



# Development Management Policies Part 2 of the Local Plan for the Peak District National Park

Pre-submission Publication Version  
Duty to Co-operate Statement

October 2016

## **Peak District National Park Authority**

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**This and other Local Development Plan documents can be made available in large copy print, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact: Brian Taylor, Policy Planning Manager, Peak District National Park at the address above, Tel: 01629 816303, or email [brian.taylor@peakdistrict.gov.uk](mailto:brian.taylor@peakdistrict.gov.uk).**

# PEAK DISTRICT NATIONAL PARK AUTHORITY

## Duty to Co-operate Statement

October 2016

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## **1.0 Introduction**

- 1.1 Section 110 of the Localism Act sets out the “Duty to Co-operate”, which applies to all local planning and national park authorities. The Duty requires these and other prescribed bodies to co-operate on strategic matters relating to “sustainable development or use of land that has or would have a significant impact on at least two planning areas”.
- 1.2 In addition, the National Planning Policy framework sets out the strategic priorities that each local planning authority should consider in the preparation of its Local Plan at paragraph 156.
- 1.3 The Duty requires the Authority to work with neighbouring local planning authorities and County Councils in addition to the prescribed bodies named in regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.4 The Development Management Policies Document has been prepared on an on-going basis since 2007 with a continuous relationship with neighbouring local planning authorities, the County Councils and other prescribed bodies.
- 1.5 This document sets out how the National Park Authority has addressed the Duty in the preparation of the Development Management Policies Document. Additional information on the consultation and stakeholder engagement undertaken in preparation of the Development Management Policies Document can be found in the Authority’s Consultation Statement.

## **2.0 Cross-Boundary issues**

- 2.1 The broad strategic priorities outlined in NPPF Paragraph 156 are primarily addressed via the Council’s Core Strategy, adopted in 2011 (See Appendix 2). The more detailed policies contained in the Development Management Policies document are designed to supplement these existing policies, providing more detail against which to determine individual development proposals.
- 2.2 **The Development Management Policies Document is not considered to raise any cross-boundary issues that could impact on any neighbouring local planning authorities.**
- 2.3 Any issues arising from the Local Plan are established through existing policies adopted in the Core Strategy. As such the nature of Duty to Co-operate discussions are primarily to monitor and assess the impact of the Core Strategy, using Development Management Policies to refine and update aspects of policy in the light of evidence, to improve

consistency with national policy and to address the local concerns of local communities, businesses, service providers and other stakeholders.

### Local Administrative Context Showing Constituent and Neighbouring Authorities in relation to the Peak District National Park

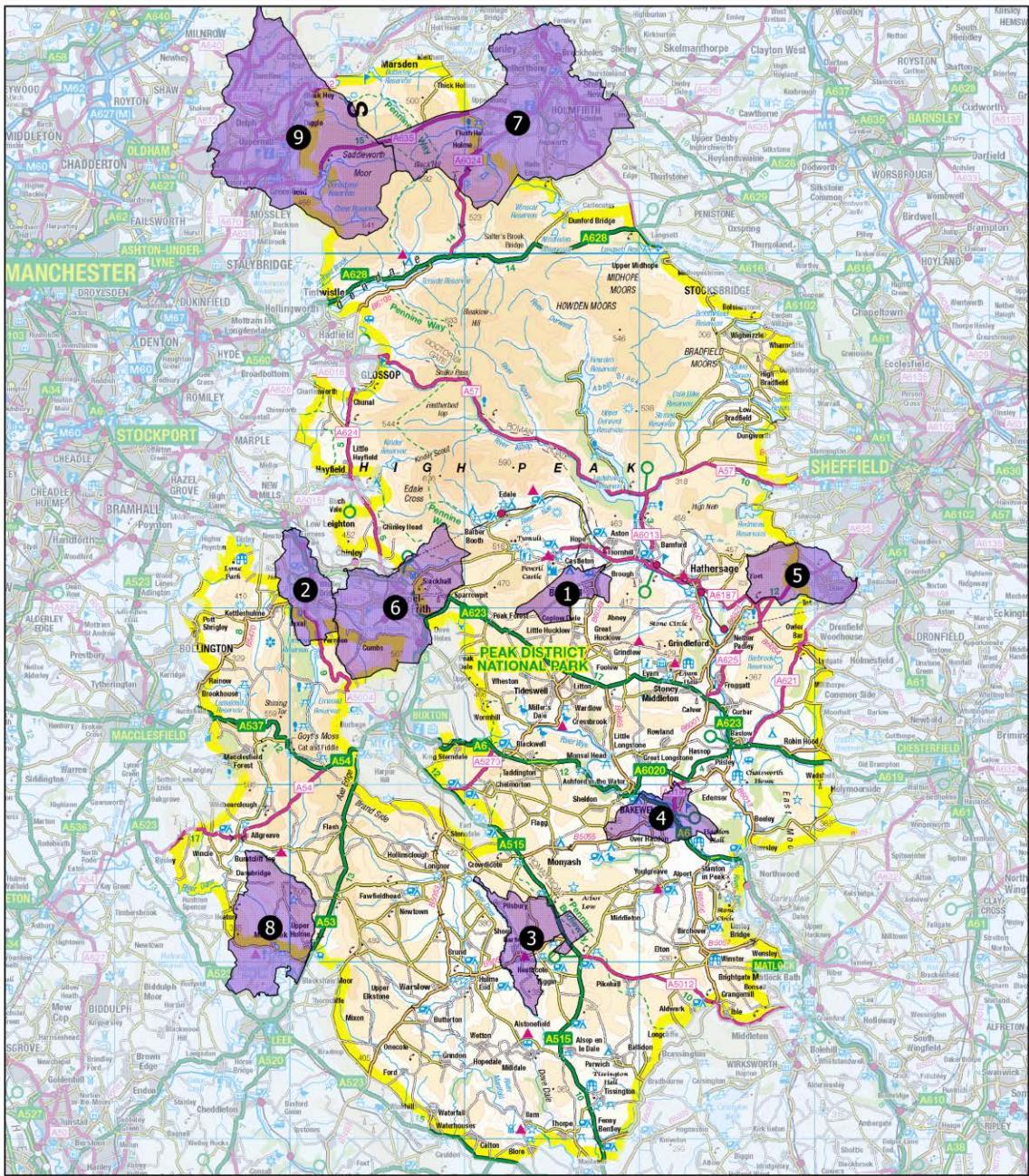


### **3.0 Approach to Neighbourhood Plans**

3.1 The Localism Act encourages the preparation of neighbourhood plans or neighbourhood development orders. These can become part of the local development plan and set the context for planning decisions, but must be in line with the Authority's own planning policies, have regard to national policy, and be compatible with EU obligations. A Parish Council or community body can initiate and undertake neighbourhood planning. The Authority will provide technical or practical support to help produce the plan. At the time of writing the Authority is currently supporting 7 communities across the National Park in bringing forward their local aspirations to neighbourhood plan status. 2 plans have already been formally made (adopted) in Chapel en le Frith and Bradwell. The map below identifies the location of 9 communities which have formally designated an area for the purpose of producing a neighbourhood plan, including 3 wholly within the National Park at Bakewell, Bradwell and Hartington. The current list of designated areas is as follows:

