



## **Derbyshire Dales Local Plan**

**Pre Submission Draft**

**Justification Statement**

June 2013

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## **Introduction**

This Justification Statement has been prepared as a supporting document to set out the evidence that has been used and options considered in drawing up the Derbyshire Dales Local Plan Pre-Submission Draft.

It aims to clearly and succinctly explain how the Derbyshire Dales Local Plan Pre Submission Draft and its inherent policy approach has been arrived at and developed, drawing upon the evidence base, results of consultation, SA and HRA process.

This Justification Statement sets out details of the options that have been considered since the decision to prepare a separate Derbyshire Dales Local Plan was taken in April 2012. It takes account of and builds upon the Justification Statement which was produced to support the Draft Derbyshire Dales and High Peak Joint Core Strategy in 2010<sup>1</sup>.

The overarching aim is to bridge the gap between technical evidence base reports and policies within the Derbyshire Dales Local Plan Pre Submission Draft.

This statement forms part of the Consultation on the Derbyshire Dales Local Plan Pre Submission Draft. It should be read in conjunction with the main Draft Plan consultation document, which is available separately on the District Council's website at [www.derbyshiredales.gov.uk/localplan](http://www.derbyshiredales.gov.uk/localplan)

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<sup>1</sup> <http://www.derbyshiredales.gov.uk/images/documents/D/Draft%20Core%20Strategy%20Justification%20Document.pdf>

## **1. Transition from Derbyshire Dales and High Peak Joint Core Strategy to Derbyshire Dales Local Plan**

- 1.1 At a Council meeting on the 26<sup>th</sup> April 2012, Members were informed that High Peak Borough Council (HPBC) had advised the District Council that they no longer wish to pursue the preparation of a Joint Core Strategy because it was felt that there were significant differences in the housing markets operating across the Peak Sub-Region.
- 1.2 As a result of this the District Council found it necessary to consider what form a new plan for Derbyshire Dales should take, and the timetable for its preparation. The Council meeting held the 26<sup>th</sup> April reflected on this matter in light of the recent changes which had occurred in national planning policy guidance.
- 1.3 The National Planning Policy Framework (NPPF), published on 27th March 2012, committed the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The terminology used within the NPPF, did not make any reference to Core Strategies, rather it set out the importance of “Local Plans” as being key to delivering sustainable development that reflects the vision and aspirations of local communities.
- 1.4 Furthermore, The Town and Country Planning (Local Planning) (England) Regulations 2012, that were brought into effect on 6th April 2012, effectively defined any document prepared by a local planning authority which sets out policies and proposals for the use and development of land as a “Local Plan”.
- 1.5 As a consequence of the change in emphasis contained within the NPPF, it was considered that it was appropriate to prepare a single development plan – the Derbyshire Dales Local Plan. It was also considered that the work that has already been undertaken on the preparation of the Derbyshire Dales and High Peak Joint Core Strategy could be used as the basis for the preparation of the revised Derbyshire Dales Local Plan.
- 1.6 Council resolved at its meeting on 26<sup>th</sup> April 2012 that the evidence base that had already been established during the preparation of the Derbyshire Dales and High Peak Joint Core Strategy should be used as the basis for the preparation of a revised Derbyshire Dales Local Plan.
- 1.7 Whilst a significant evidence base had been established as a result of the joint working arrangements on the Derbyshire Dales and High Peak Joint Core Strategy Council resolved on 26<sup>th</sup> April 2012 that the immediate priority for the Local Plan should be setting the strategic policies for the use and development of land, and the establishing the overall distribution and allocation of land for housing.

- 1.8 In terms of other allocations, e.g. retailing and employment, the evidence base suggested that there was not the same priority need to consider them at that time.
- 1.9 In June 2012 the District Council began its public consultation on the Housing Issues and Options for the Derbyshire Dales and the Settlement Framework Boundary Review for the emerging Derbyshire Dales Local Plan. Further details on this consultation are set out in the next section.<sup>2</sup>
- 1.10 Whilst the East Midlands Regional Plan has now been revoked, this decision does not take away the need to address planning issues of cross authority boundary significance. To achieve this, public bodies now have a duty to cooperate on planning issues that cross administrative boundaries. Local Planning Authorities are required to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual local plans.
- 1.11 The Duty to Cooperate is a legislative requirement that an Inspector appointed by the Secretary of State has to assess to determine whether a local planning authority has satisfied the duty prior to giving consideration to the 'soundness' of the plan. A failure to comply with the Duty to Cooperate will mean that the Local Plan cannot proceed to be tested against the Tests of Soundness set out in Paragraph 182 of the NPPF.
- 1.12 The Duty to Cooperate is a continuous activity that takes pace throughout the preparation of the plan. The District Council considers that because of the extensive collaboration it has undertaken during the preparation of the Derbyshire Dales Local Plan across the Peak Sub Region, and with the relevant stakeholders it is able to satisfy the requirements of the duty.
- 1.13 A separate statement on the District Council's Duty to Co-operate will be published when the Derbyshire Dales Local Plan is submitted to the Secretary of State.

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<sup>2</sup> <http://www.derbyshiredales.gov.uk/your-council/consultations/closed-consultations/1051-housing-options-consultation> & <http://www.derbyshiredales.gov.uk/your-council/consultations/closed-consultations/1052-settlement-framework-boundary-review>

## **2. Evidence Base for the Derbyshire Dales Local Plan**

- 2.1 The National Planning Policy Framework (NPPF) states that *“each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area”* (para 158).
- 2.2 The preparation of the Derbyshire Dales Local Plan has been supported by the development of a robust evidence base, which consists of a wide range of technical studies, plans and strategies. As part of the previous joint working arrangements with High Peak Borough Council a number of topic based studies were commissioned jointly by Derbyshire Dales, High Peak and also with the Peak District National Park Authority. These were carried out to specifically inform the emerging Development Plan Documents within the wider Peak Sub Region.
- 2.3 The Derbyshire Dales and High Peak Joint Core Strategy Draft Plan Supporting Justification Document (Page 10 to Page 19) summarises the key ‘evidence base’ documents listed below;
- Derbyshire Dales and High Peak Sustainable Community Strategy 2009-2014
  - Peak Sub Region Strategic Housing Market Assessment (2008)
  - Peak Sub Region Strategic Housing Land Availability Assessment (2009)
  - Peak Sub Region Housing Needs Survey (2007)
  - Peak Sub Region Affordable Housing Viability Assessment (2010)
  - Peak Sub Region Employment Land Review (2008)
  - Peak Sub Region Retail Study and Town Centre Assessment (2009)
  - Peak Sub Region Strategic Flood Risk Assessment (2008)
  - Peak Sub Region Open Space, Sport and Recreation Study (2009)
  - Peak Sub Region Climate Change Study (2009)
  - Green Infrastructure Assessment (2009)
  - Derbyshire Gypsy and Traveller Accommodation Assessment (2008)
  - Derbyshire Dales Rural (South of Ashbourne) Accessibility Study (2009)
- 2.4 The following studies were published after the preparation of the Derbyshire Dales and High Peak Joint Core Strategy Supporting Justification Document but have been taken into account as part of the evidence base during the preparation of the Derbyshire Dales Local Plan Pre Submission Draft.

