

STAGE 1

Matter 2 - The Spatial Strategy

(Main Evidence Base : SD03 / CD37 & CD38 / EX/02)

Issue

1. The position of settlements in the hierarchy

Is the position of settlements in the hierarchy within Policy S3 justified having particular regard to accessibility to services and employment?

Response

1. The position of settlements in the Local Plan settlement hierarchy is considered to be appropriate and has been justified by the evidence contained in Core Document 43..

In considering where new development should be located, there is a need to balance the requirements of development against other needs such as sustainability and environmental impacts. Development needs to be accommodated in settlements where the need to travel can be reduced through good access to facilities and services and where it can be accommodated without significant adverse impacts.

A settlement hierarchy or ranking is a way of categorising an area’s settlements to recognise their different roles and function. A hierarchy groups together those settlements that have similar characteristics. At the top of the hierarchy are settlements that play a key role within the District, providing services used by a much wider catchment, having the best infrastructure (facilities and services) and which are relatively well connected in terms of transport links. At the bottom of the hierarchy are settlements, which have relatively few functions, less infrastructure and are more isolated in terms of transport links. Identifying a hierarchy will help in determining what role each settlement can play in addressing the future needs of the District.

As set out in Policy S3, it is intended that development will be directed towards the most sustainable locations, with the settlement hierarchy providing guidance on the categorisation of each of the plan area settlements. The proposed hierarchy focuses development in and around the market towns (Tier 1) as these have the necessary physical and social infrastructure to support housing growth whilst Darley Dale (Tier 2) is a sizeable community of individual settlements which are well served by services and facilities with good access to employment opportunities.

Twelve villages are identified as ‘Accessible Settlements with Limited Facilities’ (Tier 3). These villages are regarded as the most sustainable villages in the rural areas of the district which generally have good local social infrastructure, some local employment opportunities and good accessibility to the towns and larger centres. A further six villages are identified as ‘Accessible Settlements with Minimal Facilities’ whereby residents will generally have to travel outside the village for most of their daily needs. Ten villages are identified as ‘Infill and Consolidation Villages’ where the provision of services and facilities is extremely limited.

The evidence base supports the position of individual settlements within the settlement hierarchy which has its roots in the Derby and Derbyshire Joint structure Plan (1991-2011) and subsequently the East Midlands Regional Plan which identified the Peak Sub-Region as being generally rural in nature, with the medium sized towns of Matlock, Ashbourne and Wirksworth as small towns.

CD/43 - Chapter 4 outlines the summary findings of the assessment which justifies the approach adopted.

Representations received in relation to the settlement hierarchy (Policy S3) have been addressed in the Council's Detailed Assessment of Duly Made Representations (CR01).

Representor 2164/364 suggests that the District Council is adopting the same approach which was criticised by the Local Plan Inspector who considered the 2005 Derbyshire Dales Local Plan and contends that the settlement hierarchy should be simplified by combining the first and second tiers to form one group and the third and most if not all of the fourth tier to form a second group. The District Council does not accept this to argument.

In the 2005 Local Plan, the Inspector considered that outside the main market towns, only 8 settlements should be identified with development outside these settlements being regarded as development within the countryside and subject to policy restraint. As such, there was a clear policy intention to limit development beyond these settlements, however this was very much in the context that there was no strategic housing requirement to be met during the plan period. However, those circumstances do not apply to the Pre-submission Draft Local Plan. There is now a significant housing requirement to be met and as such, the identification of a greater number of settlements based upon clear sustainability credentials rather than size of population, is regarded as an appropriate approach to adopt.

Whilst representation 2164/364 contends that the settlement hierarchy should be simplified, no evidence is submitted to demonstrate that such a simplistic approach would be an appropriate approach to adopt having regard to the sustainability credentials of the settlements.

