

Examination into the Derbyshire Dales Local Plan

SCHEDULE OF MAIN MODIFICATIONS

July 2017

This schedule includes all 'main modifications' to the Derbyshire Dales Pre-Submission Draft Local Plan (August 2016) (Examination Library ref. SD01) that the Local Plan inspector considers necessary to rectify matters of soundness and/or legal compliance.

Main modifications are proposed without prejudice to the Inspector's final conclusions on the Local Plan which will be informed by all representations submitted in response to this consultation.

The general expectation is that issues raised during this consultation on the main modifications will be considered through the written representations process and further hearing sessions will only be scheduled exceptionally. However, respondents should indicate whether they would wish to be heard should the Inspector decide that further hearing sessions are necessary.

Each modification has a unique reference number shown in the left-hand column of the schedule. All main modifications are listed together in Plan order to make it easier to read them alongside the Derbyshire Dales Local Pre-Submission Draft Local Plan (August 2016). This schedule should also be read alongside the Schedule of Additional Modifications (Examination Library ref.x), Derbyshire Dales Local Plan – Schedule of Modifications to the Policies Map and Diagrams document (Examination Library ref. x) and Sustainability Appraisal of the Main Modifications to the Local Plan (Examination Library ref. x)

The modifications are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*. The page numbers and paragraph numbering refer to the Derbyshire Dales Pre-Submission Draft Local Plan (August 2016).

Representations should be submitted to the District Council via the online consultation form, or by email or post using the details given below. Representations on the main modifications should specify the modification number.

Email: localplan@derbyshiredales.gov.uk

Post: Planning Policy Section, Derbyshire Dales District Council, Town Hall, Matlock, Derbyshire, DE4 3NN

The deadline for the receipt of comments is the 14th August 2017

More detail and information is provided in the Statement of Representations Procedure. Additional guidance is also provided at the venues and website listed above.

Value of the Derwent Valley Mills World Heritage Site and is in accordance with the Management Plan.

- ~~• Conserving, managing and enhancing the character and appearance of Conservation Area including the historic market towns of Ashbourne, Matlock and Wirksworth.~~
- The District Council taking proactive action in order to secure Encouraging the repair and reuse of heritage assets 'at risk'.
- Preventing substantial harm to, or total loss of significance of, a designated heritage asset including the loss of buildings and features which make a positive contribution to the character or heritage of an area through preservation or appropriate reuse and sensitive development, including enabling development, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or other relevant provisions of the NPPF.
- Ensuring that development within areas that ~~Where proposals~~ are likely to affect other known important sites, sites of significant archaeological potential, or those that become known through the development process are accompanied by an archaeological evaluation. Planning conditions and/or obligations will be agreed to ensure that, wherever possible, archaeological or heritage features are recorded and retained intact/in situ. Where this is impractical, based on compelling and justifiable reasons, such features will be appropriately excavated and recorded prior to removal or relocation. will be required prior to their determination or, where applicable, as a condition on any approval.
- Requiring proposed developments that affect a heritage asset and / or its setting, including alterations and extensions to existing buildings, to demonstrate how the proposal has taken account of design, form, scale, mass, the use of appropriate materials and detailing, ~~and~~ siting and views away from and towards the heritage asset in order to ensure that the design is holistic, sympathetic and minimises harm to the asset.
- ~~• Requiring proposals for the change of use of heritage assets, including listed buildings and buildings in Conservation Areas to demonstrate that the proposal is considered to be the optimum sustainable and viable use that involves the least change to the fabric, interior and setting of the building.~~
- Requiring development proposals in Conservation Areas to demonstrate how the proposal has taken account of the local distinctive character and setting of the individual Conservation Areas ~~(in accordance with Character Appraisals where appropriate)~~ including open spaces and natural features and how this the proposed development has been reflected in the layout, design, form, scale, mass, ~~the use of appropriate~~

~~materials and detailing, and siting and views away from and towards the heritage asset in accordance with Character Appraisals where appropriate in order to ensure that the design proposals make a significant contribution which is sympathetic and minimises harm to the significance of the asset.~~

- Requiring the retention of shop-fronts of architectural or historical value wherever possible. Proposals for replacement shop-fronts, signage and colour, or alterations to shop-fronts affecting heritage assets should respect the character, appearance, scale, proportion and special interest of the host building and its setting.
- Continuing the District Council's programme of Conservation Area Character Appraisals.
- Reviewing, updating and introducing where appropriate, Article 4 Directions to control permitted development in Conservation Areas.
- Encouraging and where possible, supporting owners or occupiers of historic commercial buildings to improve and enhance their shop-fronts, windows, doors and signage in a traditional and sympathetic manner.
- ~~• Ensuring that development within areas or sites of archaeological interest do not have a significant adverse impact on any known or yet to be discovered heritage assets. Planning conditions and/or obligations will be agreed to ensure that, wherever possible, archaeological or heritage features are recorded and retained intact/in situ. Where this is impractical, based on compelling and justifiable reasons, such features will be appropriately excavated and recorded prior to removal or relocation.~~

~~Proposals for Enabling Development adjacent to or within the setting of a heritage asset and used to fund the repair, conservation, restoration or enhancement of a heritage asset will only be permitted where:~~

