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Our ref: PM/DMD/Ashbourne Neighbourhood Plan
Your ref:
Date: 6 November 2020

Dear Mr Hase

Localism Act 2011 – Strategic Planning Comments

Ashbourne Neighbourhood Plan 2017 - 2033: Submission Draft

Thank you for consulting Derbyshire County Council (DCC) on the Ashbourne Neighbourhood Plan (ANP): Submission Draft. The comments below are DCC's Member and Officers' technical comments with regard to the development boundary, education, town centre, housing, renewable energy, transport, and community facilities aspects of the Plan.

Local Member Comments

Councillors Steve Bull and Simon Spencer, the Local County Council Members for Ashbourne and Dovedale Electoral Divisions respectively, have been consulted. To date, no comments have been received, but if I receive any I will forward them to you.

Officer Comments

General

DCC welcomes the fact that many of its comments on the Pre-Submission version of the ANP have been taken on board and addressed in this version, particularly the inclusion of a new policy approach to renewable energy, dark skies, and low emissions vehicle infrastructure.

However, the ANP has been a long time in the making; consequently it is disjointed and dated in places. In addition, there are many grammatical and typographical/font size errors as well as layout and format issues. There seem to be a number of approaches applied to the format of the ANP which result in an unclear plan. Some topics have policy clearly set out in bold, whilst others only have a 'purpose' and 'rationale', with the issues being omitted from the policy or set out in other policies. Furthermore, policies are followed by 'interpretation', which should be unnecessary if the policy is drafted properly – it should not be open to, or need, further interpretation.

All these deficiencies need to be rectified, and the document should be thoroughly proof-read before publication.

Executive Summary

It is welcomed that DCC's comments on the Executive Summary in the previous iteration of the ANP have been addressed and the new Executive Summary now makes appropriate reference to the Adopted Derbyshire Dales Local Plan (2017) as the main context for the strategy and policy approach in the Plan, particularly that the Local Plan has two core strategic growth policies that are particularly relevant to ensuring sustainable development in Ashbourne, namely:

- An Objectively Assessed Need for housing at 5680 dwellings; and
- A need for at least 15 hectares of employment land which has been extended to 24 hectares (omitted) to ensure sufficient flexibility in supply and range of sites throughout the District.

In this context, it is welcomed and supported that the ANP throughout takes a positive approach to planning for growth, the context for which is set out in the Adopted Plan, and particularly recognises the intrinsic link between economic development and employment growth as a key driver of housing growth.

However, as a general point, there are still references throughout the ANP to the 'emerging Derbyshire Dales Local Plan' which provides for some confusion as it is the Adopted Plan that is now the Development Plan for the area and which sets the context for policies in the ANP.

It is welcomed and supported that the last paragraph of the Executive Summary makes reference to the fact that the Plan provides a framework for a positive partnership with Derbyshire County Council (as well as Derbyshire Dales District Council (DDDC), the South Derbyshire Clinical Commissioning Group (which should now be the Derby and Derbyshire Clinical Commissioning Group – see below) and local employers and developers)

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The South Derbyshire Clinical Commissioning Group no longer exists. Ashbourne is now covered by the Derby and Derbyshire Clinical Commissioning Group, and the reference (and any other references throughout the Plan) should be amended accordingly.

Section 2 Ashbourne's Neighbourhood Plan

The Neighbourhood Area

Paragraph 2.5 (a full stop, not a comma between the numerals)

The ANP rightfully notes that the Derbyshire Dales Local Plan includes an extension of the Ashbourne settlement framework boundary and in turn includes both phases of the proposed development of the Ashbourne Airfield site and that this site will make provision for a significant proportion of future housing and employment growth in the town.

