



Examination into the Derbyshire Dales Local Plan

Summary Report of Representations on Policies Maps and Diagrams Modifications

September 2017

Introduction

In July 2017 the District Council published for public consultation a schedule of 'modifications to the policies maps and diagrams' to the Derbyshire Dales Pre-Submission Draft Local Plan (August 2016) (Examination Library ref. SD01). These changes to the Plan are **not considered** by the Local Plan Inspector to be necessary to rectify matters of soundness and/or legal compliance.

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

These policies map and diagrams modifications were proposed without prejudice to the Inspector's final conclusions on the Local Plan which will be informed by all representations submitted in response to the public consultation.

The public consultation on the policies map and diagrams modifications commenced on 3rd July 2017 and ran for six weeks until 14th August 2017. The District Council contacted over 4000 people directly either by post and email and invited to comment.

Copies of the modifications were placed 'on deposit' in the libraries and leisure centres in Ashbourne, Matlock and Wirksworth. Additional information and publicity was provided by the District Council through its website, and by issuing news alerts and press releases.

At the end of the public consultation period 451 complete representations had been received from 115 people, of which 359 were comments on the Main Modifications, 57 on the Additional Modifications and 35 on the Policy Maps and Diagram Modifications.

This report sets out the representations made on the policies map and diagrams modifications and has been sent to the Inspector to assist him with his deliberations on the Derbyshire Dales Local Plan and will be placed in the [Local Plan Examination Library](#)

The following documents are in the Examination Library and should be viewed in conjunction with this report.

- Derbyshire Dales Pre-Submission Draft Local Plan –Appendix 5 Policies Maps (Examination Library ref. SD02)
- Schedule of Main Modifications ((Examination Library ref. EX/36)
- Schedule of Additional Modifications (Examination Library ref. EX/37)
- Schedule of Policy Map and Diagram Modifications (Examination Library ref. EX/38)
- Adopted Derbyshire Dales Local Plan Proposals Maps (Examination Library ref. CD58)
- The Sustainability Appraisal of the Main Modifications to the Local Plan (Examination Library ref. EX/39 – EX/41)

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September 2017.

POLICY MAPS MODIFICATIONS SUMMARY REPORT

PM1Amend Figure 1: Derbyshire Dales Local Plan Area within the Wider Peak District to include Darley Dale			No. of Reps	1
John Acres	5924-28	Acres Land and Planning Limited		
PM1. Amendment to objectives in Figure 6. Support. We welcome the change to the Figure to conform to the changes in MM1 and AM1 which removes the caveat to meeting peoples' housing needs.				
PM10 Appendix 5 Policy S3 - Revision to Settlement Development Boundary - Wirksworth			No. of Reps	2
Dan Sellers	5704-4			
Support				
Dan Sellers	5704-25			
Support				
PM11 Appendix 5 - Revision to PD10 Matlock to Darley Dale A6 Corridor			No. of Reps	4
Dan Sellers	5704-5			
support				
Alex Hales	6345-1	Audley Court Limited		
To be completed				

1.Introduction

1.1.This representation is made on behalf of Audley Court Limited (Audley), owners and operators of the St Elphin's Park Retirement Village, Darley Dale, Matlock DE4 2HA. St Elphin's is a relatively recent redevelopment of the former boarding school to provide a high quality private care community for the elderly.

1.2.Please refer to the Aerial Plan provided which identifies Audley's land ownership boundary (Appendix 1). (Please note that three appendices are submitted with this representation and have been emailed separately).

1.3.Located south-east of Darley Dale on the A6 main road, St Elphin's Park is in the Local Plan area and therefore Audley has an interest in the proposed modifications published in June. Audley has not participated in the examination of the Local Plan until this stage because until this latest round of modifications there were no policies to which Audley wished to object. The proposed modifications to Policy PD10 (Matlock to Darley Dale A6 Corridor), in so far as they relate to Audley's land holding, are deemed to be unnecessary and have a material and deleterious impact on land in Audley's control.

1.4.In summary, it is considered that the proposed modifications to the Policy PD10 map (Council's reference PM11) are not consistent with the published evidence base, and that the evidence base is incomplete, and therefore this modification is not justified. This representation therefore is seeking an amendment to the extent of the boundary defined by Policy PD10.

