



## The Neighbourhood Planning (Referendums) Regulations 2012

### Regulation 4 (3b) Specified Document (iii)

#### **Darley Dale Neighbourhood Plan: Summary of representations submitted to the independent Examiner pursuant to paragraph 9 of Schedule 4B to the 1990 Act**

#### **SUMMARY OF REPRESENTATIONS**

During the Darley Dale Neighbourhood Plan Regulation 16 statutory publicity period (26<sup>th</sup> February to 9<sup>th</sup> April 2019) a total of 51 representations were received from individual and organisations.

All responses are available in full on the Derbyshire Dales District Council website ([www.derbyshiredales.gov.uk/DarleydaleNP](http://www.derbyshiredales.gov.uk/DarleydaleNP) )

A summary of the comments was reported to Community & Environment Committee on 26<sup>th</sup> June 2019, agenda item No. 9 this report can also be seen on the website: [www.derbyshiredales.gov.uk/DarleydaleNP](http://www.derbyshiredales.gov.uk/DarleydaleNP)

A summary of the representations received is set out below:

- **Residents' representations** - the representations received from residents are summarised and grouped under key specific themes including:

#### ***Traffic and Transportation***

- There were 26 representations received in relation to the Derbyshire Dales Local Plan housing allocation sites on Hackney Lane (HC2 (i & j)). The comments received were concerning the development of these sites, with specific reference to highway and pedestrian safety and traffic impacts from the developments along the Hackney Lane.
- New access arrangements, speed restrictions and other traffic calming measures to alleviate traffic problems and congestion on Old Hackney lane were suggested.

#### ***Infrastructure***

- Concerns were raised about the potential lack of infrastructure such as highways, GPs, schools places, and appropriate leisure facilities to be provided to support new developments in the area.

### ***Design of new development***

- Further modifications to the text were suggested to ensure that the character features of key settlements in Darley Dale are maintained, such as retaining the stone walls bounding Old Hackney Lane as part of new developments.
- It was suggested that further text should be included introducing appropriate drainage for natural springs alongside new developments.
- Mention was made of protecting existing wildlife in the area.
- Residents would like the Plan to ensure a high quality of design for the new dwellings constructed in the area.
- The Plan should ensure that new developments are well connected and have good pedestrian links, crossings and access.
- Objection was made to the Policy NP16 in the Neighbourhood Plan which specifies that red brick should be used as part of residential developments. It was suggested that rather than red brick, stone should be used as part of new residential developments in Two Dales.

### ***Landscape Character, settlement pattern and business development***

- Concern for the loss of open green spaces along the A6.
- Residents expressed their support for the policies in the Plan which seeks to protect the landscape character, including policies NP 1 to 9. Concern was expressed for potential adverse impacts upon the changing shape of settlement patterns
- Objection was made concerning the area the Neighbourhood Plan covers; residents commented that 'the southern part of the parish being hardly mentioned'.
- Objection was made to the Plan for not identifying areas for new light industry and businesses to create jobs.
- Objection was made to the fact that the Plan did not include any specific reference to key employment sites, such as Ladygrove Mill, Two Dales.

### ***Consultation Process***

- Some residents objected to the consultation process and commented that 'The consultation was not inclusive, processes were limited' and that 'questions for residents were not transparent and that there was inadequate promotion of questionnaires'.
- **Highways England** noted the housing and employment growth planned to be delivered in the Plan period and indicated the limited levels of growth coming forward within the Neighbourhood Plan area (totalling approximately 200 new homes) would not have any material traffic impacts upon the wider highways network.

- **Natural England** had no specific comments on the Plan.
- **Historic England** noted that the Neighbourhood Plan area encompasses a number of important designated heritage assets that should be safeguarded. No further specific comments in relation to the Plan were made.
- **Environment Agency** had no specific comments on the Plan.
- **Severn Trent Water** outlined that a sewer capacity assessment that was undertaken as part of the Derbyshire Dales Local Plan (2017) and recommends that surface water is managed sustainably and not directly discharged into the combined sewerage system as part of the design of new developments in the area. The following comments were made in respect of Policy NP11: Design Principles for C3 Residential Development:
  - 'This policy focuses on protecting the contextual settings of residential development, but could go further to push and support sustainable development'.
  - Should include 'some kind of wording to ask for betterment on surface water discharge rates from developed site would help to protect and improve the local sewerage systems and in turn could provide betterment to the local watercourses and environment'.
  - Support was offered for the inclusion of the design policies and Building for Life 12, but it was suggested that more emphasis should be put on the water environment and the need for Sustainable Urban Drainage features which can in turn enhance local biodiversity and provide amenity value to communities.'
- **The Coal Authority** had no specific comments on the Plan.
- **National Grid** – an assessment has been carried out with respect to the National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines. National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.
- **Equality Human Rights Commission** had no specific comments on the Plan.
- **Peak District National Park** has commented upon aspects of the Plan relating to the landscape impact and setting of the Peak District National Park as follows:
  - Supports the reference to the setting of the Peak District National Park (PDNP) in the local context section, but suggests further reference should be 'made to explain the 1995 Environment Act (Section 11) puts a duty on relevant authorities to have regard to

the purposes on a National Park when excising of performing functions which relate to or affect land in a National Park’.