## Habitats Regulations Screening Assessment (2010)

### 2.5 *Purpose of the Assessment*

A Habitats Regulations Screening Assessment (HRA) is required under the EU Habitats Directive (92/43/EEC) for any proposed plan or project which may have a significant effect on one or more European sites and which is not necessary for the management of those sites. The purpose of HRA is to determine whether or not significant effects are likely to occur and to suggest ways in which they could be mitigated.

European sites are defined as either Special Protection Areas (SPAs) or Special Areas of Conservation (SACs). Best practice advice also recommends that Ramsar sites should be afforded the same level of consideration as SPAs and SACs. HRA relates specifically to the reasons why sites have been identified as European sites (qualifying interests). European sites are often formed of several component Sites of Special Scientific Interest (SSSI).

The purpose of the report was to screen the Joint Core Strategy (JCS) options to determine whether the Derbyshire Dales and High Peak Joint Core Strategy could have significant effects on the conservation objectives of any European site.

### 2.6 *Summary of Assessment Findings*

Following the identification of Likely Significant Effects (LSEs) in relation to the Derbyshire Dales and High Peak Joint Core Strategy options, the report provided a number of recommendations to help inform the development of policies and the choice of development locations:

- The Joint Core Strategy will need to encourage walking, cycling and use of public transport and locating employment, facilities and homes in order to avoid contributing to diffuse air pollution through increases in traffic.
- Renewable energy options: mention should be made within policy of avoidance of effects on the integrity of SPAs.
- Potential risks of effects from water supply require further clarification; however, the Joint Core Strategy should encourage efficient use of water.
- Less ecologically sensitive natural green space will need to be provided for new residents through the LDF / Joint Core Strategy, in a network of green infrastructure, in order to reduce the risks of increasing visitors and dog walkers on the SPA. Design solutions may be possible to reduce access to the European site.
- Sufficient capacity for sewage treatment must be available before housing development is allowed to take place.

## Strategic Transport Issues Report (2010)

### 2.7 *Purpose of the Report*

Derbyshire County Council commissioned consultants to prepare a report which set out relevant information on traffic conditions that existed across the plan area, and to undertake additional analysis and compile relevant evidence where available. The focus of the report was to identify the strategic transport implications of the developments being considered in the Joint Core Strategy.

### 2.8 *Summary of Report Findings*

The report indicated where development could be located to maximise transport-sustainability and minimise impact on the local highway network. The following conclusions and recommendations were made with in relation to the potential suitable locations of development within Derbyshire Dales;

- Key issues in Ashbourne relate to the town centre capacity and its ability to accommodate north-south trips. East-west movements are accommodated by the A52 bypass. The main draw from Ashbourne is likely to be Derby and, as such, development on the south-east side of this settlement was considered to be more preferable.
- Given the direction of likely draws set out above, and the issues identified relating to Ashbourne suggests that development would be more preferable in Brailsford than Hulland Ward. Access by road to Doveridge is good from all directions.
- In terms of the area around Matlock, draws are likely to be north (to Chesterfield), East (to the M1) and South (to Derby). As such, development to the north and east of the town was considered to be more preferable.

## Strategic Housing Land Availability Assessment (2011)

### 2.9 *Purpose of the Assessment*

This assessment was published in October 2011 to provide evidence about the amount of housing land that was potentially available for future housing development within the District over the next 15 years, and took account of additional sites that the District Council had been made aware of since the publication of the the Strategic Housing Land Availability Assessment (SHLAA) published in 2009, The “new” sites and those that were included within SHLAA (2009) were reassessed using the same methodology.

## 2.10 *Summary of Assessment Findings*

The SHLAA provided evidence about the potential supply within the Derbyshire Dales of deliverable and developable sites; it indicated differing degrees of capacity to accommodate development across various settlements in the plan area without making any policy decisions or indication of willingness to grant planning permission.

The potential supply within the Derbyshire Dales was identified as 5243 dwellings over the 15 years from the date of the study. The SHLAA also identified that at the time of publication that the Derbyshire Dales had a five year supply of deliverable housing of 986 dwellings over the period 2011-2016 equivalent to 106.4% of the overall residual requirement.

### Housing Issues and Options – Public Consultation

- 2.11 Public Consultation on the Housing Issues and Options took place between 14<sup>th</sup> June and 30<sup>th</sup> August 2012. The public and other stakeholders were asked to provide their opinions on the overall level of housing requirement proposed for Derbyshire Dales; the distribution of housing across the plan area; and the proposed level of housing allocations to the towns and villages across the plan area.
- 2.11 Further details of this consultation can be found within the Council's Statement of Consultation<sup>3</sup>. The key findings of the Housing Issues and Options Consultation were presented to the Local Plan Advisory Committee (LPAC) at a series of meetings from the 20<sup>th</sup> November 2012 to the 23<sup>rd</sup> January 2013. Whilst the initial meeting of the LPAC allowed Members to consider the strategic housing requirement for the whole of the District over the plan period, at the following 5 meetings the LPAC to considered the potential housing allocations across the plan area..
- 2.12 The meetings of the LPAC, at this time, were held in locations which were either where proposed housing allocations were being considered by the Committee or were in close proximity to settlements where housing allocations were being considered.
- 2.13 Analysis of the consultation responses found in terms of the overall strategic housing requirement and distribution across the plan area the following;
- Whilst 44% of respondents considered the housing requirements to be too high, approximately 54% of respondents considered the figure to be just right.

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<sup>3</sup> The Derbyshire Dales Local Plan Statement of Consultation can be downloaded from the following website:  
[www.derbyshiredales.gov.uk/localplan](http://www.derbyshiredales.gov.uk/localplan)

- the proposed approach taken to the distribution of the housing across the three sub areas on balance, appeared to have greatest support.
- The quantitative evidence suggested that in respect of the distribution of the housing requirements to the different towns and villages identified within the housing options consultation, the approach taken would appear to have support.
- On a site by site basis the Council recorded 990 objections, 1,014 supporting comments and 383 comments/observations.

### Settlement Framework Boundary Review - Public Consultation

2.14 From 14<sup>th</sup> June to 30<sup>th</sup> August 2012, in parallel to the Housing Issues and Options Consultation the Council consulted on its proposals for Settlement Framework Boundaries (SFBs) in the emerging Derbyshire Dales Local Plan. This consultation sought comment on the criteria used for defining SFBs, whether the public considered the SFBs had been drawn in accordance with these criteria; and if anyone considered that there were any areas of the draft Settlement Framework Boundaries that should be modified.

2.15 Further details of the way the consultation was carried out can be found within the Council's Statement of Consultation. The outcomes of the consultation exercise on the proposed Settlement Framework Boundaries were presented to Members at the Local Plan Advisory Committee (LPAC) meeting on the 20<sup>th</sup> November 2012<sup>4</sup>. A summary of the comments made is set out below.

- 24 responses were made to the SFB Review using the online form, 15 considered the criteria for defining the SFBs to be correct; 13 considered the draft SFBs to be drawn in accordance with the criteria' showing general support for the approach taken.
- 106 written representations relating to the SFB review were received.
- On the basis of the quantitative and qualitative responses made in respect of the criteria for defining SFBs the evidence suggested that overall the approach of the District Council was generally supported. There were however some concerns raised in the consultation responses about the impact that Settlement Framework Boundaries have on development opportunities in the more rural settlements.