- ~~• It will not materially harm the heritage values of the asset or its setting;~~
- ~~• It avoids detrimental fragmentation of management of the heritage asset;~~
- ~~• It will secure the long term future of the heritage asset and, where applicable, its continued use for a sympathetic purpose;~~
- ~~• It is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstance of the present owner, or the purchase price paid;~~
- ~~• Sufficient subsidy is not available from any other source;~~
- ~~• It can be demonstrated that the amount of enabling development is the minimum necessary to secure the future~~

			<p>of the asset, and that its form minimises harm to other public interests;</p> <ul style="list-style-type: none"> • The public benefit of securing the future of the heritage asset through such enabling development decisively outweighs any dis-benefits.
MM21	60	PD3	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY PD3: Biodiversity and the Natural Environment</p> <p>The District Council will seek to protect, manage, and where possible enhance the biodiversity and geological resources of the Plan Area and its surroundings by ensuring that development proposals will not result in harm to biodiversity or geodiversity interests and by taking full account of the following hierarchy of protected sites:</p> <ol style="list-style-type: none"> Internationally important sites including existing, candidate or proposed Special Protection Areas and Special Areas of Conservation; Nationally important sites including Sites of Special Scientific Interest and National Nature Reserves; Locally important sites including Local Wildlife and Geological Sites, Local Nature Reserves, Ancient Woodlands, County Geological Sites, and Priority Habitats identified in the Derbyshire Biodiversity Action Plan; and The network of ecological networks that link biodiversity areas, including areas identified for habitat restoration and creation. <u>Encouraging the protection and recovery of priority species linked to national and local targets.</u> <p>This will be achieved by:</p> <ul style="list-style-type: none"> Conserving and enhancing sites of international and European and national importance. The District Council will not permit any development proposals that have an adverse effect on the integrity of a European site (or wildlife site given the same protection as European sites under the NPPF) either alone or in combination with other plans or projects. Conserving and enhancing any Sites of Special Scientific Interest. The District Council will not <u>normally</u> permit any development proposal which would directly or indirectly (either individually or in combination with other developments) have an adverse effect on a Site of Special Scientific Interest. Conserving and enhancing regionally and locally designated sites. The District Council will not permit any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests, unless it can be demonstrated that:

			<ul style="list-style-type: none"> • <u>Conserving and enhancing regionally and locally designated sites.</u> • <u>Not permitting any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests, unless it can be demonstrated that:</u> <ol style="list-style-type: none"> a) there is no appropriate alternative site available; and b) all statutory and regulatory requirements relating to any such proposal have been satisfied; and c) appropriate conservation and mitigation measures are provided, such mitigation measures should ensure as a minimum no net loss and wherever possible net gain for biodiversity; or if it is demonstrated that this is not possible; the need for, and benefit of, the development is demonstrated to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site and compensatory measures are implemented • Encouraging development to include measures to contribute positively to the overall biodiversity of the Plan Area to ensure there is a net overall gain to biodiversity. • Working with partners <u>including the Peak District Local Nature Partnership and the Lowland Derbyshire and Nottinghamshire Local Nature Partnership</u> to help meet the objectives and targets in the Peak District Biodiversity Action Plan, <u>or its successor plan.</u> and the Peak District Local Nature Partnership • Working with partners to protect and enhance watercourses. • Identifying local ecological networks and supporting their establishment and protection preferentially creating biodiversity sites where they have the potential to develop corridors between habitats (both terrestrial and freshwater). • Working with partners in the public, private and voluntary sectors to develop and secure the implementation of projects to enhance the landscape and create or restore habitats of nature conservation value, and to secure the more effective management of land in the Plan Area and its surroundings.
MM22	70	PD5	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY PD5: Landscape Character</p> <p>The District Council will seek to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area.</p> <p>This will be achieved by:</p> <ul style="list-style-type: none"> • Requiring that development has particular regard to

			<p>maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers or other topographical features.</p> <ul style="list-style-type: none"> • Requiring that development proposals are informed by, and are sympathetic to the distinctive landscape character areas as identified in ‘The Landscape Character of Derbyshire’ and ‘Landscape Character of the Derbyshire Dales’ assessments and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures. • Requiring that development proposals <u>recognise the intrinsic character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park and can be accommodated without unacceptable impact.</u> • Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement as identified in the Landscape Impact Assessment <p>Development will only be permitted if all the following criteria are met:</p> <ol style="list-style-type: none"> a) The location, materials, scale and use are sympathetic and complement the landscape character. b) Natural features including trees, hedgerows and water features that contribute to the landscape character and setting of the development should be both retained and managed appropriately in the future. c) Opportunities for appropriate landscaping will be sought alongside all new development, such that landscape type key characteristics are strengthened.
MM23	71	PD6	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY PD6: Trees, Hedgerows and Woodlands</p> <p>Development should seek where appropriate to enhance and expand the District’s tree and woodland resource.</p> <p>Planning permission will be refused for development resulting in the loss or deterioration of ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.</p>

