

HA/0202116

27 January 2017

Policy Planning Team
Peak District National Park Authority
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LONDON
BIRMINGHAM
BRISTOL
EDINBURGH
HUNTINGDON
MANCHESTER

Dear Sir/Madam,

RE: REPRESENTATION TO PEAK DISTRICT NATIONAL PARK'S PUBLICATION VERSION CONSULTATION ON THE DEVELOPMENT MANAGEMENT POLICIES DOCUMENT WITH REGARD TO CASTLETON CARAVAN CLUB SITE, CASTLETON, DERBYSHIRE, S33 8WB

This letter contains our representation to the publication version of the Development Management Policies document. This representation refers specifically to Policy DMR: Touring camping and caravan sites, and DMR2: Holiday occupancy of camping and caravan sites.

The Castledon Caravan Club site is located to the north of the A6187, approximately half a mile northeast of Castledon. The site has a total of 94 pitches, of which all are hardstanding. It includes internal tarmac roads, a reception, an information room, a laundry, a toilet block, baby and toddler facilities, a dishwashing area, a play area, a dog walking area, and accommodation for both a Warden and Assistant Warden.

Proposed Policies:

DMR1: Touring camping and caravan sites

- a) The development of a new touring camping or touring caravan site, or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.
- b) Shopping, catering or sport and leisure facilities at camping and caravan sites will be permitted provided that there is no significant adverse effect on the vitality and viability of existing facilities in surrounding communities and the development is of a nature suited to the needs of the site itself.
- c) Exceptionally, the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact, or a single shepherd's hut where this can be located close to facilities of a farmstead without harm to the natural or historic landscape.

DMR2: Holiday occupancy of camping and caravan sites

- a) Where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to holiday accommodation.
- b) For an existing camping or caravan site, the removal of any existing condition that stipulates months of occupation, and its replacement by a holiday occupancy condition, will be permitted, provided that the site is adequately screened in winter months and

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BUSINESS PARK, HUNTINGDON
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that there would be no adverse impact on the valued characteristics of the area or residential amenity.

The Caravan Club supports the approach being taken through Policies DMR1 and DMR2. These policies support the presence of Holiday Caravan sites within the national park, and allow The Caravan Club to continue to provide a storage facility for private caravans.

The Caravan Club may wish in the future to diversify the accommodation provided at Castledon by adding Lodges or Camping Pods on the site. These are generally small scale, permanent or semi permanent structures of varying sizes, typically of timber construction and containing a bedroom as well as cooking facilities and/or bathroom facilities depending on their size. The provision of this type of accommodation ensures that The Caravan Club can continue to meet the changing needs of their members and the visitor economy as a whole.

The inclusion of policies DMR1 and DMR2 in the emerging Local Plan, providing specific guidance over caravans and caravan sites, is welcomed by The Caravan Club. However, The Caravan Club would welcome more detailed policies regarding the operation of existing caravan sites within the area. The Caravan Club provides supporting economic benefits to the wider area by providing visitor accommodation, and the inclusion of positive policies giving support for the development of existing tourist facilities and accommodation will help to ensure their continued economic health and success.

Tourism policies must be sufficiently flexible to allow businesses to adapt to changing economic trends and changes in the demands of tourists. Supporting the growth of the local economy by ensuring the ability of existing tourist accommodation sites to develop and enhance their facilities will help ensure the future viability of the business, and support the tourist industry within the Peak District.

Flexibility is key for The Caravan Club to ensure that their site remains economically viable, and can continue to support the local economy, local employment, and the tourism industry. The Caravan Club are supportive of Policies DMR1 and DMR2 as they set out support for caravan sites and caravan storage areas within the region. However, it would be beneficial for policies to set out more positive guidance with regard to supporting existing touring caravan sites

Yours faithfully,




Henry Asson
Surveyor
Town Planning
henry.asson@rapleys.com





Policy Planning Team,
Peak District National Park Authority,
Aldern House,
Baslow Road,
Bakewell, DE45 1AE

NHS Property Services Ltd
85 Gresham Street
London
EC2V 7NQ
local.plans@property.nhs.uk
www.property.nhs.uk

Date: 27th January 2016

Dear Sir/Madam

NHS Property Services – Consultation on Development Management Policies Part 2 of the Local Plan for the Peak District National Park

Thank you for the opportunity to comment on the above document. The following comments are submitted by NHS Property Services (NHSPS).

Foreword

NHSPS manages, maintains and improves NHS properties and facilities, working in partnership with NHS organisations to create safe, efficient, sustainable and modern healthcare and working environments. NHSPS has a clear mandate to provide a quality service to its tenants and minimise the cost of the NHS estate to those organisations using it. Any savings made are passed back to the NHS.

Policy DMS2 – Change of use of shops, community services and facilities

As drafted, NHSPS strongly objects to the wording and requirements of Policy DMS2 in considering the change of use of vacant and surplus ‘community facilities’.

An essential element of supporting the wider transformation of NHS services and the health estate is to ensure that surplus and vacant NHS sites are not strategically constrained by local planning policies, particularly for providing alternative uses (principally housing).

Faced with financial pressures, the NHS requires flexibility in its estate. In particular, the capital receipts and revenue savings generated from the disposal of unneeded or unsuitable sites and properties for best value is an important component in helping to provide funding for new or improved services and facilities.

It is noted that Paragraph 7.12 excludes health facilities from the types of ‘community facilities’ that would be expected to require viability and marketing tests. Whilst supporting the exclusion of health services from this list, NHSPS seeks formal clarification that health facilities would be explicitly excluded from the requirements of this policy (for the reasons below). NHSPS would strongly object to any inclusion or interpretation that health facilities would be considered under this policy.

NHSPS notes the advice received from the Planning Advisory Service in 2015 on the soundness of this emerging policy:

*“NPPF paragraph 28 promotes the retention and development of local services and community facilities in villages, including local shops. This policy sets out to achieve the NPPF aim, by regulating change of use (to a non-community use). **However, the steps required could potentially be overly onerous** (i.e. the requirement to undertake*

investigations over a period of 6 months, and draw on the findings of a Housing Needs Survey)."

It is important to note that there are separate, rigorous testing and approval processes employed by NHS commissioners to identify unneeded and unsuitable healthcare facilities. These must be satisfied prior to any property being declared surplus and put up for disposal. This often includes extensive public consultation on any proposed service relocations.

Restrictive policies, especially those which require substantial periods of marketing, could prevent or delay required investment in new/improved services and facilities.

The NHS in England has undergone a major restructuring. The Health and Social Care Act 2012 transferred responsibility for commissioning of most healthcare services to consortia of GPs, known as clinical commissioning groups (CCGs). A new national body, NHS England, has also been established, with direct responsibility for commissioning non-CCG commissioned services (including primary care, specialist acute services and some public health services). The Act gives authorities strategic responsibility for promoting joined up local commissioning of health, social care and public health services, through the establishment of statutory health and wellbeing boards (comprising strategic leaders from the local health and care system).

In April 2013, the Primary Care Trust and Strategic Health Authority estate transferred to NHSPS, Community Health Partnerships and NHS community health and hospital trusts. All organisations are looking to make more effective use of the health estate and support strategies to reconfigure healthcare services and improve the quality of care, and ensure that the estate is managed sustainably and contributes to carbon reduction targets. This will result in surplus sites being released for other purposes.

Much surplus NHS property is outdated and no longer suitable for modern healthcare or other C2 or D1 uses without significant investment. Where NHS commissioners can demonstrate that healthcare facilities are no longer required for the provision of services, there should be a presumption that such sites are suitable for other appropriate uses (including housing), and should not be subject to restrictive policies or periods of marketing.

NHSPS would only support Policy DMS2 if it is clear that evidence of the wider NHS estate reorganisation programme would be accepted as justification for the loss of a community facility, and would therefore be excluded from the requirements of this policy. NHSPS would support the inclusion of the following:

"The loss or change of use of existing health facilities will be acceptable if it is shown that this forms part of a wider estate reorganisation programme to ensure the continued delivery of services. Evidence of such a programme will be accepted as a clear demonstration that the facility under consideration is neither needed nor viable and that adequate facilities are or will be made available to meet the ongoing needs of the local population. In such cases Part A of Policy DMS2 would not apply, and no viability or marketing information will be required."

This would be in accordance with the requirements of NPPF Paras 28 and 70, and adopted Core Strategy Policy HC4. This would also ensure that the wider transformation of NHS services and the health estate are not strategically constrained or delayed.

With this in mind it is felt that without this further clarity, NHSPS would strongly object to Policy DMS2. The requirements of this policy as drafted are considered overly-onerous and inflexible.

This approach is also in conflict with the requirements of adopted Core Strategy Policy HC4 (referenced within supporting text). As written any change of use of an existing community facility would be required to meet a number of separate and very different tests for demonstrating that a change of use is acceptable, regardless of whether services are being re-provided either on/off site and continue to serve the population. The policy as drafted would likely prevent or delay required investment in services and facilities.

The policy also provides no flexibility for alternative forms of development, for example to accommodate continuing community use on part of a site in new fit for purpose facilities, with redevelopment of the wider site for an alternative use.

Policy DMS6 – Safeguarding sites for community facilities

As above NHSPS objects to Policy DMS6, where evidence from a wider NHS estate reorganisation programme should be accepted as justification for the loss of a community facility, and should therefore be excluded from the requirements of this policy. This policy provides no flexibility for sites where existing services are to be re-provided either on or off site, to continue to serve the local population.

Without prejudice to the above, the policy wording should recognise that the sites allocation as a 'community facility' needs to form part of an adopted development plan document (as with DMH6 below).

Policy DMH6 - Re-development of previously developed land to dwelling use

NHSPS supports the principle of Policy DMH6, recognising that the effective re-use of previously developed land represents an important supply of housing.

However, NHSPS objects to point two of the policy, which seeks to restrict permission for an alternative use of a brownfield site where an adopted Neighbourhood Plan has identified the land for continued community or employment use or open space. As with the comments on DMS2 above (lack of flexibility), there will be circumstances where the loss of a community facility (e.g an agreed programme of social infrastructure re-provision) is acceptable, and an alternative use of the building/site should be considered, and not strategically constrained or subject to restrictive policies or excessive periods of marketing.

Summary

Within the NHS property portfolio, a number of sites are outdated and no longer suitable for modern healthcare or other C2 or D1 uses without significant investment. In those cases, and where NHS commissioners can demonstrate that healthcare facilities are no longer required for the provision of services in that particular location, a more flexible approach should be applied when considering a change of use to non-community uses.

This should include a presumption that those sites are suitable for other uses, including for residential development, and should not be subject to overly restrictive planning policies or periods of marketing, particularly where services are being re-provided or improved elsewhere.

Like other public service providers, the NHS relies in part on the sale of surplus property to help fund new and improved services and facilities. In the event of redeveloping a healthcare facility for an alternative use, a separate and rigorous testing and approval process is undertaken by NHS commissioners to identify the site as surplus to the operational healthcare requirements of the



NHS. These must be satisfied prior to any property being declared surplus and put forward for disposal.

NHS PS would welcome any further discussion on these matters. We look forward to receiving confirmation that these representations have been received. Should you have any queries or require any further information on the enclosed, please don't hesitate to contact me.

Yours sincerely



Mark Adams
Town Planner (MRTPI) – NHS Property Services Ltd

Ref. No.....
(For office use only)

PEAK DISTRICT NATIONAL PARK AUTHORITY

**Development Management Policies
PRE-SUBMISSION DOCUMENT
November 2016**



**PEAK
DISTRICT
NATIONAL
PARK**

Representation Form

Please return this form to the Peak District National Park Authority by 5pm on 27 January 2017

This form has two parts:

PART A – Personal details

PART B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

PART A

**1. Personal
Details***

2. Agents Details (if applicable)

Title		Mr
First Name		Shaun
Last Name		Denny
Job Title <i>(where relevant)</i>		Principle Planning Officer
Organisation <i>(where relevant)</i>	CEMEX UK Materials Ltd.	CEMEX UK Operations Ltd.
Address Line 1	CEMEX House	Wolverhampton Road
Line 2	Coldharbour Lane	Oldbury
Line 3	Thorpe	Warley
Line 4	Egham, Surrey	West Midlands
Postcode	TW20 8HA	B69 4RJ
Telephone Number	01832 568833	0121 569 7459
Email Address <i>(where relevant)</i>		shaun.denny@cemex.com

** if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.*

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

4. Do you consider the DPD is:

(1) Legally compliant

Yes No

(2) Sound*

Yes No

(3) Complies with the Duty to cooperate

Yes No

Please tick as appropriate

5. Please give details of why you consider the Development Management Policies document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to co-operate, please also use this box to set out your comments.

The policy is considered unsound as it is not consistent with National Policy – the policy will not enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework (NPPF).

The policy omits mention of any national considerations of need, consideration of the impact of permitting or refusing a development upon the local economy (given that the mineral industry is an important component of the economic fabric of the Park's economy), and the costs of developing elsewhere as advised by NPPF para 116, and to the sustainability of long term mineral conservation (NPPF para 142). All of these considerations are an integral part of national policy but have not been incorporated into proposed development plan policy.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A. Mineral and waste development will only be permitted where evidence is provided in relation to the viability and need for the development. This should include evidence of:

- (i) the availability of other permitted or allocated mineral supply or the availability of secondary or recycled materials;**
- (ii) the availability of other permitted or allocated sites or developments, both within and outside the National Park;**
- (iii) of the proximity of the mineral extraction to the end-user market or the proximity of the waste operation to the supply-chain where relevant and appropriate;**
- (iv) Evidence by way of suitable geological and other information on the quality, availability and volume of the mineral reserves, ensuring that high quality materials are retained for appropriate end uses.**
- (v) Evidence of the durability and aesthetic qualities of the stone together with precise details of its compatibility with the repair or restoration project it is proposed to supply its proposed market;**
- (vi) The need for the mineral including any national considerations;**
- (vii) The impact of permitting or refusing the development on the local economy, and;**
- (viii) The cost of, and scope for, developing elsewhere outside the National Park.**

(Continue on a separate sheet /expand box if necessary)

***See accompanying notes.**

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination.

No, I do not want to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature



Date

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PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?Policy Paragraph Policies Map **4. Do you consider the DPD is:**(1) Legally compliant Yes No (2) Sound* Yes No (3) Complies with the Duty to cooperate Yes No

Please tick as appropriate

5. Please give details of why you consider the Development Management Policies document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to co-operate, please also use this box to set out your comments.

The policy is unsound because it is not consistent with National Policy – the plan does not enable the delivery of sustainable development in accordance with the policies in the Framework.

This policy is considered unsound as it contains some elements that stray outside of a planning remit and into that of parallel regulatory regimes. As such a conflict with the requirements of other legislation, e.g. health and safety, would be likely, which would be contrary to national policy, whose aim is to avoid potential overlap between regulatory regimes.

It is also considered somewhat perverse that an applicant would be required to provide evidence of the likelihood of it carrying out a development as proposed (criterion (viii)). It would be illogical for an applicant to seek permission for a development whilst intending to undertake it in an alternative manner.

The Company does not accept that the efficiency and effectiveness of working schemes or the prevention of unauthorised access to sites are valid concerns of the minerals planning authority (criteria (viii) & (ix)). As such, these criteria should be deleted.

(Continue on a separate sheet /expand box if necessary)

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A. Mineral development or the development of waste management facilities will only be permitted where the impacts of the development on the environment of the National Park are reduced to an acceptable level, or eliminated, in relation to:

- (i) The risk and impact and potential pollution on environmental receptors;**
- (ii) The need to minimise landscape and visual impact;**
- (iii) The need to minimise impacts on cultural heritage assets and the setting of these assets;**
- (iv) The need to minimise the residual waste arising from the development along with the proposals for the disposal of residual waste;**
- (v) Any potential effects on groundwater, rivers or other aspect of the water environment;**
- (vi) The potential effects of land instability;**
- (vii) The impact on agricultural and forestry interests, including to soil resources;**
- (viii) The phasing of the proposed development;**
- (ix) The proposed scale, siting, colour and design of buildings plant and structures;**
- (x) The functional need for any buildings, plant and structures.**

(Continue on a separate sheet /expand box if necessary)

***See accompanying notes.**

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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This paragraph is considered unsound as it requires a pre-submission public consultation exercise to be undertaken prior to submission of any ROMP scheme which extends further than national guidance and policy. Although pre-application engagement is encouraged by NPPF para 189 it is explicitly stated there that mineral planning authorities cannot compel developers to engage before submitting an application. Paragraphs 20-001 20-014 reiterate this advice.

As the paragraph appears to contradict NPPF and PPG guidance on this matter and no justification has been advanced as to why national guidance is not considered appropriate in this matter it is concluded that this proposed paragraph is unsound and should be deleted.

(Continue on a separate sheet /expand box if necessary)

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The paragraph should be deleted in its entirety.

(Continue on a separate sheet /expand box if necessary)

*See accompanying notes.

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Signature

Date

27th January 2017

From: The Clerk <clerkrfo.cpc@gmail.com>
Sent: 27 January 2017 13:11
To: Policy
Subject: Development Management Policies - Part 2 of the Local Plan for the Peak District National Park Consultation

Dear Sir

Castleton Parish Council have asked me to advise you that they fully support the response made by the Peak Park Parishes Forum.

Kind Regards

Lynne

Lynne Gibbs
Clerk and RFO to Castleton Parish Council



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From: Edale Parish Council <edaleparishcouncil@gmail.com>
Sent: 27 January 2017 13:55
To: Policy
Cc: Philip Thompson
Subject: Peak District National Park Local Plan consultation 18th Nov 2016-27th Jan 2017

Dear Mr Taylor

This matter was discussed at the Edale Parish Council meeting of the 11th January 2017 (17/01/8.5), followed by the attendance of the Edale Parish Council Chairman at the meeting of the Peak Park Parishes forum on the 23rd January.

The Peak Park Parishes forum have made representation to you regarding the Peak District National Park Local Plan consultation in their document entitled "RESPONSES TO THE CONSULTATION BY THE PEAK DISTRICT NATIONAL PARK AUTHORITY ON DEVELOPMENT MANAGEMENT POLICIES CONTAINED IN THE LOCAL PLAN"

Edale parish Council are in full agreement with the above representation and give it their full support.

Yours sincerely,

Nick Faulks
Clerk to Edale Parish Council


edaleparishcouncil@gmail.com

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<http://www.claranet.co.uk>

Development Management Policies Consultation

Mineral Extraction

As a parishioner of Great Hucklow I have been asked by the Chairman of the Parish Council to comment specifically on the granting of permission for underground workings.

I would like to call special attention to the inadequate research undertaken before the granting of planning permission for mining activities and to the failure of the Peak Park to research adequately the likely effects upon those living and working in the area above the excavations.

. When the current mining company British Fluorspar Ltd, applied for planning permission to open up and extend the Fluorspar mine beneath Great Hucklow none of the reports from the Peak Park highlighted all the ancient lead mines that flank the course of the modern mine, The hydrology report failed to mention that all the lead mines were forced to close from serious flooding and that many shafts had collapsed because of the instability of the shale. No use was made of the many mine maps that are available The Peak District Historical Mines Society who have excavated mines either end of the village were not consulted although the man who led both excavations was Dr John Barnatt, who was then employed by the PDNPA as Senior Survey Archaeologist and could have provided detailed information had he been consulted

It was left to people such as myself who have made a detailed study of the historical mines and published a book of their history with a grant from HLF to point out the folly of undertaking such a commercial excavation without taking into account the possible underground problems.

Problems of shafts falling in, sink holes appearing overnight and road closures could possibly have been forestalled had any notice been taken of the historical evidence available. The local residents have suffered enormous inconvenience and a huge expense is likely to be incurred by the Derbyshire County Council and indirectly by the local residents, not to mention the financial problems incurred by the Derbyshire and Lancashire Gliding Club .

Mrs. Patricia Miles



Parish of Great Hucklow, Grindlow, Windmill, Little Hucklow and Coplowdale
The Old Methodist Chapel
Great Hucklow
Buxton
SK17 8RG

Ms Sarah Fowler
Chief Executive
Peak District National Park Authority
Alder House
Baslow Road
Bakewell
Derbyshire
DE45 1AE.

27 1 17

Dear Ms Fowler,

**Re: Peak District National Parks Authority Consultation
Development Management Policies**

I write to advise that the Parish Council fully supports the response made by the Peak Park Parishes Forum.

In addition, following consultation with parishoners, we have the following comments: -

General Comments

1. We are concerned with the general tone of the policies which seem to impose a common set of planning criteria across all the villages in a way that ignores the individual characteristics and history of each and could if imposed insensitively result in all villages becoming a pastiche of identical vistas, more like a television set than living villages. The Council therefore objects to policy DMC3 as far as it imposes a common set of design criteria that do not consider the individual characteristics of each village.
2. The Council is concerned about the comments on paras. 1.29 and 1.30 which assert (1.24) that 'there is minimal strategic infrastructure need' since there is a very clear need for better broadband and mobile infrastructure (as identified in Para. 4.49) and this should not just rely on national investment. The Council therefore objects to policies DMU1 and DMU4 where implementation of the policies would lead to a less effective service. Para. 4.49 illustrates a feeble approach to broadband provision on the part of PDNPA. Enhanced broadband facilities are already vital to the rural economy in many places, including within the Park, and the PDNPA should have a much stronger and more cogent policy to lobby the County Councils and government for support for the required investment in infrastructure. If the objectives for developing high grade employment opportunities are to be achieved it is essential that the communications infrastructure is enhanced to at least national levels without holes in the coverage.
3. The words "sustainable" and "affordable" are widely used in the document, therefore there is an urgent need for proper definitions of 'sustainable' and 'affordable housing'. These are defined (fairly tightly in the case of 'sustainable', less so in the case of 'affordable') in the

Parish of Great Hucklow, Grindlow, Windmill, Little Hucklow and Coplowdale
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National Planning Policy Framework and while there is nothing wrong with the PDNPA adapting these definitions if it can justify doing so, there is currently no proper basis for this in the document. In particular, it is clearly nonsense to define 'affordable' in anything other than purely financial terms, and given that lenders all have a reasonably uniform basis of affordability for borrowing, and income data for social groups is widely available, it should not be too complicated to come up with a justifiable benchmark figure which can be inflation adjusted over the life of the planning policy.