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<sup>4</sup>[http://www.derbyshiredales.gov.uk/images/documents/C/Committee/Local\\_Plan\\_Advisory/20121120 - Local\\_Plan\\_Advisory\\_Agenda.pdf](http://www.derbyshiredales.gov.uk/images/documents/C/Committee/Local_Plan_Advisory/20121120_-_Local_Plan_Advisory_Agenda.pdf)

### **3. Spatial Vision and Objectives of the Derbyshire Dales Local Plan**

- 3.1 Government guidance on plan making included within the National Planning Policy Framework. Paragraph 155 states that following early and meaningful engagement with the community; a local plan should 'as far as possible, reflect a collective vision and set of agreed priorities for the sustainable development of an area'.
- 3.2 The Derbyshire Dales Local Plan includes a Spatial Vision that seeks to address the key issues in the plan area which the evidence base had previously identified. Also included in the plan are a series of Strategic Objectives, which also derive from the key issues and aim to help deliver the Spatial Vision. The strategic objectives provide an interpretation of the vision and create links between the issues and the Strategic and Development Management Policies within the Local Plan.
- 3.3 In preparing the Spatial Vision for the Derbyshire Dales Local Plan the Issues and Options Consultation (2009), which in turn informed the preparation of the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan had a significant influence. The majority of responses to the previous Joint Core Strategy Issues and Options Consultation considered that there were gaps within the Vision and Strategic Objectives.
- 3.4 Areas such as climate change, the natural and historic environment, biodiversity, culture, transport and the importance of tourism for the local economy were all highlighted as issues where there was need for more emphasis in the Strategic Vision and Objectives.
- 3.5 The Strategic Vision has now been written in such a way as to provide a focused spatial statement drawing upon the distinctiveness of the Derbyshire Dales. It is a vision which is place-specific reflecting local aspirations and the key challenges facing the plan area.
- 3.6 The 15 Strategic Objectives for the Derbyshire Dales Local Plan have been grouped under the Plan's three themes (Protecting Peak District Character, Supporting the Rural Economy and Enhancing Prosperity and Promoting Healthy and Sustainable Communities). These objectives are in essence the same as those included in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan. They have been identified as being appropriate for the plan area taking consideration of the comments raised during the 2009 Issues and Options consultation and the original objectives which were subject to a Sustainability Appraisal. As a consequence they have been written to reflect consultation responses, new evidence and to ensure that they address the key issues.

#### **4. The Derbyshire Dales Local Plan Policies**

- 4.1 The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to achieve sustainable development, which has three dimensions; economic, social and environmental. It is essential that the Local Plan makes choices about where development should take place in broad terms in order to deliver sustainable development, to aid in this a set of Strategic Policies have been prepared.
- 4.2 The outcomes of the consultation on the Issues and Options (2009), Growth Options (2009), the Joint Core Strategy Draft Plan (2010), the Housing Issues and Options (2012) as well as the Sustainability Appraisals and the Habitats Regulation Assessments have been taken into account in determining the most appropriate Strategic Planning Policy approach to take across the plan area. The strategic policies contained within the Derbyshire Dales Local Plan Pre Submission Draft are in essence, the same (with amendments to take account of consultation comments) as those contained within the Derbyshire Dales and High Peak Joint Core Strategy.
- 4.3 In addition to the strategic policies the Derbyshire Dales Local Plan contains a suite of development management Policies. Whilst the number of policies overall within the Derbyshire Dales Local Plan Pre Submission Draft has been significantly reduced, compared to those in the adopted Derbyshire Dales Local Plan the foundation for the content of the development management policies is the policies contained within the adopted Derbyshire Dales Local Plan. Those policies which have been “carried forward” into the Derbyshire Dales Local Plan Pre Submission Draft are considered to remain locally significant and effective in controlling development across the plan area.
- 4.4 The following section sets out the justification for each of the Strategic and Development Management Policies within the Derbyshire Dales Local Plan Pre Submission Draft.

#### **The Spatial Strategy**

- 4.5 The Derbyshire Dales Local Plan Pre Submission Draft needs to set out a clear spatial strategy which establishes sustainable patterns of development across the plan area, taking into account factors such as national policy, housing and employment needs and issues of accessibility to key services and facilities. The Spatial Strategy seeks to make choices about where development should be broadly located and establish overarching principles that will underpin the Local Plan.
- 4.6 The basis of the Spatial Strategy has its origins in the Derbyshire Dales and High Peak Joint Core Strategy Issues and Options consultation – the justification for which is set out in the Derbyshire Dales and High

#### 4.7 Strategic Policy 1 – Sustainable Development Principles

This policy underpins the whole Local Plan and provides a fundamental set of criteria that will be applied to all development proposals to ensure that all new development within Derbyshire Dales makes a positive contribution towards the sustainable development of communities and to protecting and where possible enhancing the environment within the plan area. The policy sets out a framework for the planning of the area that addresses locally identified priorities and reflects its unique and distinct characteristics.

#### 4.8 Strategic Policy 2 – Settlement Hierarchy

In order to properly deliver the spatial strategy at a local level it is necessary to establish a hierarchy of settlements reflecting the role, function and capacity of individual settlements within the plan area. The hierarchy seeks to ensure that the objectives of the Local Plan are appropriately met through a balance of development in accordance with the settlements role within the hierarchy and the availability of local services, employment opportunities and ease of access to them.

Furthermore, both the Issues and Options (2009) and Growth Options (2009) consultations indicated support for settlement hierarchy, with consultees broadly supporting the settlements that were considered in each development option.

As a result of the Settlement Framework Boundary consultation undertaken in 2012 Longford was removed from the policy as a smaller village, and Hognaston identified as smaller settlement.

#### 4.9 Development Management Policy 1 – Development within Settlement Framework Boundaries

In order to provide certainty about where development is likely to be acceptable in principle, a series of Settlement Framework Boundaries have been identified for the Market Towns, Larger and Smaller Villages identified in Policy SP2.

The Settlement Framework Boundaries have been prepared using a defined set of criteria in order to encompass the integral area of each Market Town, Larger and Smaller Villages including, where appropriate, schools, existing employment areas and the defined curtilages of existing buildings. Within the Settlement Framework Boundaries the principle of development is generally supported, outside of these boundaries development is more restricted.

During the Settlement Framework Boundary Review undertaken in 2012 a set of draft Settlement Framework Boundaries were identified,

for all the settlements to be defined in the Policy SP2. Through this process there was general support for the criteria used to draw the Settlement Framework Boundaries.

Also, the consultation identified potential amendments to the proposed Settlement Framework Boundaries, including both the suggested inclusion and exclusion of particular areas from the draft Settlement Framework Boundaries

The principles of this policy draw upon Policy SF1 in the adopted Derbyshire Dales Local Plan, which the District Council consider remains effective in identifying the principles of when development is likely to be acceptable or otherwise.

#### 4.10 Development Management Policy 2 – Development in the Countryside

Policy SP2 makes it clear that areas outside of Settlement Framework Boundaries in planning policy terms are defined as countryside. This policy is a continuation of the approach taken in adopted Derbyshire Dales Local Plan, and one that the District Council considers remains a wholly appropriate one for determining applications outside of the Settlement Framework Boundaries.

One of the National Planning Policy Framework's core planning principles is the need for the planning system to recognise the intrinsic character and beauty of the countryside whilst supporting thriving rural communities within it.

Although the approach of this policy restricts new development in the Countryside in order to protect the environment; it also works to support rural communities as its provisions allow development needed for rural based enterprise, sustainable tourism, affordable housing or other necessary schemes to ensure the sustainability of a rural locality.