2.Local Plan evidence base for Policy PD10

2.1As referenced in the Pre-Submission Draft Plan at paragraph 5.63, Policy PD10 is a response to evidence provided in the Council's Landscape Sensitivity Study (August 2015) (the LSS) and its purpose to safeguard the coalescence of the neighbouring settlements of Matlock and Darley Dale.

2.2The LSS sets out that "Land which prevents visual coalescence is therefore of high sensitivity" (paragraph 7.1.2). The results of the LSS are summarised on three maps. Map 1 (Derbyshire Dales North) covers the A6 corridor between Matlock and Darley Dale. As shown on the map, the landscape is defined by landscape sensitivity into three categories: High; Medium; Low.

2.3The St Elphin's development is largely identified as an area of 'low' landscape sensitivity on Map 1. An area to the west, the location of a former hockey pitch and playing fields associated with the old school, is included in the 'high' landscape sensitivity category. This area is currently being landscaped as part of the retirement village development scheme.

3.Policy PD10 " Main modifications

3.1Following the examination hearing sessions, it is noted that a Main Modification is proposed for Policy PD10 (Council's reference PM11). PM11 includes an extension of the Policy PD10 area to the south east of Darley Dale. The extended area includes two parcels of land in Audley's ownership. Quite significant modification to the PD10 boundary is being proposed, which we understand, emanate from representations made by Derbyshire County Council during the examination. In Appendix 2 of its representation (which was not available on line but was provided on request via the Programme Officer), the County Council states:
"The hillside above the expanding development of the former St Elphin's school is another landscape sensitive area that could be considered for inclusion in Policy PD10 to prevent coalescence and adverse visual impacts".

3.2An extract of the proposed PM11 map is submitted with this representation (Appendix 2). We have identified the area of interest. The plan in Appendix 3 shows the area of 'low' sensitivity from the LSS in green. It is evident that the proposed amendment to the PD10 boundary in Area A is not consistent with the area of 'low' sensitivity. The proposed PD10 boundary covers the north-eastern corner of the St Elphin's site, despite the LSS including this area in the 'low' sensitivity category along with the majority of the retirement village. Modification PD10 is therefore not consistent with the Council's own LSS, nor would it therefore be consistent with the Council's stated aims and basis of Policy PD10.

3.3As illustrated in Appendix 3, Audley proposes that the modified Policy PD10 boundary is redrawn to remove this north-eastern area of the site in line with the results. .

3.4Also illustrated in Appendix 3 is land on the southern side of Greenaway Lane, also in Audley's ownership (Area B). While this land is included in the 'high' sensitivity category in the LSS (as is much of this area), this parcel of land relates more closely to the immediate existing built envelop than the A6 corridor. Darley Dale Primary School is located immediately to the north of the site across the lane, and there are existing residential buildings nearby to the east and west on the same side of the lane. This parcel is therefore considered to contribute less to any potential risk of visual coalescence and should be excluded from the Policy PD10 boundary (as it was in the Pre-Submission Plan along with the majority of the Audley land). The LSS shows the area of 'high' sensitivity as being significantly 'wider' and more extensive than the proposed Policy PD10 boundary, therefore, it would not be inconsistent to remove this parcel of land.

3.5It is noted that both parcels of land shown on the plan included as Appendix 3 fall outside the amended Matlock settlement boundary (Policy S3 and amendment PM8) and would therefore be deemed to be 'open countryside' for planning policy purposes.

3.6It should also be noted, however, that the substantial part of this land between the retirement village and Greenaway Lane is set away from the A6 road and behind existing development, and that County Council has suggested that this area “could be” rather than “should be” considered for inclusion in Policy PD10. There is no evidence in the Main Modifications consultation that an exercise has been undertaken to specifically consider the merits of inclusion or exclusion of all or part of this land within this policy. The evidence base is therefore not complete in this respect.

4. Conclusion

4.1On behalf of Audley, it is considered that the Council's Main Modification PM11 is inconsistent with the evidence base and the spatial context as highlighted in Appendix 2 and 3 of this representation. Modification PM11 has therefore not been justified. We have identified how Policy PD10 should be modified to remove the parcels of land identified in Appendix 3, to ensure that the Plan is 'sound'. However, Audley also considers that a comprehensive assessment of the land between the retirement village and Greenaway Lane is warranted to test whether or not any of it should be included in Policy PD10.