- Holme Valley (Kirklees)
- Dore (Sheffield)
- Bradwell (Derbyshire Dales) – plan made
- Chapel-en-le-Frith (High Peak) – plan made
- Whaley Bridge (High Peak)
- Bakewell (Derbyshire Dales)
- Hartington (Derbyshire Dales)
- Leekfrith (Staffordshire Moorlands)
- Saddleworth (Oldham)

3.2 The Authority has restructured its Policy Planning Team to maintain long term support for community level work.



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Key	Name
1	Bradwell
2	Whaley Bridge
3	Hartington
4	Bakewell
5	Dore
6	Chapel-en-le-Frith
7	Holme Valley
8	Leekfrith
9	Saddleworth

## DESIGNATED NEIGHBOURHOOD PLAN AREAS

SCALE: 1:300,000



#### **4.0 Specific Co-operation in the production of the Development Management Policies document**

4.1 There has been specific engagement with neighbouring authorities, the County Council and the other stakeholders in the preparation of the Development Management Policies Document. Full details of this can be found in the Authority's Consultation Statement. However, the table below summarises a timeline of events highlighting the key areas of engagement and co-operative working undertaken in the production of the Document.

4.2 The commitment to undertaking a Development Management Policies document was set out in the Local Development Scheme (third revision) (2010) submitted with the Core Strategy. This set out an intention to follow the adoption of the Core Strategy with a part 2 document. In effect this replicated the former hierarchy of Structure Plan (1994) and Local Plan (2001) but in the form of development plan documents in the LDF, as required by the Planning and Compulsory Purchase Act 2004.

4.3 The commitment to a part 2 document has remained in successive LDS reviews.

4.4 The Core Strategy was examined in April 2011 and key to some debates was the potential effectiveness of the plan and the need to be able to monitor and review aspects of Development Management policy in order to be responsive to the economic climate at that time. As such various references are made in the Core Strategy to the role of Development Management policies in delivering the objectives of the Core Strategy. This was accepted by the Inspector in her report.

4.5 In October 2011 the Core Strategy was adopted and attention turned immediately to the review of Development Management policies.

4.6 A decision on the rationale to continue this path was required following the introduction of the NPPF in March 2012. Annex 1 to the NPPF set out guidance on its implementation and the impact it was to have upon existing saved and adopted plans. Para 214 stated that "for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework". Para 215 went on to state, "In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

4.7 On Friday 1 February 2013 a report was taken to the full Authority setting out a full conformity assessment of the Core Strategy against the NPPF with the conclusion that:

1. The Authority's planning policies are consistent with the provisions of the NPPF;
2. That, consequently no early review of the Core Strategy be required; and
3. That the process of producing Development Management Policies be used to consider any further ways in which the Authority's planning policies can be refined to further strengthen the consistency with national policy



- 4.8 The Authority has continued to monitor the performance of the plan through Annual Monitoring Reports and separate reports assessing performance on appeal. In both cases performance has been largely on target with observations of appeal decisions highlighting close conformity with the NPPF.
- 4.9 One appeal raised concerns over conformity with the core renewables policy. However the Authority determined that the principles of the policy remained correct but that supplementary planning guidance could be used to clarify and strengthen the policy approach laid out. This has now been completed and adopted.
- 4.10 The majority of cases raise issues of judgement as opposed to policy principle and as such the Authority has again judged this favourably and considers that the completion of Development Management policies along with other Supplementary Planning Documents will only serve to clarify the facilitate good development which serves to deliver the long term spatial objectives.
- 4.11 Early scoping and an Interim Sustainability report on the SA/SEA in 2012 indicated that the Development Management Policies would in effect sit within the policy principles of the adopted Core Strategy which had already recently been fully appraised for sustainability, strategic environmental assessment and under the Habitats regulations regarding the impact of policies on protected Natura 2000 sites. As such the scope to generate alternative options at this level of the development plan was limited.
- 4.12 From September 24th to 17th December a 12 week period of consultation took place with all consultation bodies on the issues and preferred approaches for the plan.
- 4.13 This document set out the reasonable alternatives as far as this was possible and in each case proposed a preferred approach.
- 4.14 The responses highlighted the need for further development of policy with affected stakeholders and as such a process of closer debate began (see timeline below).
- 4.15 Indeed following the adoption of the Core Strategy the Authority has sought to engage closely with a range of partners, making particularly close contact with parishes to debate the detailed development management issues impacting on matters of greatest concern in the locality, such as:
- using development as a means of driving conservation and enhancement of the National Park's valued characteristics;
  - the delivery of affordable houses;
  - the scope to reuse traditional buildings (heritage assets);
  - protecting local services and employment space;
  - responding to local parking needs;
  - managing the impact of quarrying;
  - business development on farms and the impact of new buildings;
  - farming succession; and
  - managing the impact of tourism

- 4.16 These and other issues have remained at the core of debates for the last 3 years as the plan has developed.
- 4.17 In 2015 a report was commissioned by the Planning Advisory Service (PAS) to consider the issues that may arise in terms of meeting the various soundness issues with a focus on a part 2 Development Management Policies Document, as opposed to a complete Local Plan review.
- 4.18 The final report was received in July 2015 and gave considerable reassurance to the approach taken, by comparing the experiences of other similar DPD's and looking at the consistency of the proposed policies (as drafted at that time) to try and predict potential issues.
- 4.19 In October 2015 a full draft of the Development Management Policies document was approved by the National Park Authority, with delegated Authority to work with a member Steering Group to enable final changes and sign off to be reached.
- 4.20 A detailed timeline of engagement with members and local stakeholders is set out below along with a record of the Duty to Cooperate dialogue that has taken place through this period.