#### 4.11 Development Management Policy 3 – Agricultural and Rural Workers Dwellings

The District Council continues to receive a number of applications each year for agricultural and others rural workers dwellings.

However since 2008 the District Council has had no formal policy on dealing with applications for agriculture and rural workers dwellings because the policy in the adopted Derbyshire Dales Local Plan was not 'saved' under Transitional Arrangements because at that time it was considered that there was other sufficient planning guidance in the form of Planning Policy Statement 7.

The criteria set out in the policy seek to provide much more certainty about when proposals for such development will/won't be acceptable to the District Council as local planning authority, and seeks to provide

more clarity on the issue than the limited advice contained within the NPPF.

If planning permission is to be granted for this type of development, it is an exception to normal planning policy. Therefore this policy includes a series of criteria which the applicant has to satisfy in order to prove to the District Council that their involvement in farming, forestry or other rural enterprise is genuine. Overall, this policy will enable the local plan to help support the rural economy and provide housing which will meet the needs of a niche section of the community.

#### 4.12 Development Management Policy 4 – Residential Conversions in the Countryside

As a rural district there are a considerable number of buildings in countryside locations that could be suitable for conversion to other uses. The District Council continues to receive a number of applications each year that seek to convert rural buildings to other uses, most notably residential development.

In the countryside, however, not all non residential buildings are appropriate for conversion to a permanent open market residential use. Many are in isolated locations in the open countryside and only suitable for conversion to permanent residential accommodation for use in connection with farming or other rural activity.

Some redundant buildings are of architectural or historic interest and can make an important contribution to the character of the settlement or to the quality of the landscape. Preference is for such buildings to be retained and put back into beneficial use rather than being allowed to fall into disrepair.

This policy therefore seeks to set out the criteria that will be applied in the determination of such applications.

The policy takes account of the advice contained within the NPPF and has its origins in Policy H5 in the adopted Derbyshire Dales Local Plan.

#### **Protecting Peak District Character**

- 4.13 One of the challenges for a Local Plan is ensuring that it addresses the features of the plan area that are locally distinct. The high quality of the local environment makes it an attractive place for people to live, work and visit. Any development that is likely to have an adverse impact upon the high quality environment could undermine the economic benefits that derive from the plan area's special characteristics.

4.14 This section of the plan seeks therefore to ensure that all new development takes account of the unique characteristics of the plan area.

4.15 Strategic Policy 3 – Protecting and Enhancing the Natural and Historic Environment

As set out in the Portrait of Derbyshire Dales (Chapter 2 Derbyshire Dales Local Plan Pre Submission Draft) the plan area has a significant number of natural and historic features, which provide a rich environment for people to live, work and visit.

Many of these features have some form of designation, which should be as a minimum to be protected from the effects of inappropriate development.

Strategic Policy 3 seeks to protect, manage, and enhance the environmental designations in the plan area and sets out a number of ways in which this can be achieved. This is in accordance with the NPPF which states that Local Authorities “should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged” (para 113).

This policy in respect of the conservation, management and enhancement of the historic environment also sets out a list of ways in which this will be achieved. It has consideration for the enhancement of designated heritage assets and non-designated assets and their respective settings.

The contents of this policy have been shaped by consultation responses at the Issues and Options and Draft Plan stages in the preparation of the Derbyshire Dales and High Peak Joint Core Strategy and by dialogue with Natural England and English Heritage.

4.16 Strategic Policy 4 – Green Infrastructure

Green infrastructure is widely regarded as an essential infrastructure requirement of new developments. These areas provide opportunities for outdoor recreation, social interaction, improved accessibility through safe and attractive routes for walking and cycling, and contribute to the network of habitats important in sustaining local biodiversity.

Development of high quality and comprehensive networks of biodiversity and green infrastructure will deliver a range of sustainable development objectives by improving opportunities to walk and cycle and to enjoy the natural assets of the Local Plan area; improving the health and well-being of local communities; helping mitigate the impacts of climate change and supporting the District's wildlife.

This policy was not originally considered by Members at their Council meeting on 9<sup>th</sup> May 2013, but on the basis of the initial response on the Habitat Regulations Assessment it was subsequently included in the plan, because of its importance to achieving sustainable development.

The justification for the this policy has its origins in the Derbyshire Dales and High Peak Joint Core Strategy Issues and Options consultation – the justification for which is set out in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan Supporting Justification Document Pages 30-32.

#### 4.17 Development Management Policy 5 – Development Conspicuous from the Peak District National Park

Given the plan area’s close relationship with the Peak District National Park it is appropriate to set out a strategy that addresses the impact development in the Derbyshire Dales Local Plan Area may have on the Peak District National Park.

This policy is the same as Policy SF3 in the adopted Derbyshire Dales Local Plan which has been very effective in protecting the Peak District National Park from inappropriate development.

#### 4.18 Development Management Policy 6 – Landscape Character

The Derbyshire Dales landscapes are some of, if not the most defining characteristic of the plan area. They define a sense of place and strongly influence the area’s identity and local distinctiveness. The landscapes within the plan area are of high quality and share many of the characteristics of the neighbouring Peak District National Park and include designated landscapes of national and international importance such as the Derwent Valley Mills World Heritage Site. The landscapes establish the character of the area and are a key asset in attracting economic development, enhancing social well being as well as driving the local tourist economy.

As a Strategic Objective of the Local Plan is to maintain, enhance and conserve the area’s distinct landscape characteristics, a landscape policy is another important way the Local Plan can ensure this.

The Issues and Options consultation on the Derbyshire Dales and High Peak Joint Core Strategy sought views upon how to ensure continued landscape and townscape protection and management. The responses indicated that there was general support for a landscape character based approach to managing development and protecting the urban and rural landscape, as it was recognised that simply restricting development was considered too limiting and unobtainable.

The policy approach to be taken forward will help protect and or enhance the character, appearance and local distinctiveness of the

plan area's landscapes. The policy also ensures that where development is likely to have a negative impact on the landscape appropriate landscape mitigation measures will be sought.

This policy builds upon Policies NBE7 and NBE8 in the adopted Derbyshire Dales Local Plan which have been effective in protecting the valuable features of the District's landscape character.

#### 4.19 Development Management Policy 7 – Biodiversity and Geological Interests

The plan area is rich in biodiversity, main due to the rural nature of the area. Much of the plan area is a patchwork of designated sites important for their nature conservation value, at all levels from international to local importance.

The District Council recognises that the Local Plan provides an opportunity to deliver some of the targets set out in the East Midlands Biodiversity Strategy. Derbyshire Dales is also a partner organisation helping deliver the Lowland Derbyshire Biodiversity Action Plan, which includes actions to address the needs of UK priority species and habitats, as well as plans for other habitats of local importance or interest.

The Issues and Options consultation on the Derbyshire Dales and High Peak Joint Core Strategy protecting and improving the countryside and the diversity of wildlife habitats was seen as a particularly important issue and this was reflected in the responses received. The preferred policy on biodiversity and geological interests seeks to provide a balance between positive management measures whilst ensuring the development proposals will not result in harm to biodiversity and geological interests.

This policy builds upon Policies NBE1, NBE2, NBE3, NBE4 and NBE5 in the adopted Derbyshire Dales Local Plan which have been very effective in protecting and enhancing the nature conservation interests that exist across the plan area.