			<p>Development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of protected trees, hedgerows, orchards or woodland (including those that are not protected but are considered to be worthy of protection) will <u>only not</u> be permitted <u>where adequate replacement provision is proposed utilising indigenous tree species that are in sympathy with the locality and the site.</u></p> <p>Where the loss of trees is considered acceptable, adequate replacement provision will be required that utilise species that are in sympathy with the character of the existing tree species in the locality and the site.</p>
MM24	73	PD7	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY PD7: Climate Change</p> <p>In addressing the move to a low carbon future for the Derbyshire Dales, the District Council will promote a development strategy that seeks to mitigate global warming, adapts to climate change and respects our environmental limits.</p> <p>This will be achieved by:</p> <ul style="list-style-type: none"> • Requiring new development to be designed to contribute to achieving national targets to reduce greenhouse gas emissions by using land-form, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and resilience to increased temperatures • Supporting the generation of energy from renewable or low-carbon sources provided that the installation would not have significant adverse impact (either alone or cumulatively). • Ensuring that renewable energy installations <u>minimise any do not have an</u> adverse impact on the landscape and landscape setting of the Peak District National Park and that any wind turbine developments demonstrate that they will not have any adverse effect on the integrity of any European sites (including project-level HRA where appropriate), wildlife sites, protected species or habitats, • Supporting developments that avoid (where possible) flood risk and minimise and mitigate against future flood risk and which protects and enhances the quality of the District's surface and groundwater. • Promoting the use of sustainable design and construction techniques (including flood resistance/resilient measures) • Ensuring that renewable / low carbon energy generation

			<p>developments and associated infrastructure are supported by requiring Design Statements to include an assessment of how any impacts on the environment and heritage assets, including cumulative landscape, noise and visual impacts, can be avoided and/or mitigated through careful consideration of location, scale, design and other measures</p> <ul style="list-style-type: none"> • Securing energy efficiency through building design. • Unless it can be demonstrated that it would not be technically feasible or financially viable, requiring commercial developments over 1000m² to be designed to achieve Building Research Establishment Environmental Assessment Method (BREEAM) <u>very</u> good standard as a minimum. Pre-assessment (design stage) certificates will be required to be submitted accordingly. • Supporting a pattern of development that facilitates the use of sustainable modes of transport. • Promoting energy and water efficiency and the use of renewable / low carbon energy in new development and through retro-fitting or refurbishment of existing buildings. • Supporting sustainable waste management by provision of space for recycling and composting. • Supporting the re-use of buildings wherever possible and desirable to do so. • Supporting the use of sustainable design and construction techniques including the re- use of buildings, use of recycled materials in construction, including where appropriate the local or on-site sourcing of these building materials. • Encouraging the use of green infrastructure to help mitigate the effects of climate change and ensure climate change adaptation and resilience • Supporting development that promotes water efficiency measures and incorporates water conservation techniques, including rainwater harvesting and grey water recycling. <p>Where renewable/low carbon energy development accords with any of the principles listed above, proposals should demonstrate:</p> <ol style="list-style-type: none"> a) The impact of the scheme, together with any cumulative impact (including associated transmission lines, buildings and access roads), on landscape character, visual amenity, water quality and flood risk, the historic environment and heritage assets as well as their setting and biodiversity. b) Evidence that the scheme has been designed and sited to minimise any adverse impact on the surrounding area for its effective operation. c) The nature and extent of any adverse impact on users and
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			<p>residents of the local area, including shadow flicker, air quality and noise.</p> <p>d) The direct benefits to the area and local community.</p> <p>Where appropriate, provision should be made for the removal of the facilities and reinstatement of the site should it cease to be operational.</p> <p>In all cases development will need to demonstrate how any significant adverse impacts on acknowledged biodiversity interests (and the habitats that support them) will be adequately mitigated.</p> <p>The Council will encourage the provision of small scale renewable energy developments utilising technology such as hydro installations, solar panels, biomass and wood fuel heating, small scale wind turbines and photovoltaic cells.</p> <p>Community renewable energy schemes will be particularly welcomed where they comply with this policy.</p>
MM25	76	PD8	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY PD8: Flood Risk Management and Water Quality</p> <p>The District Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere, where this is viable and compatible with other policies aimed at achieving a sustainable pattern of development.</p> <p>When considering planning applications, the District Council will have regard to the ‘Humber Flood Risk Management Plan’, the ‘Humber River Basin Management Plan’ and the Local Flood Risk Management Strategy, all relevant Catchment Flood Management Plans and the Local Flood Risk Management Strategy.</p> <p>Development will be supported where it is demonstrated that there is no deterioration in ecological status in line with the Water Framework Directive, either directly through pollution of surface or groundwater or indirectly through pollution of surface or groundwater or indirectly through overloading of the sewerage system and Wastewater Treatment Works.</p> <p>Management of flood risk will be achieved by only permitting development within areas at risk from flooding as defined by the Environment Agency if:</p> <p>a) a sequential test as set out in the ‘National Planning Practice</p>