4. The word "sustainable" appears to be applied to developments that are restricted to younger people i.e. houses that are cheap enough for younger families to afford, provided they fulfill certain residential criteria. This ignores the fact that a viable, lively community needs a full range of ages, and experience. The retired are essential to a village because they have the leisure time, knowledge and experience to organise events yet in the policy new housing is restricted to those of age 40 or below. In our Parish there are several retired people who would like to downsize from their family house and build themselves a smaller environmentally sustainable house in their unnecessarily extensive gardens, which of course are in Conservation areas. They could then release their houses for use by people with children. However, this is not classed as 'sustainable' and leaves the elderly residents having to move out of the homes and villages they have occupied for many years, taking with them the valuable attributes required to engage with and help build/organise strong local communities.
5. We need to encourage high quality low impact jobs and ensure that there is suitable housing for the entrepreneurs and workers that will make these successful (i.e. families with principal earners in their 30s & 40s). PDNPA policy needs to encourage the appropriate provision of both domestic and commercial premises.

Specific Comments

1. DMC7 - Consent for alterations to listed buildings should take into account the original reasons for listing and should not unnecessarily prevent alterations which do not alter the characteristics on which listing was based.
2. DMC8(F) – we question if the requirement for a contract to be signed is actually enforceable in practice. Unless the PDNPA are sure that such a contract can be legally water tight and enforceable then an alternative way to achieve the required assurance that re-development will actually take place as proposed needs to be determined.
3. DMC8(G) - PDNPA need to more proactively encourage the timely replacement of selected older trees in such a way as to ensure that stands of trees with a significant amenity value do not all reach an age where they all become unsafe or unviable at about the same time.
4. DME3 - Cartledge Farm Business Park in Great Hucklow should be added to the list.

43. Great Hucklow, Grindlow, Windmill, Little Hucklow and Coplowdale PC

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5. DMT1: The policy should consider transport developments both inside and outside the park such as the Manchester Airport Relief Road and developments along the Woodhead route. Two cross park corridors pass through or close to the parish (the A263 and the B6049) and congestion on other routes is encouraging increased traffic on these more rural and less sustainable routes. The parish would like to see a coordinated policy that considers both local traffic needs and the effects of other developments, including the proposed Trans Pennine Tunnel. For example, the construction of a road tunnel under Woodhead is likely to reduce traffic on the A623 but the routing of the Manchester Airport Relief Road opening a far better corridor from the M56 to the A6 may well have the effect of increasing it. These developments may make it desirable for some enhancement of the routes in the park.
6. DMT3: The Parish would welcome further development of railway travel opportunities particularly along the Hope Valley route. It considers easy and frequent services connecting to HS2 when that opens to be essential to the envelopment of new and vibrant businesses. It would also welcome opportunities for development of regular services to Buxton and Matlock whether these are part of the national rail network or local heritage initiatives. It therefore objects to DMT3D.
7. DMMW1(v) appears to assume that stone is the only worthwhile mineral in the Park which is clearly not the case. The wording here needs to take account of other minerals.
8. DMMW3 needs to explicitly take account of the impact of development on underground features such as caves and historic mine workings.
9. DMMW5 should not eliminate the possibility that mineral development sites may have use as commercial or tourist facilities once mineral extraction has ceased.

The parish would wish to participate in the oral examination to present the issues above which it sees as crucial its development over the next ten years. It wishes to express its views on economic development, housing, transport and communications and minerals which are particular to its area and circumstances.

Yours sincerely

[Redacted Signature]

Deborah Stanfield

Clerk to the Parish Council

Email: parish.clerk@hucklow.net, [Redacted]

Cc: Peak Park Parishes Forum
Brian Taylor, Policy Planning Manager, PDPNA



Developer Services &
Planning
1st Floor, Grasmere House
Lingley Mere Business
Park
Lingley Green Avenue
Warrington
WA5 3LP

jenny.hope@uuplc.co.uk

Your ref

Our ref

Date

DC/16/5020

27 January 2017

Planning Policy Team
Peak District National Park Authority
Aldern House
Baslow Road
Bakewell
DE45 1AE

By Email (policy@peakdistrict.gov.uk)

Dear Sir / Madam,

DEVELOPMENT MANAGEMENT POLICIES – PART 2 OF THE LOCAL PLAN FOR THE PEAK DISTRICT NATIONAL PARK - PUBLICATION DRAFT CONSULTATION

Thank you for your consultation seeking the views of United Utilities as part of the Development Plan process.

United Utilities wishes to build a strong partnership with all Local Planning Authorities (LPAs) to aid sustainable development and growth within its area of operation. We aim to proactively identify future development needs and share our information. This helps:

- ensure a strong connection between development and infrastructure planning;
- deliver sound planning strategies; and
- inform our future infrastructure investment submissions for determination by our regulator.

When preparing the Development Plan and future policies, we can most appropriately manage the impact of development on our infrastructure if development is identified in locations where infrastructure is available with existing capacity. It may be necessary to co-ordinate the delivery of development with the delivery of infrastructure in some circumstances.

(Continued...)

Upon adoption, the emerging Local Plan (Part 2) will set out development management policies to guide development in the Borough over the next 20 years.

United Utilities wishes to submit the following comments to the Council as part of the current Publication Draft consultation, in accordance with the consultation deadline of 27th January 2017.

GENERAL COMMENTS

United Utilities wishes to highlight that we will work closely with the Council during the Local Plan process to develop a coordinated approach to delivering sustainable growth in sustainable locations which are accessible to local services and infrastructure. United Utilities will continue to work with the Council to identify any infrastructure issues and most appropriately manage the impact of development on our infrastructure during the preparation of the Local Plan.

POLICY SPECIFIC COMMENTS

Policy DMC3: Siting, Design Layout and Landscaping

United Utilities supports the inclusion of the following sentence under point B of draft Policy DMC3, which deals with the design of new development:

"Particular attention will be paid to:

v) flood risk, water conservation and sustainable drainage;"

We wish to highlight the importance of understanding the implications that the design of new development can have on flood risk, water conservation and sustainable drainage. All new development should be designed so as to minimise potential flooding and they should incorporate water efficiency measures as part of the design process.

Policy DMC14 (Pollution and Disturbance)

United Utilities supports part C of Policy DMC14, which deal with (inter alia) development affecting Groundwater Source Protection Zones:

"Development affecting a Source Protection Zone, Safeguard Zone or Water Protection Zone must assess any risk to water quality and demonstrate that it will be protected throughout the construction and operational phases of development".

Whilst it is acknowledged that the DMD does not allocate specific sites, we feel it is important to highlight that new development sites are more appropriately located away from locations which are identified as Ground Source Protection Zone 1 (SPZ1). Groundwater is a vital resource, supplying around one third of mains drinking water in England, however groundwater supplies are under pressure from development associated with an increasing population.

Policy DMU1 (Development that Requires New or Upgraded Service Infrastructure)

United Utilities supports Policy DMU 1 which deals with service infrastructure required to support development:

"A. New or upgraded service infrastructure will be provided to development provided that it:

- (i) does not adversely affect the valued characteristics of the area; and*
- (ii) can be provided before any new land use begins."*

In some instances it may be necessary to coordinate infrastructure improvements with the delivery of development. In accordance with paragraphs 156 and 162 of the National Planning Policy Framework (NPPF), we recommend the following wording is included as part of the emerging Local Plan in relation to infrastructure provision:

"Once more details are known on development sites, for example the approach to surface water management and proposed connection points to the foul sewer network, it may be necessary to coordinate the delivery of development with timing for the delivery of infrastructure improvements."

Policy DMC 15 (Contaminated Land and Unstable Land)

United Utilities supports Part B of Policy DMC15, which deals with development in close proximity to (among others) sewage treatment works:

"B. Development will not be permitted in the vicinity of sewage treatment works, high pressure or gas pipelines, or other notifiable installations, where they would present an unacceptable loss of amenity or risk to those using the development."

We wish to highlight that a wastewater treatment works can result in emissions which include odour and noise. Therefore in determining proposals for new development near to a wastewater treatment works, you should carefully consider the site with your Environmental Health colleagues. The position of United Utilities is that when considering sites to meet housing needs, it would be more appropriate to identify new housing sites, which are sensitive receptors, which are not close to a wastewater treatment works.

Summary

Moving forward, we respectfully request that the Council continues to consult with United Utilities for all future planning documents. We are keen to continue working in partnership with Peak District National Park Authority to ensure that all new growth can be delivered sustainably and with the necessary infrastructure available in line with the Council's delivery targets.

If you have any queries or require further information on the above matters, please do not hesitate to contact me on [REDACTED]

Yours faithfully

Jenny Hope
LDF Planning Manager
Developer Services & Planning
United Utilities Water Ltd

H e a t o n | P l a n n i n g

P l a n n i n g C o n s u l t a n t s

My Ref: TAR-049-M/CB/JJ/002

Your Ref:

Date: 27th January 2017

Planning Policy Team
Peak District National Park Authority
Aldern House
Baslow Road
Bakewell
DE45 1AE

Sent via Email to policy@peakdistrict.gov.uk

Dear Sir/Madam,

**PEAK DISTRICT DEVELOPMENT MANAGEMENT POLICIES DOCUMENT –
PUBLICATION VERSION CONSULTATION**

REPRESENTATIONS ON BEHALF OF TARMAC LTD

We are writing on behalf of our clients Tarmac Trading Ltd and Tarmac Cement and Lime Ltd (Tarmac) who carry out limestone extraction and supplementary but significant mineral operations at Ballidon and Tunstead limestone quarries and surrounding landholdings. Please find below our comments relating to the Development Management Policies document currently out for consultation.

There are a number of points within the Publication version Development Management Policies document that we consider to require revision. The points of relevance to Tarmac are discussed below:

Policies DMMW2 – The Impact of Mineral and Waste Development on Amenity

This Policy states that mineral and waste management development will only be permitted 'where the adverse impacts on amenity can be reduced to an acceptable level or eliminated'. The scope of impacts lists the elements to consider in determination of applications for minerals and waste development which must be satisfied in order for an application to be permitted.

For noise, it is contained within overarching national-level planning policy (at paragraphs 28 and 29 of NPPF Technical Guidance) that removal/elimination of unavoidable noise emissions can be considered by mineral planning authorities. However, consideration of removal/elimination does not extend to the full list of amenity issues listed in DMMW2. The potential for planning controls to require the

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Tel 0115 937 5552 email joel@heatonplanning.co.uk

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elimination of potential adverse amenity impacts where this is not supported within NPPF and Technical Guidance should be revised through the re-wording of Policy DMMW2.

Policy DMMW3 – The Impact of Minerals and Waste Development on the Environment

Policy DMMW3 addresses the need to make acceptable the impact of mineral and waste management development proposals on the environment. Policy DMMW3 includes an even wider scope of potential features and receptors that are typically impacted upon by mineral development than the list within Policy DMMW2. Similar to Policy DMMW2, this Policy states that development will only be permitted where ‘the impacts of the development on the environment of the National Park are reduced to an acceptable level, or eliminated’. As with Policy DMMW2, DMMW3 should be re-worded as the potential for planning controls to require the elimination of potential adverse environmental impacts where this is not supported within NPPF and Technical Guidance is not compliant with adopted national-level planning policy.

Policy DMMW7 – Safeguarding local building and roofing stone resources and safeguarding existing permitted minerals operations from non-mineral development

Policy MIN4 ‘Mineral safeguarding’ of the adopted Peak District National Park Core Strategy DPD (October 2011) protects the National Park’s limestone resources from sterilisation by non-mineral surface development. Tarmac support the safeguarding of surface infrastructure in Policy DMMW7 and the protection of existing permitted mineral sites from new and adjacent development as discussed in paragraph 11.23 of the Development Management Policies Publication version. However, the safeguarding of the limestone resources across the National Park that facilitate the building and roofing stone resources (which are safeguarded) should be included in the Development Management Policies document going forward. The inclusion of safeguarding limestone resources would bring the document into greater alignment with the Core Strategy.

Policy DMMW8 – Ancillary mineral development

Policy DMMW8 states that ancillary mineral-related development is to be permitted provided that all plant, buildings and machinery are removed upon cessation of mineral working or if a plant becomes redundant prior to cessation. Tarmac consider that this is unnecessarily onerous on the mineral operator, as at certain phases throughout the greater scheme of development across large-scale quarry operations, plant, buildings and machinery may become temporarily redundant.

Furthermore, in exceptional circumstances there remains a need for the retention of mineral-related facilities upon cessation of mineral extraction. The retention of mineral-related plant, buildings and machinery should be considered on a case-by-case basis, and it is suggested that this Policy be revised to remove the requirement for all plant, buildings and machinery to be removed when not in use in order to make development proposals for ancillary mineral-related development acceptable.

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I trust that these comments are helpful. Should you wish to discuss in more detail, please do not hesitate to contact us.

Kind regards,



Joel Jessup
Heaton Planning Ltd

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Tel 0115 937 5552 email joel@heatonplanning.co.uk

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Mr J Scott
Head of Planning
Peak District National Park Authority
Aldern House
Baslow Road
Bakewell
DE45 1AE

ClaphamBakewellLP/1

27 January 2017

Dear Mr Scott

Peak Park National Park Authority Development Management Policies Publication Version for Consultation (October 2016)

Further to the above consultation, please find below representations on behalf of Mr D Clapham, longstanding owner of **Deepdale Business Park, Ashford Road, Bakewell**.

Mr Clapham has owned Deepdale Business Park since it was allocated and originally granted outline consent as a business park in 2000. He has constructed all of the buildings on the site to date himself (on a part speculative/part design and build basis) to a very high standard.

Whilst our client generally supports the objectives of the Development Management Policies Publication Version, he wishes to raise a **strong objection** to this latest consultation draft in its current form.

In short, my client's objection to the latest consultation draft is twofold and relates to:

- the extent of the designated '*Safeguarded Employment Site*' at **Deepdale Business Park**; and
- the omission of a specific policy allowing some market housing to facilitate the provision of significant additional affordable housing to meet local needs.

Deepdale Business Park is currently one of the designated '*Sites for General Industry or Business Development*' in Bakewell under '*saved*' Policy LB6 of the Local Plan (2001).

However, despite this long-standing designation (establishing clear policy support for the delivery of B1, B2 and B8 uses on the land), my client has, as the Park Authority is eminently aware, experienced great difficulty in attracting sufficient interest to warrant constructing any further buildings on the site and in keeping/maintaining viable occupancy levels within those buildings already present¹.

Indeed, a number of the vacant office premises towards the front of the site have, as a consequence of the above, since been adapted for an alternative (open market) residential use. These, together with a new block of six apartments granted at appeal², now comprise an established **residential quarter**, with the business park remaining to the rear.

Despite the known difficulties (and lack of historical demand on the site³), the current designation has been carried forward in the Development Management Policies Publication Version as a 'Safeguarded Employment Site', as set out in *draft Policy DME3* and shown on the *proposed Policies Map*, as below.



Draft Development Management Policies Map

Given the known (and evident) lack of demand for B1, B2 and B8 uses within Deepdale Business Park, my client considers the designation of the *whole* of the business park as a 'Safeguarded Employment Site' to be unjustified and will in its present form serve to unnecessarily restrict the development of some of those undeveloped plots within the site for *alternative uses* that could perhaps more usefully benefit the Bakewell community (and help achieve the other objectives of the National Park) rather than be left undeveloped, under-utilised in perpetuity.

¹ as acknowledged in the **Bakewell Employment Land and Retail Review (May 2016)** - paragraphs 5.27, 7.49 and 9.14

² Appeal reference APP/M9496/W/14/3001876

³ some plots have never been developed (for over 16 years) for their original allocated employment use

The justification for safeguarding the *whole* of Deepdale Business Park is further eroded given the known limited demand for office accommodation in Bakewell (and the increased competition for that limited demand created by the Park Authority itself within its own offices!) and the 1.0 Ha surplus of potential employment land within Bakewell as identified in the Bakewell Employment Land and Retail Review (May 2016).

The above is not only unnecessary (and misses the opportunity to enable alternative beneficial uses from coming forward within the business park if B1, B2 and B8 uses cannot be found), but is also contrary to national planning policy which advises that **planning policies should avoid the long-term protection of sites allocated for employment use** where there is no reasonable prospect of a site being used for that purpose⁴.

In the above connection, whilst our client remains happy for the majority of the business park to be identified in the ultimately adopted Development Management Policies DPD as a '*Safeguarded Employment Site*' (and will continue to do everything possible to market and develop the business park for B1, B2 and B8 uses), he **objects** to the inclusion of the two vacant plots⁵ closest to the residential quarter at the front of the site within the '*Safeguarded Employment Site*' designation given the lack of market interest in for business uses within the business park - and the fact that these plots have never been developed/used for employment purposes since the business park was originally allocated some 16 years ago!

My client considers that 16 years comprises sufficient time to conclude that there is no reasonable prospect of these plots being used for the originally allocated employment use – particularly since there are of course other vacant plots already within the extent of the *proposed* '*Safeguarded Employment Site*' which would be available (and more suitable given the proximity of plots 3 and 11a to neighbouring residential properties) to take up any demand if/whenever this presented itself.

Moreover, when assessing the potential supply of employment land in Bakewell, the **Bakewell Employment Land and Retail Review (May 2016)** did not take into account these two vacant plots (plots 3 and 11a) within Deepdale Business Park and considered *only* the vacant land with development potential to the rear of the site.

Plots 3 and 11a were therefore specifically not included in the '*0.4Ha of potential employment land*' identified (within the business park) in the Employment Land Review and therefore neither the Authority nor the Plan relies on the delivery of business uses on either plot to meet its future employment requirements.

Omitting plots 3 and 11a from the '*Safeguarded Employment Site*' would therefore clearly not prejudice the development of the remainder of site for B1, B2 and B8 uses or the provision of B1, B2 and B8 uses on these plots.

⁴ Paragraph 22 of the NPPF

⁵ Plots 3 and 11a

My client therefore objects to the extent of the designation as shown in the latest consultation, rather than the *principle* of the designation/policy itself.

My client's objection can be remedied by re-configuring the extent of the designation (to exclude plots 3 and 11a) as shown below:



Proposed amended Development Management Policies Map

As can be seen from the above, that part of the current designation proposed to be excluded comprises land closest to the established residential quarter towards the front of the site (and also to those adjoining residential properties to the north of the business park).

Our client also wishes to **object** to the omission of a specific policy in the Development Management Policies Consultation Version allowing some market housing within the National Park where it would facilitate the provision of significant additional affordable housing to meet local needs.

Whilst the issue of cross-subsidising affordable housing by permitting open market housing was considered by the Inspector during the examination of the Core Strategy⁶, the Development Management Policies DPD should not be automatically constrained by this given the subsequent introduction of national planning guidance which places **far greater emphasis on the delivery of housing and affordable housing**.

Indeed, since the examination of the Core Strategy, the Government has published the NPPF, to which Local Plans should be consistent⁷. Paragraph 54 of the NPPF states that, in rural areas,

⁶ as outlined in paragraph 6.29 of the Development Management Policies Consultation Version

⁷ Paragraph 151 of the NPPF confirms that Local Plans should be consistent with the principles and policies set out in the NPPF, including the presumption in favour of sustainable development.

local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing. It advises that local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.

In its failure to include a specific policy allowing some market housing to facilitate the provision of affordable housing, the Development Management Policies Consultation Version is inconsistent with the NPPF (and therefore with national planning advice) and fails to reflect the increased support for the delivery of affordable housing – a problem as (if not *more*) relevant in the National Park as in the rest of country.

Indeed, the Development Management Policies Consultation Version acknowledges that addressing the community's need for housing is a key part of the Authority's aim to support vibrant and thriving communities and that the high demand for housing means that affordability across the wider Peak District area continues to be a huge barrier to many local people wanting to enter the housing market⁸.

To **remedy the above objection**, the Council is asked to revisit its approach to market housing, and, without prejudicing the acknowledged need to conserve and enhance the valued characteristics of the National Park, include specific policy support for the delivery of market housing where it facilitates the provision of affordable housing, in order to help support the communities within the National Park and meet the un-met need for affordable⁹ (and lower-cost market) housing.

Such an approach would essentially be no different to the objectives behind Policies DMC10 and DMH6 where market housing can be accepted within the National Park where it helps to achieve other aims - where it would be required in order to achieve the conservation/enhancement of a Heritage Asset, or where it would re-develop previously developed land and conserves and enhances the valued character of the built environment.

For all of the above reasons, my client considers the draft Development Management Policies DPD as presently worded cannot be regarded as '*sound*' in that it has **not** been positively prepared, is neither justified nor effective and does not comply with national planning policy.

I trust the above is helpful in progressing the draft Development Management Policies DPD and look forward to being consulted on each and every subsequent consultation stage.

⁸ paragraph 6.1 and 6.7 of the Development Management Policies Consultation Version

⁹ paragraph 6.1 of the Development Management Policies Consultation Version

Should you require any further information about the site in the interim, please do not hesitate to contact me.



MA(Hons)TP MRTPI
Director

Ref. No.....
(For office use only)

PEAK DISTRICT NATIONAL PARK AUTHORITY

**Development Management Policies
PRE-SUBMISSION DOCUMENT
November 2016**



Representation Form

Please return this form to the Peak District National Park Authority by 5pm on 27 January 2017

This form has two parts:

PART A – Personal details

PART B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

PART A

1. Personal Details*		2. Agents Details (if applicable)
Title	MR	MR
First Name	D	NICK
Last Name	CLAPHAM	BASELEY
Job Title (where relevant)		DIRECTOR
Organisation (where relevant)		IBA PLANNING LTD
Address Line 1		THE STUDIOS
Line 2		CHURCH FARM
Line 3		MANSFIELD ROAD
Line 4		EDWINSTOWE
Postcode		NG21 9NJ
Telephone Number		01623 822006
Email Address (where relevant)		ask@ibaplanning.co.uk

* if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

4. Do you consider the DPD is:

(1) Legally compliant Yes No

(2) Sound* Yes No

(3) Complies with the Duty to cooperate Yes No

Please tick as appropriate

5. Please give details of why you consider the Development Management Policies document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see attached letter reference ClaphamBakewellLP/1

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached letter reference ClaphamBakewellLP/1

(Continue on a separate sheet /expand box if necessary)

*See accompanying notes.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.
After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination.

