. Also, Hist England don’t use SAM numbers as their main reference now: they have been incorporated into the National Heritage List for England, or whatever it’s called – a whole new set of numbers, which have swallowed up the SAMs..Who is the Appx aimed at? If people actually need to access specific info on SAMs, they need details on how to find the Nat Heritage List for England – or they need info on how to contact Cultural Heritage officers, for guidance.If you use the text, suggest shrink the font.

Policy Reference: Appendix 7

Responder: Stella McGuire

Responder Reference: 10

Response comments: Appx 7 Last section of Intro: 'Some CA appraisals are on the website': needs to say 'PDNPA website' and give website address.

Policy Reference: Appendix 8

Responder: Stella McGuire

Responder Reference: 10

Response comments: Appx 8 I didn't understand what the status of the 'Home Options' part of this was. Is it part of the earlier forms? If so, a short intro, explaining this, wld be useful.

Policy Reference: Appendix 8

Responder: Stella McGuire

Responder Reference: 10

Response comments: Appx 8: Useful to indicate who 'owns' these forms? Who issues them?

Policy Reference: Appendix 10

Responder: Peak Park Parishes Forum

Responder Reference: 23

Response comments: There needs to be consistency. In Appendix 10 the maximum standards should be deleted because of the extensive problem of on-street parking within National Park villages. Any limitation should be due to the characteristics of the site.

Policy Reference: Appendix 10

Responder: Stella McGuire

Responder Reference: 10

Response comments: Car Parking Standards: this has no Appx number, but must be Appx 10 I think. As with some other docs, the font needs to be compatible with other appendices, and it wld be useful to have some text stating 'whose' document this is. Is it the PDNPA's?

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Shrink the font? Biodiversity Action Plan: text too brief to be useful, I think. Also, are we referring to the PDNPA's own BAP or to a national BAP, or? Special Areas of Conservation: add (SAC), as the acronym is used in the main text. Ditto Special Protection Area (SPA)

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Constituent Council: typo 'goographical'.

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: DS1 Settlement: I can't work out the meaning of the last sentence. Is it me or the text?

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Economic development: would it be useful to add "as defined in etc etc" after 'B Use Classes'?

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Ecosystem services: these are a b..... to define, especially in a way which includes (as the definition is allegedly supposed to) cultural heritage / the historic environment. I will find and send a summary of a definition provided by the Govt's National Ecosystem Assessment, in case it's useful in amending the rather brief Glossary text.

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Edge of centre: 'up to 300m from the primary shopping area'.

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Local Transport Plan: 'Current LTPs run from 2006 – 2011'. Is there anything more recent than this?

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Major Development Point c (i): word or words missing after 'more'

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Planning Acts: not sure that 'ostensibly' is the right word in line 1! Usually implies that the info is not accurate, and that some other truth is lurking beneath...

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Planning benefits: couple of typos (line 5 and last line). See also 'Primary shopping area', line 3.

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Planning unit: rogue asterisk at end.

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Glossary - I'm assuming Ken Smith or colleagues provided all the cultural heritage related definitions so I won't comment on those!

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Open Space Is this tied to a formal definition somewhere? Otherwise, it is such a day-to-day term that it seems a bit slippery.

Policy Reference: Appendix 11

Responder: Stella McGuire

Responder Reference: 10

Response comments: Safeguarding zone: the 2nd type of zone needs its own sub header – has got lost under drinking water.