			<p>Guidance' to the NPPF and in accordance with the updated 'Derbyshire Dales Strategic Flood Risk Assessment' demonstrates that this is the only site where the development can be located;</p> <p>b) <u>the development is</u> on a site which has passed the sequential test but where flood risk still exists, the sequential approach has been used to locate the most vulnerable parts of the development in the areas of lowest flood risk;</p> <p>c) where necessary an 'Exception Test' as set out in the 'National Planning Practice Guidance' to the NPPF demonstrates that the proposed development can be accommodated with an acceptable degree of safety;</p> <p>d) a site specific flood risk assessment shows that the site is protected adequately from flooding, or the scheme includes adequate flood defences or flood risk management measures and takes account of the predicted impact of climate change;</p> <p>e) it does not damage or inhibit access to watercourses for maintenance or existing flood defence and flood risk management structures or measures; and</p> <p>f) it will not cause or worsen flooding on the site or elsewhere, and will reduce flood risk elsewhere where possible.</p> <p>Where development accords with the principles listed above, it will only be permitted if:</p> <ul style="list-style-type: none"> • It conserves and enhances the ecological flood storage value of the water environment, including watercourse corridors. • It opens up any culverted watercourse and/or removes all redundant structures within the watercourse (such as weirs, outfalls, and bridge abutments) where safe and practicable to reduce flood risk, provide flood plain storage, create a wildlife and/or green access corridor. • It improves flood risk and water efficiency through incorporating appropriate water conservation techniques including rainwater harvesting and grey water recycling. • It discharges surface run-off sustainably, giving preference to the use of Sustainable Drainage Systems having regard to the surface water disposal hierarchy, listed in order of priority: <ol style="list-style-type: none"> a) into the ground (infiltration); or where not reasonably practicable b) into a surface water body; or where not reasonably practicable c) to a surface water sewer, highway drain, or other drainage system; or where not reasonably practicable d) to a combined sewer. • It uses the natural environment including woods and trees to deliver sustainable solutions.
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			<p>It connects waste water to the main foul sewer network where possible.</p> <p>New developments shall incorporate appropriate Sustainable Drainage Measures (SuDs) in accordance with National Standards for Sustainable Drainage Systems. This should be informed by specific catchment and ground characteristics, and will require the early consideration of a wide range of issues relating to the management, long term adoption and maintenance of SuDs. In considering SuDs solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. SuDs schemes will require the approval of the SuDS approval body for the area.</p> <p>Wherever possible SuDS will be expected to contribute towards wider sustainability considerations, including amenity, recreation, conservation of biodiversity and landscape character, making use of the role that trees, woodland and other green infrastructure can play in flood alleviation and water quality control.</p> <p>For developments in areas with known surface water flooding issues, appropriate mitigation and construction methods will be required. Applications and proposals which relate specifically to reducing the risk of flooding (e.g. defence / alleviation work, retro-fitting of existing development, off site detention /retention basins for catchment wide interventions) will be encouraged.</p> <p>New development in areas with known ground and surface water flooding issues will seek to provide betterment in flood storage and to remove obstructions to flood flow routes where appropriate.</p>
MM26	Policies Map	PD10	<i>Revisions to Matlock to Darley Dale A6 Corridor open spaces as per Policies Map Modification PM11</i>
MM27	80	HC1	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC1: Location of Housing Development</p> <p>The District Council will ensure provision is made for housing, taking into account all other policies in this Local Plan by:</p> <ul style="list-style-type: none"> • Supporting the development of specific sites through new site allocations in the Local <u>Plan</u> or a Neighbourhood Plan. • Promoting the effective reuse of land by encouraging housing development including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose.