In this context, DCC would reiterate its comments on the Pre-Submission version of the ANP that is unfortunate that the Neighbourhood Plan's boundary is limited to the Ashbourne parish and thus covers only part of the proposed Airfield development site. Given the scale of development proposed in the Derbyshire Dales Local Plan for Ashbourne, it would have been beneficial to have had one large Neighbourhood Plan spanning the relevant parishes. It is also unfortunate that discussions with neighbouring

parishes have led to the decision that Ashbourne Town Council should pursue the Neighbourhood Plan on its own, with the obvious outcome being that a significant portion of the Airfield site falls outside the ANP's remit, despite having a material impact on Ashbourne and its services (but see comments on Policy EMP1 below).

Section 3: Community and Stakeholder Engagement

This section sets out an analysis of 'Strengths', 'Weaknesses', 'Opportunities' and 'Threats'. In its comments on the previous iteration of the ANP, DCC expressed concern with a statement that had been included in the section on 'Weaknesses' which stated that "*Proposed new housing developments to date are often in the wrong place outside the preferred housing development sites in the emerging Local Plan*". Both DCC and DDDC raised concern at this statement as it was considered not to be an accurate reflection of how housing development has come forward in recent years in Ashbourne. It is welcomed that this statement has now been removed in the new version of the Plan.

Section 4: Key Evidence and Data (it is titled 'Evidence and Key Data' in the 'Contents' page)

Distinctive views and vistas

Paragraph 4.9

The aerial photograph shown provides an excellent topographic view of Ashbourne. However, a 'North' arrow should be included in order to orientate the view and link the photograph to the preceding and subsequent text.

Education

Paragraphs 4.24 – 4.30

Any plans for works at the schools should reflect the needs created by additional housing in the area. To that end, this section may require revision in light of any changes proposed by the Education Authority.

DCC would also suggest removing the word 'now' from line 4 of paragraph 4.30 to avoid the impression that it has not released Section 106 monies in the past.

Sections 4 and 5 Ashbourne Town Centre

The justification in Section 4 and the related policy approach in Section 5 to Ashbourne town centre is fully supported and is compatible with the key aims of the National Planning Policy Framework (NPPF) and the Local Plan for maintaining and enhancing the vitality and viability of town centres, particularly the 'town centre first' sequential approach to development, which is appropriately reflected in Policy ATC1 – Ashbourne Town Centre.

Whilst it is welcomed that the policy sets out a locally specific threshold of 200 square metres above which an assessment should be provided of the impact of any retail development proposals on Ashbourne town centre in accordance with the paragraph 26 of the NPPF, this is at odds with the threshold set out in Policy EC6 of the Adopted Local Plan of 300 square metres. This could cause confusion for prospective applicants for retail proposals within Ashbourne as to which threshold should apply to their planning application proposals.

Similarly, DCC would reiterate its concerns made on the Pre-Submission version of the ANP in respect of Policy ATC1 and the supporting plan on page 52 that the extent of the 'defined' town centre as shown on the plan is much broader than that of the town centre that is defined in the Adopted Derbyshire Dales Local Plan. There does not appear to be any justification for this broader definition of the town centre boundary in the ANP, and DCC's main concern is that this might lead to confusion and a different interpretation of

policies towards Ashbourne town centre contained in both plans. This discrepancy should be clarified in the ANP.

Policy ATC1 – Ashbourne Town Centre

Paragraph 5.49

This policy seeks to restrict out of town centre retail, which supports businesses and the viability/vibrancy of the town centre. The second part of the policy (paragraph 5.50) adds some caveats to allow smaller shops, but the reasoning for this should be made clear in the supporting text. Allowing shops, but limiting their floor space in the outlying areas, may reduce short car journeys into the town centre, with associated parking issues.

Paragraph 4.37

DCC welcomes the inclusion of a plan showing the two phases of the Ashbourne Airfield development. However, the adjacent explanatory text 'Map showing the extent of the NP area and Ashbourne Airfield Allocations Phase One and Two' fails to identify the Neighbourhood Plan area in relation to the Airfield allocations.

Walking and Cycling

Paragraph 4.56

The document referred to (the Department for Transport's draft Cycling and Walking Plan (2015) is almost out of date. The government's latest cycling and walking plan for England, 'Gear Change: A bold vision for cycling and walking' (published 27 July 2020) would be a more pertinent reference, and its implications should be included in the Plan.