It is further argued (2164/364, 2164/527, 5366/534) that the exclusion of Bonsall from Tier 3 settlements is illogical on the grounds that it has a population of more than 450. However, population should not be the prime determinant in the classification of settlements – much more important are the range and scale of services and facilities available to the population of the settlement and its surrounding areas. Similarly, the exclusion of Kirk Ireton, Carsington and Hopton is contested.

CD43 (Appendix A) contains individual settlement audits. As a settlement, Bonsall has fewer social /community facilities than Sudbury even though Sudbury has a much lower population. Kirk Ireton has a similar range of community facilities to Bonsall but has poorer access to public transport. Carsington has no community facilities other than a public house and a primary school and Hopton shares facilities with Carsington due to their close proximity to each other. In terms of the settlements assessed in CD43, only Longford ranks lower than Carsington and Kirk Ireton.

Whilst the Pre-Submission Local Plan is far more permissive of development across the settlements in the plan area (32 settlements identified in tiers 1-5 as opposed to the 8 settlements in the Adopted Derbyshire Dales Local Plan), there remains a need to ensure that development occurs in the most sustainable locations.

Issue

2. **Levels of growth within the settlement hierarchy**

Should similar proportionate levels of growth be identified for each settlement within a particular tier of the hierarchy?

Response

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| 2. | <p>The settlement hierarchy assessment (CD43) does not propose specific amounts of development for the different settlements in the district. However, in line with the overall aim of seeking to achieve sustainable development, the spatial strategy seeks to guide the majority of new development to the higher order tiered settlements.</p> <p>The Strategic Housing and Employment Land Availability Assessment (CD25) sought to identify and assess the suitability of housing sites across the district with 244 sites being assessed.</p> <p>CD25 (Table 3 – Page 16) indicates that of those sites identified and assessed as being developable/deliverable, potential capacity for 3721 dwellings was identified. However, not all of the settlements within the settlement hierarchy were able to identify capacity through identified sites. However, that is not to say that there are no opportunities for development within those settlements since windfall sites will continue to come forward throughout the plan period. Accordingly, any attempt to allocate similar levels of growth for each settlement within a particular tier of the hierarchy would not be supported by any evidence to demonstrate that sites were (a) available and (b) deliverable.</p> |
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| 3. | <p>The requirements of Policy S3 in terms of where development can take place</p> <p><i>Is the approach of only having settlement boundaries for the 1st, 2nd and 3^d tier settlements appropriate?</i></p> <p><i>Does Policy S3 provide a sufficiently clear and positive framework for dealing with proposals for development related to the 4th and 5th tier settlements and other rural areas?</i></p> |
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| Response | |
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| 3. | <p>The criteria that have been applied to the delineation of Settlement Development Boundaries are outlined at Paragraph 4.23 of the Pre-Submission Local Plan (SD01). Boundaries have only been defined for settlements within tiers 1, 2 and 3 as these settlements are considered to be the most sustainable in the plan area (CD43) and are the focus of the majority of planned growth in the plan period.</p> <p>Whilst it is technically possible to define development boundaries for many of the settlements in tiers 4 and 5, the consequence of doing so would be to provide policy support (Policy S4) for development within the boundaries of settlements which are not regarded as being the most sustainable locations for development as evidenced by CD43.</p> <p>In light of the fact that Policy HC2 identifies sites in sustainable locations to meet the future housing needs of the district, there is considered to be no overriding need to encourage significant amounts of development in less sustainable locations. The provision of a settlement development boundary for those settlements in tiers 4 and 5 would have precisely that effect.</p> |
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| 4. | <p>The Garden Village Option</p> <p><i>Are the reasons for rejecting the Garden Village option justified?</i></p> |
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| Response | |
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| 4. | <p>In March 2016, Government published its prospectus 'Locally-Led Garden Villages, Towns and Cities'. The first part of the prospectus invited expressions of interest by 31st July 2016 for new 'Garden Villages' of between 1,500 to 10,000 homes. In order to be</p> |
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considered for government support, proposals were required to meet a number of eligibility criteria. These included the need to identify a site, evidence on scheme viability including infrastructure costs, analysis of financial, social and economic benefits of the proposal etc.