			<ul style="list-style-type: none"> • Supporting housing development on unallocated sites in accordance with the defined Settlement Hierarchy (<u>Policy S3</u>). • Encouraging the inclusion of housing in mixed use schemes where housing can be accommodated in an acceptable manner without compromising other planning objectives. • Supporting development identified through a Community Right to Build Order. • Supporting self-build housing schemes where there is an identified need. • Supporting development promoted through a Community Land Trust. <p>The Council will monitor actual and forecast provision through the Monitoring Report and its housing trajectory to ensure that there is a 5 year supply of deliverable housing sites against the housing requirement in the Local Plan. <u>In circumstances where there is no 5 year supply, the Council will give consideration to approving development on non-allocated sites on the edge of first, second and third tier settlements (Policies S3 and S5) subject to there being no material conflict with other policies in the Local Plan and in accordance with the provisions of the NPPF.</u></p> <p>If necessary <u>the indicators outlined in the Housing Implementation Strategy demonstrate that there is persistent under delivery against the housing requirements of the plan area,</u> the District Council will review the Local Plan to bring forward additional sites for housing.</p>																														
MM28	81	HC2	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC2: Housing Land Allocations</p> <p>The following sites <u>as identified on the Policies Map</u> will be allocated for housing or mixed use development. The District Council will work with developers and the local community to bring forward sustainable developments in accordance with the other policies in the Local Plan.</p> <table border="1"> <thead> <tr> <th>Reference</th> <th>Location</th> <th>Settlement</th> <th>Site Area</th> <th>No. of Dwellings</th> </tr> </thead> <tbody> <tr> <td>HC2(a)</td> <td>Land at Lathkill Drive</td> <td>Ashbourne</td> <td>1.93</td> <td><u>0 (35)</u></td> </tr> <tr> <td>HC2(b)</td> <td>Former Mirage Hotel, Derby Road</td> <td>Ashbourne</td> <td>0.41</td> <td>20</td> </tr> <tr> <td>HC2(c)</td> <td>Land at Ashbourne Airfield*</td> <td>Ashbourne</td> <td>49.93</td> <td>1100*</td> </tr> <tr> <td>HC2(d)</td> <td>Land off Cavendish Drive</td> <td>Ashbourne</td> <td>1.22</td> <td>28</td> </tr> <tr> <td>HC2(e)</td> <td>Land to North of</td> <td>Brailsford</td> <td>1.86</td> <td>32</td> </tr> </tbody> </table>	Reference	Location	Settlement	Site Area	No. of Dwellings	HC2(a)	Land at Lathkill Drive	Ashbourne	1.93	<u>0 (35)</u>	HC2(b)	Former Mirage Hotel, Derby Road	Ashbourne	0.41	20	HC2(c)	Land at Ashbourne Airfield*	Ashbourne	49.93	1100*	HC2(d)	Land off Cavendish Drive	Ashbourne	1.22	28	HC2(e)	Land to North of	Brailsford	1.86	32
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HC2(f)	Land off Luke Lane	Brailsford	1.23	<u>0 (35)</u>
HC2(g)	Land at Luke Lane / Mercaston Lane	Brailsford	1.51	<u>0 (47)</u>
HC2(h)	Land at Old Hackney Lane	Darley Dale	1.68	57
HC2(i)	Land off Old Hackney Lane	Darley Dale	0.49	10 <u>9</u>
HC2(j)	Land to the rear of RBS	Darley Dale	4.41	143 <u>135</u>
HC2(k)	Land off Normanhurst Park	Darley Dale	1.70	24 <u>20</u>
HC2(l)	Land at Stancliffe Quarry	Darley Dale	10.16	100
HC2(m)	Land at Cavendish Cottage	Doveridge	1.89	<u>0 (46)</u>
HC2(n)	Land at Derby Road/ Hall Drive	Doveridge	5.65	<u>0 (85)</u>
HC2(o)	Land at Marston Lane	Doveridge	1.29	18
HC2(p)	Land off Wheeldon Way	Hulland Ward	2.12	<u>0 (48)</u>
HC2(q)	Land East of Ardennes	Hulland Ward	0.88	<u>0 (18)</u>
HC2(r)	Land off A517 and Dog Lane	Hulland Ward	1.68	<u>0 (33)</u>
<u>HC2(cc)</u>	<u>Land at Cawdor Quarry</u>	<u>Matlock</u>	<u>26.65</u>	<u>0 (432)</u>
HC2(s)	Land at RBS, Matlock	Matlock	0.35	24
HC2(t)	Land at Halldale Quarry	Matlock	27.00	<u>0 (220)</u>
HC2(u)	Land off Pinewood Road & Gritstone Road	Matlock	24.16	430
HC2(v)	Land to the north of Porter Lane, East of Main Street	Middleton By Wirksworth	1.53	45
HC2(w)	Former Permanite Works, West of Cawdor Quarry	South Darley	1.79	50
HC2(x)	Land at Thatchers Croft	Tansley	0.66	<u>0 (19)</u>
HC2(y)	Whitelea Nursery	Tansley	1.03	27
HC2(z)	Land at Tansley House Gardens	Tansley	2.20	50 <u>0 (49)</u>
HC2(aa)	Land at Middleton Road	Wirksworth	9.46	126 <u>150</u>
HC2(bb)	Land at Middlepeak Quarry	Wirksworth	62.0	645**
TOTAL PROVISION ON ALLOCATED SITES				3515 <u>2890</u>
*Development at this site will extend beyond 2033. Assumed completion of circa 800 <u>950</u> dwellings 2017-2033				
**Development at this site will extend beyond 2033. Assumed completion of circa 540				

			<p><u>dwelling</u>s 2017-2033.</p> <p>Sites with 0 in the number of dwellings column had planning permission for housing development upon publication of the main modifications to the Local Plan. A zero figure is specified to avoid double counting in the housing land phasing schedule where the number of dwellings with planning consent is stated separately. In the event that these permissions lapse, indicative housing capacity figures for these sites are provided in brackets and in the corresponding Strategic Development Site Policies in Chapter 9.</p>
MM29	83	HC3	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC3: Self-Build Housing Provision</p> <p>Where there is a proven <u>demand</u> need for self-build housing provision as demonstrated by the Council’s Self-Build Housing Register, developers will be encouraged to make provision for small builders or individuals or groups who wish to custom build their own home as part of all housing allocations included within this Local Plan. In determining the nature and scale of provision, <u>the District Council will</u> developers should have regard to considerations of viability and site specific circumstances.</p>
MM30	83	6.8	<p><i>Amend paragraph as follows:</i></p> <p>The Local Plan, Strategic Housing Land Availability & Community Infrastructure Levy Viability Study (September 2015) tested the potential viability of 8 different residential site typologies across 3 different value areas. The study concluded that in the high and medium value areas that delivering 45% and 33% affordable housing would not have any undue impact upon the potential to introduce the Community Infrastructure Levy (CIL) but by reducing the policy requirement for the provision of affordable housing to 30% the potential introduction of CIL across the whole of plan area does not undermine development viability. Given the benefits that the provision of additional community infrastructure will have on the plan area it is considered appropriate to seek 30% provision of all new residential development as affordable housing on sites of 10 <u>11</u> dwellings or more.</p>
	84	HC4	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC4: Affordable Housing</p> <p>The District Council will seek to maximise the delivery of affordable housing across the plan area by working in partnership with the Homes and Community Agency, Registered Providers, Developers and Local Communities.</p> <p>In order to address the significant need for affordable housing across</p>