Sections 4 and 5 Employment

Although the policy approach to employment is generally supported, the main concern relates to the issue about a masterplan for Ashbourne airfield (see below).

Policy EMP1 – Ashbourne Airfield

Paragraph 5.32

It is welcomed that a masterplan should be developed to ensure that all phases of the development are coherent. However, although the Plan repeatedly notes that it cannot set policy for areas outside of its boundary, Policy EMP1 appears to do just that because it requires a masterplan for the whole site. The policy is also unclear and reads as though it is applicable to the whole airfield site.

Indeed, Policy EMP1 deals primarily with land outside the Neighbourhood Area as all but a small part of the potential development site is not within the Plan area itself. This might therefore better be a statement of aims, to work with/negotiate with DDDC and the developers regarding a master plan and that this is included in Section 6: Implementation and Community Action. General issues regarding the small section within the Plan area could be addressed in an additional, more general, employment land policy.

Bullet point 2 should include cycling access.

Sections 4 and 5 Housing

The policy approach to housing provision in the ANP is supported as it supports the strategic housing objectives in the Derbyshire Dales Local Plan and sustainable development that meets the needs of the community. The approach is well informed by supporting evidence particularly the Ashbourne Housing Needs Assessment produced by AECOM in June 2016, and appropriately identifies as a priority the need to provide for housing for young people to get on the housing ladder and for older people wishing to downsize.

Section 5: Neighbourhood Plan Policies

Housing

Policy HOU1 – Housing Mix

Policy HOU1 – Housing Mix, makes no reference to windfall and infill sites. DCC would suggest that the policy should include reference to Low Emission Vehicle Infrastructure (LEVI) requirements/minimum standards.

Design

Policy DC1 – Design and Place-Making (upper case ‘P’)

Paragraph 5.68

It is not clear how this is a policy, and appears to be more of a discussion point. DCC would like to see this as a clear policy for all buildings.

Renewable Energy & Low Carbon Energy Technologies

Paragraphs 5.69 – 5.77

The ‘Renewable Energy and Low-Carbon Energy Technologies’, and ‘Dark Skies’ topics have a ‘Purpose and ‘Rationale’ whilst ‘Ultra-Low Vehicle Emission Infrastructure’ (which should be referred to as ‘Ultra-Low Emission Vehicle Infrastructure’ or ULEV) only has a ‘Rationale’, but none of the topics has a policy to accompany it. Each of them is important and worthy of a specific policy. Paragraph 5.71 reads like a policy but is not identified as such.

DCC is pleased to see a clear purpose and rationale for renewable energy and low-carbon technologies, although there is no reference to climate change and the need to reduce greenhouse gas emissions. The purpose and rationale are also not translated into policy as ‘Policy DES1 – Design’ has no reference to the reduction of greenhouse gas emissions through the inclusion of renewable energy and energy efficiency measures in new developments. These should be explicitly included. In addition, DCC would also like to see a reference to the provision of electric vehicle charging points in all new developments.

‘Design’ and ‘Dark Skies’ seem to have been rolled into Policy DES1 - Design, although the policy does not cover all the omitted topics, e.g. renewables. This is a significant omission. The policy incorporates a bullet point about light pollution but omits reference to Low-Emission Vehicle Infrastructure (LEVI). This approach, of rolling policies into one, is inconsistently applied and makes the Plan less clear and more open to interpretation.

The Dark Skies ‘Purpose’ refers to ‘sensitive lighting design... specifically in the town centre’. This should apply to all locations and arguably is more important in areas away from town centres – to preserve areas of relative darkness. This view is supported in the final bullet point of the ‘Rationale’.

Sections 4 and 5 Highways and Transport

In its comments on the Pre-Submission version of the Plan, DCC expressed concern about the general approach that had been taken to ‘transport(ation)’. DCC welcomes the fact that its concerns have largely been addressed in this version.

Policy TRA1 – Transport

The policy omits any reference to LEVI although preceded by a ‘Rationale’ on that topic which states that the ANP recognises its importance and the need for the Plan to cater for it [LEVI and electric vehicles]. This is a significant omission.