The idea of a new Garden Village was initially proposed by Darley Dale Town Council as a means of diverting residential development pressures elsewhere.

In response to the Town Council's suggestion, District Council Officers met with representatives of Darley Dale Town Council to discuss their proposals further. Although a number of locations and sites were suggested by Darley Dale Town Council none of the sites or locations identified were either available or of sufficient size to enable such a proposition to come forward through the Local Plan process. Indeed, one of the main sites was not even within the Derbyshire Dales plan area. Furthermore, no sites of a sufficient size came forward through the extensive call for sites or public consultation process.

The emphasis in the NPPF is that Local Plans should only include proposals if they have a reasonable prospect of being implemented over the plan period. In the absence of any available sites being proposed, the District Council would be unable to meet the NPPF objectives. As such, the District Council had to consider the likelihood of a proposal for a Garden Village being brought forward and implemented over the plan period.

It was suggested by Darley Dale Town Council that the preparation of the Derbyshire Dales Local Plan should be paused in order to give further consideration to this proposal. The District Council therefore sought advice from the Department for Communities and Local Government (Appendix 1).

In response to this request for clarification, the clear message given to the District Council by DCLG was that preparation of the Derbyshire Dales Local Plan should not be unduly delayed by pursuing an option for a Garden Village which was very much in its infancy. A copy of the response from the Department for Communities and Local Government is set out in Appendix 2. In the period since July 2016 when this matter was reported to the Council's Local Plan Advisory Committee (CR05) to date, there has been no material change in this situation. No clear proposals have been put forward as part of the plan preparation process and no site has been identified.

Notwithstanding the above, the Garden Village option has been appraised as part of the Sustainability Appraisal process, the full appraisal findings are contained in the SA Report, Part 3, Annex A (SD04 - Page 23-26).

The Government's definition of a 'new garden village' is that it is a new settlement of 1,500 – 10,000 homes, it is not an extension of an existing town or village and that it ideally makes effective use of previously developed (brownfield) land. As there are no large brownfield and/ or Local Authority owned sites available for development within the District, other than the former Airfield at Ashbourne (which is an urban expansion site), the parameters which have been appraised in the SA are as follows:

- A large greenfield site located somewhere within the Derbyshire Dales District;
- An identified site not adjoining an existing market town or medium - size settlement;
- A site providing a capacity of at least 1,500 homes plus infrastructure and other uses such as education, an appropriate level of employment use and affordable housing;
- Good walking and cycling accessibility is available to access day to day services; and
- The new development would be well designed, in line with Local Plan policies and

creating a sense of place.

As the new garden village concept does not have a location, the performance of the concept against the majority of the SA Objectives is uncertain. For example, with regards to SA Objective 17 (wider accessibility), as the location of the new garden village is unknown, it is not possible to identify the accessibility of facilities such as a large supermarket, secondary school, and larger employment premises. It is not assumed that these facilities could be provided within a new garden village.

Potential significant negative effects (with uncertainty) are identified in relation to SA objectives 2, 3 and 4 which relate to ecological sites, biodiversity and green infrastructure. The SA has assumed for that a large greenfield site (circa 95ha) to be identified within the District and developed as a new garden village it is considered likely that designated sites, biodiversity and green infrastructure and other wildlife sites could be significantly negatively affected.

Similarly, should a large enough site be identified in the District to deliver a new garden village, due to its scale, it could result in significant negative effects on landscape and natural resources (SA13).

Potential significant positive effects have been identified in relation to SA objectives 7 and 12 relating to the delivery of homes and economic development. It is assumed that a new garden village would provide an appropriate level of employment development and co-ordinated infrastructure to support businesses. A new garden village would provide approximately 1,500 new homes, including affordable housing, to help meet the OAHN in the District.