			<p>the plan area, all residential developments of 10 <u>11</u> dwellings or more or with a combined floorspace of more than 1000 square metres should provide at least 30% of the net dwellings proposed as affordable housing.</p> <p>The affordable housing provision should be in the form of 80% social <u>and affordable</u> rented accommodation with the balance being provided as intermediate housing or discount starter homes. These proportions may be varied in light of individual site circumstances and local considerations with the agreement of the District Council.</p> <p>Where the proposed provision of affordable housing is below the requirements set out above, the District Council will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision.</p> <p>Affordable housing provision should normally be provided in the form of completed dwellings, <u>designed as an integral part of</u> within the development site itself and in perpetuity. In exceptional cases, the Council may allow provision of affordable housing off-site or by means of a financial contribution of equivalent value or through the provision of serviced land or a combination thereof.</p>
MM31	85	HC5	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC5: Meeting Local Affordable Housing Need (Exception Sites)</p> <p>In exceptional circumstances, planning permission will be granted for affordable housing on sites that would not normally be released for housing development <u>subject to the following:</u></p> <p>The District Council will meet local affordable housing needs, where:</p> <ul style="list-style-type: none"> a) the Council is satisfied that the development is of a size, and type <u>and tenure</u> which can be justified by evidence of need from a local housing needs survey which cannot be readily met elsewhere in the locality, for the number and type of housing proposed; b) the scale is in keeping with the settlement’s setting and its role in the settlement hierarchy; c) the site is considered to be the most suitable to meet the identified need; d) the site is accessible to a range of local facilities and services; e) it is not subject to any other over-riding environmental or other material planning constraints; f) unless the housing consists of discounted starter homes, appropriate legal agreements are secured in order to ensure that such dwellings will remain available as affordable housing

			<p>for local need, in perpetuity with the necessary management arrangements;</p> <p>g) the gross internal floor area of these dwellings shall comply with the latest recommended standards used by the Homes and Communities Agency (or any successor organisation).</p> <p>In exceptional circumstances, planning permission will be granted for mixed affordable and open market housing as part of an exception site where it can be demonstrated that the provision of open market housing is required to facilitate the delivery of the local needs affordable housing.</p> <p>The amount of open market housing for which planning permission will be granted will be limited to that which is the minimum required to facilitate the delivery of the local needs affordable housing provided that:</p> <p>a) All the requirements set out in the clauses (a) to (g) above are met.</p> <p>b) The number of open market dwellings included in the scheme shall be no more than that required to provide the necessary number of local needs affordable dwellings at low cost and shall not be more than 50% of the total number in the scheme;</p> <p>c) It can be ensured that the development profits from the open market housing element of the scheme above a reasonable developer return (having regard to appropriate land values and margin on building costs) are employed in subsidising the local needs element.</p> <p>d) The affordable housing element of the scheme is delivered in accordance with a programme agreed beforehand with the Local Planning Authority.</p>
MM32	86	HC6	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC6: Gypsy and Traveller Provision</p> <p><u>Within the plan area, there is a requirement for a minimum of 9 Gypsy and Traveller pitches for the period 2014-2034.</u></p> <p>The District Council will safeguard <u>0.3ha</u> of land at Watery Lane, Ashbourne as identified on the Local Plan Policies proposals Map <u>for at least 6 Gypsy and Traveller pitches. for Gypsies and Travellers.</u></p> <p><u>Provision for at least a further 3 pitches will be met on unallocated sites in accordance with the provisions of this policy.</u></p> <p>The District Council will safeguard existing authorised and committed sites, for Gypsy, Traveller and Travelling Showpeople uses provided</p>

			<p>there remains a need for these uses within the local plan area.</p> <p>The Council will ensure that a five year supply of specific deliverable sites for Gypsies and Travellers is maintained throughout the lifetime of the Local Plan.</p> <p>The following considerations will be taken into account in the determination of applications for Gypsy and Traveller sites:</p> <ul style="list-style-type: none"> a) The proposal will not have a significant detrimental impact on neighbouring residential amenity or other land uses; b) The site has safe and satisfactory vehicular and pedestrian access to the surrounding principal highway network and would not result in a level of traffic generation which is inappropriate for roads in the area; c) The site is situated in a suitable location in terms of local amenities and services including schools, shops, health services, and employment opportunities to allow access by sustainable means; d) The site is capable of providing adequate on-site services for water supply, mains electricity, facilities for recycling and waste disposal and foul and surface water drainage; e) The site will enable vehicle movements, parking and servicing to take place, having regard to the number of pitches/plots and their requirements as well as enabling access for service and emergency vehicles; f) The site is not situated within an area <u>at high risk of flooding.</u> of unacceptable flood risk; g) The development <u>is well planned and incorporates soft landscaping measures in order to mitigate the</u> will not have an adverse impact upon the character or appearance of the local area, the landscape or sites/areas of nature conservation value or heritage assets; h) The site is capable of providing adequate levels of privacy and residential amenity for site occupiers. i) The site is suitable taking account of ground conditions, land stability and other environmental risks and nuisances, with appropriate mitigation secured prior to occupation.
MM33	88	HC8	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC8: Conversion and Re-Use of Buildings for Residential Accommodation</p> <p>Outside defined settlement development limits, the conversion and/or re-use of existing buildings to residential use from other uses will be permitted where all of the following criteria are met:</p>