#### 4.20 Development Management Policy 8 – The Historic Environment

The plan area has an extensive built heritage with 1327 listed buildings and 33 Conservation Areas. Furthermore, 9 Historic Parks and Gardens are included on the Register for Parks and Gardens and there are 62 Scheduled Ancient Monuments. The Derwent Valley Mills World Heritage Site, as the birthplace of the factory system of harnessing water power for textile production, is of significant importance to the District.

The Heritage Assets of the plan area and their relationship with the surrounding built environment make a significant contribution towards

the areas local distinctiveness, as well as making it an attractive place in which people want to live and work.

The outcomes of the Issues and Options consultation on the Derbyshire Dales and High Peak Joint Core Strategy gave an overriding preference to protect the historic built environment and all elements which contribute to the historic character of settlements.

The preferred policy approach in the Local Plan is to ensure that development will not have an adverse impact on the significance of a Heritage Asset and or its setting. Also the policy protects Scheduled Monuments and nationally important archaeological remains and their setting.

The extensive nature of the heritage assets across the plan area invariably results in a proposals that come forward that seek to justify themselves on the basis of being enabling development to restore/repair a heritage asset. Whilst English Heritage have published its own guidance on this type of development, because of the incidence of enabling development proposals that come forward across the plan area it has been considered appropriate for that the English Heritage policy approach be replicated in this policy.

The policy also includes special provisions for the protection of the Derwent Valley Mills World Heritage Site.

The policy builds upon Policies NBE16, NBE17, NBE18, NBE19, NBE20, NBE21, NBE22, NBE23, NBE24, and NBE25 in the adopted Derbyshire Dales Local Plan. The content of the policy has been refined to take account of the advice in the NPPF and that received from English Heritage.

#### 4.21 Development Management Policy 9 – Design and Appearance of Development

The Towns and Villages of the Derbyshire Dales District have a distinct local character which has been defined by their architectural and historic development, as well as the use of natural materials such as stone. It is important that the Local Plan ensures that new development that is brought forward in the plan area is of a high design standard, which reflects upon the locally distinct character and features of the area.

This approach was also supported by respondents to the Issues and Options (2009) consultation, whereby support was given to the suggestion that all new development should be built to high design standards and reflect the high vernacular value of settlements.

The NPPF states that “Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of

development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics” (para 58).

This Local Plan policy helps achieves the plan’s Strategic Objectives SO3 (ensuring high quality of new development) and SO4 (protection and enhancement of character, appearance and setting of towns and villages). Furthermore, Development Management Policy 9 recognises that development should respond and reinforce the defining characteristics of the settlement in which it will sit.

This builds upon Policy SF5 in the adopted Derbyshire Dales Local Plan which has been effective in ensuring that the design and appearance of new development is appropriate for its location.

### **Supporting the Rural Economy and Enhancing Prosperity**

- 4.22 Ensuring a continuing and thriving local economy is a key tenet of delivering sustainable development. The Derbyshire Dales Local Plan Pre Submission Draft has an important role to play in ensuring that the framework it sets encourages development that is of benefit to the local economy.
- 4.23 Accordingly, Strategic Objective 6 of the Local Plan is ‘to facilitate development that will support the continued growth and diversification of the local economy’.
- 4.24 This section of the plan, therefore seeks to ensure that the Local Plan provides an appropriate framework for delivering continual growth in the local economy, taking account of predicted changes identified in the evidence base.
- 4.25 **Strategic Policy 5- Maintaining and Enhancing an Economic Base**

In order to sustain and grow the local economy, it is essential that sufficient land is available for businesses. This policy within the Local Plan includes a gross land requirement of employment land for the District over the plan period, which is based upon the evidence from the Employment Land Review.

The outcomes of the Issues and Options consultation on the Derbyshire Dales and High Peak Joint Core Strategy set out a preference that was to identify some new employment land and encourage redevelopment of existing sites to meet the needs of modern businesses. It was also clear from the Issues and Options consultation that encouraging new businesses to locate in the area, improving local job prospects and reducing the need to travel to work were all supported as key aims.

This policy reiterates the employment land requirements set out in Core Strategy Policy CS8 in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan.

#### 4.26 Development Management Policy 10 – Land for New Employment Development

This policy complements Strategic Policy 5 as it sets out the details of the sites allocated in the Derbyshire Dales Local Plan Pre Submission Draft for employment purposes. A total of 19.0ha of land is allocated, thus providing flexibility over and above that which was identified as being appropriate in the Employment Land Review.

The policy also encourages expansion/extension of existing industrial/business land, but only where development will not cause an over development of the site, and an adverse impact on the character and appearance of the original building.

Whilst the first part of the policy reflects the decisions that have been made about which sites are allocated to meet the future supply of land for employment, the second part of the policy builds upon Policy EDt7 in the adopted Derbyshire Dales Local Plan, which has been effective in ensuring new employment development does not result in any adverse impacts upon the local environment.

#### 4.27 Development Management Policy 11 – Existing Employment Land and Premises

For various reasons not all existing industrial and business land and premises will continue to be viable for such uses over the plan period. In order to maintain a sufficient supply of land for employment purposes, the presumption will be that sites should continue to be maintained in employment use. However this may not always be viable and mixed-use development may be more appropriate.

Development Management Policy 11 provides criteria which must be satisfied if the redevelopment or change of use of existing businesses is to be acceptable in principle. Furthermore to ensure adequate future provision of employment land preference will be given to mixed-use schemes over developments that would result in a total loss of premises. Furthermore the policy stipulates that proposals that would result in an under-supply of employment land in relation to identified needs will not be permitted.

This policy builds upon Policy EDT4 in the adopted Derbyshire Dales Local Plan and provides additional requirements for developers to provide as part of planning applications to justify the redevelopment of employment to other uses. These additional requirements being a reflection of the practice that the District Council has adopted to

proposals involving the loss of employment land, but not set down within the adopted Derbyshire Dales Local Plan.

#### 4.28 Strategic Policy 6 – Promoting Peak District Tourism and Culture

Tourism in the Derbyshire Dales forms a significant contribution to the local economy employing approximately 6,000 people and attracting approximately 5 million visitors to Derbyshire Dales spending £296 million each year. However with the District's close relationship with the National Park it is the case that the majority of the existing visitor spending is in the National Park. Derbyshire Dales has the unique opportunity to diversify the tourism offer by potentially providing complementary tourist accommodation, attractions and other facilities.

Therefore one of the Local Plan's Strategic Objectives is SO8, this aims to support and promote the tourism and cultural sectors. Strategic Policy 6 provides an overall general approach which is supported by the Development Management Policies 12 and 13.

The outcomes of the Issues and Options consultation on the Derbyshire Dales and High Peak Joint Core Strategy identified broad support for the growth of tourism-related development in the plan area. But it did also call for a more specific vision for, and type and location of, tourism-related development in the plan area. The opportunity to ease visitor pressure inside the National Park by providing more opportunities in other parts of the Derbyshire Dales was also identified.

Themes from this consultation have been picked up in Strategic Policy 6, and help form the ways in which the Councils will support the development of Peak District tourism and culture.

The contents of this policy, where appropriate to Derbyshire Dales, are in essence the same as that set out in Core Strategy Policy CS11 in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan.

#### 4.29 Development Management Policy 12 – Tourism Development

The NPPF states that Local Plans should “support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres” (Para 28).