#### **Detailed Timeline (Regulation 18 – Preparation of a Development Plan Document)**

Date	Nature of Consultation	Who consulted
May 2012	Land Managers Forum Awareness of upcoming consultation	NFU CLA Land Owners Farmers Large Estates Utilities bodies
May 2012	Agents Forum – Awareness of upcoming consultation	Local planning Agents
May 2012	Discussion re policy issues	Derbyshire Fire and rescue
June 2012	Cross Authority meet up to learn about practical landscape delivery issues and impact on policy	Moors for the Future partnership
July 2012	Liaison meeting in advance of formal consultation	Peak Park Parishes Forum (PPPF)
Sep 2012	Annual Parishes Day launch of consultation and policy debates regarding: <ul style="list-style-type: none"> <li>• Village capacity</li> <li>• Re-use of traditional buildings</li> <li>• Local needs and local connection for housing</li> <li>• Replacement dwellings</li> <li>• Employment sites (safeguarding and release)</li> <li>• Parking</li> </ul>	PPPF and wide range of parish councils

Sep 2012	High Peak radio interview	Listeners in High Peak area of Derbyshire
Sep 2012	Duty to Co-operate meeting	Tameside Borough Council
	Housing Forum on preferred approaches	Peak District Rural Housing Association Other Housing Associations Derbyshire Dales District Council
	Scoping of SA	Statutory Environmental bodies
	Scoping of HRA	Statutory Environmental bodies
24 <sup>th</sup> Sep – 17 December 2012 12 week period	Issues and preferred approaches	All specific and general consultation bodies
Oct 2012	Mid-point consultation discussion on DM policies	PPPF
25 <sup>th</sup> July 2013	Duty to Co-operate meeting	Derbyshire Dales District Council
8 <sup>th</sup> March 2013	Duty to Cooperate meeting	High Peak Borough Council and Staffordshire Moorlands District Council
July 2013	Report back on representations from consultation and planning ahead to parishes day	PPPF
	Authority workshop on DM policies	PDNPA Members
	Meeting/workshop on emerging evidence relating to historic farmsteads of the Peak District	Historic England
Oct 2013	Parishes Day – policy debates focussed on housing: <ul style="list-style-type: none"> <li>• Affordable housing</li> <li>• Barn conversions</li> <li>• Replacement dwellings</li> </ul>	PPPF and a wide range of parish councils
3 <sup>rd</sup> October 2013	Meeting/workshop on emerging evidence relating to historic farmsteads of the Peak District	Historic England
4 <sup>th</sup> September 2014	Duty to Co-operate Meeting with Barnsley	Barnsley Council
Sep 2014	Parishes Day – Debates under the theme Thriving and Vibrant communities	PPPF and a wide range of parish councils
17 <sup>th</sup> March 2015	National Trust Liaison meeting	National Trust
26 <sup>th</sup> March 2015	Duty to Co-operate meeting with Cheshire East	Cheshire East Council

Sep 2015	Parishes Day – Debates under the theme Tourism and Visitor Management	PPPF and a wide range of parish councils
24 <sup>th</sup> September 2015	Duty to Co-operate meeting	Derbyshire Dales District Council
Oct 2015	Authority meeting – approval of draft Development Management Policies document	PDNPA Members
4 <sup>th</sup> December 2015	Derbyshire Dales – Housing Market Area workshop	DDDC and surrounding local planning authorities
Jan – May 2016	PDNPA member steering group to finalise draft plan for publication	Lead member representatives
15 <sup>th</sup> Feb 2016	Duty to Cooperate 2016	Kirklees Council
March 2016	Habitats Regulations Assessment undertaken	By DTA Ecology consultants
April 2016	Updated SA Scoping report	Statutory Environmental bodies
Sep 2016	Sign off under delegation by Chair of PC	
Sep 2016	Parishes consultation event pre-consultation	

## **Summary of the main cross-boundary issues identified in the Core Strategy**

### **Setting of the National Park**

Policies and programmes in and around the Peak District National Park should help secure the conservation and enhancement of the designated area, respecting the statutory purposes of its designation. Care must be taken to ensure that all development respects and enhances the high quality environment of the area, including the setting of the National Park. Various areas of core policy add value to this context such as the inclusion in valued characteristics of flow of landscape character across and beyond the National Park boundary; providing a continuity of landscape and valued setting for the National Park.

Continuous dialogue takes place with constituent and adjoining authorities to ensure that consistent policies impacting on the fringe and setting of the National Park are established around the entire boundary (See Appendix 1)

### **Spatial strategy and relationship of settlements**

The development strategy (DS1) for the Peak District National Park, and the spatial strategy overall, is strongly affected by the close proximity of this National Park to a large number of towns and cities offering an extensive range of jobs, services, retail and leisure opportunities. A key reason for not requiring a settlement hierarchy in the normal sense is borne out by the fact that National Park settlements exist at a level beneath most conventional hierarchies operating at the rural level within which allocations would not normally be made and offering scope only for exceptional development requiring a rural location, such as to meet local needs for affordable housing. The Authority considers its development strategy is consistent with the approach in neighbouring rural areas.

### **Recreation and tourism**

The preamble to RT1 in the Core Strategy explains that 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. In the context of the highest status of protection for the National Park, policy 10 in the former East Midlands Regional Plan required authorities and others to encourage and promote tourism opportunities outside the National Park that could ease pressures on the National Park itself. Holiday park style development including static caravans, chalets and lodges can be better accommodated outside the National Park subject to landscape considerations affecting the setting of the area.

### **Renewable energy**

The preamble to CC2 in this plan covering low carbon and renewable energy development describes the potential impact that such developments can have on the setting of the National Park. Text explains that the Authority will

advocate consideration of less damaging alternatives to protect the National Park and its setting, particularly from larger schemes such as wind farms.

### **Housing**

The context on housing policy provided by the East Midlands Regional Plan clarified that delivery of dwellings in the National Park counts towards the housing targets set out for local authorities within the Peak, Dales and Park Housing Market Area. Partnership working consolidated through the LDF process by collaboration on evidence gathering and on joint preparation of a Local Investment Plan, is aiding delivery prospects.

### **Minerals**

The proximity of vast levels of mineral resources on the edge of the National Park is a key reason in supporting the objective to seek a gradual reduction in the flow of minerals from the Park itself. Close on-going dialogue will be necessary between the Authority and Derbyshire County Council to consider and agree the best long term strategy for minerals in the context of these large shared resources.

### **Transport and communications**

A range of transport related cross-boundary issues exist including:

- the high levels of motorised traffic in general in comparison with more sustainable modes of transport;
- the high levels of cross-park traffic;
- high demands for freight transport to, from and across the National Park;
- the demand for improved rail connections to surrounding urban areas, and the use of former railway routes;
- the provision of routes for more sustainable modes of transport including walking, cycling, horse riding and by inland waterway.