No, I do not want to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature

Date

27/01/2017

Ref. No.....
(For office use only)

PEAK DISTRICT NATIONAL PARK AUTHORITY

**Development Management Policies
PRE-SUBMISSION DOCUMENT
November 2016**



Representation Form

Please return this form to the Peak District National Park Authority by 5pm on 27 January 2017

This form has two parts:

PART A – Personal details

PART B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

PART A

1. Personal Details*		2. Agents Details (if applicable)
Title	Miss	
First Name	Rosamund	
Last Name	Worrall	
Job Title (where relevant)	Historic Environment Planning Adviser	
Organisation (where relevant)	Historic England	
Address Line 1	2nd Floor	
Line 2	Windsor House	
Line 3	Cliftonville	
Line 4	Northampton	
Postcode	NN1 5BE	
Telephone Number	07917 596058	
Email Address (where relevant)	rosamund.worrall@historicengland.org.uk	

* if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

4. Do you consider the DPD is:

(1) Legally compliant Yes No

(2) Sound* Yes No

(3) Complies with the Duty to cooperate Yes No

Please tick as appropriate

5. Please give details of why you consider the Development Management Policies document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to co-operate, please also use this box to set out your comments.

n/a

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a

(Continue on a separate sheet /expand box if necessary)

*See accompanying notes.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination.

No, I do not want to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

n/a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature

WORRALL, Rosamund

Digitally signed by WORRALL, Rosamund
 DN: dc=uk, dc=org, dc=english-heritage, ou=EH Users,
 ou=Birmingham, cn=WORRALL, Rosamund
 Reason: I am the author of this document
 Date: 2017.01.27 15:04:08 Z

Date

27-01-17

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PEAK DISTRICT NATIONAL PARK AUTHORITY

**Development Management Policies
PRE-SUBMISSION DOCUMENT
November 2016**



**PEAK
DISTRICT
NATIONAL
PARK**

Representation Form

Please return this form to the Peak District National Park Authority by 5pm on 27 January 2017

This form has two parts:

PART A – Personal details

PART B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

PART A

**1. Personal
Details***

2. Agents Details (if applicable)

Title		Mr	
First Name		Rawden	
Last Name		Gascoigne	
Job Title <i>(where relevant)</i>			
Organisation <i>(where relevant)</i>		Emery Planning	
Address Line 1		Units 2-4 South Park Business Court	
Line 2		Jobson Street	
Line 3		Macclesfield	
Line 4		Cheshire	
Postcode		SK11 7BS	
Telephone Number		01625 433 881	
Email Address <i>(where relevant)</i>		support@emeryplanning.com	

* if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.

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Refer to separate page for comments.

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7. If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination.

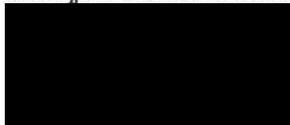
No, I do not want to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

We wish to present the evidence and make oral submissions to the Inspector, and to be respond to his/her questions. We also wish to be able to respond to the Council's written and oral evidence.

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Signature



Date

27/01/2017

DMC5 (assessing the impact of development on heritage assets and their settings) and Paragraph 3.71

Details

It is considered that certain elements of draft Policy DMC5 and the supporting text are not sound when considered against the paragraph 182 of the National Planning Policy Framework.

Paragraph A

Paragraph A, criterion (ii) of DMC5 requires that planning applications clearly demonstrate why the proposed development or related works are desirable or necessary. This is not a requirement of the NPPF, which states (at para 128) that applicants should be required to

“describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

Paragraph 131 maintains that there are three matters to be considered by Local Planning Authorities when determining planning applications affecting heritage assets. These are:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

There is no general requirement to development to be “necessary”. Paragraphs 132-134 of the NPPF make it clear that justification for proposed development affecting a heritage asset is only required in cases where the development would cause harm to the heritage asset or, in the case of enabling development (para 140), where a departure from planning policy would secure the future conservation of a heritage asset.

Paragraph D

As policy DMC5 is worded so as to apply to both designated and non designated heritage assets, it is considered that paragraph D is unnecessary and should be removed. There is no draft policy relating specifically to designated heritage assets in isolation and the remainder of policy DMC5 affords adequate protection for both designated non-designated heritage assets.

Modifications Proposed

- In order to be consistent with the NPPF, criterion (ii) to paragraph A should be removed or amended to qualify the circumstances under which this applies (in line with paragraphs 132-134 and 140 of the NPPF).
- Remove Paragraph D

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PART A

**1. Personal
Details***

2. Agents Details (if applicable)

Title	<input type="text"/>	Mr	<input type="text"/>
First Name	<input type="text"/>	Rawdon	<input type="text"/>
Last Name	<input type="text"/>	Cooper	<input type="text"/>
Job Title <i>(where relevant)</i>	<input type="text"/>		<input type="text"/>
Organisation <i>(where relevant)</i>	<input type="text"/>	Emery Planning	<input type="text"/>
Address Line 1	<input type="text"/>	Units 2-4 South Park Business Court	<input type="text"/>
Line 2	<input type="text"/>	Wilson Street	<input type="text"/>
Line 3	<input type="text"/>	Macclesfield	<input type="text"/>
Line 4	<input type="text"/>	Cheshire	<input type="text"/>
Postcode	<input type="text"/>	SK11 8BS	<input type="text"/>
Telephone Number	<input type="text"/>	01625 433 881	<input type="text"/>
Email Address <i>(where relevant)</i>	<input type="text"/>	support@emeryplanning.com	<input type="text"/>

* if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

4. Do you consider the DPD is:

(1) Legally compliant Yes No (2) Sound* Yes No (3) Complies with the Duty to cooperate Yes No

Please tick as appropriate

5. Please give details of why you consider the Development Management Policies document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to co-operate, please also use this box to set out your comments.

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Signature

Date

27/01/2017

Policy DMC7 (listed buildings)

Details

Paragraph A

Criterion A (ii) of draft policy DMC7 requires that planning applications clearly demonstrate why the proposed development or related works are desirable or necessary. This is not a requirement of the NPPF, which states (at para 128) that applicants should be required to

“describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

Paragraph 131 of the NPPF maintains that there are three matters to be considered by Local Planning Authorities when determining planning applications affecting heritage assets. These are:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

There is no general requirement to development to be “necessary”. Paragraphs 132-134 of the NPPF make it clear that justification for proposed development affecting a heritage asset is only required in cases where the development would cause harm to the heritage asset or, in the case of enabling development (para 140), where a departure from planning policy would secure the future conservation of a heritage asset.

Modifications Proposed

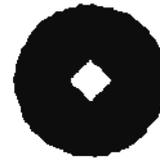
- In order to be consistent with the NPPF, criterion (ii) to paragraph A should be removed or amended to qualify the circumstances under which this applies (in line with paragraphs 132-134 and 140 of the NPPF).

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Title		M ^r
First Name		Rawdon
Last Name		Gascoigne
Job Title <i>(where relevant)</i>		
Organisation <i>(where relevant)</i>		Emery Planning
Address Line 1		Units 2-4 South Park Business Court
Line 2		Hobson Street
Line 3		Macclesfield
Line 4		Cheshire
Postcode		SK11 5BN
Telephone Number		01625 433 881
E-mail Address <i>(where relevant)</i>		support@emeryplanning.com

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PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy DMC10 Paragraph 3.107 - 3.109 Policies Map

4. Do you consider the DPD is:

(1) Legally compliant Yes No

(2) Sound* Yes No

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Please tick as appropriate

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Policy DMC10 and Paragraphs 3.107-3.109 (Conversion of heritage assets)

Details

Paragraph A

Criterion A (iii) restricts the locations in which the conversion of heritage assets will be permitted. This is inconsistent with the NPPF.

Paragraph 28 of the NPPF states that Local Plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, including through the conversion of existing buildings. It also requires Local Plans to *“support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.”* (para 28). It does not restrict such development to that occurring within settlements, smaller hamlets, farmsteads and in groups of buildings.

Similarly, paragraph 55 of the NPPF indicates that residential conversions in isolated locations may be acceptable where,

“development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting”.

Proposed criterion A (iii) would thwart HC1 compliant proposals that accorded with paragraph 55 of the NPPF and is therefore not consistent with existing local or national policy.

Paragraph B

Policy DMC10, paragraph B and supporting paragraphs 3.107-3.108 prevent the conversion of buildings that are not heritage assets, to higher intensity uses (as set out within paragraph 3.96).

Paragraph 3.108 states that these buildings will rarely be worthy of conversion to higher intensity uses and as such, their conversion *“will not be permitted”*. The statement that these will *“rarely be worthy of conversion”* is contested, however it does (correctly) suggest that there will be instances where such buildings are worthy of conversion. Indeed there are situations where the conversion of a disused building could lead to enhancements to the immediate/wider setting in accordance with paragraph 55 of the NPPF. In view of this, the application of a blanket ban on conversion is not justified (as required by paragraph 182 of the NPPF). Such conversions can be effectively managed through existing Core and other Draft Policies.

Paragraph B to DMC10 and the draft paragraphs in the main text, are in conflict with Policy HC1 (New Housing) of the Core Strategy which states that *“exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted”* subject to specified criteria, none of which restrict conversions to heritage assets alone.

The draft paragraphs also conflict with draft policies DME2 (Farm Diversification), and DMH5, which would often involve the conversion of buildings that are not heritage assets.

The NPPF states that local plans should “*support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings*” (para 28). Paragraph 55 indicates that housing development which would re-use redundant or disused buildings and lead to an enhancement to the immediate setting is capable of being a very special circumstance. Neither of these paragraphs are restricted to heritage assets and consequently, the draft paragraphs are in direct conflict with the NPPF.

Paragraph C

The Policy DMC10 paragraph C states the proposals under HC1 part C1 will only be permitted where the building is a designated heritage asset, based on the evidence the National Park Authority has identified the building as non-designated heritage and it can be demonstrated that a market dwelling is required in order to achieve the conservation and where appropriate the enhancement of the significance of the heritage asset and the conversion of the setting.

Policy HC1 part C states that housing may exceptionally be allowed where it:

‘is required in order to achieve conservation and for enhancement of valued vernacular or listed buildings’.

Policy DMC10 paragraph C essentially repeats HC1 part C and is therefore unnecessary.

Modifications Proposed

- Revise paragraphs 3.107-3.109 to read,

“However there are other buildings (i.e. those that do not possess the same qualities as heritage assets in terms of their materials and traditional design) that may also be the subject of planning applications for conversion.

All applications to convert such buildings will be assessed against Core Policies GSP1, GSP2 and GSP3 regarding the conservation and enhancement of the National Park; Core Policies L1, L2 and L3 regarding the conservation of biodiversity, cultural heritage and landscape; and other detailed policies in this plan. Whilst these buildings are not as valued as heritage assets they may nonetheless form valuable components of the landscape. Applicants should therefore propose a standard of conversion and uses that conserve the valued characteristics of buildings themselves and the wider landscape setting.”

- Remove DMC10, criterion A (iii)
- Remove DMC10, paragraph B
- Remove DMC10, paragraph C and replace with the following:

‘Conversions to open market residential must accord with Policy HC1 C.’

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PART A

1. Personal Details*

2. Agents Details (if applicable)

Title		Mr	
First Name		Rowden	
Last Name		Glascoigne	
Job Title (where relevant)			
Organisation (where relevant)		Emery Planning	
Address Line 1		Units 2-4 South Park Business Centre	
Line 2		Hobson Street	
Line 3		Macclesfield	
Line 4		Chester	
Postcode		SK11 8BS	
Telephone Number		01625 403 481	
Email Address (where relevant)		support@emeryplanning.com	

* If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

4. Do you consider the DPD is:

(1) Legally compliant Yes No

(2) Sound* Yes No

(3) Complies with the Duty to cooperate Yes No

Please tick as appropriate

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Signature

Date

27/01/2017

DME2 (Farm Diversification)

Details

Paragraph A

It is considered that certain elements of draft Policy DME2 are not sound when considered against paragraph 182 of the National Planning Policy Framework.

In particular, no justification is provided for the restrictions that would be imposed by paragraph A. Paragraph 206 of the NPPF makes it clear that such restrictive planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. There is no evidence that the above could be demonstrated in the case of every application for farm diversification and the issues should therefore be addressed through the imposition of conditions on a case by case basis, where the relevant tests are met. Accordingly, paragraph A is both unjustified, unnecessary, in conflict with the NPPF and does not represent the most appropriate strategy when considered against reasonable alternatives and proportionate evidence.

Modifications Proposed

Remove paragraph A and clarify that restrictive conditions to planning permissions will only be used where these meet the tests outlined at paragraph 206 of the NPPF.

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PART A

**1. Personal
Details***

2. Agents Details (if applicable)

Title		Mr
First Name		Rosalee
Last Name		Gaccione
Job Title <i>(where relevant)</i>		
Organisation <i>(where relevant)</i>		Emery Planning
Address Line 1		Units 2 & 3 South Park Business Court
Line 2		Higham Street
Line 3		Marplefield
Line 4		Cheshire
Postcode		M11 8BS
Telephone Number		01625 433501
E-mail Address <i>(where relevant)</i>		support@emeryplanning.com

** if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.*

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy | DME5 | Paragraph | Policies Map |

4. Do you consider the DPD is:

(1) Legally compliant Yes No

(2) Sound* Yes No

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DME5 (Class B1 Employment uses in the countryside outside DS1 Settlements)

Details

Paragraph B

Paragraph B to policy DME5 is not the most appropriate strategy when considered against reasonable alternatives. In order to accord with national planning policy and guidance, such restrictions as those outlined should only be used exceptionally and where justified. For example National Planning Policy Guidance states that *“Unless the permission otherwise provides, planning permission runs with the land and it is rarely appropriate to provide otherwise”* (Paragraph: 015 Reference ID: 21a-015-20140306).

While there may be circumstances where the withdrawal of permitted development rights or the grant of a personal or temporary permission does meet the tests for a valid planning condition, this would be only be the case where it were necessary to ensure compliance with other local and national policy requirements. As such, an assessment of proposals in the normal manner, would identify whether restrictive conditions were required. It is therefore unnecessary to include a policy relating to the exceptional use of restrictive conditions and no justification has been given for doing so.

Modifications Proposed

Delete section B and associated criterion.

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1. Personal Details*	2. Agents Details (if applicable)
Title	Mr
First Name	Andrew
Last Name	Gascoigne
Job Title <i>(where relevant)</i>	
Organisation <i>(where relevant)</i>	Emery Planning
Address Line 1	Unit 2-4 South Park Business Centre
Line 2	Hobson Street
Line 3	Macclesfield
Line 4	Cheshire
Postcode	SK11 8BS
Telephone Number	01625 433 881
Email Address <i>(where relevant)</i>	support@emeryplanning.com

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PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

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Signature

[REDACTED]

Date

27/01/2017

DMR4 (facilities for keeping and riding horses)**Details**

DMR4, C requires that new facilities for keeping and riding horses are located adjacent to existing buildings or groups of buildings. While it is appreciated that this can reduce the visual effects of development, it is not always possible (for example where the land owned is not adjacent to existing buildings or groups of buildings). As any proposals will be assessed against paragraph D of this policy (which requires that facilities do not, “alter the valued landscape character by changing the landform or in any other way have an adverse impact on its character and appearance”), it is considered that locational effects of proposed development can be adequately addressed through the remainder of the policy.

Modifications Proposed

Reword to read:

“is located adjacent to existing buildings or groups of buildings wherever possible”.

Ref. No.....
(for office use only)

PEAK DISTRICT NATIONAL PARK AUTHORITY

**Development Management Policies
PRE-SUBMISSION DOCUMENT**
November 2016



Representation Form

Please return this form to the Peak District National Park Authority by 5pm on 27 January 2017

This form has two parts:

PART A – Personal details

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PART A

1. Personal Details*	2. Agents Details (if applicable)
Title	Mr
First Name	Rawdon
Last Name	Gascoigne
Job Title <i>(where relevant)</i>	
Organisation <i>(where relevant)</i>	Emery Planning
Address Line 1	Unit 24 South Park Business Court
Line 2	Hobson Street
Line 3	Macclesfield
Line 4	Cheshire
Postcode	SX11 8BS
Telephone Number	0125 493 881
Email Address <i>(where relevant)</i>	support@emeryplanning.com

* if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

4. Do you consider the DPD is:

(1) Legally compliant Yes No

(2) Sound* Yes No

(3) Complies with the Duty to cooperate Yes No

Please tick as appropriate

5. Please give details of why you consider the Development Management Policies document is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to co-operate, please also use this box to set out your comments.

Refer to separate page for comments.

(Continue on a separate sheet /expand box if necessary)

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Refer to separate page for comments.

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No, I do not want to participate at the oral examination

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Signature

Date

27/01/2017

DMH5 (Ancillary dwellings in the curtilage of existing dwellings by conversion or new build).

Details

It is noted that in the vast majority of cases, the use/conversion of domestic outbuildings within the curtilage of existing dwellings, for ancillary domestic accommodation, will not require planning permission and it would be unlawful for DMH5 to impose restrictions on permitted development.

Where permission is required for either the conversion (where the building is not currently in ancillary residential use or not within the curtilage or where the alterations exceed permitted development), or building of a new build ancillary dwelling, it should always be possible to secure its ancillary status through use of a planning condition.

National Planning Practice Guidance states that *“It may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation under section 106 of the Town and Country Planning Act 1990. In such cases the local planning authority should use a condition rather than seeking to deal with the matter by means of a planning obligation.”* (Paragraph: 011 Reference ID: 21a-011-20140306).

The Planning Inspectorate has a model condition for securing the ancillary status of an outbuilding/extension/annex: *“The extension (building) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as []”*. It is therefore unnecessary to provide for restricting occupancy by way of a section 106 agreement.

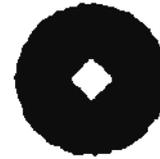
Modifications Proposed

Delete the final sentence to DMH5, B (relating to section 106 agreements) or reword to indicate that planning conditions will be used to restrict the occupancy of such buildings.

Ref. No.....
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PEAK DISTRICT NATIONAL PARK AUTHORITY

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**PEAK
DISTRICT
NATIONAL
PARK**

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PART A

**1. Personal
Details***

2. Agents Details (if applicable)

Title		Mr	
First Name		Rawdon	
Last Name		Gascoigne	
Job Title <i>(where relevant)</i>			
Organisation <i>(where relevant)</i>		Emery Planning	
Address Line 1		Units 10-11, Park Business Centre	
Line 2		Hobson Street	
Line 3		Macclesfield	
Line 4		Cheshire	
Postcode		SK11 8DS	
Telephone Number		01425 433 881	
Email Address <i>(where relevant)</i>		info@emeryplanning.com	

* if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.

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Signature Date

DMH8 (New outbuildings for domestic garaging and storage use in the curtilage of dwellings houses)

Details

One of the statutory purposes of the National Park is to conserve and enhance natural beauty, wildlife and cultural heritage. Clearly there will be situations where it is possible to conserve the desirable features of the National Park, but where there are no opportunities for further enhancement. In these circumstances, it would be illogical suggest that conservation was not desirable in the absence of opportunities for enhancement.

Policy DMH8 as it is currently worded does not support applications for new outbuildings that conserve the immediate dwelling and curtilage (and the other features/characteristics referred to in the draft policy) but may not enhance. Such proposals (provided they complied with other local and national planning policies) would not undermine the purposes of the National Park and the policy is therefore unduly restrictive. This would be reasonable as the policy is a permissive policy meaning that the principle of development has already been considered to conserve and enhance in the context of National Park objectives.

Modifications Proposed

Revise the wording of DMH8 A, to read:

“the scale, mass, form and design of the building conserves or enhances...”

This is a more appropriate wording that would enable the delivery of sustainable development in accordance with the policies in the NPPF and the purposes of the National Park.

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Title		Mr	
First Name		Forward	
Last Name		Geographical	
Job Title <i>(where relevant)</i>			
Organisation <i>(where relevant)</i>		Emery Planning	
Address Line 1		Units 2-4 South Park Business Court	
Line 2		Hobson Street	
Line 3		Macclesfield	
Line 4		Cheshire	
Postcode		SK11 8BS	
Telephone Number		01625 433 081	
Email Address <i>(where relevant)</i>		support@emeryplanning.com	

** if an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent.*

PART B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DPD does this representation relate?

Policy Paragraph Policies Map

4. Do you consider the DPD is:

(1) Legally compliant Yes No

(2) Sound* Yes No

(3) Complies with the Duty to cooperate Yes No

Please tick as appropriate

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Signature



Date

27/01/2017

DMH11 (Section 106 agreements) and Paragraph 6.107

Details

Paragraph 6.107 suggests that Section 106 agreements have been successful in preventing breaches of condition and for this reason, the Authority will continue to use them in the manner set out in draft Policy DMH11. However, there is no evidence to support this assertion and this is inconsistent with national planning policy. National Planning Practice Guidance makes it clear that where it is possible to deal with a matter by means of a planning condition, this approach should be adopted, instead of using a Section 106 agreement (Paragraph: 011 Reference ID: 21a-011-20140306).

It is considered that in almost all circumstances, the issues covered in draft policy DMH11 could be effectively dealt through the imposition of planning conditions. Indeed, the Planning Inspectorate has model conditions to account for such circumstances as outlined in the draft policy.

The purpose of Section 106 agreements is not to address breaches of planning control and there is no suggestion within national planning policy or guidance that this is an appropriate reason for imposing such agreements. Breaches in planning control should be dealt with through the Authority's planning enforcement powers and procedures, as outlined in the Town and Country Planning Act 1990 (as amended) and in line with the National Planning Practice Guidance. These procedures have been specifically developed to enable the Authority to investigate and remedy such breaches of planning control.

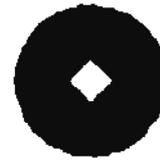
Modifications Proposed

DMH11 should be retitled and reworded to set out the manner in which "planning conditions" will be applied to housing development (as opposed to section 106 agreements).