Ashbourne By-Pass

There are various references throughout the ANP to proposals for an Ashbourne bypass (paragraphs 4.48, 4.49, 5.86, 6.5 and 6.6). It is welcomed that DCC’s comments on the Pre-Submission version of the ANP relating to proposals for an Ashbourne bypass have been taken into account, particularly the need to clarify the policy status of the bypass set out in the Adopted Derbyshire Dales Local Plan under Policy S8 part d) which states that the plan “*supports the principle of a second bypass to connect the A52 west of the town with the A515 to the north should funding opportunities arise*”. It is also welcomed that DCC’s position on the principle of a proposed bypass is also now appropriately reflected in paragraph 4.50 as stated below:

The Derbyshire County Council has also maintained ‘in principle’ support for a north-south by-pass for a number of years, and in June 2017 recommended four actions to take this further:

- □ *The carrying out of Stage 1 (option appraisal development) work on a possible A515 Ashbourne Bypass (as set out in their report);*
- □ *To procure consultants to help develop proposals and options;*
- □ *To initiate a programme of local stakeholder engagement, including local businesses, residents and Members of Parliament; and*
- □ *For Cabinet to receive a further report on its completion recommending the next steps.*

The current position on proposals for a bypass is that it is proposed that a renewed assessment of options will be the subject of a consultation exercise by DCC in the very near future (during 2020) and that this may result in a recommendation to DCC’s Cabinet in 2021 on the selection of a ‘preferred route’. A preferred route will be further developed so that it can be submitted for planning approval and for any available grant funding. Whilst any route selected will still be the subject of detailed consideration against design standards, it will at this point become possible to identify the specific areas of land over which it will pass.

In the context of the above, it is welcomed and supported that the ANP includes the statement in paragraph 6.6 that:

‘The Town Council will work with the Highways Authority, Derbyshire Dales District Council, landowners, developers, and the local community as and when a preferred route is defined, and will assist as needed in investigating public and private funding opportunities with the Enterprise Partnership, D2N2’.

Community Facilities

Policy COM1 – Community Facilities

Paragraph 5.100

The paragraph number and reference should be updated to reflect the latest version of the National Planning Policy Framework (NPPF), February 2019. Other references in the Plan to the NPPF should also be updated.

Paragraph 5.104

Bullet point 3, 'the proposals comply with the relevant planning conditions identified within the Neighbourhood plan'. DCC would suggest that this should read 'relevant planning **policies** within the Neighbourhood Plan' (upper case 'P')

Local Green SpacesParagraph 5.108

Whilst one tree probably does remove at least 11Kg of carbon dioxide from the atmosphere annually, this is only the equivalent of driving around 40 miles, not the 11,000 miles stated in the Neighbourhood Plan! The link provided no longer works. This, therefore, needs amendment.

Policy COM2 – Local Green Space

The policy recognises the importance of 'Local Green Spaces' and states that consent may be granted for development on such areas of land with caveats, but fails to require that compensatory provision or improvement should be provided. DCC would suggest that the policy should be amended accordingly.

OmissionsBiodiversity

There is no policy reference to biodiversity in either the 'Housing' or 'Local Green Space' policies, nor is there a plan of key natural assets as is frequently found in other plans. These are significant omissions and may weaken, or at least fail to strengthen, the protection of some of the town's most important natural assets.

Tourism

Having stated in the 'Introduction and Context', 'Vision and Aims', that tourism is important and that ideally, tourists should be encouraged to stay longer in the town to increase footfall rather than passing through en-route to the Peaks, yet there is no policy that seeks to support tourism development. This should be rectified.

DCC would be grateful if you would notify it of Derbyshire Dales District Council's decision on whether or not to accept the Examiner's recommendation, and future plan progress.

Please contact me if you wish to discuss the comments further.

Yours sincerely

David M Dale



David M Dale

Policy and Monitoring and LA lead: CLIP: Planning Sub-group