These issues are considered within core policies and the Authority feels these address cross-boundary accessibility, travel and traffic issues, so far as is possible within the scope of this document.

## Summary Map

### Peak District National Park Duty to Co-operate

The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

NB - No's correspond to background notes

**1. Oldham MBC**  
 Joint discussion re Saddleworth Neighbourhood Plan  
 Area designated in November 2016

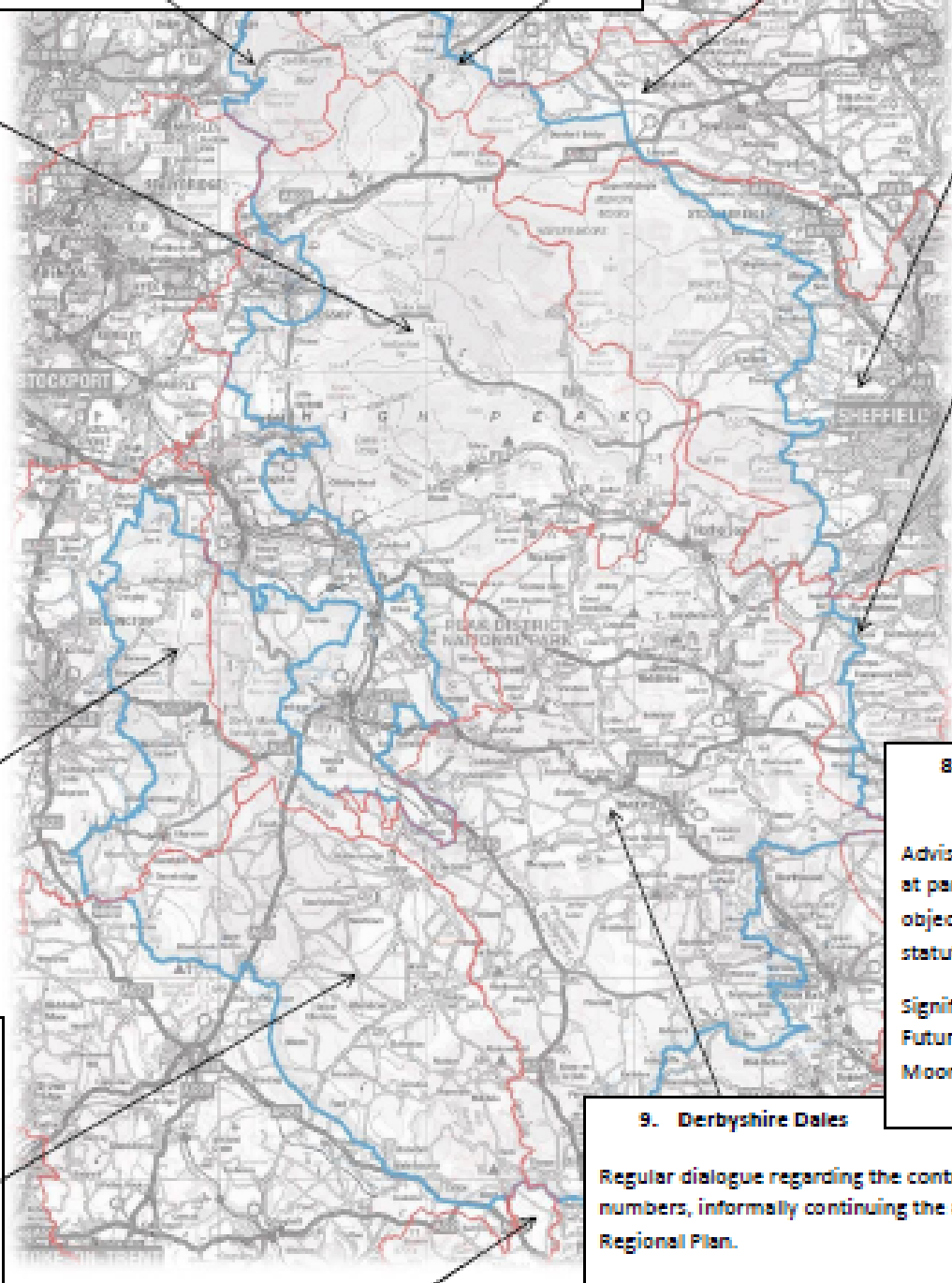
**2. Derbyshire County Council**  
 Contribution to County wide studies e.g. employment projections and Gypsy and Traveller Accommodation Assessment.  
 Contribution to CDP SMART monitoring system  
 On-going contributions to County wide spatial statement prepared to assist the DTC and in the context of the emerging Combined Authority.  
 Local Aggregates Assessment agreed in 2013 with 2016 update currently in preparation  
 Part of Planning and Health group  
 Lead role in rolling out cycling strategy with green infrastructure

**3. Kirklees**  
 Response to Kirklees Draft Local Plan during 2013  
 Joint discussion re Holme Valley Neighbourhood plan during 2014/15  
 Duty to Cooperate meeting on 3<sup>rd</sup> February 2016

**4. Barnsley MBC**  
 DTC meeting in Barnsley on 4<sup>th</sup> September 2014  
 SCR Green Belt Review meetings held in Barnsley  
 Barnsley Local Plan – response sent 11<sup>th</sup> Jan 2015 seeking improved policies for National Park fringe

**14. High Peak**  
 Response to draft Local Plan including suggestion for improved policy for National Park fringe and early concern expressed over allocations close to National Park boundary  
 Memo of understanding signed by Chairs of both Authorities assisting policy development to manage growth on the edges of the Borough in ways which are more sympathetic to the wild and open landscapes of the Peak District National Park  
 Housing contribution agreed at 110  
 Cross boundary involvement in 2 Neighbourhood Plans at Chapel-en-le-Frith and Whaley Bridge.  
 Service Level Agreement for NPA to assist HPBC in undertaking housing enabling within High Peak

**5. Sheffield CC**  
 Sheffield City Region Green Belt review. Contribution to agreed methodology.  
 Cross boundary involvement in the Dore Neighbourhood Plan  
 Response to Sheffield's growth options



**6. North East Derbyshire**  
 Response to Draft Plan made in March 2013. Request made for improved policy reference for the National Park fringe

**7. Derbyshire Planning Policy Officer Group**  
 Technical officer group meeting quarterly to discuss plan making progress, DTC issues and evidence collection and monitoring across Derbyshire

**13. Cheshire East**  
 DTC meeting on 26<sup>th</sup> March 2013  
 Response to Draft Plan with improvements to policy regarding the National Park fringe