- Support is given for Policy NP1: Protecting the Landscape Character of Darley Dale; Policy NP4: Protecting the Landscape Character of Churchtown; and Policy NP10: Protecting the Setting of the Peak District National Park.
  - Consultation Statement (page 21) - Comments made by the PDNP under the Regulation 14 consultation have been summarised in the Consultation Statement. However as the full comments are not presented, part of the original sentence is missing. Therefore the comments as summarised in the Consultation Statement do not make sense.
- **Derbyshire County Council (DCC)** have submitted the following Officer comments;
    - Derbyshire County Council have reiterated comments made at Regulation 14 stage of consultation with regard to renewable energy, low-emission vehicle infrastructure, dark skies, housing, flood risk, community engagement, and public health aspects of the Plan.
    - The submission version of the Plan contains no real consideration of the wider parish outside the built area and a number of issues, which could greatly contribute to the preservation of the character of the community, have been omitted, including policies relating to small scale domestic renewables and energy efficiency.
    - A new policy should be added in relation to Low Emission Vehicle Infrastructure. This would ensure that new developments include the provision of charging points or appropriate electrical infrastructure.
    - A new policy should be included to reduce artificial lights in new developments. The Neighbourhood Plan includes frequent references to the Peak District National Park, but fails to appreciate the detrimental impact of artificial light on the National Park and rural landscape.
    - DCC supports the range of policies on landscape character and design in the Neighbourhood Plan which are all framed positively and support new development.
    - The link to the Strategic Flood Risk Assessment 2016 referenced in Paragraph 38 does not appear to work.
    - Paragraphs 67 & 68 should be amended to make reference to the new NPPF (February 2019).
    - The first sentence of Chapter 12 ‘The Importance of Good Design in Residential Development’ should be deleted in line with new NPPF.
    - The Plan could strengthen the health and wellbeing of people in Darley Dale by the inclusion of areas from DCC’s Strategic Statement – Planning & Health across Derbyshire and Derby City by making references Public Health.
    - No comments are made from DCC from a transportation and development control perspective.

- **Gladman Developments Limited** responded with several points;
  - Gladman consider that some policies do not reflect the requirements of national policy and guidance and recommend modifications to the Plan.
  - Policy NP11: Design Principles of Residential Development & Subsequent Policies NP12-NP19 provide a range of design criteria that proposals are to adhere to. Planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to site specifics and the character of the local area. Whilst, Gladman note, the Neighbourhood Plan seeks to define different design criteria for developments in each of the 8 defined areas, there will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.
  - Policy NP11 requires the use of Building for Life 12 standards to be met and developers are encouraged to ensure that development proposals accord with these standards and that a development proposal scores a minimum of 9 greens. The use of 'encouraged' is supported as this adds a degree of flexibility. However Gladman are concerned with the requirement that a scheme must score a minimum of 9 greens, which is onerous and goes beyond the requirements of design guidance.
  - The use of Building for Life 12 should be voluntary at the discretion of the developer and therefore the policy should be modified to wording suggested.
  
- **Darley Dale Cricket Club**
  - Offers support for the Neighbourhood Plan and its content, however suggests key issues to be addressed.
  - The Club is concerned about development in the area and the loss of open spaces, the continued development along the A6 and the poor quality of approved development in this area.
  - Topography – Paragraph 30, 31 – fully supports the sentiments in these two paragraphs.
  - Paragraph 36 - This is 'a bit underwhelming'. The valley floor and the river are 'a crucial and important piece of the landscape majesty of the valley, not just obliquely referenced as an area that is in the flood zone so it can't be built on'.
  - Landscape Character – 'Paragraph 43/ Map 4, the valley floor and the river and its habitat are not even mentioned in this section. This is a very disturbing omission given its beauty. The valley bottom and the river should feature as an outstanding part of Darley Dale landscape character'.
  - Community Objective 1, fully support
  - Protecting the Landscape Character of Darley Dale Diagram 1, Very supportive as this recognises properly the value of the river corridor. Questions why it is not stated also in the landscape character map.

- Very supportive of all the 'Protecting the Landscape Character Policies', including 'Protecting the Setting of the Peak District National Park'
- Policy NP3: The Importance of Good Design in Residential Development' – should read that all development should be of a high design standard. Recent developments would not meet the standards set out in the Darley Dale Neighbourhood Plan.
- Fully support policies NP11-19
- Very supportive of Policy NP20 'Enhancing the Provision of Community Facilities'.
- The success of the Plan will be mainly dependent upon its implementation by the District Council as Planning Authority.

Representations can be seen in full online:

[www.derbyshiredales.gov.uk/DarleydaleNP](http://www.derbyshiredales.gov.uk/DarleydaleNP)