Some mitigation has been suggested to address the uncertainty and potential negative effects identified within the appraisal such as that a new garden village should be located within a reasonable distance and bus route of a market town in order to avoid placing a large amount of housing (circa. 1,500) in an area which is not well served with higher order services. Other mitigation suggested relates to designated ecological sites, biodiversity strategy, energy strategy, landscape strategy, heritage effects, managing sustainable travel and infrastructure provision.

However, this mitigation is theoretical, given that no suitable site has been identified within the District through the SHELAA process. Therefore, the new village concept cannot be considered as a reasonable alternative to housing delivery within the District as it is not deliverable due to the lack of any suitable and available site.

None of the submitted representations identify a suitable site for accommodating a 'new village' Indeed, some representations (5588-738) refer to the 'possibility' of a new village being created through a Community Land Trust. However, such uncertainty runs completely contrary to the purpose of a 'plan-led' system and paragraph 47 of the NPPF which requires the identification of specific deliverable sites or broad locations for growth. In the absence of a site being identified, these objectives cannot be met.

Issue

5. The generic strategic Policies S2, S4 and S5

Are these policies positively prepared, effective and consistent with national policy taking into account any proposed modifications?

Response

5.

Policy S2 : Sustainable Development Principles

Policy S4 : Development within Defined Settlement Boundaries

In response to Document IN/02, the District Council has proposed modifications to these policies to ensure that they are positively prepared, effective and consistent with national policy.

Policy S5 : Development in the Countryside

The open countryside is defined in Policy S2 Settlement Hierarchy and comprises those areas of countryside outside the defined settlement boundaries of tier 1, tier 2 and tier 3 settlements and beyond the listed tier 4 and 5 settlements. It includes all other areas, including those villages, hamlets and isolated groups of buildings where nearly all services and facilities must be accessed in higher order settlements. In these locations, development will be strictly limited to that which has an essential need to be located in the countryside.

The policy details the types of residential development which would be allowed in the countryside, these relate to a single replacement dwelling (Policy HC7), affordable housing (Policy HC4), extensions to existing dwellings (Policy HC10), housing to meet the essential requirements of agriculture, forestry or other rural based enterprise (Policy HC13), conversion and re-use of buildings (Policy HC8) and a Gypsy and Traveller site in accordance with Local Plan Policy HC6. A modification is proposed to include housing development in fourth and fifth tier villages in accordance with Policy S3.

The core planning principles in the NPPF state planning should recognise the intrinsic beauty of the countryside and support rural communities within it. Whilst housing is seen as a key part of supporting rural communities it should be located where it can contribute to maintaining rural services and facilities and isolated housing in the countryside should be avoided unless there are special circumstances (paragraph 55). Paragraph 54 states the housing development should reflect local needs particularly affordable housing and where appropriate consideration should be given to rural exception sites.

Section 4 of the NPPF emphasises the need for sustainable development and Local Plans should support a pattern of development which facilitates the use of sustainable transport and minimises the need to travel. Policy S5 therefore seeks to protect the high quality landscape of the Derbyshire Dales whilst promoting sustainable patterns of development by restricting development in the countryside in accordance with national policy.

**DERBYSHIRE DALES DISTRICT COUNCIL LETTER TO
DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT
(May 2016)**



Please ask for:
Direct Dial No:
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Your Ref:
My Ref:
E-mail:

Mr. P. L. Wilson
01629 761325
01629 761149

PHS-PW

paul.wilson@derbyshiredales.gov.uk

24th May 2016.

Ms. Sarah Hunt,
Local Plans Team,
Department for Communities and Local Government,
sarah.hunt@communities.gsi.gov.uk

Dear Madam,

LOCALLY LED GARDEN VILLAGES

I refer to March 2016 DCLG publication 'Locally-Led Garden Villages, Towns and Cities' which invites Local Authorities to submit expressions of interest by 31st July 2016 for new 'garden villages' of between 1,500 to 10,000 homes.