			<ul style="list-style-type: none"> a) the building or group of buildings are of permanent and substantial construction; b) the form, bulk and general design of the existing building or group of buildings make a positive contribution to the character and appearance of its surroundings; c) the building or group of buildings can be converted without extensive alteration, rebuilding or extension; d) the conversion does not have a detrimental impact upon the character and appearance of the building or group of buildings and its surroundings; e) the building or group of buildings are not suited for conversion to employment or tourism uses
MM34	89	HC9	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC9: Residential Sub-Division of Dwellings</p> <p>In considering proposals for the sub-division of existing dwellings into two or more self- contained residential units the Council will have regard to:</p> <ul style="list-style-type: none"> a) the provision of adequate vehicular access, car parking, amenity space and facilities for recycling and refuse storage; b) the adequacy of the internal accommodation <u>in terms of privacy, natural light and outlook</u> relative to the intensity of occupation envisaged and the impact upon any neighbouring residential or other units, including privacy, loss of daylight and overbearing effect; c) the likely impact on the character and appearance of the immediate neighbourhood of the design, scale, form and footprint of any proposed extension or alteration; d) no significant new extension should be made to any dwelling located outside defined settlement development limits: minor extension may be permitted only where essential in order for the new units to achieve basic living standards; e) the sustainability of the new development based around the site location and its relationship to the Plan’s settlement hierarchy, including accessibility to shops, services and facilities; f) the need to minimise built form through the conversion of any existing outbuildings.
MM35	90	6.25a	<p><i>Insert new paragraph as follows:</i></p> <p><u>In regard to residential care bedspaces, the evidence suggests that over the plan period there is a need for 500 bedspaces to be provided</u></p>

	91	HC11	<p><u>in Residential Care Homes (Within Use Class C2). The District Council will seek to work in partnership with Derbyshire County Council, developers and other agencies to bring forward development to meet this need.</u></p> <p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC11: Housing Mix and Type</p> <p>All new residential developments (both market and affordable and whether general needs or specialised) will be required to contribute towards the creation of sustainable, balanced and inclusive communities by meeting identified local and District housing needs in terms of housing mix, size and tenure. Generally, the larger the scale of development, the more opportunity exists for a wider range of dwelling types and sizes.</p> <p>The Council will seek to secure the following mix of housing as part of all residential developments of 10 <u>11</u> dwellings or more. The final mix achieved on any site will be informed by the <u>location and</u> nature of the development site, character of the area, evidence of local housing need, and turnover of properties at the local level <u>and local housing market conditions</u>.</p> <table border="1" data-bbox="598 1126 1348 1290"> <thead> <tr> <th></th> <th>1-bed</th> <th>2-bed</th> <th>3-bed</th> <th>4+ bed</th> </tr> </thead> <tbody> <tr> <td>Market</td> <td>5%</td> <td>40%</td> <td>50%</td> <td>5%</td> </tr> <tr> <td>Affordable</td> <td>40%</td> <td>35%</td> <td>20%</td> <td>5%</td> </tr> <tr> <td>All Dwellings</td> <td>15%</td> <td>40%</td> <td>40%</td> <td>5%</td> </tr> </tbody> </table> <p>In order to maximise flexibility in the housing stock, 1 and 2 bed affordable homes should be provided through an appropriate mix of bungalows and houses, whilst 3 and 4 bed affordable homes should be provided as houses.</p> <p><u>Proposals that do not provide for the above housing mix will be required to demonstrate how the development contributes to meeting the long term housing needs of the district particularly in regard to the housing needs of young people, families and the elderly. Planning permission will be refused for developments that do not provide an appropriate mix of housing having regard to the factors outlined above.</u></p> <p>Specialised Housing Accommodation Specialised accommodation is <u>Use Class C3</u> housing that meets the needs of the elderly and vulnerable people of whatever age and includes the broad range of accommodation for older people and those with specialist care needs. It includes sheltered/retirement</p>		1-bed	2-bed	3-bed	4+ bed	Market	5%	40%	50%	5%	Affordable	40%	35%	20%	5%	All Dwellings	15%	40%	40%	5%
	1-bed	2-bed	3-bed	4+ bed																			
Market	5%	40%	50%	5%																			
Affordable	40%	35%	20%	5%																			
All Dwellings	15%	40%	40%	5%																			

accommodation, assisted living with managed care and support services, extra care housing with on-site care and support services, close care housing which includes on-site care and support and large scale retirement villages (100+ units). Schemes that provide specialised accommodation whilst promoting independent living will be supported provided all of the following criteria are met:

- a) the type of specialised accommodation proposed meets identified District needs and contributes to maintaining the balance of the housing stock in the locality;
- b) the proposal relates well to the existing settlement and provides easy access to services and facilities, including public transport, enabling its residents' to live independently as part of the community;
- c) the design of the proposal, including any individual units of accommodation, is capable of meeting the specialised accommodation support and care needs of the occupier; and
- d) arrangements are in place to ensure the delivery of appropriate care and support packages.

Registered Care Provision

Schemes that provide registered care accommodation (Use Class C2) will be supported provided that the type of provision meets identified District needs.

Flexible Design and Space Standards

The District Council will encourage all All residential developments to ~~will~~ be designed and built to encourage sustainable and flexible living. In particular, it will provide accommodation that can be easily adapted to suit changing household needs and circumstances, including to cater for home working and to benefit household members with disabilities or older residents who may need care and support

All dwellings will therefore incorporate sufficient storage space and floor layouts which will provide practical usable space and a good standard of amenity.