Ref. No.....
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PEAK DISTRICT NATIONAL PARK AUTHORITY

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Title	<input type="text"/>	Mr	<input type="text"/>
First Name	<input type="text"/>	Rawdon	<input type="text"/>
Last Name	<input type="text"/>	Gascoigne	<input type="text"/>
Job Title <i>(where relevant)</i>	<input type="text"/>		<input type="text"/>
Organisation <i>(where relevant)</i>	<input type="text"/>	Emery Planning	<input type="text"/>
Address Line 1	<input type="text"/>	Units 2-4 South Park Business Court	<input type="text"/>
Line 2	<input type="text"/>	Hepton Street	<input type="text"/>
Line 3	<input type="text"/>	Macclesfield	<input type="text"/>
Line 4	<input type="text"/>	Cheshire	<input type="text"/>
Postcode	<input type="text"/>	SK11 7BS	<input type="text"/>
Telephone Number	<input type="text"/>	01625 423 991	<input type="text"/>
Email Address <i>(where relevant)</i>	<input type="text"/>	support@emeryplanning.com	<input type="text"/>

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(Continue on a separate sheet /expand box if necessary)

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Signature

Date

27/01/2017

DMS2 (Change of use of shops, community services and facilities)

Details

In cases where a business is failing, it is considered that paragraph A (i) of this policy is overly restrictive and would result in unnecessary financial hardship for business owners, which could be alleviated by a shorter marketing period or the provision of reasonable alternative evidence that would still achieve the objectives of the policy. In view of this, the policy does not represent the most appropriate strategy when considered against reasonable alternatives. Furthermore, the policy is more restrictive than the DCLG Advice Note entitled "Community Right to Bid" (2012). This advice note is aimed at helping local authorities to implement Part 5 Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012.

This advice note suggests a 6 week period, from the point the owner notifies the local authority of their intention sell a property to allow community interest groups to make a written request to be treated as a potential bidder. If none do so, the owner is free to sell their asset at the end of the 6 weeks. If a community interest group does make a request during this interim period, then it is advised that a 6 month moratorium (again from the point the owner notifies the local authority) should operate.

Given that the national policy position suggests that the absolute maximum marketing period should be 6 months, it is considered a policy which requires marketing for a minimum of 12 months is entirely unjustified and is not consistent with Government guidance.

Modifications Proposed

It is suggested that the marketing period should be amended to no more than 6 months.

From: Town Clerk <townclerk@bakewelltowncouncil.gov.uk>
Sent: 27 January 2017 16:17
To: Policy
Subject: PDNPA Development Management Plan Consultation response

I have been instructed by Bakewell Town Council to make the following response to the above consultation:

“Bakewell Town Council notes the comprehensive Peak Park Parishes Forum (PPPF) consultation response and commends it to the Authority.

Our comments will concentrate mainly on the Bakewell chapter., and should be taken in the context of constructive criticism.

Paragraphs 8.1 to 8.4 “Strategic Context” Whilst the paragraphs may add to the Core Strategy, on their own they appear to be disjointed. It is suggested that the information is either expanded to provide a fuller picture or, (as this is available elsewhere) the introduction signposts the other sources.

Paragraph 8.5 states “This plan does not include policies that are specific to Bakewell...” then lists policy DMB1 “Bakewell’s Settlement Boundary”. Suggest this be reworded.

Paragraph 8.8 and 8.9 “Bakewell is the only settlement boasting a wide range of shops...” contrasts poorly to the “modest settlement” and “modest size” in paragraph 8.9. It is suggested a better balance can be struck here.

Paragraph 8.10 “national park” should be “National Park”

Paragraph 8.11 there is a spare comma at end of first sentence.

Paragraph 8.15 it is felt that this paragraph should be reviewed and reworded to make its intent clearer to the reader.

Non-Bakewell specific policies

Bakewell Town Council welcomes Transport policies DMT1 and DMT2

The Town Council agrees with the PPPF comment regarding DMT3 item D. This policy would appear to preclude a development such as the extension of the heritage railway from Matlock to Bakewell, for example.”

John Rowe
Town Clerk/Responsible Financial Officer
Bakewell Town Council
Town Hall, The Square, Bakewell, Derbyshire. DE45 1BT
Tel: 01629 813 525

Peak District National Park Authority Development Management Policies
Pre-Submission Document, November 2016

NATIONAL TRUST RESPONSE

PART A

Kim Miller
Planning Adviser
National Trust
Hardwick Consultancy Office
Doe Lea, Derbyshire
S44 5QJ



Kim.miller1@nationaltrust.org.uk

PART B**National Trust**

3. Paragraph 2.1 (bullet point 1)

4. (2) Not Sound

5. Detailed Comments

This is not consistent with (or at least does not fully reflect) national policy. Paragraph 116 is a key policy restricting major development in National Parks and should therefore be highlighted alongside paragraphs 14 and 115.

6. Modifications

Paragraph 116 is a key policy restricting major development in National Parks and should therefore be highlighted alongside paragraphs 14 and 115.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Policy DMC1: Conservation and enhancement of nationally significant landscapes

4. (2) Not Sound

5. Detailed Comments

National Trust supports policy DMC1 as a whole. However, minor clarifications are required to ensure that the policy is consistent with national policy and other industry standards. Specifically, the policy refers to 'landscape assessment' rather than Landscape and Visual Impact Assessment.

It is currently unclear whether part A(ii) of the policy refers to the impact of development within the National Park on places outside (e.g. because of views) or the impact of development outside the National Park on views of/from the National Park.

6. Modifications

Part A of the policy should ideally refer to Landscape and Visual Impact Assessment with supporting text referencing the Guidelines for LVIA, which are the standard industry guidelines prepared by the Landscape Institute and IEMA.

We suggest that part A(ii) recognises that in consideration of cumulative impacts, developments both inside and outside of the National Park should be considered in terms of their impacts on both the National Park and its setting.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Policy DMC2 Protecting and managing the Natural Zone

4. (2) Not Sound

5. Detailed Comments

National Trust is concerned that Part B of this policy is overly restrictive and conflicts with Part A of the policy. Part A(i) indicates that development for 'management of the Natural Zone' may be acceptable, whereas Part B states that development 'that would serve only to make land management or access easier will not be regarded as essential'.

Depending on the interpretation of this policy it may not allow, for example, a temporary access track to enable cutting of heather for blanket bog restoration. It may therefore inhibit effective conservation management.

If part B is to be interpreted as referring to management of, or access to, areas where access (albeit difficult) *already exists* then this needs to be clarified.

6. Modifications

Revise Policy DMC2 Part B to ensure that it will not inhibit effective management and restoration of the landscape.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B

National Trust

3. Policy DMC3: Siting, design, layout and landscaping

4. (2) Sound

5. Detailed Comments

National Trust supports Policy DMC3: siting, design, layout and landscaping.

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Policy DMC5 Assessing the impact of development on heritage assets and their settings

4. Not Sound**5. Detailed Comments**

National Trust supports Parts A-E of this policy. While we support the general direction of Part F (which guards against any adverse effects on heritage assets) we consider that Parts F(i), (ii) and (iii) are currently unsound as they are not consistent with national policy. NPPF paragraphs 133-134 require decision makers to weigh harm/loss against public benefits. By comparison DMC5 Part F appears to allow no harm or loss (however minor) to any heritage assets. This fails to recognise that alterations and additions to heritage assets are sometimes required in order to keep them in good repair, fit for purpose and viable for the future. The policy is also negatively couched and does not recognise the scope for enhancements to be secured, for example by removing inappropriate modern elements.

6. Modifications

We suggest that parts F(i), (ii), and (iii) of the policy are modified to clarify that adverse effects/loss/damage will not be permitted unless they are justified and off-set by enhancements achieved through the wider scheme. For the scheme as a whole, public benefits will also need to outweigh harm/loss.

7. Participate at Examination: Yes

8. Reason

To ensure that policy DMC5 allows for sensitive alterations and additions to heritage assets and their settings, recognising the particular significance of the asset.

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Appendix 4: Source list for further information on historic environment

4. Clarification

5. Detailed Comments

The National Trust owns around 15,000 hectares of land within the Peak District including listed buildings, scheduled monuments and archaeological remains. These are recorded in the National Trust's Historic Buildings and Sites and Monuments Record (NT HBSMR). The NT HBSMR is available as an online resource but is not currently listed as a source of information in Appendix 4.

6. Modifications

Amend list at Appendix 4 to include the NT HBSMR, as follows:

"The National Trust's Historic Buildings and Sites and Monuments Record (NT HBSMR) lists heritage assets within National Trust owned lands: <https://heritagerecords.nationaltrust.org.uk/>"

7. Participate at Examination: No

PART B - National Trust

3. Appendix 5: Guidance for preparing a heritage statement

4. Clarification

5. Detailed Comments

On page three of this document there is a reference to information about sites on National Trust land, which can be found on Heritage Gateway. As above, for full information and mapping of these sites, we recommend that people refer to the NT HBSMR online.

6. Modifications

Amend the relevant paragraph as follows: "Other material, notably photographs, additional details of parks and gardens, and details of archaeological sites and finds on the National Trust's estates, can be found in other sections of www.heritagegateway.org.uk or for National Trust sites specifically: <https://heritagerecords.nationaltrust.org.uk/>"

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B

National Trust

3. Policy DMC6 Scheduled Monuments

4. Comment

5. Detailed Comments

National Trust supports policy DMC6. Consideration should be given to the need to incorporate the NPPF 133-134 planning balance, for example in relation to wider settings.

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust****3. Policy** DMC7: Listed Buildings**4. (2) Not Sound****5. Detailed Comments**

Parts A-C of the policy repeat text that is already found in DMC5 on heritage assessments. It is not necessary to repeat this policy wording and subtle differences between the two policies may result in issues of interpretation when preparing or determining an application.

We support the general direction of Parts D(i), (ii) and (iii). However the policy is overly restrictive in relation to alterations to listed buildings and therefore appears to conflict with NPPF paragraphs 133-134 requiring harm/loss to be weighed against public benefits. The policy is also negatively couched and does not recognise the scope for enhancements to be secured, for example by removing inappropriate modern elements.

6. Modifications

We suggest that Parts A-C are reviewed in relation to Policy DMC5 in order to remove repetition and/or to avoid any conflicts between the different wording.

Parts D(i), (ii) and (iii) should be modified to clarify that adverse effects will not be permitted unless they are justified and off-set by enhancements achieved through the wider scheme. For the scheme as a whole, public benefits will also need to outweigh harm/loss.

7. Participate at Examination: Yes**8. Reason**

To ensure that policies DMC5 and DMC7 reflect national policy and conserve buildings and features according to their significance, recognising that minor adjustments may need to be made to secure a sustainable future for the building.

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Paragraph 3.82 (supporting text to policy on conservation areas)

4. Not Sound**5. Detailed Comments**

Paragraph 3.82 suggests that ‘where a building (or other element) does not make a positive contribution to the significance of the [conservation] area, the loss of that building or feature should be treated as less than substantial harm.’

This is not correct as presumably some buildings of this sort could be removed without causing any harm at all, while potentially enhancing the outlook of the area.

6. Modifications

Remove or amend this statement within paragraph 3.82.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust****3. Policy** DMC8 Conservation areas**4. Not Sound****5. Detailed Comments**

National Trust supports this policy but considers that certain adjustments are required to ensure that the policy is sound.

The policy currently does not commit the Council to periodic preparation and review of Conservation Area Character Appraisals in line with statutory obligations.

Where views 'into or out of' the conservation are referred to, we suggest that views 'within or across' the conservation area should also be protected.

6. Modifications

We suggest that the policy includes a positive commitment by the National Park Authority to prepare and review Conservation Area Character Appraisals.

We also suggest that views 'within and across' conservation areas are recognised and protected.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust****3. Policy** DMC9: Registered Parks and Gardens**4. Not Sound****5. Detailed Comments**

Policy DMC9 currently states how applications will be assessed, but not how they will be determined. We therefore suggest a 'Part B' is required (refer to Modifications) or that the supporting text clarifies that applications will be determined according to NPPF policies for designated heritage assets.

The supporting text refers to four Registered Parks and Gardens within the Peak District. It is also worth noting that Ilam Park is on Staffordshire's local list of Historic Parks and Gardens.

6. Modifications

Policy DMC9 would benefit from a Part B setting out the approach to protecting Registered Historic Parks and Gardens, e.g.

'Development proposals should conserve or enhance the significance of a Registered Historic Park and Garden and will be refused if they would result in harm that is not clearly justified and outweighed by public benefits.'

A reference to Ilam Park within the supporting text, highlighting its current status as a non-statutory heritage asset would be beneficial.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust****3. Policy** DMC10 Conversion of heritage assets**4. Not Sound****5. Detailed Comments**

Much of Policy DMC10 is supported by the National Trust. The policy relates to conversions but does not appear to relate to alterations and extensions. Are these adequately covered by Policies DMC3 (siting, design, layout and landscaping) and DMC5 (Assessing the impact of development on heritage assets and their settings) or is an additional policy on alterations and extensions required?

Part A(iv) ought to reflect the NPPF 133-134 balancing exercise.

Part B suggests that unless a building is a heritage asset, no conversion to a 'higher intensity use' will be allowed. Does the policy fail to recognise that there may be buildings of architectural merit which are not heritage assets?

6. Modifications

Consider including a policy on alterations and extensions.

Amend Part A(iv) to conclude with (for example) 'unless clearly justified and outweighed by public benefits'.

Amend Part B to say: 'Buildings which are not deemed to be a heritage asset and do not exhibit significant architectural merit will not be permitted for conversion to higher intensity uses.'

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B

National Trust

3. Policy DMC11 Safeguarding, recording and enhancing nature conservation interests

4. (2) Sound

5. Detailed Comments

National Trust supports policy DMC11 which applies a principle of no net loss and seeks further enhancement.

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Policy DMC12 Sites, features or species of wildlife, geological or geomorphological importance

4. Clarification required**5. Detailed Comments**

National Trust supports the general direction of Policy DMC12. However, Part B of this policy is currently unclear in relation to a number of matters.

‘Exceptional circumstances’ are referred to in Part B and should probably be followed by ‘where development may be permitted’ (as per Part A). It should also be made clear that the term ‘management’ in DMC12 Bi refers to management for the nature conservation interests for which the site is important. Otherwise the word can be misinterpreted to refer to all types of management that do or could take place on that site, some of which might be regarded as ‘essential’ in terms of another aspect of the management of the site but which would be damaging to the nature conservation interest.

In relation to Part C of the policy, it is unclear whether ‘loss’/‘harm’ relates only to impacts on the special interest of the site, or to all impacts of the development on wildlife/geology, or to the impacts of the development taken as a whole. The policy should also make clear at what scale conservation status of a species or habitat will be judged. Is it at the site level, the locality, the Peak District, England etc.?

6. Modifications

Amend Part B to include the text ‘where development may be permitted’.

Clarify the meaning of Part C.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B

National Trust

3. Policy DMC13 Protecting trees, woodland or other landscape features put at risk by development

4. (2) Sound

5. Detailed Comments

National Trust supports Policy DMC13

PART B

National Trust

3. Policy DMC14 Pollution and disturbance

4. (2) Sound

5. Detailed Comments

National Trust supports Policy DMC14

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Policy DME1 Agricultural or forestry operational development

4. Not Sound**5. Detailed Comments**

As part of National Trust's Land Outdoors and Nature programme the organisation has aspirations to improve the environmental and welfare performance of farms. For example providing muck storage to meet standards that would be applied in Nitrate Vulnerable Zones, and providing livestock housing to RSPCA freedom foods standards.

We are concerned that this policy could constrain farmers and organisations in providing higher environmental and welfare standards. If so we consider that the policy would be unsound due to failing to be positively prepared and consistent with National Policy (NPPF paragraph 28)

6. Modifications

National Trust requests clarification and reassurance in either the policy or the supporting text that where new operational development is required to support higher standards this will be taken into account and carry positive weight.

7. Participate at Examination: Yes

8. Reason

To ensure that policy DME1 is sufficiently flexible to support higher environmental and welfare standards in the Peak District National Park.

Signed: Kim Miller **Date:** 27/01/2017

PART B

National Trust

3. Policy DME2 Farm diversification

4. (2) Sound

5. Detailed Comments

National Trust supports policy DME2

6. Modifications

n/a

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust****3. Paragraph 5.1 - 5.4****4. Not Sound****5. Detailed Comments**

Paragraphs 5.1-5.4 which introduce the chapter on Recreation and Tourism make no reference to Recreational Hubs, which we understand to be an important aspect of the Peak District National Park Authority's future strategy. We therefore suggest that this section needs to be expanded in order to include an indication of intentions for Recreational Hubs and any policy documents that will support their development and use. This will ensure that the plan is positively prepared and consistent with national policy (NPPF para 28).

6. Modifications

Expand the Strategic Context section (para 5.1-5.4) to clearly set out the Authority's intentions in relation to Recreational Hubs. How have/will these Hubs be identified and supported by the National Park Authority? What policies and/or guidance will be applied to Recreational Hubs?

7. Participate at Examination: Yes**8. Reason**

To ensure that the National Park's most important and visited recreational sites are recognised and that the planning regime in relation to these sites is flexible enough to ensure their future conservation, accessibility and economic viability.

Signed: Kim Miller **Date:** 27/01/2017

PART B

National Trust

3. Policy DMH6 Redevelopment of previously developed land to dwelling use

4. (2) Sound

5. Detailed Comments

National Trust supports the commitment to re-using previously developed land.

6. Modifications

n/a

7. Participate at Examination: No

PART B

National Trust

3. Policy DMS5 Outdoor advertising

4. (2) Sound

5. Detailed Comments

National Trust supports policy DMS5

6. Modifications

n/a

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Policy DMT1 Cross-park infrastructure

4. Comment

5. Detailed Comments

National Trust particularly supports Part D of this policy which requires a long term environmental benefit to the National Park as a result of any new cross-park road or rail infrastructure. However, we consider that the policy as a whole requires clarification.

The Government is currently conducting research into the potential for a 'Trans-Pennine' road tunnel, while we understand that there is also research ongoing into rail options by HS2 and Network Rail. It would be helpful to understand, perhaps within the supporting text, how this policy relates to those projects.

It is not clear currently whether the policy would be equally applicable to above ground infrastructure and below ground infrastructure, i.e. a road or rail tunnel.

6. Modifications

Adapt policy and supporting text as appropriate to (i) place the policy within the context of ongoing work and (ii) clarify whether the approach to overground and underground infrastructure will be the same.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B

National Trust

3. Policy DMT2 Access and design criteria

4. (2) Sound

5. Detailed Comments

National Trust supports policy DMT2 Access and design criteria

6. Modifications

n/a

7. Participate at Examination: No

PART B

National Trust

3. Policy DMT3 Railway construction

4. (2) Sound

5. Detailed Comments

National Trust supports policy DMT3 Railway construction

6. Modifications

n/a

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust**

3. Policy DMT4 Development affecting a public right of way

4. Not Sound**5. Detailed Comments**

While much of policy DMT4 is supported by the National Trust, we consider that part D may be interpreted as overly restrictive without justification. The current wording of the policy suggests that new walking/cycling routes will not be allowed unless they (i) connect into the wider rights of way network, and (ii) connect with settlements. This would not appear to allow small scale additions to existing networks of permissive footpaths, for example at Longshaw estate. While some of these may indirectly connect with Public Rights of Way and ultimately settlements, this may not be so in all cases

6. Modifications

Amend policy to ensure that small scale footpath developments, for example within an existing park or network of permissive routes, will also be supported.

7. Participate at Examination: No

Signed: Kim Miller **Date:** 27/01/2017

PART B - National Trust**3. Policy** DMT6 Visitor parking**4. Not Sound****5. Detailed Comments**

The supporting text to this policy at paragraph 9.63 recognises the need for additional parking capacity at popular visitor destinations. It goes on at 9.64 to suggest that appropriate visitor facilities are needed in line with Defra's 8 Point Plan for National Parks.

National Trust has been aware for a number of years of the National Park Authority's intention to identify key Recreational Hubs. In order to manage access and conservation at these Hubs we suggest that a more flexible policy regime would be appropriate. The final sentence of paragraph 9.64 suggests that Hubs will be dealt with through a Supplementary Planning Document (SPD). According to the NPPF SPDs are 'Documents which add further detail to the policies in the Local Plan'. However, without a specific policy on Hubs or any references to Hubs in relevant policies such as DMT6, it is not clear which policies a SPD would expand upon? To ensure that the plan is sound (positively prepared and consistent with national policy) we think this issue needs to be addressed.

Focusing specifically on Policy DMT6 Visitor parking, the policy is very restrictive in relation to new or expanded carparks. Part A allows for expansion where 'a clear, demonstrable need can be shown'. However, Part B is more problematic. This states that 'for visitor car parking additional off-street parking will normally only be permitted where it replaces equivalent on-street parking spaces'. In certain places where there are already significant parking issues (such as at Ilam and Dovedale) the scope for restricting on-street parking is likely to be much less than the current parking demand. The ability to restrict parking also may not be within the gift of the party seeking planning permission. While we recognise that the word 'normally' allows some flexibility, we suggest that it would be most appropriate to exercise this flexibility at Recreational Hubs and in places that are close to the boundary of the National Park. This accords with the Recreation and Tourism section of the National Park Authority's Core Strategy which states that:

"One of the Authority's main aims is to increase awareness of what the National Park has to offer people who currently do not know about it and find it hard to visit. Developments which provide opportunities for understanding and enjoying the National Park will be welcomed in locations close to its boundary or with easy access by sustainable means, taking into account the landscape character and setting of the National Park."

6. Modifications

Provide further clarification within policy of the potential for additional parking to be provided at Recreational Hubs and accessible locations close to the National Park boundary, including in places where there is little scope for on-street parking restraint.

7. Participate at Examination: Yes**8. Reason** – to ensure policies are appropriate for Recreational Hubs and accessible visitor sites

Signed: Kim Miller **Date:** 27/01/2017

PART B**National Trust****3. Policy** DMMW5 Restoration and aftercare**4. Comment****5. Detailed Comments**

National Trust supports this policy but suggests that it could be more positive and aspirational in outlook. Vision and planning are required upfront to ensure that a quarry can be shaped towards an end use throughout its lifetime.