As you are aware, at the present time, Derbyshire Dales District Council is preparing a revised Derbyshire Dales Local Plan which we intend to submit to the Secretary of State by the end of this year.

In response to our proposals to accommodate our Objectively Assessed Housing Need of 6,440 dwellings which, by necessity, involves the significant expansion of our Market Towns and medium sized settlements, public comment has been received on our draft plan which implores the District Council to delay plan submission in order to consider an alternative strategy of accommodating a new 'garden village within the district.

To date, the District Council has resisted, and continues to resist, such calls on the basis that no site has been identified and the timescales involved in pursuing such a proposal would mean that a Local Plan could not be submitted to Government by the March 2017 deadline as recommended by the Government's own Local Plans Expert Group (March 2016 report). Indeed, it is likely to take a significant period of time beyond March 2017 before such proposals could be sufficiently advanced in order that they may be included in a Local Plan and for that plan to pass the test of 'soundness'.

In order to ensure that my understanding of the Government's position on the timescale for the submission of Local Plans is correct, I would be grateful if you could clarify whether:-

1. The deadline of March 2017 for the submission of a Local Plan is negotiable in order to afford sufficient time to explore the feasibility of a 'garden village' proposal – the nature and extent of which is currently unidentified.
2. Whether, in such circumstances, the Local Planning Authority will be subject to any 'special measures' that may be introduced by Government as recommended by the Local Plans Expert Group.

I look forward to a response at your earliest convenience.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paul Wilson'.

Paul Wilson
Corporate Director

Paul Wilson, MCD, Dip TP, Dip Mgmt, MRTPI
Corporate Director

Town Hall, MATLOCK, Derbyshire. DE4 3NN

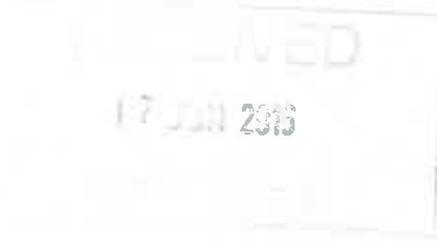
For general enquiries telephone 01629 761100 or visit www.derbyshiredales.gov.uk

**DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT
RESPONSE TO DERBYSHIRE DALES DISTRICT COUNCIL**

(June 2016)



Department for
Communities and
Local Government



Mr P Wilson
Corporate Director
Derbyshire Dales District Council
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Matlock
Derbyshire DE4 3NN

Please
ask for: Sarah Hunt
Tel: 0303 44 48081
Email: Sarah.hunt@communities.gsi.gov.uk

Date: 15 June 2016

Dear Mr Wilson

LOCALLY LED GARDEN VILLAGES

Thank you for your letter dated 24 May regarding locally led garden villages.

As you are aware, the Government wants to see up-to-date local plans in place as soon as possible. I am encouraged that your authority is working towards the submission of its local plan and I would encourage you to progress this plan to adoption at the earliest opportunity.

I would suggest that the proposition of a garden village as a way of meeting the Council's Objectively Assessed Housing Need is properly considered through an early review, or partial review of the local plan, especially given that any such proposal appears to be in its infancy. I am happy to meet with your authority to discuss this further.

We have made clear our expectation that all local authorities should have an up-to-date local plan in place. Local plans are the primary basis for identifying what development is needed in an area and deciding where it should go and are therefore vital for giving communities the certainty they deserve for how local housing needs will be met. We have set out that where no local plan has been produced by early 2017, we may intervene and arrange for a plan to be written in consultation with local people, where it would accelerate production of a local plan. In March 2016, we consulted on the criteria to inform intervention decisions and this included a question on whether we should take exceptional circumstances into account in these decisions. We are currently analysing the responses and will be making a response shortly.

Yours sincerely,



Sarah Hunt
Local Plans Team