4.2If a further hearing session is convened to consider Main Modification PM11, which introduces a substantial policy change affecting Audley's interests, Audley wishes to be invited to participate.

Cecil E Cope

6338-2

Objection:

The stated purpose of this policy is to prevent the coalescence of Matlock and Darley Dale. This is why the Planning Inspector has deleted two areas to the north-west from the map for this policy (dashed blue outline in the map above) “ they do not contribute to achieving the aim of the policy.

The justification for the policy (shown above) talks about land which prevents visual coalescence.

My client has an infill plot on the west side of the A6, immediately between the curtilage of “Long Meadow” and a domestic curtilage to the south. This plot is bounded on 3 sides by the developed part of Matlock, and reads visually as very clearly part of it.

Between the A6 and the railway line (Peak Rail steam trains), the ground level drops away down the side of the valley. Any views out towards the Derwent Valley from existing development on the east side of the A6 would look out over the top of any new development on this plot on the west side of the A6.

Any views from the Derwent Valley, e.g. from the footpath that runs alongside the railway or from the railway itself, looking back towards Upper Hackney, would read any new development, especially of a modest nature and on an infill plot, as set against the backdrop of the existing development and constrained by it on both sides.

It is our considered opinion that this small parcel of land does not constitute one of “the most sensitive areas of land between Matlock and Darley Dale” which in the wording of the policy it aims to protect by keeping them open. The land further down the hillside is in a flood plain, and so is highly unlikely to ever be built on anyway.

A better proposal map for this policy would exclude this small parcel of land, to tie in with the already developed land either side. At the moment, the proposed boundary takes a piecemeal approach and is tightly drawn around existing development “ this does little to actually meet the aims of this policy, and changing the line of the boundary would allow for a small infill development without impacting in any way on the purpose of this policy.

The proposed solution is shown on the map below:

PM12 Appendix 5 Policies HC2(c) EC2(f) DS8 - Amendment of site boundary to reflect phasing of Ashbourne Airfield.

No. of Reps **2**

JOHN HALL

6358-2

The line depicting the former site boundary is not correct.

Dan Sellers

5704-6

Support

PM13 Appendix 5 Policy HC2(d) - Land at Cavendish Drive, Ashbourne - Revision to site boundary

No. of Reps **1**

Dan Sellers

5704-7

Neutral

PM14 Appendix 5 - Amend Policies Map title - Policy HC2 (q) Land East of Ardennes, Hulland Ward

No. of Reps **1**

Dan Sellers

5704-8

Object

PM15 Appendix 5 Policies HC2(bb) EC5 and DS7- Land at Middle Peak Quarry, Wirksworth - Revision to site allocation boundary.	No. of Reprs	1
Dan Sellers	5704-9	
Support		
PM16 Appendix 5 Policy HC6 - Revision to site boundary to indicate 0.3ha site area.	No. of Reprs	1
Dan Sellers	5704-10	
Object		
PM17 Appendix 5 Policies EC2(a) DS1 - Amendment of site boundary to reflect phasing of Ashbourne Airfield	No. of Reprs	2
JOHN HALL	6358-1	
The SW corner, the square area to the west of the runway, should not be included as it is not included in planning permission 14/0074/OUT.		
Dan Sellers	5704-11	
support		
PM18 Appendix 5 Policy EC4(f) - Revision to site boundary at Brookfield Industrial Estate, Tansley to include Scholes Mill Tansley (previousl	No. of Reprs	1
Dan Sellers	5704-12	
Support		
PM19 Appendix 5 Policy HC14 - Reinstatement of land as open space and recreation site South of Wash Hills Farm, Brassington	No. of Reprs	1
Dan Sellers	5704-13	
Support		
PM20 Appendix 5 Policy HC14 - Reinstatement of land as open space and recreation site North of Main Street Kirk Ireton	No. of Reprs	1
Dan Sellers	5704-14	
Support		
PM21 Appendix 5 Policy HC14 - Reinstatement of land as open space and recreation site South of Holme Road, Matlock Bath	No. of Reprs	1
Dan Sellers	5704-15	
Support		
PM22 Appendix 5 Policy HC14 - Reinstatement of land as open space and recreation site East of Spout Lane, Tansley	No. of Reprs	1
Dan Sellers	5704-16	
Support		
PM23 Appendix 5 Policy HC14 - Designation of land as open space and recreation site at The Meadows, Wirksworth	No. of Reprs	1
Dan Sellers	5704-17	
Support		
PM24 Appendix 5 Policy EC2(a) - Proposed new employment land allocation: Land at 'Pisani Works', Derby Road, Cromford	No. of Reprs	1
Dan Sellers	5704-18	
Support		
PM25 Appendix 5 Policy EC2(h) - Proposed new employment Land Allocation : Land at Porter Lane Wirksworth	No. of Reprs	1