**8. National Park Management Plan Partnership**  
 Advisory group and annual conferences aimed at partnership support for achieving NPMP objectives and ensuring duty to have regard to statutory National Park purposes.  
 Significant projects include Moors for the Future, South West Peak Partnership, Eastern Moors Partnership and the Pedal Peak

**12. Staffordshire Moorlands**  
 DTC meeting considering cross boundary issues on the 8<sup>th</sup> December 2014.  
 Considered specific implications of development at Waterhouses. Proposal for a small allocation for housing and business use.  
 Explored whether a trend figure for anticipated housing delivery could be provided to the council similar to that offered DDDC and HPBC  
 Housing contribution agreed at 100  
 Cross boundary discussion on 1 neighbourhood area at Ickfrith and expression of interest by community at Onecote and Bradnop

**11. Staffordshire County Council**  
 Contribution to Cycling projects  
 Comments on Development Plan re spatial strategy and landscape character approach

**10. East Staffs**  
 Scanning of and consultation on plans but no significant cross boundary issues arising

**9. Derbyshire Dales**  
 Regular dialogue regarding the contribution of the National Park to housing numbers, informally continuing the arrangement in the former East Midlands Regional Plan.  
 Significant joint evidence collection leading up to Core Strategy, and on-going discussions regarding evidence cycles.  
 Duty to Cooperate meetings in  
 Letters regarding housing provision and formal request by DDDC that the NP take up greater quantity of area's housing growth. Formal response by NPA to say this would not be appropriate in the context of the statutory purposes of the National Park.  
 Offer by National Park Authority to sign up to a memo of understanding not taken up  
 Housing contribution agreed from National Park Authority at 400 within Derbyshire Dales area up to 2033. Now enshrined in DDDC draft plan as an estimate of delivery  
 Joint work continuing on housing enabling with annual contribution made to RHE post and attendance at Midlands Rural Housing management group.

## Meeting Notes

### 3. Kirklees

#### Duty to Cooperate meeting between Kirklees Borough Council and Peak District National Park Authority - 5<sup>th</sup> Feb 2016

##### In attendance

Richard Hollinson – Policy Group Leader KBC

John Buddle – Principal Planning Officer KBC

Brian Taylor – Policy Planning Manager PDNPA

##### Discussion

##### Update on plan making

18 months ago in 2014 KBC submitted Core Strategy for examination however concerns were raised regarding DtC so the plan was withdrawn.

Now being refreshed as a consolidated Local Plan with updated evidence base.

Consultation just completed. Generated around 10,000 comments principally on sites.

Noted objection lodged by PDNPA on 1 site at Meltham (H52)

SA/HRA work being done by LUC. BJT to send link to previous SA and HRA reports undertaken by LUC for PDNPA on their Core Strategy.

Noted previous contact by KBC to neighbouring Authorities through letters, formal consultation and DtC table.

##### Approach to growth and spatial strategy

The Leeds city region drives much of the growth.

Strategic allocations are directed to the north of the Borough, ie north of Huddersfield, and Dewsbury, leaving the southern edge (adjacent to the National Park) largely untouched except for a few smaller allocations such as H52.

M62 corridor is a focus for duty to cooperate discussions with other authorities such as Calderdale.

Valley corridors also have an industrial legacy where continued growth would be supported up to the point of landscape harm. Green belt review highlights places like Marsden and Holmfirth as characterised by steep sided valleys where existing settlements are hemmed in which little scope for change. 70% of the area is greenbelt. The Local Plan represents a change in direction in the approach to spatial planning in Kirklees as a conventional settlement strategy is no longer proposed, taking a broader approach to directing growth as described above. i.e. settlements not ranked in conventional way.

In addition work is progressing on landscape character alongside the HRA and consideration of the NP setting.

Therefore the area is very constrained.



### Cross Park traffic

There is a small degree of cross park traffic arising from Kirklees towards Oldham but this tends to be very local traffic and not considered a strategic problem.

### The role of peripheral town

RH explained that owing to the overall growth being in the north of the Borough, this leaves towns such as Meltham, Marsden and Holmfirth somewhat quiet in the way they are represented in the Local Plan. There is strategic landscape character work underway to help understand the role of settlements such as these on the edge of the National Park.

Suggestion made to introduce a new row in the Kirklees DtC table to pick up these issues then re-consult the PDNPA officers.

In a recent meeting with Sarah Fowler (PDNP CEO) a similar question had emerged, namely what role do these/could these areas play, particularly with regard to tourism business and access to the National Park? How strategically important are towns on the periphery to the National Park?

There is a desire to move on from the recent tourism brand of “Last of the Summer Wine” country, possibly more towards active recreation.

### Recreation Hubs

BT explained the emerging work on recreation hub sites in the National Park and explained the intention to progress this as an Area Action Plan style DPD.

This is potentially an area of good cross boundary linkage and as such there is interest on both sides in engaging early on the development of this policy.

### Neighbourhood planning

There is already a commitment to joint working on the Holme Valley Neighbourhood Plan with the village of Holme at the southern edge of the area inside the National Park.

### Position on housing allocations

NPA officers have made an objection to site H52 at Meltham for 33 houses as this lies right on the boundary of the National Park.

BT explained approach being taken by NPA is to not object whole but be selective to those sites that have the biggest impact and working closely with neighbouring and constituent authorities to improve policies for development the fringe and setting of the National Park where this can bring about more appropriate design, character and development density to reflect the deeper rural character of the area.

RH explained site H52 arose out of SHLAA work and was speculative in nature.

As such RH and JB had suggested the site could be rejected.

### Approach to wind energy

No intention to bring about a buffer zone, but similarly KBC are not interested in formal search areas. Therefore with a strong element of protection for the southern fringe of the Borough including the policy regarding the setting of the National Park there is agreement that development is likely to be appropriate. BT guided RH and JB on work done by the NPA on Climate Change and Sustainable Building (including renewable energy projects).

### Reinterpretation of National Park boundary

BT explained that as part of work to revise the development management policies, officers at PDNP are also updating the policies map. This includes a complete re-digitisation of the NP boundary to snap more accurately and consistently to features on the ground.

RH asked that when this is ready could a GIS data file be sent through to colleagues at KBC.

## Duty to Co-operate Discussion

### Peak District National Park Authority

25th July 2013

#### Attendance

**Mike Hase (DDDC)**  
**Brian Taylor (PDNPA)**  
**Ian Fullilove (PDNPA)**

MH outlined the chronology and situation with regards to the Derbyshire Dales Local Plan, and the key housing policies contained within it, and also how the Derbyshire Dales Local Plan Pre Submission Draft is intended to compliment the PDNPA Core Strategy, and the High Peak Local Plan by ensuring that there is consistency in approach across on issues and policies in the Peak Sub Region.