This policy seeks to complement Policy SP6 by setting out the criteria that will need to be satisfied in order for planning permission to be granted for the provision or expansion of tourist related development. It seeks to ensure that any tourism related proposals will not adversely

impact on the surrounding area, and the neighbouring uses beyond the development site, especially in rural area where preference is given to the re-use of buildings rather than the construction of new.

This policy builds upon Policies EDT17, EDT18, and EDT19 in the adopted Derbyshire Dales Local Plan, which have been used effectively in the determination of planning applications by the District Council.

#### 4.30 Development Management Policy 13 – Holiday Chalets, Caravan and Campsite Developments

Within the Derbyshire Dales there is demand for many types of tourism accommodation, not just hotels and bed and breakfast facilities. In order to ensure that the landscape of the Derbyshire Dales is not adversely affected by the development of holiday chalets, caravan and camping sites, their development will be carefully controlled.

This policy, with the exception of criteria (c) and (d) is the same as Policy EDT20 in the adopted Derbyshire Dales Local Plan. This policy proved effective in the determination of planning applications until 2008, when it was considered that the policy did not need to be a 'saved' policy within the Derbyshire Dales Local Plan, because of the existence of extensive guidance in PPS4 and PPS7. However with the replacement of these guidance notes with the NPPF the extent of guidance on this subject has been significantly reduced. As such, given the pressure for such developments, the District Council considers that it is appropriate to include this policy within the Derbyshire Dales Local Plan Pre Submission Draft.

#### 4.31 Strategic Policy 7 – Retail, Leisure & other Commercial Development

The availability of shops and services within the plan area is important to the sustainability of communities and the quality of life overall. The retail sector also makes a significant contribution to the local economy, and it is important that there are a range and choice of shops and services to meet all the needs of the community and visitors alike.

The Strategic Policy for retail, leisure and other commercial development for this reason, seeks to maintain and where possible, enhance the vitality of town centres and local centres in accordance with their function, scale and development needs.

In accordance with Para 23 of the National Planning Policy Framework this policy seeks to:

- recognises town centres as the heart of their communities and pursue policies to support their viability and vitality;

- defines the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres;
- promotes competitive town centres that provide customer choice and diverse retail offer and which reflect the individuality of town centres;

This policy builds on the Core Strategy Policy CS12 in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan, and takes account of representations received on the consultation period on this document.

#### 4.32 Development Management Policy 14 – Development within Town and Local Centres

This policy seeks to complement SP7 by setting out the detailed criteria for the determination of planning applications in town and local centres.

The policy builds upon Policies S1, S4 and S10 in the adopted Derbyshire Dales Local Plan, and expands what type of development is acceptable within Primary and Secondary Shopping frontages. The policy also seeks to support the role of local centres in achieving sustainable development by ensuring that they are not unduly compromised by inappropriate development.

#### 4.33 Development Management Policy 15 – Local Community Services and Facilities

The provision of community services and facilities including education, health and social services, community buildings and places of worship are important to delivering sustainable development especially in the more remote parts of the District. In recognition of this important role this policy seeks to support the provision of new services and facilities and protect existing services and facilities from unavoidable loss to other uses.

This Policy builds upon Policies S11, S12, CS1 and CS3 in the adopted Derbyshire Dales Local Plan which have been effective at encouraging new and protecting existing important local services and facilities.

#### ***Promoting Healthy and Sustainable Communities***

4.34 The Spatial Strategy set out the broad location and distribution of development across the plan area. This section of the plan seeks to set out how the identified housing requirements for the area are to be met, whilst addressing the challenges of climate change, and ensuring that communities are healthy and safe.

#### 4.35 Strategic Policy 8 – Strategic Housing Development

The revocation of the East Midlands Regional Plan has now placed the responsibility of the District Council to identify and justify its approach to the level of housing growth over the plan period. Furthermore, the National Planning Policy Framework indicates that every effort should be made to identify and then meet the housing, business and other development needs of an area.

On the basis of the evidence (including various public consultations) the District Council has resolved that the housing requirements for Derbyshire Dales should continue to follow the long held strategic approach to development across the Peak Sub Region or restraint because of the need to protect the quality of the environment

Strategic Policy 8 therefore sets out the Derbyshire Dales proposed housing requirement for the period up to 2028 at 200 dwellings per annum. This strategic requirement having been informed by work which the Council has undertaken in the form of the Strategic Housing Options for the District and the Development Approaches and Sub Area Strategies.

The policy also seeks to ensure that the type and nature of the housing provided across the plan area is appropriate to the needs of the area, including affordable housing to meet local needs.

#### 4.36 Development Management Policy 16 – Land for New Residential Development

In order to deliver the Strategic Housing Requirements for the District it is necessary to allocate land for residential development on sites outside the existing Settlement Framework Boundaries of the main towns and villages of the plan area.

The sites identified within this Policy along with a number of alternative options were subject to consultation as part of in the Housing Issues and Options in summer 2012. Detailed consideration of the potential housing allocation sites was undertaken by the Local Plan Advisory Committee at a series of meetings held between November 2012 and January 2013, with the final set of site endorsed by Council at its meeting on 14<sup>th</sup> February 2013.

On the basis of information received and post the Housing Issues and Options consultation the District Council considers that each of the sites is capable of being implemented within the plan period. Furthermore the overall level of provision being made within the Derbyshire Dales Local Plan Pre Submission Draft is more than that which is required to meet the housing needs. This allows for some degree of flexibility and is in accordance with the thrust of guidance contained within the NPPF.

#### 4.37 Development Management Policy 17 – Affordable Housing

The National Planning Policy Framework requires that Local Planning Authorities should use their evidence base to ensure that their Local Plan meet the full, objectively assessed needs for market and affordable housing in the housing market area.

The limited supply and high demand for housing has led to increasing house prices and associated implications for housing affordability. Unless more affordable housing is provided, there is a significant likelihood that housing will become increasingly unaffordable to young people across the plan area. The consequence of which could have an adverse impact upon the local economy as young people look to seek work else outside of the District.

To demonstrate the need for affordable housing within the District, the Council along with High Peak Borough Council and the Peak District National Park Authority commissioned a Joint Housing Needs Survey, Strategic Housing Market Assessment and Affordable Housing Viability Assessment. Both the Housing Needs Survey and Housing Market Assessment suggest there is a need to increase the overall level of affordable housing provision. The Housing Needs Survey indicated a need of between 443 and 591 dwellings per annum.

To ensure that the level of affordable housing being sought by the District Council is deliverable and does not have an adverse impact upon the delivery of open market housing an Affordable Housing Viability Assessment was commissioned. The study found that land values and house prices suggest that development is capable of delivering affordable housing without affecting the profitability of sites at up to 60% of all dwellings brought forward. The amount of affordable housing deliverable varies from Sub Area to Sub Area.

This policy aims to ensure that an appropriate amount, range and mix of affordable housing is provided to meet the needs of existing and future populations.

Two options for affordable housing policy across the plan area were identified; either the approach of an affordable housing policy which would cover the whole local plan area or a policy based on a Sub-Area by Sub-Area basis. On balance it is considered that the simpler plan area wide policy is easier to comprehend and as such is taken forward into the Draft Local Plan. However, the onus will be on the developer to justify circumstances where a lower proportion of affordable housing is offered than the policy requires.

This policy with the addition of site areas to the thresholds where affordable housing would apply and some more detailed wording, is in essence the same policy that was included within the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan.