There should also be recognition that in some cases it will not be possible or desirable to reinstate the original landform. Early recognition of the constraints to restoration at a specific site will allow for creative solutions to be found. Where infilling is not possible it may be appropriate to allow some parts of the quarry with thin soil to be colonised through natural processes, creating biologically diverse areas that are rare in the wider environment. This may take longer than five years to develop into something interesting.

Forward planning is also required to ensure that water systems and connectivity are considered and managed throughout extraction and restoration. If open water is to be created as an after-use then this should be planned to ensure that it has visual and ecological interest, for example by creating shallow areas and islands that will support breeding birds and enable aquatic and wetland plant communities to establish.

Given the twin purposes of the National Park the role of worked sites in absorbing and therefore mitigating some of the impacts from recreation on the wider Park should be a serious consideration in deciding on after-uses. Examples would be mountain biking, climbing and other adventure sports. It may be instructive to look at how Snowdonia is approaching this issue as it promotes itself as the outdoor adventure sport capital (e.g. <http://www.visitwales.com/explore/north-wales/snowdonia-mountains-coast/great-activity-ideas>).

6. Modifications

Adjust policy and supporting text in order to:

- (i) Promote early visioning and planning for after use
- (ii) Specifically promote (within the policy) progressive restoration of sites
- (iii) Recognise that in circumstances natural regeneration may be the best option for a site
- (iv) Promote careful planning of water systems throughout the lifetime of a development and as part of restoration and aftercare
- (v) Be open to the incorporation of an imaginative recreational end use that is relevant to a National Park but reduces pressure on other parts of the Park.

7. Participate at Examination: No

Signed: Kim Miller

Date: 27/01/2017

From: Youlgrave Parish Clerk <youlgraveclerk@youlgrave.org.uk>
Sent: 26 January 2017 16:23
To: Wilkins Clare
Cc: Philip Thompson
Subject: RE: Reminder: Peak District National Park Local Plan consultation 18th Nov 2016-27th Jan 2017

Youlgrave Parish Council fully endorses the comments of the Peak Park Parishes Forum. Local issues of parking and housing are reflected in their comments and more scrutiny needs to be given to ensure the policies reflect sustainable villages local requirements and community needs.

Regards
Matthew Lovell
Clerk

From: Kay Davies <Kay.Davies@fishergerman.co.uk>
Sent: 27 January 2017 18:24
To: Policy
Subject: Part 2 of the Local Plan for the Peak District National Park

Importance: High

Dear Sir,

I write to provide comments in relation to the above Local Plan document:

Policy DMC7 Listed Buildings

It is considered that elements of the policy are too onerous as they would be equally applicable to small scale planning applications that would normally benefit from Permitted Development rights but, due to the buildings Listing, require a full planning application. Proposed amendments are suggested to allow some proportionate flexibility. (underlined wording should be inserted and Strike through wording should be deleted)

It is considered that criteria D(vii) and (viii) are too restrictive as an overriding policy stance. There could be some instances where extensions to the front of a Listed building or of two storey to a terrace house would be acceptable and to prevent this as a starting point in policy is too restrictive. If the development is inappropriate it would fail to meet sufficient other criteria to warrant refusal. As such the criterion should be deleted. As such the criteria should be deleted.

Criterion E of the policy is again considered too onerous and would be disproportional to smaller scale developments when the details of the application itself provide sufficient record of the changes to the Listed Building. As such the criterion should be deleted.

D. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to:

- (i) ~~unnecessary~~ removal of original walls, stairs, or entrances, or subdivision of large interior spaces;
- (ii) ~~unnecessary~~ removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and, floors;
- (iii) the unnecessary removal, alteration or replacement of features such as windows, doors, fireplaces and plasterwork;
- (iv) the ~~unnecessary~~ loss of curtilage features which complement the character and appearance of the listed building (e.g. boundary walls, railings or gates);
- (v) repairs or alterations involving materials, techniques and detailing inappropriate to a listed building;
- (vi) the replacement of traditional features other than with like for like, authentic or original materials and using appropriate techniques;
- ~~(vii) extensions to the front of listed buildings;~~
- ~~(viii) extensions of more than one storey to the rear of listed small houses or terraced properties.~~
- (ix) inappropriate impact on the setting of the listed building.

~~E. Where change to a listed building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.~~

Policy DMC8 Conservation areas

It is considered that three of the criteria of this policy are unjustified when having regard to National Planning policy and do not allow flexibility, placing too great a restriction on development which could make small scale proposals unreasonably costly. It is therefore considered that criteria C, E and F of Policy DMC8 be deleted. More specific reasoning is provided against each point below.

C. Outline applications for development will not be permitted. (The confirmation that the principle of development would be acceptable remains an important part of the development process, providing certainty to landowners and developers alike. There remains full control over reserved matters to assess the detail of any development.)

E. Where development is acceptable, a record of the current site, building or structure and its context will be required, prior to or during development or demolition. (This is onerous on small scale development where the details contained in any planning application would be sufficient to provide a record of the existing and proposed development.)

F. Plans for re-use of an area where demolition is proposed must be agreed and a contract for redevelopment signed before the demolition is carried out. (Whilst it is acceptable that some form of basic restoration of a site is required after demolition in a Conservation Area, to require a contract for this is not considered expedient. A planning condition would be acceptable and enforceable. The policy criteria should be amended accordingly)

DME2: Farm diversification

Objection is raised to Policy DME2 in criteria A and B. Criterion A does not provide flexibility to the rural and farming economy. Where a business unit becomes vacant there needs to be flexibility to market that building to a wide variety of businesses and secure continued support and growth to the local rural economy in line with the NPPF and Government Policy in the Rural Productivity Plan. Similarly, Criterion B also restricts the growth and development of rural businesses. There should not be a restriction on suitable rural businesses becoming a greater part of any traditional farm business, this would stifle sustainable economic growth and would be contrary to Government policy. The policy criteria below should therefore be deleted.

~~A. Diversification of economic activity on a farm will be restricted to the specific use or range of uses for which permission is given rather than to a use class.~~

~~B. Development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business.~~

I trust that these comments can be taken on board. Should you have any queries please do not hesitate to contact me.

Regards,
Kay Davies

Kay Davies MRTPI

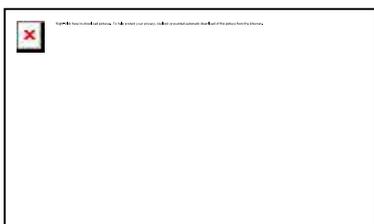
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From: [REDACTED]
Sent: 27 January 2017 22:37
To: Policy
Subject: Comments on Peak Park Consultation

I would like to comment on the policy of not allowing any cross park road improvements. My view is that there should be improvements on roads such as the A623 for the following reasons:

1. The increased traffic is caused partly by the Peak Park encouraging more tourism so that there are tailbacks of traffic especially in the summer at Baslow and Calver.
2. This road is extremely dangerous for cyclists as the road is of insufficient width therefore it would be a good idea to widen such a road for a cycle lane on each side of the road.
3. For the development of business for those who live in the Peak Park and along the edges of it e.g. transport of goods in places such as Whaley Bridge, Chapel and New Mills to Chesterfield.
4. In bad wintry weather the A623 is often the only route passable and therefore is of strategic importance.

Regards
Gordon S. Rooke

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<http://www.claranet.co.uk>

From: John Youatt [REDACTED]
Sent: 29 January 2017 11:11
To: Wilkins Clare
Cc: [REDACTED]
Subject: Re: Reminder: Peak District National Park Local Plan consultation 18th Nov 2016-27th Jan 2017

Dear Clare,

Thank you for the reminder and my apologies for being two non working days late.

I haven't made time to read the text. However there are two issues that concern me which I hope to discuss with colleagues.

Housing.

I share the concern of the Hartington Parish Council and its many supporters at the appeal decision and our inability to challenge it by JR. My review is that four factors contributed to the failure of the LPA and local case. These were the LPA's initial recommendation of approval; the non - completion of a neighbourhood plan; the lack of a local CLT to deliver a credible alternative; and the LHA's reluctance to stress the obvious alternative site.

My concern has been picked up by PDRHA's Secretary, who has invited me as a Trustee to the next Board meeting in February.

What I would like to explore is an argument and policy that gives far more weight to local views, perhaps even a requirement that all development be community led. Which would not rule out a commercial partner and betterment, but would place the community in control.

Renewables

I note with puzzlement that the document includes all forms of development except carbon reduction proposals. I recall a "final" letter from John Scott which softened the apparent block on a multi farm AD at Friden.

We also have two dismissals of farm wind turbines that will have harmed the economy of those two farms and a cheese factory and prevented carbon saving.

Have these developments been dealt with elsewhere?

I gather there will be a meeting of the YCLT which I hope will review progress on the climate change chapter in the village guidelines and follow up to the work of Sustainable Youlgrave.

Next Steps

So I hope that you will acknowledge these two events and take into account their findings and discuss them as appropriate.

John

John Youatt: community and renewables planner
green activist [REDACTED]

#29

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 27, 2017 4:30:09 PM**Last Modified:** Friday, January 27, 2017 4:34:00 PM**Time Spent:** 00:03:50**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Nick
Last Name	Sandford
Job Title (where relevant)	Government Affairs Officer
Organisation (where relevant)	The Woodland Trust
Address Line 1	Kempton Way
Address Line 2	Dysart Road
Address Line 3	Grantham
Address Line 4	Lincs
Postcode	NG31 6LL
Telephone number	08452 935 564
Email address (where relevant)	nicksandford@woodlandtrust.org.uk

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Policy	DMC13
--------	-------

Q4: Do you consider the DPD is:

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	Yes
(3) Complies with the Duty to cooperate	Yes

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

We would like to support the policy on trees and woodland DMC13 and the strong protection which it gives to woodland and to ancient woodland in particular, saying that it should only be lost to development in exceptional circumstances.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy could be improved by saying that ancient and veteran trees will be given a similar level of protection, as they are also of great environmental and often historic and cultural significance.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#24

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 27, 2017 10:33:12 AM**Last Modified:** Friday, January 27, 2017 1:40:23 PM**Time Spent:** 03:07:11**PAGE 1: Representation Form****Q1: Your personal details***

Title	Dr
First Name	Martin
Last Name	Beer
Job Title (where relevant)	Parish Councillor
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Policy	DMH1 & DMH2-
--------	--------------

Q4: Do you consider the DPD is:

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	No
(3) Complies with the Duty to cooperate	No

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

The economic and housing policies are intimately linked. Changes in the UK economy mean that there will be many opportunities to develop high value, low impact industrial activity within the Park. There are already several businesses that meet this description located either within or close to the Parish and we wish to encourage more. Not only does it bring enhanced economic activity to the villages, but provides opportunities for higher income employment than is available with traditional employment opportunities without the need to commute out of the Park. Currently opportunities are limited by the availability of suitable locations, lack of communications and transport infrastructure and the limited availability of suitable mid-range housing at affordable prices due to the large premium placed on open market housing in the National Park. I therefore objects to the restrictions placed on affordable housing by policies DMH1 and DMH2 as these do not provide effective means of supporting those that can develop new high quality employment opportunities and need the full range of mid-market housing as their families grow. Also, there needs to be better provision for suitable elderly accommodation so that residents can stay in their communities and not have to move away because there is no suitable accommodation to meet their needs. This has the added benefit of freeing family accommodation for new residents.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I would like to see a wider specification of eligibility for affordable housing to include family formation, local employment and a more graduated expansion of applicable area rather than just local parishes and then the whole park.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

The availability of suitable housing is likely to be a key driver for developing high quality employment opportunities within the Park.

#25

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 27, 2017 1:40:28 PM**Last Modified:** Friday, January 27, 2017 1:51:53 PM**Time Spent:** 00:11:25**PAGE 1: Representation Form****Q1: Your personal details***

Title	Dr
First Name	Martin
Last Name	Beer
Job Title (where relevant)	Parish Councillor
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?***Respondent skipped this question***Q4: Do you consider the DPD is:**

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	No
(3) Complies with the Duty to cooperate	No

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

DMT1: The policy should consider transport developments both inside and outside the park such as the Manchester Airport Relief Road and developments along the Woodhead route. Two cross park corridors pass through or close to the parish (the A263 and the B6049) and congestion on other routes is encouraging increased traffic on these more rural and less sustainable routes. I would like to see a coordinated policy that considers both local traffic needs and the effects of other developments. For example, the construction of a road tunnel under Woodhead is likely to reduce traffic on the A623 but the routing of the Manchester Airport Relief Road opening a far better corridor from the M56 to the A6 may well have the effect of increasing it. These developments may make it desirable for some enhancement of the routes in the park.

DMT3: I would welcome further development of railway travel opportunities particularly along the Hope Valley route. It considers easy and frequent services connecting to HS2 when that opens to be essential to the development of new and vibrant businesses. I would also welcome opportunities for development of regular services to Buxton and Matlock whether these are part of the national rail network or local heritage initiatives. I therefore object to DMT3D.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

DMT1 should provide for the coordinated management of the cross-park routes taking account of developments both inside and outside the Park.

DMT3 needs to support ongoing development of the Hope Valley rail route and encourage reinstatement of the Woodhead route in preference to significant road investment such as the 30 mile road tunnel.

A rail connection between Buxton and Matlock should be encouraged to encourage sustainable travel, reduce car parking in difficult locations and to spread the visitor load more effectively.

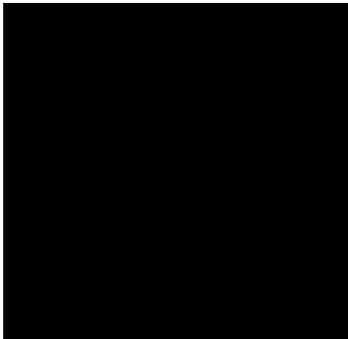
Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Transport infrastructure needs to be enhanced to encourage the sort of economic development which will enhance the national park. It needs to be done in such a way that the tourist traffic does not conflict with the needs of local businesses and residents to go about their normal activities effectively.

#28

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 27, 2017 1:51:55 PM**Last Modified:** Friday, January 27, 2017 2:23:44 PM**Time Spent:** 00:31:48**PAGE 1: Representation Form****Q1: Your personal details***

Title	Dr
First Name	Martin
Last Name	Beer
Job Title (where relevant)	Parish Councillor
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	1.29 & 1.30
Policy	DMU1 & 4

Q4: Do you consider the DPD is:

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	No
(3) Complies with the Duty to cooperate	No

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

I am concerned about the comments on paras. 1.29 and 1.30 which assert (1.24) that 'there is minimal strategic infrastructure need' since there is a very clear need for better broadband and mobile infrastructure (as identified in Para. 4.49) and this should not just rely on national investment. The Council therefore objects to policies DMU1 and DMU4 where implementation of the policies would lead to a less effective service. Para. 4.49 illustrates a feeble approach to broadband provision on the part of PDNPA. Enhanced broadband facilities are already vital to the rural economy in many places, including within the Park, and the PDNPA should have a much stronger and more cogent policy to lobby the County Councils and government for support for the required investment in infrastructure. If the objectives for developing high grade employment opportunities are to be achieved it is essential that the communications infrastructure is enhanced to at least national levels without holes in the coverage.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Para 1.24 should be modified to make it clear that a planning objective is to provide a full high quality mobile and broadband infrastructure to the whole of the national park and that all avenues will be pursued to obtain the necessary funding. Policies DMU1 & DMU4 should also be modified to reflect the need to minimise the impact on the valued characteristics of the park rather than prioritise them.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

To emphasise the importance of universal high quality mobile and broadband communication for both residents and businesses.

#26

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 27, 2017 2:11:21 PM**Last Modified:** Friday, January 27, 2017 2:20:44 PM**Time Spent:** 00:09:23**PAGE 1: Representation Form****Q1: Your personal details***

Organisation (where relevant)	Litton Property Group
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Q2: Agent's details (if applicable)

Organisation (where relevant)	Nathaniel Lichfield Partners
Address Line 1	1 St James's Square
Address Line 2	Manchester
Postcode	M2 6DN
Telephone number	0161 8376130
Email address (where relevant)	wsockett@nlplanning.com

Q3: To which part of the DPD does this representation relate?

Policy	DME3
--------	------

Q4: Do you consider the DPD is:

(1) Legally compliant	No
(2) Sound (see accompanying notes)	No

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

The policy is considered to be unsound and does not comply with the objectives and requirements of the National Planning Policy Framework (NPPF).

1 In considering the PDNPA's desire to safeguard the identified sites from non B class uses, Litton Property Group (Litton) believe that these sites should be regarded as sites of strategic importance to the National Park and its wider economic and social development objectives. Indeed in relation to Policy DS1(f) of the Core Strategy, the PDNPA express the strategic importance of such sites in paragraph 8.11 of the DMP document :

"The strategic need for employment sites mean that the policy safeguards existing employment sites....."

2 Litton therefore consider that the reference to the inclusion of the reference to "any adopted neighbourhood plan evidence or policy" within the presently proposed draft policy is inappropriate and conflicts with paragraph 184 of the NPPF which clearly provides that it is for the Local Plan to take a clear planning policy lead on key sites: "Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan....Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans should not promote less development than set out in the Local Plan or undermine its strategic policies".

3 Litton agree that Neighbourhood Plans have an important role to play within the planning system; however, Policy DME3 in its current form could result in an unreasonable restriction on the future development potential of sites.

4 Paragraphs 160 and 161 of the NPPF clearly state that it is for the local authority to collate an appropriate evidence base and have a clear understanding of business needs and economic markets within its area.

5 The utilisation of evidence derived through a neighbourhood plan for decision-making purposes, in conjunction with the additional policy requirements is considered to be inappropriate. The burden of policy requirements is a particularly important consideration where sites are subject to constraints, and the effective double layering of policy requirements could result in a failure to take full account of wider economic and employment impacts. In doing so it could prevent viable and achievable development proposals from coming forward. Consequently it is considered that the proposed Policy DME3 is contrary to the objectives of paragraph 21 of the NPPF, which provides that investment in business should not be over-burdened by the combined requirements of planning policy expectations.

6 Notwithstanding our general comments on Policy DME3, which should be amended for the reasons set out above, we note that the policy does not account of the increasingly mixed use status of the Riverside Business Park (incorporating Lumford Mill) at Bakewell. Having regard to recent changes on site, namely the successful planning appeal for a hotel scheme, it is considered inappropriate for the Riverside Business Park to be subject to the requirements of Policy DME3 (whether subsequently amended or not).

7 The Riverside Business Park is the largest existing employment site within the National Park. However, it has experienced a significant period of under-occupation due to the condition and layout of the buildings which are, in many cases, no longer of a sufficient quality, size or format to serve the needs of modern business.

8 The site has a range of complex physical and environmental constraints including historical assets, flood risk, and ecology, each of which imposes significant limitations on development. There have been a number of proposals to bring the site forward for development which seek to maximise its economic contribution, both to Bakewell and the wider National Park area.

9 In accordance with Paragraph 21 of the Framework regard should be given to the difficulties these barriers present to investment and policy should not result in additional burdens which would be likely to prevent future development activity. In particular, the existing accessibility issues would be improved through the construction of a new bridge over the River Wye. Whilst there is an implemented planning permission for a new bridge access there are significant viability constraints to its construction. The scope to accommodate high value uses within the site would contribute significantly to the viability of the scheme, facilitating the sustainable redevelopment of the site in accordance with the core planning principles set out in paragraph 17 of the NPPF.

10 Having regard to the above, Litton consider that it would be appropriate that a site specific policy should be incorporated at Local Plan level. Such an approach would reflect the position of Riverside Business Park within the 2001 Local Plan and allow development proposals to be considered on their own merits.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is recommended that Policy DME3 is amended by removing reference to neighbourhood plan evidence and policy as set out above. In addition, reference to the Riverside Business Park should be removed from this policy and a separate policy should be drafted to provide policy guidance on this site.

Proposed New Policy – Riverside Business Park

The policy should have regard to the site constraints and existing planning permissions which propose a mix of uses, whilst retaining most of the site in employment use. Future policy should provide scope to accommodate a range of potential uses subject to compliance with other policies of the plan:

“Redevelopment proposals at Riverside Business Park for Class B Uses will be permitted provided that:

- a) The heritage assets and their settings are adequately safeguarded in the long term;
- b) The design, layout, and landscaping are satisfactory;
- c) There would be no significant adverse impact on the amenity of surrounding uses; and
- d) The access arrangements are satisfactory.

Development proposals for non- class B uses will be permitted provided that the site is developed predominantly for employment use (Class B uses) and the proposals comply with other Development Plan policies.”

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

The Riverside Business park is a key employment site. It is essential that appropriate policy be adopted to support its future contribution to the National Park economy.



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, January 27, 2017 2:20:48 PM
Last Modified: Friday, January 27, 2017 2:22:41 PM
Time Spent: 00:01:52

PAGE 1: Representation Form

Q1: Your personal details*

Organisation (where relevant)	Litton Property Group
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Q2: Agent's details (if applicable)

Organisation (where relevant)	Nathaniel Lichfield Partners
Address Line 1	1 St James's Square
Address Line 2	Manchester
Postcode	M2 6DN
Telephone number	0161 8376130
Email address (where relevant)	wsockett@nlplanning.com

Q3: To which part of the DPD does this representation relate?

Policy	DMS1
--------	------

Q4: Do you consider the DPD is:

(1) Legally compliant	No
(2) Sound (see accompanying notes)	No

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

Policy DMS1 refers to retail development and considers that activities within named settlements will be encouraged provided that supporting evidence shows that local convenience shopping will not be adversely affected or undermined. This policy is considered to be unsound and does not comply with the objectives and requirements of the National Planning Policy Framework (NPPF). This is for the reasons set out below:

1. Proposed retail developments within defined town centres are considered for their accordance with the NPPF's town centre first approach (which considers town centres as a whole). Importantly, there is no retail test in the NPPF which requires an assessment of retail impact for proposed retail developments within town centres on existing town centre retail destinations. Proposed retail developments within a town centre will, in all likelihood, increase the turnover of the town centre and will have an overall positive impact. Competition between retail destinations in defined town centres is not discouraged in the NPPF.