MH also indicated that the Derbyshire Dales Local Plan Pre Submission Draft also included Policy DM5 which sought to ensure that any development within the plan area should not have an adverse impact upon the purposes of the National Park, and was in fact a continuation of the policy contained within the currently adopted Derbyshire Dales Local Plan.

BT/IF indicated their support for this approach, and pointed out that in their reps on the Derbyshire Dales Local Plan Pre Submission Draft that where it refers to the National Park it should refer to the Peak District National Park Authority (**MH agreed to correct it where necessary**).

It was also suggested that the Peak Distinct National Park may appear in support of the Local Plan at the Local Plan EIP, especially in relation to enabling work undertaken in respect of affordable housing, to show support for the approach being taken.

A discussion was held in respect of the affordable housing policy, which allows open market housing in certain circumstances as part of an exceptions scheme – MH explained that this was against a backdrop of reducing HCA funding and the advice contained within the NPPF. BT/IF understood why the approach was being taken but the approach was different in the National Park, because of the need to ensure that the conservation purposes are addressed as primacy and advised that they are preparing a paper on cross subsidy and interpretation within the National Park – further details to be provided.

The next part of the discussion focussed upon the relationship of the Local Plan with the LSP (now known as the Peak District Partnership), and Business Peak District, and how the Derbyshire Dales Local Plan Pre Submission Draft is seen to complement their aims and objectives.

On housing markets a number of comments were made in respect to the decision by High Peak Borough Council not to undertake a Joint SHMA update with DDDC, and that the PDNPA preference was for the existing housing markets with the Sub Region HMA area be used as the basis for any future housing requirement assessments.

IF pointed out that there were a couple of settlements, where the Settlement Framework Boundaries included within the Derbyshire Dales Local Plan Pre Submission Draft Settlement Framework Boundaries fell part within and part outside the National Park eg Bonsall - some

adjustments would be required to be made to the Settlement Framework Boundaries to reflect the PDNPA boundary.

There was acknowledgment of the work we had undertaken jointly across the Peak Sub Region such as in respect of climate change, and affordable housing for example. Agreed that this work would continue where feasible and appropriate to do so.

On cross boundary matters the following issues were identified as being important to ensure that there is consistency.

1. Long Distance Trails – Need to ensure there is continuing support for these especially as £12m available for cycling funding to support improvements to the Monsall Trail
2. Nature Conservation – Agreed that need to ensure consistent approach for both designated areas eg SSSI's and SAC's and for non designated areas such the Natural Zone

***Finally agreed that it would be useful if there was a note from PDNPA which indicated that they were happy with the joint working and that in their opinion it satisfied the requirements of the Duty to Co-operate***

## **Duty to Cooperate Meeting – Derbyshire Dales District Council and Peak District National Park Authority**

**24<sup>th</sup> September 2015 Derbyshire Dales District Council Offices, Matlock at 10am**

### **Present**

Mike Hase (MH) – Policy Manager Derbyshire Dales District Council

Esther Smith (ES) – Senior Planning Policy Officer Derbyshire Dales District Council

Brain Taylor (BT) – Peak District National Park Authority

Ian Fullilove (IF) – Peak District National Park Authority

### **Purpose**

The District Council has recently published updated evidence on the assessment of housing and economic development need to inform the next stages of plan preparation. The aim of the meeting was to discuss assumptions about potential housing provision within the Peak District National Park part of the District over the plan period 2013-2033. In addition to discussion on the outcomes of the emerging evidence the main points for consideration were:

1. Level of past completion rates in five year tranches from 1991 to date
2. Level of existing commitments within Derbyshire Dales in the National Park (i.e. sites with planning permission) and likelihood of development
3. SHLAA sites with potential for development and intelligence on sources of supply
4. Overall Conclusions

### **Introduction**

MH provided an update on progress with the revised evidence base for the emerging Derbyshire Dales Local Plan, principally work on the OAN for housing and economic development needs, landscape sensitivity study, infrastructure and CIL and settlement hierarchy. The emerging evidence is to be presented to meetings of the Local Plan Advisory Committee during September, with a meeting of Council scheduled for 12<sup>th</sup> October 2015 at which agreement to undertake a strategic consultation on the emerging findings of the evidence will be undertaken across the Derbyshire Dales authority area including within the Peak District National Park. A 'newsletter' identifying the key issues from the evidence for the Local Plan will be delivered to all households, with consultation scheduled to run from 2<sup>nd</sup> November – 14<sup>th</sup> December 15.

### **Derbyshire Dales District Council – Assessment of Housing and Economic Development Needs**

MH outlined the findings of the OAN study, key points discussed include:

- **HMA** – Derbyshire Dales is not within a self-contained HMA, with the southern part of the District overlapping with the Derby HMA, the northern part of the District overlapping with Sheffield and middle having links to Derby, Chesterfield and Sheffield. The conclusions on HMA and links to neighbouring areas will help to inform discussions under the Duty to Cooperate in terms of assistance to meet housing needs and any identified shortfall in provision. The study states that there are very limited links between Derbyshire Dales and High Peak Borough Council, reaffirming that the previous grouping under the RSS of a Peak Sub Region now has very limited weight.
- It is intended that a workshop is held with all neighbouring authorities to discuss the emerging evidence on the HMA of the Derbyshire Dales and objectively assessed need for housing.

- Due to the different stages of plan preparation in neighbouring authorities and that their evidence has been prepared on traditional HMA groupings – such as Derby HMA, further work will be required with partners to ensure that the wider influences of the identified Derbyshire Dales HMA are addressed to satisfy an Inspector.
- **Economic Influences** – BT queried the extent to which economic influences, including the growth aspirations of LEPs and the District Council had been reflected in the study. MH stated the consultants had considered two different forecasting models. The report recommends that the Local Planning Authority should take a more positive approach to economic growth and accordingly concludes that on the basis of all available data, a reasonable evidence based assessment of economic growth potential would be for employment growth of 1,700 jobs over the period 2013-2033, accordingly 57 additional dwellings would be required per annum to support economic growth.
- **Market Signals** - MH outlined the market signals considered in the OAN report in respect of affordable housing needs across the district, recommending that there is clear evidence to support an uplift on the overall housing requirement to address the affordable housing needs of the District.
- The report identified an Objectively Assessed Need for housing for 322 homes per year (2013-33) across the whole of the Derbyshire Dales (244 demographic + 57 economic growth + 21 affordable = 322).
- The final recommendations of the report state that the OAN should be split across the District, based upon a 65% and 35% split of population. Using these proportions the consultants have sought to calculate the need arising from within and outside the National Park, as 95 dwellings per annum in the PDNP and 227 within the Plan area.
- Emerging evidence on SHLAA capacity indicates a significant shortfall to meet the OAN across the Derbyshire Dales.