#### 4.38 Development Management Policy 18 – Rural Exception Sites

The past delivery of affordable housing across the plan area has often occurred by negotiation with private sector housing developers, and by way of 'rural exceptions'. These sites having been brought forward solely for affordable housing when in normal circumstances the sites would not have been appropriate for new open market housing. The District Council's Rural Housing Enabler has often facilitated this type of development; thus delivering much needed housing to those in local need. The Council intend this policy to continue to support the provision of affordable housing on rural exceptions sites.

In addition to solely affordable housing developments on rural exceptions sites, Development Management Policy 18 makes provision for circumstances where it may be necessary for a small amount of open market housing to be developed on site, in accordance with the advice contained within Paragraph 54 of the NPPF. Although experience to date has shown that with the involvement of the Rural Housing Enabler and a Registered Housing Association that market housing has not been required to deliver local needs housing through the exception route. It is now the case that over the plan period, the funding for affordable housing will be significantly reduced. It is therefore recognised that over the plan period the delivery of affordable

housing on rural exceptions sites may require some open market housing to subsidise their delivery.

This policy, except for the addition of the reference to open market housing, which reflects the NPPF advice, is the same as that set out in Core Strategy Policy CS15 in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan.

#### 4.39 Development Management Policy 19 – Gypsies, Travellers and Travelling Show People

This policy seeks to provide for the requirements of Gypsies, Travellers and Travelling Show People and has been takes account of the Derbyshire Gypsy and Traveller Accommodation Assessment (GTAA). This found that there was a relatively small requirement for two gypsy/traveller pitches for the period up to 2012 across the whole of Derbyshire Dales. An update of the Derbyshire GTAA is being currently being undertaken, and as such the policy seeks to support the provision of new gypsy and travellers sites where any residual need remains.

The policy seeks to meet the needs of the gypsy community whilst also ensuring that the other Local Plan objectives relating to the protection of the character and appearance of the landscape are not compromised. Other criteria in the policy ensure that the development will be sustainable in terms of its access to the highway network and local services and facilities.

This policy builds upon Core Strategy Policy CS16 and takes into account the advice contained within Planning Policy for Traveller Sites published by Department for Communities and Local Government in March 2012<sup>5</sup>

#### 4.40 Strategic Policy 9 – Climate Change

A Strategic Objective of the Derbyshire Dales Local Plan is to support developments that minimise risks to health as a result of amongst other things, climate change. Furthermore the NPPF indicates that planning has a key role in helping shape places which secure reductions in greenhouse gas emissions, support the delivery of renewable and low carbon energy and are resilient to the impacts of climate change.

The findings of a feasibility study which was commissioned to assess the potential for renewable and low-carbon technologies across the Peak Sub Region has been used to determine the extent of this policy.

The study concluded that there is potential for a range of different types of renewable/low carbon technologies to be used across the area. In

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<sup>5</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6078/2113371.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6078/2113371.pdf)

addition to the use of various technologies the study found that there was potential for the use of combined heat and power schemes and district heating schemes, especially in larger developments. This is therefore supported in Policy SP9.

The feasibility study also suggested that an alternative approach to using targets for renewable energy or CO2 reductions was the development of a policy based upon achieving set levels in the Code for Sustainable Homes (CSH) or Building Research Establishment Environment Assessment Method (BREEAM). The policy in the Local Plan, in accordance with this suggestion requires developments of 5 or more dwellings to achieve the highest viable CSH rating. Furthermore commercial developments over 1,000m<sup>2</sup> are required to be built to the highest viable BREEAM rating, at least meeting the BREEAM good standard.

This policy is in essence the same as Core Strategy Policy CS17 as set out in the Derbyshire Dales and High Peak Joint Core Strategy (June 2010)

#### 4.41 Strategic Policy 10 – Open Space and Outdoor Recreation Facilities

Access to open space and recreation facilities can make a significant contribution towards the achievement of sustainable development, as they provide opportunities for exercise and social interaction amongst local residents, benefitting the health and wellbeing of the wider community.

Part of the evidence base of the Local Plan includes the Peak Sub Region Open Space, Sport and Recreation Study. It assessed the demand for these facilities along with the quantity and quality of different types of open spaces, in addition to their accessibility and value to the local community. The study concluded that there was an abundant supply of high quality open space for sport and recreation across the plan area. However it was found that the area would benefit from some additional provision in relation to indoor sports facilities, swimming pools and sports pitches.

Therefore, the approach of the policy is to both protect the existing high quality open space and recreation facilities and also to seek possible enhancements to these.

This policy is in essence the same as Core Strategy Policy CS18 as set out in the Derbyshire Dales and High Peak Joint Core Strategy (June 2010)

#### 4.42 Development Management Policy 20 – Sport and Recreation Facilities

This Policy complement Policy SP10 as sets out the criteria the District Council will take into account in the determination of planning applications involving the provision of new sports and recreation facilities. The policy seeks to ensure that new sports and recreation facilities are situated in sustainable locations and they do not have an adverse impact upon the character and appearance of the location in which they are proposed.

The policy also sets out a presumption against development which would result n the loss of any existing recreational site or facility. This includes allotments, public and private playing fields, play areas, formal and informal amenity areas and public open spaces.

This policy builds upon Policies L2 and L3 in the adopted Derbyshire Dales Local Plan which has been effective in determining applications for planning permission for this type of development.

#### 4.43 Development Management Policy 21 – Open Space

This policy also complements Policy SP10, and seeks to protect open spaces that are important in terms of their character, appearance and amenity value and which are primarily within the built up areas of the towns and villages across the plan area.

The policy also seeks to ensure that new residential developments provide adequate levels of new open space for the benefit of residents of the proposed developments or the area in which it is situated.

This policy builds upon Policies SF2, and L6 in the adopted Derbyshire Dales Local Plan as well as Development Management Policy DM3 in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan.

#### 4.44 Strategic Policy 11 – Accessibility

Access to services and facilities, within the more remote and rural communities of the plan area is a significant issue for maintaining the quality of life for residents, particularly where the provision of alternative forms of transport to the car – public transport – is typically less than that of more densely populated areas.

This policy therefore sets a vision for the ways in which the Local Plan will seek to achieve improved accessibility to shops, services and facilities across the plan area.

This policy incorporates many of the elements contained in Core Strategy Policy CS19 in the Derbyshire Dales and High Peak Joint Core Strategy Draft Plan, with the exception of the section relating to

the loss of community assets which has now been included within Policy DM15 in the Derbyshire Dales Local Plan Pre Submission Draft.

#### 4.45 Development Management Policy 22 – Access and Parking

This Policy seeks to ensure that all developments are served by a safe access and that they do not result in an adverse impact on the highway network. In implementing this policy the District Council will always seek the views of Derbyshire County Council and the local Highways Authority.

The policy sets out the detailed requirements that every development has to satisfy and builds upon Policy TR1 in the adopted Derbyshire Dales Local Plan, which has been very effective in ensuring that new development does not have an adverse impact upon highway safety.

#### **Sub Area Strategies**

4.46 In addition to setting the overall strategy for the whole plan area the Plan also identifies a strategic approach for each of the three Sub-Areas of the plan area; Matlock/Wirksworth, Ashbourne and Southern Parishes. Each of the Sub-Areas having their own characteristics and features and are based upon Travel-to-Work Areas.

#### 4.47 Strategic Policy 12 – Matlock/Wirksworth Sub Area

The Matlock/Wirksworth Sub-Area comprises the two Market Towns of Matlock and Wirksworth, and their surrounding hinterland, including the villages of Tansley, Cromford, Matlock Bath and Bonsall.