~~All residential developments of 10 dwellings or more will be required to ensure that 90% of dwellings are accessible and adaptable dwellings designed to comply with the Building Regulations (Part M – Category 2) with the remaining 10% of dwellings designed as wheelchair user dwellings designed to comply with the Building Regulations (Part M – Category 3).~~

All residential developments of less than 10 dwellings, including

			<p>conversions and changes of use, will be required to ensure that they are built to comply with either the Building Regulations Part M (Category 2) or Building Regulations Part M (Category 3).</p> <p>Proposals that do not provide for the above housing mix and space standards will be required to demonstrate how the development contributes to meeting the long term housing needs of the district particularly in regard to the housing needs of young people, families and the elderly. Planning permission will be refused for developments that do not provide an appropriate mix of housing or provide inadequate standards of accessibility.</p>
MM36	94	HC13	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC13: Agricultural and Rural Workers Dwellings</p> <p>The District Council will support proposals for the provision of dwellings to meet the needs of agricultural, forestry or other rural based workers. Planning permission will be granted where it can be demonstrated that all of the following criteria are satisfied:</p> <ol style="list-style-type: none"> a) there is a clearly established functional need; b) the need relates to a full-time worker or one who is primarily employed in agriculture, forestry or other rural based enterprise which needs to be located in the area and does not relate to a part-time requirement; c) the unit and the agricultural / forestry or other rural based enterprise has been established for at least three years and has been profitable for at least one of them, is currently financially sound and has a clear prospect of remaining so. Where this need is unproven or a new business is being established, a temporary dwelling (such as a mobile home) may be permitted to allow time to establish that there is a genuine functional and financial need for a permanent dwelling. A temporary dwelling will only be permitted for a maximum period of 3 years; d) the functional need cannot be fulfilled by another existing building <u>on the unit or within the locality that could be converted, or another existing dwelling on the unit or within the locality which is suitable and available for occupation by the worker concerned;</u> e) the size of the dwelling is commensurate with the needs of the enterprise and is sustainable in terms of the viability of the activity; f) the dwelling is well related to either existing dwellings or buildings associated the activity with which it is required. g) the dwelling is not situated within an area of unacceptable flood risk.

			<p>In all cases, the District Council will:</p> <ul style="list-style-type: none"> • seek to prevent the sale of the dwelling separately from the site itself or any part of it without the prior approval of the District Council; • limit occupation of the dwelling to a person solely based in a rural based activity or; • to a person solely, mainly or last employed in agriculture within the locality, or to a widow or widower of such persons and to any resident dependants. <p>Applications for the removal of restrictive occupancy conditions will only be granted where it can be demonstrated that:</p> <p>a) the restriction has outlived its original planning purpose and;</p> <p>b) there is no reasonable prospect of the dwelling being occupied by an agricultural or other rural based worker as demonstrated by a comprehensive marketing exercise which reflects the nature of the occupancy restriction.</p>
MM37	95 97	6.37 HC14	<p><i>Amend paragraph as follows:</i></p> <p>Provision for open space and recreation is clearly important to the health and wellbeing of the area. The Peak Sub Region Open Space, Sports and Recreation Study has identified local standards for the provision of both open space and built facilities. These are set out below in Table 6 <u>and will be used in the application of Policy HC14:</u></p> <p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC14: Open Space and Outdoor Recreation Facilities</p> <p>The District Council will seek to protect, maintain and where possible enhance existing open spaces, sport and recreational buildings and land including playing fields in order to ensure their continued contribution to the health and well-being of local communities.</p> <p>This will be achieved by:</p> <ul style="list-style-type: none"> • Resisting any development that involves the loss of a sport, recreation, play facility or amenity green-space <u>as identified on the Policies Map or loss of any other existing open space, sport or recreational site,</u> except where it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development or the loss is associated with an alternative sports provision that would deliver benefits that would clearly outweigh the loss, or an assessment has been undertaken to demonstrate the facility

			<p>is surplus to requirements and imposing conditions or negotiating a section 106 Obligation to ensure that replacement provision is provided at the earliest possible opportunity.</p> <ul style="list-style-type: none"> • Encouraging improvements to existing recreation, play and sports facilities within communities and providing new opportunities that shall be informed by the Peak Sub Region Open Space, Sport and Recreation Study (2012) or successor documents. • Improving the quantity, quality and value of play, sports and other amenity greenspace provision through requiring qualifying new residential developments <u>of 11 dwellings or more</u> to provide or contribute towards public open space and sports facilities in line with the Derbyshire Dales local open space and recreation provision standards set out in <u>Table 6. the study report.</u> • Collecting financial contributions towards the delivery, improvement and management of off-site provision of open space and recreation facilities through Section 106 agreement or via the Community Infrastructure Levy. if this is adopted. • Exploring options for the management of new areas of open space to be undertaken by community owned and run trusts.
MM38	100	HC17	<p><i>Amend the policy to read as follows:</i></p> <p>POLICY HC17: Promoting Sport, Leisure and Recreation</p> <p>Development proposals involving the provision of new sports, cultural, leisure and recreational facilities, or improvements and extensions to existing facilities will be <u>permitted</u> acceptable provided that:</p> <ol style="list-style-type: none"> a) the proposals are connected to and associated with existing facilities, they are located at a site that relates well to the settlement hierarchy in the District or they are intended to meet specific rural needs that cannot be appropriately met at settlements within the settlement hierarchy; b) it is capable of being accessed by a range of transport modes and by disabled people and those with restricted mobility; c) it would not have an adverse impact on the character and appearance of its surroundings and the immediate or wider landscape; d) it does not create unacceptable problems in terms of the relationship between the proposal and the neighbouring uses beyond the development site. <p>Planning permission will not be granted for development which</p>