### **Evidence of Supply within the Peak District National Park**

BT and IF outlined the special circumstances and statutory designations of the PDNP which limit the ability of the authority to assist with housing needs. National policy expects the designation of a National Park to restrict development and thus there is not an expectation that a National Park will seek to meet its objectively assessed housing needs in full, rather the policy focus is on meeting local needs with a specific aim to provide affordable housing in the Park.

BT Questioned whether GL Hearn had considered the special circumstances when concluding that a 35% split and 95 dwellings per annum should be provided within the PDNP? BT made the point that simply apportioning a figure based on population split is not an adequate means of taking National Park purposes into account. It is not a reasonable assumption to simply apply the same aspirational objectives for jobs growth and affordable housing uplift across the whole District, including the National Park. As such the figure of 95 is not accepted and there was no consultation with the National Park Authority in developing this figure. However MH stated this had been considered and it was agreed that the statutory purposes of the PDNP result in constraint and accordingly the PDNPA will be unable to deliver the 95 dwellings per annum identified in the GL Hearn report.

IF outlined intelligence on possible sources of housing supply within the Park, including the following:

- Redevelopment at Bradwell engineering for 55 dwellings. Agreement between the developer and community through the Neighbourhood Plan has informed the scheme for this site. BT stated that in policy terms a scheme for more than 55 units would have been supported in principle and still could if material considerations indicate otherwise.
- The Bradwell Neighbourhood Plan identifies a boundary for the settlement, BT outlined that there may be some scope for small scale infill within the boundary but this would only be to support local needs on an exception basis. 5 -10 dwellings may be brought forward in this context.

- Hartington Creamery scheme – recently refused and pending an appeal hearing. Application for 26 dwellings.
- Bakewell Riverside – mixed use scheme being promoted. Seek to retain employment uses on site with element of housing, retail and commercial uses
- Historical commitment data within the PDNP is not complete with gaps in evidence. BT acknowledged that this area of work needed to be reviewed and updated. IF agreed to provide MH with historical commitment data by mid October 15.
- Completions – IF agreed to provide MH with completion data by mid October 15.
- BT stated that work will be undertaken to review potential sources of future supply within the key settlements identified in the adopted PDNPA Core Strategy – notably Bakewell, Bradwell, Hartington, Tideswell and Hathersage.
- SHLAA evidence – IF has previously appraised all sites identified in the Peak Sub Region SHLAA published in 2009. It was agreed that a detailed review and schedule of sites from the previous SHLAA would be provided by IF. MH stated that the re- appraisal of historical SHLAA sites should be mindful of guidance in the NPPF/NPPG regarding demonstrating the availability, suitability and achievability of sites included in evidence of housing land supply.

### **Agreed Actions**

The principle actions and next steps agreed at the meeting include:

1. PDNPA to provide an updated schedule of sites and opportunities in the Park to meet housing needs. This will include appraisal of SHLAA sites and information on historic completion and commitment data.
2. Intelligence and evidence to support a windfall allowance will be documented and supplied.
3. A statement on the statutory purposes of the National Park and the implications of constraint on the ability of the PDNPA to contribute towards the level of housing need identified in the GL Hearn Study and thus associated impact upon Derbyshire Dales District Council to meet the identified OAN will be provided and agreed by both parties.
4. IF and BT agreed to provide the above information by Mid October.

### **Date of Next Meeting**

Next meeting to be arranged for the beginning of November. ES to liaise with IF to arrange next meeting.

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**PEAK  
DISTRICT  
NATIONAL  
PARK**

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Mr P.L Wilson  
Corporate Director  
Derbyshire Dales District Council  
Town Hall  
Matlock  
Derbyshire  
DE43NN

Your ref: PHS-PW

Our ref:

09/05/2016

**DERBYSHIRE DALES LOCAL PLAN - DUTY TO CO-OPERATE**

Dear Paul,

Thank you for your letter dated 7 April 2016. We can confirm that the matters indicated represent a correct summary of the strategic cross boundary matters identified with the Peak District National Park Authority.

The National Park Authority has considered its position with regard to the requirement for Derbyshire Dales to meet Objectively Assessed housing need. We note that your Draft Local Plan includes a figure for delivery from sites of over 10 units, and that it also includes figures for completions and commitment and windfall opportunities on sites of less than 10 units. However, whilst your Plans Advisory Group papers from February 2016 include a table showing the 400 indicative figure for the National Park (made up of commitments between 2013 – 2015, plus an indicative figure for 2015 – 2033), the Draft Local Plan does not. The NPA requests that you quantify the contribution that is anticipated from the National Park as **400 indicative** in the Local Plan.

The figure of 400 has been carefully worked out taking into account our intelligence of sites most likely to come forward during the plan period. Reference to this figure will helpfully show the agreed quantum anticipated in the National Park area. As you will know the National Park operates an exceptions approach to housing development in order to reflect the statutory purposes and duty of National Park designation. As



such it is not possible for the Authority to plan for a different figure with any degree of certainty, be it high or lower. Monitoring consistently reveals that fluctuations take place within housing commitments reflecting, for example, changing economic cycles, government spending programmes and the speculative nature of larger redevelopment opportunities driven by our conservation and enhancement purposes.

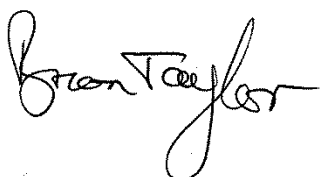
However, the figure also reflects the fact that since the adoption of the Core Strategy in 2011, work to establish capacity for development in the larger villages in the National Park, plus adopted neighbourhood plans, suggests that there may be marginally less scope for new housing on some sites than was evident in 2011. This is partly because the anticipated numbers set out in the 2009 SHLAA have had to be reassessed, e.g. those numbers anticipated for sites in Bakewell, Bradwell and Hartington have all been reduced following local community input into planning decisions or via the Neighbourhood Plan process. So it is not unreasonable to consider that numbers might actually decrease rather than increase.

As such it is felt that the indicative figure of 400 remains the best estimate for delivery and this should be formally reflected in the Derbyshire Dales Local Plan. To simply set an arbitrarily higher figure in order to accommodate unmet needs in the remainder of the Derbyshire Dales is the wrong spatial logic when considering the impact of National Park purposes. This is a position the Authority has expressed consistently in duty to cooperate discussions with the other constituent authorities that share the area of the Peak District National Park.