The two market towns are defined as the most suitable locations to accommodate new development. Tansley is identified as a Larger Village in the Settlement Hierarchy with good access to services and facilities, and as such is considered an appropriate location to accommodate a limited amount of new residential development.

In addition to the allocation of land to meet the housing needs of the area the Sub-Area Strategy identifies a set of priorities that seek to contribute towards safeguarding the historic characteristics of the settlements within the Sub-Area, increasing the range of employment opportunities and promoting the growth of a sustainable tourist economy.

#### 4.48 Strategic Policy 13 – Ashbourne Sub Area

Ashbourne, is the main Market Town in the Sub-Area and has been identified as the most sustainable location for new housing development, taking the vast majority of new development in the Sub Area. Doveridge is identified as a Larger Village within the Settlement

Hierarchy, and as such is considered an appropriate location to accommodate a limited amount of new residential development.

In addition to the allocation of land to meet the housing needs of the area the Sub-Area Strategy identifies a set of priorities that seek to safeguard Ashbourne as a historic market town serving its rural hinterland, the historic character of settlements within the Sub-Area, ensure that employment opportunities are increased, support a sustainable tourism economy and improve access to services and facilities.

#### 4.49 Strategic Policy 14 – Southern Parishes Sub Area

The Southern Parishes Sub-Area is situated to the southern and eastern part of the Derbyshire Dales and forms part of the wider Derby Travel to Work Area. Due to the nature and extent of the area, it has not been a focus for strategic growth historically; all new housing developments that have come forward have been small scale.

Strategic Policy 14 seeks to deliver the sustainable growth of the Southern Parishes Sub-Area by safeguarding the historic character of the settlements within it, improving accessibility to services and facilities across the Sub-Area and meeting the housing needs of local communities. It also seeks to ensure the provision of a replacement primary school for the village of Brailsford.

#### 4.50 Site Allocation Policies

Each of the sites allocated for development within the Derbyshire Dales Local Plan Pre Submission Draft have been selected following the Housing Issues and Options Consultation and a series of Local Plan Advisory Committee (LPAC) meetings held between November 2012 and January 2013.

The Housing Allocations Issues and Options document set out a suite of sites that the District Council considered appropriate to meet the strategic housing requirement. A series of sites were set out by sub area and settlement as options for the allocation of housing land for the period 2006-2028.

Following the outcomes of public consultation on Issues and Options for the Derbyshire Dales Local Plan in June – July 2012 the decision was taken to obtain further information on the suitability and deliverability of the potential housing sites for inclusion within the Local Plan. In order to inform the decision making process on which sites should be taken forward as allocations a 'site prioritisation' methodology was developed that built upon a number of the sustainability criteria assessed as part of the Sustainability Appraisal, but also included issues pertaining to site deliverability, suitability, ownership constraints and timeframe for development. Each alternative

site was assessed and prioritised according to the following priority ranking:

*Priority 1*

Sites which are located within close proximity to the Market Towns of Matlock, Ashbourne or Wirksworth and perform highly (score 3 or above) in respect of all of the following key development criteria : ecological impacts, site access and highway impact, flood risk and surface water run-off, infrastructure considerations, bad neighbour considerations and ownership constraints, and are developable within 5 years.

Priority 1 sites will in due course, be the sites which are considered first for potential allocation in order to meet the housing requirements of a sub-area.

*Priority 2*

Sites which are located within close proximity to the Market Towns of Matlock, Ashbourne or Wirksworth, or the larger settlements of Hulland Ward, Brailsford, Doveridge, Tansley, Cromford, Darley Dale, Matlock Bath and Middleton by Wirksworth and perform well (score at least 3) in respect of all of the following key development criteria : ecological impacts, site access and highway impact, flood risk and surface water run-off, infrastructure considerations, bad neighbour considerations and ownership constraints.

*Priority 3*

Sites in all locations which are capable of development, however the impact of development in respect of a range of key development criteria including site access and highway impact, flood risk and surface water run-off, infrastructure considerations, bad neighbour considerations and ownership constraints is likely to be more significant with the prospect of only partial mitigation of impact.

*Priority 4*

Sites which perform poorly (score 1) in respect of any of the following key development criteria : site access and highway impact, flood risk and surface water run-off, infrastructure constraints, bad neighbour considerations and ownership constraints.

At the Local Plan Advisory Committee meetings that considered the outcomes of the consultation exercise on housing allocations issues and options between November 2012 – January 2013 Members were asked to consider whether they were in agreement with the site prioritisation assessment that had been undertaken and attribute a ranking to each potential site considered.

As a result of this exercise, recommendations on which sites should be taken forward for inclusion within the emerging Derbyshire Dales Local Plan were made. Members decisions on which sites should be

allocated were ultimately based on a combination of factors, including Members weighting of consultation responses, their own perceptions of the sites following site visits, evidence from the site prioritisation process and the comments and specific debates that took place at each of the Local Plan Advisory Committee Meetings.

As a result of the consideration of all available options and evidence, advice in the NPPF and the site prioritisation, recommendations on sites to be allocated within the Derbyshire Dales Local Plan were made at a meeting of Council on 14<sup>th</sup> February 2013.

#### 4.51 Strategic Policy 15 – Infrastructure

A key element of the delivery of the Local Plan is the provision of essential community infrastructure to support the growth that is envisaged. The Local Plan will seek to optimise existing infrastructure in appropriate locations and seek new infrastructure, where required to support growth.

The term ‘infrastructure’ is used to refer to all the social, physical, and ‘green’ facilities needed for the proper functioning of the Plan Area and the communities within it.

In preparing the Derbyshire Dales Local Plan Pre Submission Draft the District Council has entered into discussions with key infrastructure providers to understand what likely impacts development may have on infrastructure within the District. As a result of this dialogue the District Council recognises that the release of land for development should be dependent on there being sufficient capacity in the existing local infrastructure to meet additional requirements from the development.

Strategic Policy 15 therefore seeks to ensure that suitable arrangements will be put in place to improve infrastructure, services and community facilities. Furthermore, to ensure that new development is served by adequate infrastructure, this policy seeks to ensure that the utility, transport and community infrastructure necessary to serve development are available, or suitable arrangements are in place to provide it.

#### 4.5 Development Management Policy 23 – Planning Obligations and Community Infrastructure Levy

It is anticipated that developer contributions will have a significant role to play in infrastructure delivery, including contributions towards affordable housing (on or off site), schools, health centres, open space and highways improvements.

The Community Infrastructure Levy (CIL) was introduced by Government in 2010. It allows Local Authorities to set a financial levy on developments to provide for essential infrastructure to support

planned growth. The levy will allow funds to be raised from developers who are undertaking new building projects in the District and to a large degree this will replace the use of S106 Agreements to secure the provision of new infrastructure.

The District Council along with High Peak Borough Council, Staffordshire Moorlands Borough Council and the Peak District National Park have appointed consultants to consider the viability of development across the Peak Sub-Region, and to consider the scope for the introduction of a CIL. At the time of writing, this work is ongoing and will be subject to further consideration by the District Council to determine whether the introduction of CIL should be pursued across the plan area.

Although the use of CIL is yet to be confirmed, this policy sets out that planning permission will be granted for development proposals which provide, or meet the reasonable costs of providing (on or off site), the infrastructure, facilities and/or mitigation necessary to make development acceptable in planning terms.