2. Policy DMS1 refers to a requirement for evidence that local convenience shopping will not be 'adversely affected or undermined'. Paragraph 26 of the NPPF states that the impact test only applies to proposals exceeding 2,500 sq. m floorspace unless a different proportional locally set threshold is adopted by the local planning authority. Paragraph 27 of the NPPF states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on [one or more of the factors listed in paragraph 26] it should be refused. Any development may have an impact but the NPPF is only concerned with 'significant adverse impacts'. It follows that any development below the floorspace threshold will not have a 'significant' adverse impact.

It is noted that the Peak District National Park Authority has not adopted a locally set retail impact threshold for retail developments.

3. There is no justification for Policy DMS1 limiting the requirement for a retail impact assessment to convenience retailing only. The policy should comply with paragraph 26 of the NPPF.

4. Policy DMS1 makes no reference to the sequential test as set out in Paragraph 24 of the NPPF. The NPPF states that local planning authorities should apply a sequential test to applications for main town centre uses that are not located in an existing centre and are not in accordance with an up-to-date Local Plan. It requires applications for main town centre uses to be located first in town centres, then in edge of centre locations and only if suitable sites are not available should out-of-centre sites be considered. The fact that the sequential test is not referenced in Part 2 of the Local Plan is a key omission.

On the basis of the above, Policy DMS1 is unsound as it is not in accordance with the guidance on vitality of town centres set out within the NPPF.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is recommended that Policy DMS1 is amended to accord with the NPPF so that proposals for retail and other 'main town centre uses' outside Bakewell Town Centre and the named settlements listed in Policy DS1 of the Core Strategy will only be permitted if they:

- a) comply with the sequential test as set out in Paragraphs 24 and 25 of the NPPF; and
- b) avoid having a 'significant adverse impact' upon existing, committed and planned public and private investment in a centre or centres in the catchment area of a proposal as assessed by the requirements set out in paragraph 26 of the NPPF.

The policy should be redrafted accordingly.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#23

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 27, 2017 9:32:49 AM**Last Modified:** Friday, January 27, 2017 9:43:05 AM**Time Spent:** 00:10:15**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Dai
Last Name	Larner
Job Title (where relevant)	Executive Director
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Address Line 4	Leek
Postcode	ST13 6HQ
Telephone number	01538 395400
Email address (where relevant)	dai.larner@staffsmoorlands.gov.uk

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?***Respondent skipped this question***Q4: Do you consider the DPD is:**

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	No
(3) Complies with the Duty to cooperate	Yes

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

We believe that the proposed policies are too restrictive in a number of ways, but chiefly:

1. The unnecessary restriction on housing development to the detriment of local need and choice and which leads to pressure on communities neighbouring the Park;
2. The inappropriate restraint placed on economic investment and in particular the undermining of the drive to increase overnight stays and increase the economic impact of tourism;.

Specifically, we have concerns on the following policies:

We do not support the restrictive affordability criteria set out in DMH2 and DMH3. This policy unnecessarily restricts demand and it does not contribute to choice in the housing market. In particular the policy makes no allowance for the government's proposed expansion of the range of affordable housing products and in particular the introduction of starter homes.

Under Recreation and Tourism we strongly believe that more attention should be paid in the policies to creating a planning framework which increases the number of overnight stays and increases the contribution of tourism to the local economy. To achieve this there should be more policies to encourage the appropriate growth of hotels and similar accommodation. We support the views expressed in the Aecom report (paragraph 2.6.7) recommending a policy that encouraged appropriate hotel development. We understand and support the special purposes but feel that this policy prevents appropriate investment and unnecessarily restricts the growth of the overnight visitor economy.

DME 3 does not allow sufficient scope for other uses if there is no viable employment use. There should be more flexibility to accommodate other uses in particular the use of brownfield land for housing development.

DME 4 and DME 5 are too restrictive. There is scope for appropriate employment uses within and outside the main towns and villages. The Local Plan should not seek to unduly restrict job-creating activity. We believe that there should be more scope for economic growth especially where it supports high-value employment.

In relation to the policies DME 3-5 we believe they are unnecessarily restrictive. The 12 month marketing requirement is too long and does not take sufficient account of the site viability. It is clear that given the length of time that has elapsed since active employment uses were on-site many of these sites could and should be made available for housing. The lack of development on brownfields in the Park places unnecessary pressure on greenfield sites adjoining the Park.

DMT1 and DMT3 are too restrictive. They do not take account of the adverse impact of congestion on the edge of the Park . The policy will also restrict rail development in the area and may prevent the development of rail infrastructure to assist the shift of quarry traffic from roads in the area.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As above

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

To support the amendments proposed

#22

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 27, 2017 8:58:26 AM**Last Modified:** Friday, January 27, 2017 9:32:13 AM**Time Spent:** 00:33:47**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Dai
Last Name	Larner
Job Title (where relevant)	Executive Director
Organisation (where relevant)	High Peak Borough Council
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Address Line 2	Market Place
Address Line 3	Terrace Road
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Telephone number	0345 129 7777 [REDACTED]
Email address (where relevant)	dai.larner@highpeak.gov.uk

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?***Respondent skipped this question***Q4: Do you consider the DPD is:**

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	No
(3) Complies with the Duty to cooperate	Yes

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

We believe that the proposed policies are too restrictive in a number of ways, but chiefly:

1. The unnecessary restriction on housing development to the detriment of local need and choice and which leads to pressure on communities neighbouring the Park such as Chapel-en-le-Frith;
2. The inappropriate restraint placed on economic investment and in particular the undermining of the drive to increase overnight stays and increase the economic impact of tourism;.

Specifically, we have concerns on the following policies:

We do not support the restrictive affordability criteria set out in DMH2 and DMH3. This policy unnecessarily restricts demand and it does not contribute to choice in the housing market. In particular the policy makes no allowance for the government's proposed expansion of the range of affordable housing products and in particular the introduction of starter homes.

Under Recreation and Tourism we strongly believe that more attention should be paid in the policies to creating a planning framework which increases the number of overnight stays and increases the contribution of tourism to the local economy. To achieve this there should be more policies to encourage the appropriate growth of hotels and similar accommodation. We support the views expressed in the Aecom report (paragraph 2.6.7) recommending a policy that encouraged appropriate hotel development. We understand and support the special purposes but feel that this policy prevents appropriate investment and unnecessarily restricts the growth of the overnight visitor economy.

DME 3 does not allow sufficient scope for other uses if there is no viable employment use. There should be more flexibility to accommodate other uses in particular the use of brownfield land for housing development.

DME 4 and DME 5 are too restrictive. There is scope for appropriate employment uses within and outside the main towns and villages. The Local Plan should not seek to unduly restrict job-creating activity. We believe that there should be more scope for economic growth especially where it supports high-value employment.

In relation to the policies DME 3-5 we believe they are unnecessarily restrictive. The 12 month marketing requirement is too long and does not take sufficient account of the site viability. It is clear that given the length of time that has elapsed since active employment uses were on-site many of these sites could and should be made available for housing. The lack of development on brownfields in the Park places unnecessary pressure on greenfield sites adjoining the Park. For example, we feel that the options for the redevelopment of the Marquis of Granby site should be explored particularly given its relatively sustainable location adjacent to good road links and a railway station.

DMT1 and DMT3 are too restrictive. They do not take account of the adverse impact of congestion on the edge of the Park and in particular the major problem at Mottram which has an adverse impact on the amenity of people living in the Longdendale villages. The policy will also restrict rail development in the area and may prevent the development of rail infrastructure to assist the shift of quarry traffic from roads in the area.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see above

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

To support the proposed modifications to support sustainable growth

#21

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, January 26, 2017 5:00:38 PM**Last Modified:** Thursday, January 26, 2017 5:09:44 PM**Time Spent:** 00:09:05**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Roger
Last Name	Yarwood
Organisation (where relevant)	Roger Yarwood Planning Consultant Ltd
Address Line 1	wheatley Barn
Address Line 2	Two Dales
Address Line 3	Matlock
Postcode	DE4 2FF

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Policy	See below
--------	-----------

Q4: Do you consider the DPD is:

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	No
(3) Complies with the Duty to cooperate	Yes

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

will not provide an appropriate basis for making decisions

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

DMC1- Whilst supporting the need to protect valued landscape character, I object to the requirement for a "landscape assessment". An assessment of landscape impact will invariably be undertaken by the NPA. ANY landscape assessment undertaken by the applicant will inevitably seek to show that the impact is minimal and can be mitigated. If it is a poor assessment it will be useless, if it is a good assessment it will merely duplicate necessary work undertaken by the NPA. The requirement places an additional unnecessary burden on the developer, contrary to government advice.

DCM7.A.ii- The requirement that works to listed buildings must be "desirable and necessary" is unduly restrictive. Some acceptable developments may be desirable but not necessary and some may be necessary but not desirable. This element of the policy should be deleted or, at the very least "and" should be replaced with "or".

DCM7.C.ii – In this policy the word "or" should be replaced with "and". Or, alternatively the words "original features or other features of importance" should be replaced with "original features of importance." As currently drafted, acceptable development only affecting insignificant features, unworthy of protection, would be prevented.

DCM7D.i – This policy is unduly restrictive and could thwart acceptable and desirable development. Some loss of internal walls, stairs, or entrances, or subdivision of large interior spaces and other features listed, will be acceptable in comprehensive schemes of enhancement. The word "unacceptable" should be introduced at the end of the opening paragraph.

DCM7.E. This is an unreasonable requirement to impose on all listed building PROPOSALS. It should only apply to schemes where very significant works are proposed. The requirement places an additional unnecessary burden on the developer, contrary to government advice.

DCM10.A.iii. Elements of this policy are contradictory. It is unlikely that a "higher intensity use" (eg a dwellinghouse) in a smaller hamlets, farmsteads or groups of buildings will be in "sustainable locations" but such changes of use may nevertheless be acceptable under Core Strategy Policy. This element of the policy is thus inconsistent with the Core Strategy.

DCM10.B and DCM10.C.i and ii – These elements of policy DCM10 are not consistent with Core Strategy HC1.C. The phrase "heritage asset" should be replaced with "valued vernacular or listed building" for consistency. Paragraph C.ii should be deleted.

DME1 -The word "proven" in section A sets the bar to high. It should be replaced with "shown." Elements A(v) and A(vi) are too draconian and will places an additional unnecessary burden on the farmer. These sections should be replaced with a simple requirement to identify existing/proposed livestock numbers and or the area devoted to crops. Element A(x) is meaningless, wholly unreasonable and unnecessary. The footnote (this policy does not apply to buildings justified for agricultural purposes through prior notification procedure) as is proposed at policy DME2.

DME4 – The requirement that sites should be marketed for 12 months is unreasonable. In some cases the change of use will be desirable from a planning point of view. In others keeping a building unused for 12 months is an unreasonable burden on the owner. The section following element "A" is confusingly drafted, strangely numbered and completely unnecessary.

DMR4 – In section B, the phrase "or a building that would lend itself to future conversion for such (new dwelling) purpose should be deleted. The NPA has adequate controls to prevent a future change of use. Section C should be deleted. There may not be any existing buildings in the vicinity but careful siting and landscaping can be employed to make a proposal acceptable.

DMS2 – The requirements in section A(ii) and A(iii) are unreasonable and places an additional unnecessary burden on the developer, contrary to government advice. The need to show either lack of need or non-viability is adequately addressed by the requirement in A(i).

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

to amplify my concerns

#20

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, January 26, 2017 4:55:59 PM**Last Modified:** Thursday, January 26, 2017 5:03:49 PM**Time Spent:** 00:07:50**PAGE 1: Representation Form****Q1: Your personal details***

Title	mr
First Name	martin
Last Name	gadsby
Job Title (where relevant)	Assistant Project Director
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Address Line 2	Matlock
Address Line 3	Derbyshire
Postcode	DE4 3NA
Telephone number	01332 558197
Email address (where relevant)	[REDACTED]

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?***Respondent skipped this question***Q4: Do you consider the DPD is:***Respondent skipped this question*

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

Respondent skipped this question

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Respondent skipped this question

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Respondent skipped this question

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#17

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, January 26, 2017 3:44:18 PM**Last Modified:** Thursday, January 26, 2017 4:17:13 PM**Time Spent:** 00:32:55

PAGE 1: Representation Form

Q1: Your personal details**Respondent skipped this question***Q2: Agent's details (if applicable)***Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	9.32
Policy	DMT3D
Policies Map	N/A

Q4: Do you consider the DPD is:

(1) Legally compliant	No
(2) Sound (see accompanying notes)	No
(3) Complies with the Duty to cooperate	Yes

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

1. We consider that Policy DMT3D is not legally compliant because the decision whether or not to allow the construction of any railway rests with the Department for Transport under the provisions of the Transport and Works Act 1992 not planning authorities. Furthermore, the method of operation/usage/ type of traction used is a purely commercial matter for the operator of a railway. A planning policy cannot therefore restrict the type of operation.

2. The above, allied to the lack of regard for national policy trends in respect of heritage railways, in our opinion renders the policy unsound. For example, the All Party Parliamentary Group on Heritage Rail's July 2013 report on the value of heritage railways identified such railways as being particularly suited to providing "public tourist transport" even where conventional public transport would not be viable. It went on to suggest that heritage railways can help reduce road traffic to sensitive areas such as national parks and on congested roads to popular holiday resorts.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We consider that the reference to "railways acting primarily as tourist attractions" should be removed.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

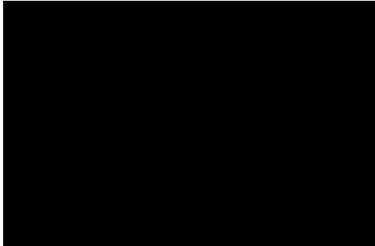
No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#18

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, January 26, 2017 3:51:17 PM**Last Modified:** Thursday, January 26, 2017 4:23:00 PM**Time Spent:** 00:31:42**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Wilfred
Last Name	Carey
Job Title (where relevant)	Secretary
Organisation (where relevant)	Derbyshire & Peak District Campaign for Better Transport
Address Line 1	
Address Line 2	
Address Line 3	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	9.20
Policy	DMT1

Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
------------------------------------	----

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

DMT1 Cross-park infrastructure reads as if criteria A to E must all be met. If that is so, it seems to rule out almost any scheme. Although it may be necessary for a major cross park scheme to meet all these tests, there may be schemes which impinge upon the park but result in an overall reduction of traffic in the park. For example a scheme which effected only a small corner of the park may bring substantial benefits.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggest that after "E." the policy could continue " or F. A substantial overall benefit to the park can be demonstrated."

62. Derbyshire & Peak District Campaign for Better Transport

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#19

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, January 26, 2017 4:32:47 PM**Last Modified:** Thursday, January 26, 2017 4:40:59 PM**Time Spent:** 00:08:12**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Wilfred
Last Name	Carey
Job Title (where relevant)	Secretary
Organisation (where relevant)	Derbyshire & Peak District Campaign for Better Transport
Address Line 1	
Address Line 2	
Address Line 3	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	9.33
Policy	DMT3

Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

There is no part of this policy which allows for improving the access to the national rail network for residents of the Peak District National Park. One or more new rail stations within the park connected to the national network could reduce the distance residents drive within the park to access stations which lie outside the park.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggest an addition to DMT3 as follows

(v) It is principally to improve access to the national rail network for residents of the park and for visitors to the park.

62. Derbyshire & Peak District Campaign for Better Transport

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

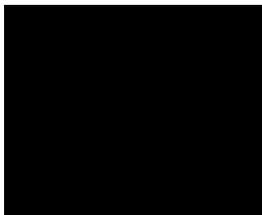
No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#16

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Wednesday, January 25, 2017 5:25:41 PM**Last Modified:** Wednesday, January 25, 2017 5:28:03 PM**Time Spent:** 00:02:22**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mrs
First Name	Fiona
Last Name	Raistrick
Job Title (where relevant)	Clerk & RFO
Organisation (where relevant)	Osmaston and Yeldersley Parish Council
Address Line 1	
Address Line 2	
Address Line 3	
Postcode	
Telephone number	
Email address (where relevant)	clerk.osmastonandyeldersley@gmail.com

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?***Respondent skipped this question***Q4: Do you consider the DPD is:***Respondent skipped this question*

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

Respondent skipped this question

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst Osmaston and Yeldersley Parish Cllrs do not wish to see the beauty of the Peaks diminished, it seems unreasonable that the Peak District National Park is seemingly exempt from sharing the burden of the housing development, which is being forced on the Derbyshire Dales.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, January 25, 2017 11:13:39 AM
Last Modified: Wednesday, January 25, 2017 11:43:23 AM
Time Spent: 00:29:43

PAGE 1: Representation Form

Q1: Your personal details*

Title	Mr
First Name	Peter
Last Name	O'Brien
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)

Respondent skipped this question

Q3: To which part of the DPD does this representation relate?

Paragraph	1.24 - 1.27
Policy	DM1

Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
------------------------------------	----

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

i) Policy DM1 fails to fully reflect the National Park Management Plan, and in particular that aspect relating to 'Thriving and Vibrant Communities'. Notwithstanding the NP's statutory purposes, sustainable development, and particularly of affordable housing in the settlements included in Core Strategy DS1, is a key objective of the National Park -which should be reflected in DM1

ii) Infrastructure in the context of the National Park has a far wider meaning than in other areas. In particular it includes aspects of the landscape such as stone walls, whose upkeep is of the utmost importance to the vitality of the agricultural industry; but the majority of stone walls are in a poor state of repair, with farmers unable to afford their maintenance in good order. Other aspects of infrastructure include fibre optic broadband, which remains inaccessible to many more remote settlements and is uneconomic to provide. The restoration of upland peat areas, and other landscapes under threat from erosion could also be legitimately considered as appropriate for the use of CIL monies

Paras 1.24 - 1.27 fail to recognise the above infrastructure issues, and the DMP's rejection of the operation of a CIL regime

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

i) Policy DM1 should be amended to reflect a presumption in favour of development which supports the achievement of thriving and vibrant communities

ii) The PDNPA should reconsider it's decision not to operate a CIL regime, and acknowledge that a wider definition of 'infrastructure' is appropriate

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to elaborate on the points I have raised, to have the opportunity to respond to points made by the Authority, and respond to questions asked by the Inspector



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, January 25, 2017 11:43:31 AM
Last Modified: Wednesday, January 25, 2017 12:35:44 PM
Time Spent: 00:52:13

PAGE 1: Representation Form

Q1: Your personal details*

Title	Mr
First Name	Peter
Last Name	O'Brien
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)

Respondent skipped this question

Q3: To which part of the DPD does this representation relate?

Paragraph para 6.2; para 6.5

Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes) No

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

i) As far as I am aware, Derbyshire Dales DC have not agreed to 'reasonable estimates for housing delivery' in the National Park (para 6.2). They have presented a case, based on up to date and robust evidence, for a significantly higher number of dwellings to be planned for than is assumed in the DMP. The fact that the PDNPA have chosen not to accept this evidence, nor to take account of it in the DMP, does not imply agreement by DDDC to the housing estimates

ii) Para 6.2, and the whole of the Strategic Context, fails to point out that the level of assumed housing delivery in the National Park is very significantly below that estimated to required in recent housing need/demand appraisals undertaken by partner authorities, and in particular by Derbyshire Dales District Council. The levels of delivery of affordable housing are only around half of that assessed to be required. This is a key element of any 'strategic context', and would help to set the parameters for detailed housing policies. This omission means that the soundness of all the subsequent housing DMP policies is seriously undermined

iii) para 6.5 is not logical. A reduction in the numbers of open market housing being delivered would normally result in a consequent reduction in the numbers of affordable dwellings, given that the latter are delivered via S106 agreements. The DMP rejoices in the reduction in the number of open market dwellings being completed (seen as a vindication of its policies), but fails to acknowledge that this contradicts the DMP's affirmations that it supports the delivery of more affordable housing. There is an indirect implication in para 6.5 that the basis on which affordable housing is required as a condition of the grant of permission for open market housing may be changed, but this is not detailed nor is any evidence presented that such a change, if it were designed to change the basis, is economically viable

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Strategic Context introduction should be re-drafted to take account of the points made above, and the implications of the consequences of the low levels of housing delivery properly analysed, with modifications to subsequent policies made if appropriate.

If it is the intention, as is implied in para 6.5, that the basis of the way in which affordable housing is delivered via S106 agreements is to be changed, this should be made explicit and incorporated as a separate Policy. If this is not the intention, para 6.5 makes no sense and should be redrafted, and subsequent policies indicate how the issue of reducing delivery of affordable housing as a result of the Core Strategy's policies is to be addressed

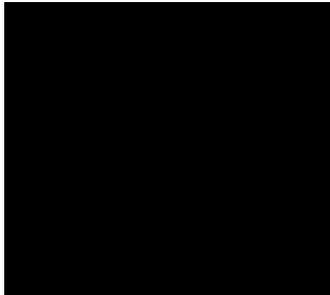
Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to elaborate on the points I have raised, to have the opportunity to respond to points made by the Authority, and respond to questions asked by the Inspector

#8

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Wednesday, January 25, 2017 12:37:41 PM**Last Modified:** Wednesday, January 25, 2017 12:53:07 PM**Time Spent:** 00:15:26**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Peter
Last Name	O'Brien
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	6.8
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Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

The statement that affordable housing needs cannot be met in full in the National Park is not evidenced. The current level of delivery, which is less than half what is estimated to be required, is largely based on a) funding availability for RSL's and b) policy restrictions which place barriers in the way of developers, and RSL's, in developing more sites. The landscape designation of the National Park itself does not necessarily inhibit development (if it is undertaken sensitively, and respects the local settlement context), and the Authority have not carried out any assessment of the development potential of the settlements in Core Strategy CS1

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given the level of under-delivery of affordable housing proposed in the DMP, and consequences of this for local communities, the Authority should undertake an assessment of the development potential of the settlements in Core Strategy CS1 (or alternatively a SHLAA). This would incentivise developers to seeks ways of delivering more affordable housing

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to elaborate on the points I have raised, to have the opportunity to respond to points made by the Authority, and respond to questions asked by the Inspector

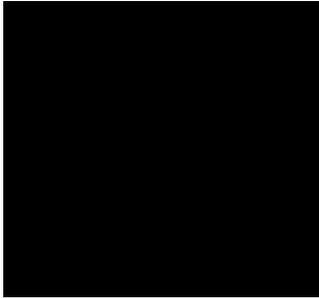


COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, January 25, 2017 12:53:14 PM
Last Modified: Wednesday, January 25, 2017 1:37:57 PM
Time Spent: 00:44:42

PAGE 1: Representation Form

Q1: Your personal details*

Title	Mr
First Name	Peter
Last Name	O'Brien
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)

Respondent skipped this question

Q3: To which part of the DPD does this representation relate?