Dan Sellers	5704-19		
Object			
PM26 Appendix 5 Policy EC4(o) - Identification of Key Employment Site: Land at Station Road / Old Road, Darley Dale			No. of Reps 1
Dan Sellers	5704-20		
Support			
PM27 Appendix 5 Policy EC4(p) - Identification of Key Employment Site: Land at DFS Complex, Darley Dale			No. of Reps 1
Dan Sellers	5704-21		
Support			
PM28 Deletion of Adopted Derbyshire Dales Local Plan Policy L3 Allocation - Land at St Elphins, Darley Dale			No. of Reps 1
Dan Sellers	5704-22		
Support			
PM6 Amend the key diagram to ensure that the font size of 'Accessible Settlements with Minimal Facilities' are consistent throughout the			No. of Reps 1
John Acres	5924-29	Acres Land and Planning Limited	
PM6. Amendment of Appendix 4 Key diagram. Support. We support the change to the Key Diagram to make the definition of 3rd Tier settlements consistent with MM4 – to refer to 'some' facilities rather than 'limited' facilities.			
PM7 Appendix 5 Policy S3 - Revision to Settlement Development Boundary - Darley Dale			No. of Reps 1
Dan Sellers	5704-1		
support			
PM8 Appendix 5 Policy S3 - Revision to Settlement Development Boundary - Matlock			No. of Reps 6
Terry Gregg	6224-4		
What is the reason for the change in the Matlock boundary to now include parts of Darley Dale and can this change be made without reference to the residents involved?			
Alexander Nicolson Burd	6266-1		
The revision of this Settlement Boundary of Matlock to include part of Darley Dale is in conflict with all definitions of Darley Dale. In particular it conflicts with AM8 which stresses the importance to Darley Dale of Sir Joseph Whitworth and, in particular, the Whitworth Hospital which would now lie within the new Settlement Boundary of Matlock. Geographical definition of Darley Dale includes Lower Hackney and areas covered by the new boundary; road signs also clearly show Matlock ending and Darley Dale beginning at the ARC junction. The new boundary should be withdrawn.			
Frontier Developments Ltd	6357-1	Frontier Developments Ltd	
This representation is submitted by Gillings Planning on behalf of our client Frontier Developments Ltd and it relates to MM5 and policy map modification PM8 " revisions to the Matlock settlement boundary. Our client fully supports the changes to the settlement boundary as proposed, as an appropriate boundary, on the basis that the change extends the boundary to encompass developments that either already exist, are permitted or sites allocated for development in the Local Plan.			
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Dan Sellers	5704-2		
support			

Cecil E Cope

6338-1

Objection:

An area of developed land to the north-west of Matlock has now been included in the settlement development boundary (north of Whitworth Hospital), including undeveloped land extending down to the boundary with the railway line. This inclusion is welcomed, however a logical approach has not been used for similar land to the south of this (on the edge of Upper Hackney) which is already developed.

There is a distinct lack of consistency of reasoning in proposing the new boundary, see close up image below:

A more sensible proposed New Boundary, to include the area already developed, could follow the contour of the edge of the flood plain here (which is unlikely ever to be built on) and so would be as in the image below:

This area already clearly reads as part of Matlock, so including it within the settlement boundary would also allow for limited expansion of Matlock during the plan period, on land which is already partly developed and could easily accommodate a modest scale of infill housing development in a location which is already highly sustainable.

Please take these objections into account when reviewing the Main modifications to the Plan.

PM9 Appendix 5 Policy S3 - Revision to Settlement Development Boundary - Northwood

No. of Reps 1

Dan Sellers

5704-3

support