Paragraph	6.10; 6.11 - 6.22
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Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

i) Para 6.10 incorporates a definition of 'intermediate housing' (as one aspect of affordable housing), and includes what are termed 'low-cost homes for sale'. Para 6.17 subsequently and helpfully clarifies that developments of 2 or more dwellings intended for sale to local people, and whose sale/occupation is controlled by a local occupancy clause, is included in this definition. It should however be made clear that this is not the same as 'Custom Build' housing (para 6.12).

It would however be more helpful (in order to encourage the delivery of more affordable housing) if developments of small 'clusters' of housing for sale to local people is identified separately as an acceptable form of affordable housing

ii) the definition of 'housing need' (para 6.11 to 6.22) is over-elaborate, but more importantly in the context of local communities in the National Park excludes a very significant number (probably the majority) of people who wish to buy a (new) home but are unable to do so because of) the costs and b) the lack of availability. The focus on unsatisfactory and over-crowded accommodation completely misses the point that it is the aspiration of most individuals and families is to own their own homes, but that this aspiration is extremely difficult to realise in the National Park. Consequently, younger people and families are faced with having to leave their home communities and move outside the Park. The socio economic and age profiles of many Park villages illustrate the dramatic effect that this is having on the sustainability of communities. The DMP offers not rationale or justification as to why it uses such a narrow definition of 'housing need', and one which ignores the most significant element of this key issue. As a consequence of this definition, subsequent policies (particularly DMH1) deny the possibility of low cost housing being built for local people to buy who otherwise would not be able to afford to do so

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

i) the definition of affordable housing should be amended to clearly and explicitly include dwellings built for sale to local people, with an appropriate local occupancy clause

ii) the definition of 'housing need' should be simplified, and include all local people who wish to buy a new home, without any reference or recourse to overcrowding or unsatisfactory accommodation

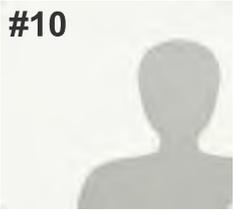
Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to elaborate on the points I have raised, to have the opportunity to respond to points made by the Authority, and respond to questions asked by the Inspector

#10

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Wednesday, January 25, 2017 1:38:02 PM**Last Modified:** Wednesday, January 25, 2017 1:46:12 PM**Time Spent:** 00:08:10**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Peter
Last Name	O'Brien
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	6.30
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Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

Para 6.30 is unnecessary, and acts as a further restriction on the delivery of affordable housing. To be 'acceptable', exception sites must already meet strict design criteria, and if they do so, there is no logical reason why development should not be permitted

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete para 6.30 as it acts as a further barrier to the delivery of affordable housing

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to elaborate on the points I have raised, to have the opportunity to respond to points made by the Authority, and respond to questions asked by the Inspector

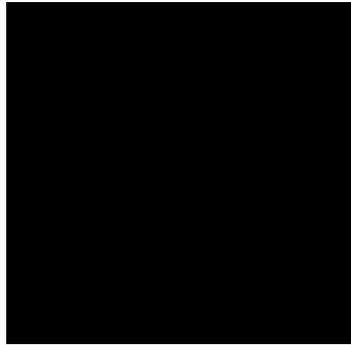


COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, January 25, 2017 3:12:41 PM
Last Modified: Wednesday, January 25, 2017 3:33:24 PM
Time Spent: 00:20:42

PAGE 1: Representation Form

Q1: Your personal details*

Title	Mr
First Name	Peter
Last Name	O'Brien
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)

Respondent skipped this question

Q3: To which part of the DPD does this representation relate?

Paragraph 6.23 - 6.26

Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes) No

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

'Strong local connection' is always going to be problematic in terms of definition and fairness. There will inevitably be occasions where people have genuine connections, but fall outside the 10 year rule. Some mechanism to 'appeal' against the definition would be appropriate.

Also, there may well be circumstances where a family has moved to a particular Parish, and where the children are teenagers at that time; although these children would be genuinely 'local', the 10 year rule would not apply until there were in their mid to late 20's, meaning they would not be eligible for local needs affordable housing before then. Consequently they would be likely to be forced to move away. This not I believe the intention of the DMP

The requirement to have lived in a particular or adjoining Parish is also unduly restrictive, given the acknowledged shortage of affordable housing. Typically over history, families and individuals have moved further afield than this, whilst still retaining a feeling of localness. This should continue to be encouraged rather than restricted

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The definition of 'strong local connection' should be reconsidered to take account of the points above

The requirement to live in a particular or adjoining Parish should be relaxed, unless there is compelling evidence to show that this unfairly discriminates against people having a very local connection

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to present my objections, to amplify them if necessary, and to respond to any questions or queries from the Authority or Inspector



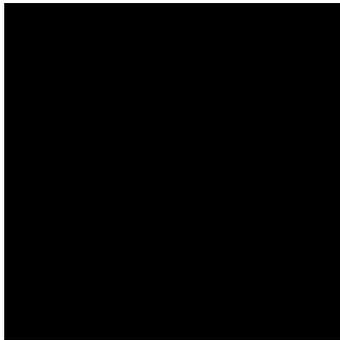
#12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, January 25, 2017 3:33:41 PM
Last Modified: Wednesday, January 25, 2017 4:44:36 PM
Time Spent: 01:10:54

PAGE 1: Representation Form

Q1: Your personal details*

Title	Mr
First Name	Peter
Last Name	O'Brien
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)

Respondent skipped this question

Q3: To which part of the DPD does this representation relate?

Policy	DMH1
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Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

i) I have already addressed the issue of the definition of 'need', and the unduly restrictive definition used in the DMP - which totally ignores the pressing issue of affordability.

In the same context, the requirement to 'prove' the need for affordable dwellings is disproportionately restrictive, particularly in relation to the delivery of affordable dwellings for sale. It is totally unreasonable to expect a developer to undertake a needs assessment as set out in para 6.17, and this requirement will act as a powerful disincentive to any developer proposing to build - thus further reducing the opportunity to increase the delivery of affordable housing. Developers will not build unless they have a reasonably degree of certainty as regards their market, and they are in a far better position to ascertain this than the Authority. It is reasonable to ask a developer for a statement as to how their proposal will address the need for affordable housing, but that is sufficient. Like wise, the requirement for RSL's to undertake such a complex assessment is unnecessary (they have to undertake this anyway, to obtain funding approval) and the bureaucracy involves causes delay and adds to costs

ii) the proposed use of size thresholds to limit the size of new dwellings is totally inappropriate, as a mechanism to control or influence the supply of affordable housing. It is not for the Authority to decide how big a dwelling should be; if a dwelling is classed as affordable, its size is a matter for the developer and occupier. There is no logic whatsoever in the implication that dwellings above the sizes specified are somehow 'not affordable', and the proposed restrictions limit unfairly families or individuals housing choice. The same argument applies to the unduly restrictive proposal to limit the size of gardens. Existing planning and design controls are perfectly adequate to ensure that new developments, including the size and density of dwellings, are appropriate to their community context

iii) the proposal to specifically exclude 'starter homes' from developments on exceptions sites is not based on any evidence (simply a rather arrogant and unjustified assertion in para 6.11 that they ' may still be more expensive than can be afforded by local people in need'. Starter homes are a welcome Government initiative to increase the supply of new homes that are more affordable for young people to buy, and it is totally unjustified for the Authority to try to stifle this initiative, thus preventing local people from benefiting. Whilst such starter homes may still be expensive, they will by definition be 25% cheaper than open market housing, and thus more 'affordable'. If a threshold of 5 dwellings is adopted, the inclusion of starter homes on sites being developed by RSL's (of predominantly social rented housing) would be a welcome addition to the supply of affordable housing to buy. Likewise, the proposal to exclude a requirement for starter homes to be provided as part of developments on previously developed land is not evidenced or justified. Given the very low level of delivery of affordable, such a proposal appears to work against the Authority's commitment to support sustainable communities; this is further exacerbated by the that the DMP is ambivalent (para 6.31) about the need for affordable housing (outside of starter homes) to be provided as part of any development provision

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy DMH1 should be modified to reflect the above concerns: a) a redefinition of housing need, b) the removal of A ii, and c) starter homes to be required on all developments (exception sites and previously developed land) of above 5 dwellings

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

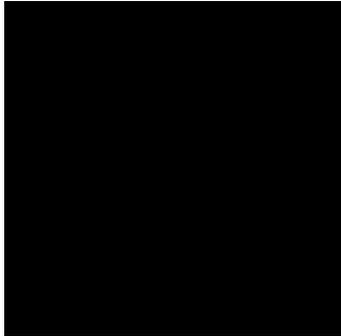
Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to present my objections, to amplify them if necessary, and to respond to any questions or queries from the Authority or Inspector

#13

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Wednesday, January 25, 2017 4:44:42 PM**Last Modified:** Wednesday, January 25, 2017 4:55:43 PM**Time Spent:** 00:11:01**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Peter
Last Name	O'Brien
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	6.31
Policy	DMH1

Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

The effect of the content of para 6.31 would be to reduce still further the delivery of affordable housing. Given the acknowledgment that less than half the requirement for new affordable dwellings is likely to be delivered, the absence of a presumption that all development of open-market housing should require associated affordable provision is astonishing. The only exceptions would be in specific circumstances where a) the developer can demonstrate that there is no need or demand for affordable housing of any type or tenure b) the developer can demonstrate that the provision of any affordable housing would undermine the viability of the project, to the point where it would not be delivered

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

para 6.31 should be amended to reflect the above, and Policy DMH1 amended to include a requirement for affordable housing to be provided as part of the open-market housing led development on previously developed land

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to present my objections, to amplify them if necessary, and to respond to any questions or queries from the Authority or Inspector

#14

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Wednesday, January 25, 2017 4:55:47 PM**Last Modified:** Wednesday, January 25, 2017 5:04:11 PM**Time Spent:** 00:08:24**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Peter
Last Name	O'Brien
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Policy	DMH2
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Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

I have previously commented on paras 6.23 - 6.26, and the unreasonable definition of 'strong local connection' in relation to the proposed 10 year rule. The same logic applies to DMH2, where the 10 year local occupancy rule may be unfair or discriminatory in certain circumstances

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

DMH2 should be modified to take account of particular circumstances where a 10 year local occupancy rule is unfair or not appropriate, and there should be the ability to 'appeal' against the proposed imposition of this requirement - other than going through the statutory planning appeal process

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

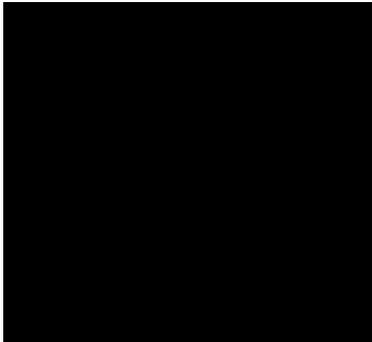
Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to present my objections, to amplify them if necessary, and to respond to any questions or queries from the Authority or Inspector

#15

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Wednesday, January 25, 2017 5:04:15 PM**Last Modified:** Wednesday, January 25, 2017 5:17:26 PM**Time Spent:** 00:13:10**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Peter
Last Name	O'Brien
Organisation (where relevant)	
Address Line 1	
Address Line 2	
Address Line 3	
Address Line 4	
Postcode	
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	All
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Q4: Do you consider the DPD is:

(3) Complies with the Duty to cooperate	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

The Duty to Cooperate Statement refers to a number of meetings with Derbyshire Dales District Council in relation to the housing content of the DMP in particular. There is clearly a difference of opinion between the DDDC and the Authority on the approach to housing delivery and associated policies. However the Authority appears to have presented its position at the outset of the plan preparation process a fait accompli, and notwithstanding significant evidence presented by DDDC as part the preparation of its own LDF Core Strategy, has been unwilling to enter into a discussion as to whether alternative approaches to housing delivery would be more appropriate. To my mind, having 2 or 3 meetings at which positions are put is not 'cooperation' as required by the Localism Act

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The implications of a failure to 'cooperate' should be discussed with the Authority

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination? Yes, I wish to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

I wish to be able to present my objections, to amplify them if necessary, and to respond to any questions or queries from the Authority or Inspector

#5

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Tuesday, January 24, 2017 9:22:42 PM**Last Modified:** Tuesday, January 24, 2017 9:51:41 PM**Time Spent:** 00:28:58**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Greg
Last Name	Potter
Job Title (where relevant)	Director
Organisation (where relevant)	Alsop Rivendale ltd
Address Line 1	Mill Dam farm
Address Line 2	Mill Dam Lane
Address Line 3	Bradley
Address Line 4	Ashbourne
Postcode	DE61PH
Telephone number	01335370045
Email address (where relevant)	greg@rivendalecaravanpark.co.uk

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Policy	rt3b
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Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

I made representations to the plans examiner when the core strategy framework document was being developed. That representation concerned policy RT3 – particularly part B. It is somewhat disappointing to see that amendments to the core policy, pursuant to examination, are not being entirely reflected in the management plan. My objection to that policy was the continued blanket ban on Static caravans, chalets or lodges in the National Park. I understand, and fully support, policies that protect the landscape value, biodiversity and sustainability of the National Park – because that, in large part, is the core of our “corporate mission” about providing a very diverse range of accommodation, to suit most budgets, ages & physical abilities in the heart of the beautiful White Peak area – from which they can enjoy the great outdoors – directly from our site.

However, our holiday park is the exception that proves the rule – the topography of our site in an old quarry, means that there is no visual impact on the surrounding area, regardless of whether our pitches are occupied by tents, touring caravans, statics or lodges or huge motorhomes’s. In fact, as the National Park Authority can control the colours of our lodges, the latter will have less visual impact for those overflying in a hot air balloon than, say, a large white motorhome.

All caravans, and most family tents require transport by car, however, we pointed out the considerable advantages possessed by accommodation that does not have to be transported by motor-vehicle which is supported by most of the NPA’s other core policies:-

1. Guests can arrive by public transport, bicycle or on foot, supporting the use of public transport services and reducing the negative impact of motor vehicles

reducing the negative impact of motor vehicles.

2. In the case of vehicles towing touring caravans, the caravan is not supposed to weigh more than 80% of the towing vehicle for safety reasons – so we are talking about large 4 x 4 gas guzzlers with a queue of cars behind.
3. Not everybody has a car – people medically unfit to drive, people who can't afford to run one, people who live in inner cities who don't ordinarily need one.
4. Tents are very seasonal – with a season of about 8 weeks maximum over the summer. Most touring caravans are parked up before Easter & after October half term because many owners are nervous about driving in winter conditions & the caravans are about half as well insulated as a pine lodge, with less interior space. So if the PDNPA wants a sustainable tourism economy with well-trained, full-time jobs all year round it needs accommodation that is comfortable & viable in winter that guests will use. The PDNPA's attraction as a centre for short breaks for the surrounding conurbations, does mean we have a viable business in the winter, if we can provide the appropriate accommodation and entertainment.
5. Guests on our holiday park support the surrounding pubs, shops, cafes and the wider local economy, so there is a knock on effect for all year employment in other businesses.
6. The accommodation can be bigger & more luxurious, attracting a higher spending clientele, and also creates more jobs for cleaners, local laundry & other maintenance services.
7. Whilst many touring caravans and motorhomes are imported, every single static caravan, lodge & Camping Pod on our site has been manufactured in Derbyshire or East Yorkshire – considerably over £1m at purchase cost to date – plus the ancillary materials, transport & labour.
8. It can have more sustainable forms of heating – solar/PV panels/ground source heat pumps – is better insulated and more energy efficient
9. It can be adapted to specific needs & be more suitable for wheelchair users due to its larger size – our accessible lodges have wider doorways, ramps, hoists, 5' turning circles for wheelchairs, larger profiling beds and so on.
10. People with different physical issues have different needs – so people can buy lodges specifically adapted to their needs.
11. Most existing stone buildings in Derbyshire are not easily converted to accessible use, being on different levels, on steep hills, with narrow doors – we know we have done it! Lodges can be purpose-designed for accessible use, with ramps, with accommodation all on the ground floor – as are the two on our park which are graded M1/M2 accessible. Tellingly, about the only M3 graded accommodation in the Peak District area is at Hoe Grange – and is in pine lodges.

So we can identify that lodge/static accommodation would support the following core strategy policies:-

1. The fundamental strategy of providing access for all, particularly people with special needs and the under-represented (proportionately) visitors from inner cities.
2. Protection of the environment by reducing traffic, emissions, using greener forms of transport & better insulated accommodation with more sustainable heating.
3. Support for sustainable transport policies.
4. Support policies for recreation & tourism.
5. Support for a sustainable economy & the employment & services provided to local people.

See below for examples of some of these*

However, the narrow roads, steep topography & visual impact of most potential sites means that in nearly all cases, those benefits are impossible to realise or would have an unacceptable visual impact.

Our location has the following qualities:-

1. Zero visual impact.
2. A bus stop opposite the site with buses running from Ashbourne Bus station to Buxton Train station, from which there are rail connections to Manchester and bus connections to Derby mainline station.
3. Dove Dale, is a 1 mile walk down a public footpath direct from our site, Biggin Dale, Eaton & Alsop Dales are also directly accessible, many of the attractions, popular villages of the White Peak area can be reached without a car from our site .
4. There is already extensive infrastructure and buildings on this site – probably more so than in the smaller local settlements which the NPA sees as the natural location for further development – and there are existing consents still to be completed.
5. The Tissington Trail bridle way 100 metres away from our entrance – which is planned to be re-opened all the way to Buxton. Which also joins the High Peak Trail and runs down to Cromford – from which there are rail connections to St Pancras, London.
6. A site management policy at Rivendale that has led to 17 David Bellamy Gold awards & a special commendation for the environmental/fly fishing lake, recycling, use of local suppliers & working with the special characteristics of the Peak District.
7. A hidden car park, toilets & café open for use by people using the Tissington Trail.
8. Also, the membership of accessible Derbyshire with two bedroom suites & two lodges graded M1/M2 accessible. One of which is owned by the Together Trust Charity based in Manchester that promotes holidays for people with special needs.
9. We have received further enquiries from other charities who wish to provide accommodation for members with special needs.
10. The site is accessible directly from the main road without any impact on the local community – although local people can easily walk to the shop, café, laundrette and other facilities on site (otherwise the nearest shop in a settlement is about 3 miles away).

11. We have a protected 40 acrement of "fine lake" and a "fine lake" site at the top of the "fine lake" site.

11. We have created 12 permanent full time jobs on a formerly derelict industrial site, plus about 5 full-time seasonal jobs.

The problem with the current Development Management Policies document is that, given the hierarchical approach that is used to assess planning applications, whilst the unique characteristics of our site might lead to an assessment that lodge type development was appropriate for this particular site, it would be rejected if the core strategy/management strategy comprised purely the statement in RT3 part B.

At the meeting with the plans examiner, we reached agreement that the following clause be inserted into the Core Strategy – se 10.26."Exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive to the landscape."

We also note the planning appeals inspector allowed our appeal to site static caravans on our site in 1998 application number NP/DDD0997/441. In that appeal the inspector stated in his appeal decision....."You put forward various potential benefits of the proposal and suggest that the wide range of facilities at the site could achieve a high occupancy rate, attract different users of the park & cater for the special needs of elderly and less mobile visitors. I accept that the proposal could encourage visits to be spread more evenly through the year, and that this could, to some extent support permanent rather than seasonal jobs in the Park. PPG note 7 ...encourages development & I think that, in this regard, PPG7 supports your intention to attract additional off-season & disabled visitors to the Park. The Authority concedes your proposal would accord with adopted recreation policies, which encourage the provision of year round facilities which are accessible to all parts of society." So it has turned out to be – a strategy for this location that we believe to be very much in the public interest – and one that should continue to be pursued, but is liable to be ruled out, if the Development Management Policy remains as it is.

In conclusion we propose that "statics, lodges and similar structures should exceptionally be permitted in locations where they are not intrusive to the landscape."

Examples of Core/Proposed Development Management Policies that support Accommodation in Lodges/Chalets/other structures

e.g. Core strategy 4.1.

"Core Strategy policy RT1 is clear that proposals for recreation, environmental education and interpretation will be supported where they encourage understanding and enjoyment of the National Park's valued characteristics. Furthermore, opportunities for sustainable access will be encouraged." From proposed Development Management Policies.

"The more gentle White Peak landscape and much of the South West Peak generally attract pursuits such as walking and cycling, but the extensive road network also lends itself to car and coach borne visitors moving between attractive villages and towns. The presence of many settlements means that the landscape, whilst still highly valued, is slightly less sensitive than the Dark Peak. The challenge here is to support the development of appropriate facilities in recognised visitor locations such as Bakewell, Castleton, the Hope Valley and Dovedale; and consolidate Bakewell's role as a tourist centre and hub, possibly accommodating a new hotel. However the challenge is also to create alternatives to car visits; this is being addressed in part by encouraging smarter routing and timetabling of public transport services to generate greater use by residents and visitors." Per Recreation & Tourism Core Strategy 4.10.

Also Paras 4.12 – climate change & sustainable building, 4.2 – the need to avoid the existing housing stock becoming second holiday homes – lodges provide an alternative 4.24 concerning reducing lengthy commutes to work – better to have work IN the park all year, 4.27 desirability of making work less seasonal, 4.29 desirability of supporting public transport 10.9 preference for sustainable tourism.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

5.18

We propose that the above paragraph is altered to reflect para 10.26 in the Core Strategy.

"Core Strategy policy RT3 is clear that static caravans, chalets and lodges are not acceptable features in the National Park but may exceptionally be permitted in locations where they are not intrusive to the landscape, provided such development is supportive of other Core Policies....."

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#4

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Monday, January 16, 2017 6:33:51 PM**Last Modified:** Monday, January 16, 2017 10:21:24 PM**Time Spent:** 03:47:32

PAGE 1: Representation Form

Q1: Your personal details*

Title	Ms
First Name	Anita
Last Name	Dale
Telephone number	
Email address (where relevant)	

Q2: Agent's details (if applicable)

Respondent skipped this question

Q3: To which part of the DPD does this representation relate?

Policy	All
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Q4: Do you consider the DPD is:

(2) Sound (see accompanying notes)	No
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Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

Firstly this survey is not user friendly. I am assuming it is designed for official representation and therefore it doesn't feel designed or usable for the local person that this may affect who may want to comment on what they have read.

I cannot answer whether the document is legally compliant as I am not a lawyer, similarly for the duty to cooperate.

Therefore I will bullet point my comments for your use under soundness.

Effective - the whole document will be ineffective if these policies are not enforced. Current examples and working practices would suggest that the PDNP may not have the capability or motivation to enforce the policies. This will negate the whole process of this consultation document and its future application.

The document itself is too detailed and complex. Whilst legalities need detail this can have led to inaccuracies and contradictions which could easily be challenged legally, leading to lack of enforcement. A simpler and shorter document would be easy to understand for all concerned. (e.g. DCM7)

DM1 Overall the policies seem to favour tourism, which I understand is a key driver for National Parks but undermines the fact that the local population should come first providing a place to live and work. Priority should be given to policies that support that infrastructure.

DMC8 - Surely an outline plan is a way of guidance from you to a full plan?

6 Housing - there seems to be no effort made by the Peak Park to integrate the government housing targets, which is putting extra pressure on the surrounding counties to make up the difference.

6.13 3.5 times income is an unreasonable figure in today's markets and a straightforward income multiplier is no longer used as you state. However this point appears to just be a statement rather than coming to any conclusion in terms of affordable housing. Will you ignore this figure as a definition?

6.28 Completely agree that new housing should not be sold on. However, it seems that the Peak Park is happy to grant planning permission to convert buildings for holiday cottages without having anything in place to state that priority should be given to producing long term rental homes or homes for returners. This links back to what seems to be a bias towards tourism in preference to local people.

DMH1 - the max floor areas are extremely small to live practically within, whether they come within building reg guidelines or not

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Ensure your documentation is clear, concise and understandable.

Ensure your policies are not biased towards tourism at the expense of local people

Ensure that alongside the document you have a new policy for enforcement of its contents. If you use the same processes and procedures you will obtain the same outcomes.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

#2

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, January 13, 2017 1:44:30 PM**Last Modified:** Friday, January 13, 2017 1:55:10 PM**Time Spent:** 00:10:40**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	Joseph
Last Name	Drewry
Job Title (where relevant)	Planning Advisor
Organisation (where relevant)	Environment Agency
Address Line 1	Trentside Offices
Address Line 2	Scarrington Road
Address Line 3	West Bridgford
Address Line 4	Nottingham
Postcode	NG2 5BR
Telephone number	02030253277
Email address (where relevant)	joe.drewry@environment-agency.gov.uk

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	All
Policy	All
Policies Map	All

Q4: Do you consider the DPD is:

(1) Legally compliant	Yes
(2) Sound (see accompanying notes)	Yes
(3) Complies with the Duty to cooperate	Yes

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

Peak District National Park Authority have positively engaged with the Environment Agency throughout the Local Plan process. The Environment Agency are satisfied with the soundness and legal compliance of the Development Management Policy document.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Saturday, January 07, 2017 9:41:30 AM**Last Modified:** Saturday, January 07, 2017 9:58:32 AM**Time Spent:** 00:17:02**PAGE 1: Representation Form****Q1: Your personal details***

Title	Mr
First Name	David
Last Name	Carlisle
Job Title (where relevant)	Chairman
Organisation (where relevant)	Friends of Buxton Station
Email address (where relevant)	fobs.buxton@gmail.com

Q2: Agent's details (if applicable)*Respondent skipped this question***Q3: To which part of the DPD does this representation relate?**

Paragraph	9.42
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Q4: Do you consider the DPD is:*Respondent skipped this question*

Q5: Please give details of why you consider the Development Management Policies document is not legally compliant or unsound or fails with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document or its compliance with the duty to cooperate please also use this box to set out your comments.

We would like to see the Peak Pedal II extend to Buxton, preferably linking cyclists to Buxton Station, where a cycle hub could be developed.

Q6: Please set out what modification(s) you consider necessary to make the Development Management Policies document legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the document legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In reference to paragraph 9.42: We would like to see the Peak Pedal II extend to Buxton, preferably linking cyclists to Buxton Station, where a cycle hub could be developed.

Q7: If your representation is seeking a modification, do you consider it necessary to participate in the oral part of the examination?

No, I do not want to participate at the oral examination

Q8: If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Respondent skipped this question

From: Rowsley Parish Council <rowsleyparishcouncil@gmail.com>
Sent: 31 January 2017 00:36
To: Policy
Cc: Potter Kath
Subject: DMP Comments

To whom it may concern,

I am emailing on behalf of Rowsley Parish Council to comment on your DMP Policies. The Council understand the official consultation ended on 27th January but at Stanton in the Peak Parish Council an extension was allowed.

The Parish Council comments are:

- DMC1: Potential development should not just deal with the structure being proposed. The overall position in the landscape needs to be considered, not just how it will sit in its location, but how it will be viewed from afar. The National Park is made up of vistas and long range, far reaching views, those must be maintained and considered with regard to all development. Final restoration of the site following any development must be to the fore, conditioned at the point of permitted applications.
- DMC2: Protecting and managing the natural zone. This needs to include guidance for all developers that all works have to be carried out with full adherence to environmental regulations. i.e. stop builders burying waste on sites.
- DMC3: Rowsley Parish Council are concerned about light pollution. Please ensure 'dark skies' remain.
- DMC6: Scheduled Monuments are not just buildings, they include sites of ancient historical significance and should be included, e.g. Stanton Moor which is a Scheduled Ancient Monument afforded the highest protection. These are just as important as buildings such as Chatsworth.
- DMC12: Sites, features or species, wildlife, geological or geomorphological importance. Is there a maintained list of these locations and is it updated on a regular basis, otherwise developers may not be aware.
- DMC15: Contaminated and unstable land. This should include such things as Japanese knotweed and Himalayan Balsam, ensuring removal and ongoing maintenance to ensure eradication from a site.
- DME2: Farm diversification. this could be seen as a 'green light' to convert many more existing farm buildings into holiday accommodation, leading to possible significant loss of heritage, farming landscapes. There needs to be clear guidelines
- DME3: Safeguarding employment sites. What provision does the plan have for identifying business sites/use that cease and are then taken up by inappropriate activity? Examples exist of unauthorised use taking years to be curtailed and in some instances, finally allowed.
- When granting any expansion of touring camping & caravanning sites, although this policy highlights factors such as inappropriate road access etc. how can this policy actually control those aspect, PDNPA are not responsible for highways, signage, routing etc. therefore, they may grant an application which creates issues that are outside their control or conversely, refuse an application.
- DMH8: This should include extensions to existing garages and storage facilities not just new builds.

- DMH9: Replacement dwellings is weaker than was specified in the previous LH5. This is totally unacceptable because it will allow for further monstrosities if the same footprint is dismissed. We need to be sympathetic and address accommodation for an ever increasing numbers of senior citizens
- There are no comments regarding the increasing issue of second homes within the National Park, these adversely affect local business, they arrive with their goods, spend nothing locally and depart. They reduce the stock of affordable homes, it leads to the loss of community, in some cases the actual viability of some hamlets and villages are at risk. Additionally, with the advent of AirBnB, more clarity is required on policy. it currently appears that 1 parking place per 2 bed or 2 per 3 bed is the rule for housing (DMT7) but does this include on street parking, when a 2 bed property is rented out, it is quite usual for 2 cars to turn up, with the increase of room rental by the night, this will increase the issue. Residents should be given far more priority over tourism, the issue in some villages is leading to complete gridlock with residents unable to access their own premises.
- DMT3 Railway construction (D): Rowsley Parish Council questions the legality and validity of this policy in the light of government policy and legislation and also the fact that in a public meeting (including the press) in June 2013 the CEO promised 3 bridges at Rowsley to take all 4 users ie, trains, horse riders, walkers and cyclists.
- DMT6: Visitor parking - this fails to address the already massive increase in visitor numbers, greatly affecting on street parking in towns and villages not to mention the traffic travelling around the area. Within DMT7 developers are having to provide off street parking as part of any development, this leads to visitors then utilising the on street areas as free parking due to the lack of provision of visitor parking facilities! This does nothing to alleviate the parking issues at all. Having extended the cycle facilities no additional parking has been provided leading to vehicles parked in gateways, passing places, anywhere that's free. There needs to be a far more positive view for new and enlarged car parks, there is already a clear, demonstrable need.
- At a meeting held on 1 Sept 2016 to outline the forthcoming DMP, attendees were advised that impact on amenity, environment and restoration would be covered. The new policy was to add greater scrutiny on justification, restoration and aftercare plus importantly criteria on 'cumulative impact'. The refusal to allow wire saws at Dale View Quarry, Stanton in Peak was cited by the PDNPA as a prime example of taking a view of cumulative impact, as it would have led to the industrialisation of the Stanton Moor area. Looking at the Summary document first. Whilst listing 8 policies, within what is a very 'lightweight' Minerals & Waste summary of policy, one of the major aspects "Cumulative effect of mineral & waste development" doesn't get a mention. Within the detailed document, section 11.1 is far from robust enough, it should not be a 'general direction to continue to enable progressive reduction in mineral working in the National Park' it should be stated as 'OF UPMOST IMPORTANCE TO REDUCE MINERAL WORKING IN THE NATIONAL PARK' in line with other published policies on Minerals. Is it really acceptable to lump together Minerals & Waste? as section 11.2 points out 'Mineral working is one of the most sensitive types of development in the NP, due to impact on landscape, biodiversity, heritage and most importantly communities. Its harmful impacts and long term effects on all aspects of Park communities, amenity and the future should ensure far more detailed guidance. Section 11.5 How can you have a policy that may allow development of mineral sites which states that 'precise details of its compatibility with any repair or restoration project it is proposed to supply'? How would that be controlled? would it be a case of, if stone is required for local projects, you can have development? the PDNPA already state it has vast reserves of stone applicable for local needs, it couldn't be controlled, existing mineral sites export the majority of the stone to supply projects well outside the PDNPA. How would the management of the suitability, quality and volume of stone reserves be managed? These statements show a lack of understanding of the existing quarrying, methods, quantities, end user aspects of quarrying activity, which is destined to continue for many years to come due to the existing permitted rights, what about potential development of these sites?
- DMMW1 - this reads as though quarries are opened for small projects, not the major development that has been seen and is still being seen with applications to extend existing quarries.

- 11.6 Impact - Conditions and obligations are only as good as the management of them, there are many instances of 'gentleman agreements' a practice which must be curtailed, robust and meaningful management of adherence to set conditions etc. must be laid out in this document.
- 11.9 Permitted Development Rights must be removed - not just 'generally removed' once again, not a strong enough statement, leaving interpretation open and ineffective.
- DMMW2 - Impact - Cumulative Impact must be considered, 2 quarries side by side work the same hours, their vehicles, move around at different times so produce constant noise, not periodic noise. There needs to be further considerations included, such as the ability of the road systems to cope with any intended vehicle movements, tonnage, impact on the physical infrastructure, i.e. can the bridges cope with the weight, increased damage to the infrastructure and compensation/contributions to upkeep of the infrastructure.
- Visual Impact is a very relevant aspect that must be considered, the visibility of mineral workings impact not just the nearest view points, but distant vistas both within the National Park and those views into the National Park. Extensions to quarries also need to give consideration to the potential detrimental change or irreplaceable loss of landscape, not just in the actual vicinity of the quarry but wider scale.
- 11.13 Non compliance of full consultation with Statutory Consultees and the local community should render any proposals as invalid. This should apply to the Planning Authority as well, no consultation documents should be added to an authorised/working scheme, there should be complete TRANSPARENCY with all changes/amendments to any scheme.
- 11.19 The Authority has not displayed an understanding of cumulative impact, they allowed development at Dale View Quarry regarding the concrete crane bases, they backed a planning proposal to install wire saws at the site, they gave no consideration to cumulative impact on the area, residents, amenity, proximity of other working quarries, only local people raised those issues and successfully fought off the total industrialisation of Stanton Moor, and the desecration of its prized Scheduled Ancient Monument. There is clear evidence that Mineral planning does not take a watching brief on current cumulative aspects nor does it appear to anticipate potential conflicts as in the case of Stoke Hall Quarry at Grindleford.
- 11.21 Whilst stating that policy established that "a selection of small individual areas for local small-scale building and roofing stone for conservation purposes would be identified for safeguarding" the Maps detailing the Mineral Safeguarding areas clearly indicate quarries located on and around Stanton Moor as safeguarded for National & Intermediate use. This is not to say they would be reopened (see section 11.24) however, it goes on to say 'the National Park is best served by ensuring that such a resource could, if absolutely necessary, be made available in the future'. This would surely be contrary to the overall policy suggested here, that there must be a local need? If this policy is aimed at 'safeguarding' the remaining mineral against potential adverse development, then it needs to clearly state that fact, at present the policy indicates to the public that the safeguarding element is to ensure reopening could go ahead with mineral extraction as the purpose of this policy. The associated maps also need to reflect this aspect and a consistent approach to all quarry demarcations regarding the reason for safeguarding needs to be reflected.
- DMMW8: Ancillary mineral processing - there is nothing under this section relating to the current practices of importation of stone from other sites to be processed. This section indicates that any processing, where carried out is done so at quarrying facilities, this is not always the case, once again at Stoke Hall Quarry, Grindleford, large quantities of imported stone is processed without the necessary permissions. Far more robust guidelines need to be included here.
- Please can PDNPA explain why ancillary mineral development should not be allowed as it can also lead to the total industrialisation of parts of the National Park, producing end product that is never destined for the National Park itself. That industrialisation rather than being isolated industrial units, sets precedence for other operations in the locality to seek similar industrial facilities.
- The Stanton Moor Principles will be obsolete once Stanton Moor Quarry extant rights are exchanged for rights elsewhere, a process which is currently under discussion, with a final planning application submitted

at this time. No further quarrying rights are available to exchange on Stanton Moor, therefore, the Principles will become obsolete and are not required in the Development Management Policy.

Many thanks,

Sarah

Sarah Porter

Council Clerk

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HOUSE OF COMMONS
LONDON
SW1A 0AA

KAREN BRADLEY MP
Staffordshire Moorlands

Ms Sarah Fowler
Peak District National Park Authority
Aldern House
Bakewell
Derbyshire
DE45 1AE

PEAK DISTRICT NATIONAL PARK AUTHORITY	
ALLEGED GROUP OFFICER	
DATE RECD	18 JAN 2017
ACKNOWLEDGEMENT REPLY	SF
FILE ALLOCATION:	CEO
COPIED TO:	

13 January 2017

Development Management Policies

Following our meeting involving several of my colleagues I wanted to raise some concerns about the documents you presented to us.

Particularly as the MP for Staffordshire Moorlands elected by the people of the Moorlands I was shocked that you did not consider it necessary to inform the MPs who represent the Peak Park when the consultation was initially launched. Although we are apparently not statutory consultees, I think it would have been appropriate to seek the views of the people who are elected to represent the Park in Parliament.

I have a number of concerns about the content and the wording of the document. I would firstly like to raise the fact that there are many basic grammatical and spelling errors throughout the document which makes it look very unprofessional.

I would also like to suggest that some serious thought is given to the implications of suggesting that there is no strategic need for new employment sites in the Park. I find this very questionable and particularly when permissions are being given for existing business premises to be converted to alternative uses. Whilst I recognise any such new development must be done sensitively to protect the Park, this approach is likely to further undermine the sustainability of communities in the Park, which you yourself recognise are in decline. If policies like this continue to risk future employment opportunities for these communities, there is little to stop even more services becoming unviable and being lost from communities for good.

The approach taken to housing in this document is also detrimental to communities which need to stem the rate of decline. A policy which puts nearly all the emphasis only on affordable housing is likely to have a severe impact on the future viability of communities. This fails to recognise the actual housing needs within such communities. As we discussed at the meeting, rural communities do not just have a demand for affordable housing, and if all the emphasis is solely focused on affordable housing there will be an over-supply without the jobs to attract people to fill these properties. These communities need a range of types of housing, some affordable for families, but also homes for people who are retired, larger homes for people whose families have grown, and established

residential for people to move into. A vibrant community is only founded upon having diverse ranges of people who have different needs in terms of housing. A community that has the facilities local people need can only survive if there are homes that people actually want to live in.

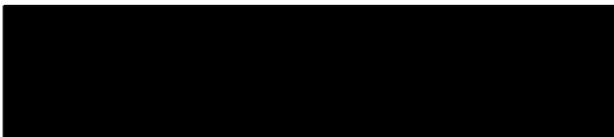
The transport section of the document places a particular emphasis on the the need to support sustainable transport yet it also states that the car is the only option for many residents. Whilst I agree with the importance of sustainable transport for isolated communities, this will not happen if the communities themselves continue to decline, a problem that this document does little to address, and even promotes in some cases. I also find it surprising that the suggestion is made that all new roads should be resisted as a matter of course. Does this not somewhat contradict the fact that there is an admittance of a reliance on car without any suggested realistic alternative?

For the future sustainability of communities the document recognises the importance of resisting the loss of community facilities but does not really present any realistic ways of averting this. In contradiction, as I have suggested, many of the other policies outlined are likely to have the opposite effect in further eroding community facilities.

As you will recognise, a significant part, roughly a third of my constituency by geography, is part of the National Park, and I represent many communities which boarder the Park. I would raise concern that in its current form, not only will this undermine those communities within the Park that I represent, but also put undue pressure on those surrounding the park. Many of those just outside the Park are small rural communities similar to those in the Park, and will simply not be able to cope with the additional pressures on housing, jobs and services. The people living in the Park must have the lion-share of these provided within the Park, and in so doing, helping to keep communities in the Park alive.

I completely recognise that the Park must do everything possible to protect the important environment and the unique nature of the Peak District, however this must also be balanced with the survival of the rural communities that live and work in the National Park in order to ensure the future of the Park itself. In some cases this will mean there is a fine balance, and some change will have to not only be tolerated, but encouraged, to preserve the wider viability of these areas.

Yours sincerely



The Rt Hon Karen Bradley MP

cc – The Rt Hon Sir Patrick McLoughlin MP
Andrew Bingham MP
David Rutley MP

Very happy to discuss this with you
Sarah. We all want this to succeed

From: Emma Humphreys [REDACTED]

Date: 5 January 2017 at 21:07:10 GMT

[REDACTED]

Subject: Strong Local Connection

Dear Councillors,

I am writing to complain about elements of what I understand to be the section 106 agreement instated by the Peak District National Park Authority.

To put it into context, I am currently looking to purchase a house and came across the house currently up for sale on Burton Edge, Bakewell. The advertisement for the house, from Bagshaws, stated that the house is subject to the "Bakewell Parish Clause", but doesn't specify what this clause is. I then spoke to 4 different agencies (the estate agent, Derbyshire Dales Council, Bakewell Town Council, Derbyshire County Council) to try and get to the bottom of it - not one of these could tell me what the clause was, or who enforced it. It was only when I tried to make an appointment to view the house, that the house owner pointed me in the direction of Peak Planning.

By this point it was past office hours and so I dug around on the internet to see what I could find, coming across "Part 2 of the local plan for the Peak District National Park" and Appendix 3 that lists the DS1 settlements. I then phoned up in the morning and what was written down was confirmed after the helpful lady that I spoke to dug around for me to find out what restrictions were based on the house.

The story above regarding how I found out about the contents of the clause is neither here nor there, but does demonstrate the lack of understanding of the so called "Bakewell Parish Clause" by those actually enforcing it.

A bit about myself so that you can appreciate my annoyance, I live in Wingerworth, Derbyshire and have done all of my life. I attended Lady Manners School for 7 years, leaving in 2010 and working at East Lodge Hotel in Rowsley (for three years). From Rowsley I went on to work for the Devonshire Hotel Group, working at the Devonshire Arms in Beeley for one year and then on to work for C W Sellors (with branches in Ashbourne/Bakewell/Buxton) as one of their managers for a further year. Because of all of this, I consider myself a local, all my friends live in or around Bakewell and I visit it regularly. However, because I have not lived in Bakewell, or any surrounding parishes, I am not allowed to buy the house on Burton Edge.

I understand the premise behind this - I have read the literature. However, I think it is appalling that no common sense is applied to individual circumstances. I may not have lived in Bakewell, but I spent most of my teenage years in the town. The house has been on the market since September and is not selling as a result of these restrictions (when I phoned Derbyshire Dales they told me they have had a number of enquiries about the Bakewell

Parish Clause on this property). I was informed when I phoned Peak Planning that even if the house is on the market for two years, I still will not be eligible to purchase it. Fair enough to first offer it up to local residents, but to never offer it further afield than the National Park seems unfair and at a stretch is arguably a breach of freedom of movement.

I am now in the Armed Forces, where I have served operationally overseas for my country, and would have loved to have had a small house to come back to on the weekends in my favourite town. However, your occupancy cascade deems me unfit to purchase affordable housing in Bakewell. I will point out that I wasn't even allowed to book a viewing of the house by the estate agent until I had spoken to Peak Planning - which calls into question whether I would even want to live in a town that is so opposed to an "outsider", such as myself moving in. Unless of course I was purchasing one of the significantly more expensive houses, in which case I expect I would be welcomed with open arms.

I expect no realistic change to come as a result of writing this email. The purpose of the email is to convey my opinion that the National Park's definition of "strong local connection" should be revised to include those who have worked/ gone to school in the Peak District. I would also add that the "Derbyshire Clause" on housing specifically addresses those who are in the Armed Forces, consenting them to reside in Derbyshire even if they don't meet another aspect of the clause.

I look forward to your points regarding the issues raised above.

Regards,

Emma Humphreys

Sent from my iPad

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<http://www.claranet.co.uk>

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