The National Park Authority considers that both positive and negative factors will influence its ability to permit housing up to 2033, and that on balance those factors justify retention of the 400 indicative figure.

The National Park Authority stresses that the indicative figure is neither a target nor a limit, and the Authority will continue to co-operate with Derbyshire Dales District Council to provide figures for housing commitments and delivery, in so far as that is reasonable given its own monitoring capability.

Yours sincerely

A handwritten signature in black ink that reads "Brian Taylor". The signature is written in a cursive, flowing style.

Brian Taylor  
Policy Planning Manager

**Cc John Scott and Sarah Fowler**

## **Note of Planning Policy meeting between Staffordshire Moorlands District Council and the Peak District National Park Authority**

**Date:** 7 January 2016

**Venue:** Aldern House, Bakewell

**Present:** Ruth Wooddisse (SMDC) Brian Taylor (PDNPA)  
Mark James (SMDC) Ian Fullilove (PDNPA)

### 1. Local Plan / LDF update

#### a. SMDC Options Consultation and forthcoming Preferred Options

MJ and RW provided an update on the content and feedback from the Options Consultation held during the summer of 2015. The consultation considered site options and wider policy matters and generated 5500 responses. Comments were being analysed to inform the preparation of the Preferred Options Local Plan which was due for public consultation in April 2016.

#### b. SMDC evidence base update

MJ referred to the recently commissioned update to the assessment of the objectively assessed need for housing which was due to report back in late January. An assessment of plan and site viability had also been commissioned recently. It is also proposed to commission a heritage and landscape study to consider the impact and potential mitigation measures for the Preferred Options sites.

#### c. PDNPA plan and evidence update

BT and IF explained that a Development Management Policies DPD was due for consultation in April 2016. The plan would relate to the adopted Core Strategy. A new Policies Map would also be prepared. In addition, a series of "Area Action" style plans are scheduled for Recreational Hubs within the National Park to set the framework for future improvements. An Issues and Options consultation on these plans would take place in 2016.

### 2. Discussion of potential areas of cooperation

#### a. Housing development within the National Park

A discussion was held around the scope for the new Staffordshire Moorlands Local Plan to make an allowance for potential housing completions within the parts of the district that lies within the National Park. This approach has previously been taken forward in High Peak and Derbyshire Dales. Furthermore, it was confirmed by MJ that the objectively assessed need for housing figure for Staffordshire Moorlands relates to the whole district.

BT set out two possible options for calculating the potential number of relevant completions in the National Park. 1. – a trend based approach looking at past completions, or 2. – a review of potential sites that may come forward. Given the relatively small size of sites expected to come forward in Staffordshire Moorlands and the associated potential for windfall sites, it was agreed that a trend based approach was appropriate.

**ACTION** – PDNPA to advise SMDC on an appropriate trend based housing completions figure for the plan period (2011 to 2031). Ideally, this information would be available before SMDC agrees its Preferred Option housing requirement in early February.

#### b. Policies to consider the setting of the National Park

RW began the discussion by talking through the potential housing allocations and infill boundary proposals in the vicinity of the National Park as identified in the recent Options Consultation. These included proposals at Blackshaw Moor, Meerbrook, Bradnop, Winkhill and Waterhouses.

BT and IF did not identify any significant concerns with the options. However, BT stated that development should look to soften the edge of settlements through sensitive layouts and design where appropriate.

MJ stated that the policies of the new Local Plan would seek to ensure landscape matters, including the settling of the National Park. They could take the form of a generic design policy and site specific policies where appropriate.

ACTION – MJ to share relevant draft policies with the PDNPA for comments

#### c. Evidence base studies

It was agreed that it would be helpful if the PDNPA had the opportunity to review the forthcoming landscape and heritage assessment of the Preferred Option Local Plan. The study was expected to commence after the publication of the Preferred Options in April 2016.

ACTION – MJ to invite PDNPA to comment on study as details emerge.

#### d. Management of neighbourhood planning

It was agreed by all parties that a consistent approach to supporting Neighbourhood Planning in Parishes that span the two Local Plan areas. The approach could reflect that already agreed between High Peak and the National Park Authority.

### 3. Duty to Cooperate Statement / Memorandum of Understanding

A MoU between SMDC and the National Park Authority was proposed by SMDC to cover the issues identified above where continued cooperation was appropriate.

The principle of the MoU was agreed by the National Park Authority who also suggested that this could potentially relate to the Strategic Alliance and therefore also include the existing MoU with High Peak Borough Council.

ACTION - MJ look into the suitability of a MoU for the three authorities and to circulate a draft MoU for consideration by the National Park Authority in due course.

### 4. AOB

BT suggested that he would welcome the opportunity to discuss housing enabling work with the relevant contact at SMDC. A discussion was held around housing enabling work in Meerbrook and on whether the Housing Needs Survey had been refreshed.

ACTION – MJ to let BT know who the relevant contact is following the Strategic Alliance Service Review.

ACTION – MJ to let BT know if an update to the Housing Needs Survey in Meerbrook was undertaken.



## 13. Cheshire East

### Duty to Co-operate meeting – Peak District National Park and Cheshire East Local Plans

26<sup>th</sup> March 2015

#### Agenda

1. Introductions
2. Purpose of meeting – Update on current work streams for the Cheshire East Local Plan Strategy and other plan making activities being pursued by each authority
3. Background to suspension of Cheshire East examination
4. Progress with addressing the Cheshire East examination Inspector's interim views
5. Potential implications for the Peak District National Park
6. Plan making progress in the Peak District National Park
7. Other plan making activity in Cheshire East
8. Any follow up work to pursue

Led by Julian Jackson for Cheshire East council and Brian Taylor and Ian Fullilove for the Peak District National Park Authority

#### Extract of map from Peak District National Park Core Strategy showing the designated area in relation to constituent authorities



#### Background to suspension of Cheshire East examination

Need to consider the effects of a changing plan on neighbouring areas

Examination into Cheshire East Local Plan took place in September 2014 but after 3 weeks the hearings were held in abeyance.

The hearings did not cover/deal with site specific matters

The Inspector (Steven Pratt) was happy with the Duty to Cooperate

However he was principally concerned by the mismatch between Economic Strategy and proposed housing supply. Alongside this other concerns included:

- The need to take the LEP more firmly into account. The council should not distance itself from LEP aspirations as these are real objectives for Cheshire East;
- The need for a higher housing figure;
- Associated greenbelt review matters and the need for further work to be done;
- Insufficient justification for the new northern green belt;
- Underestimating jobs growth;

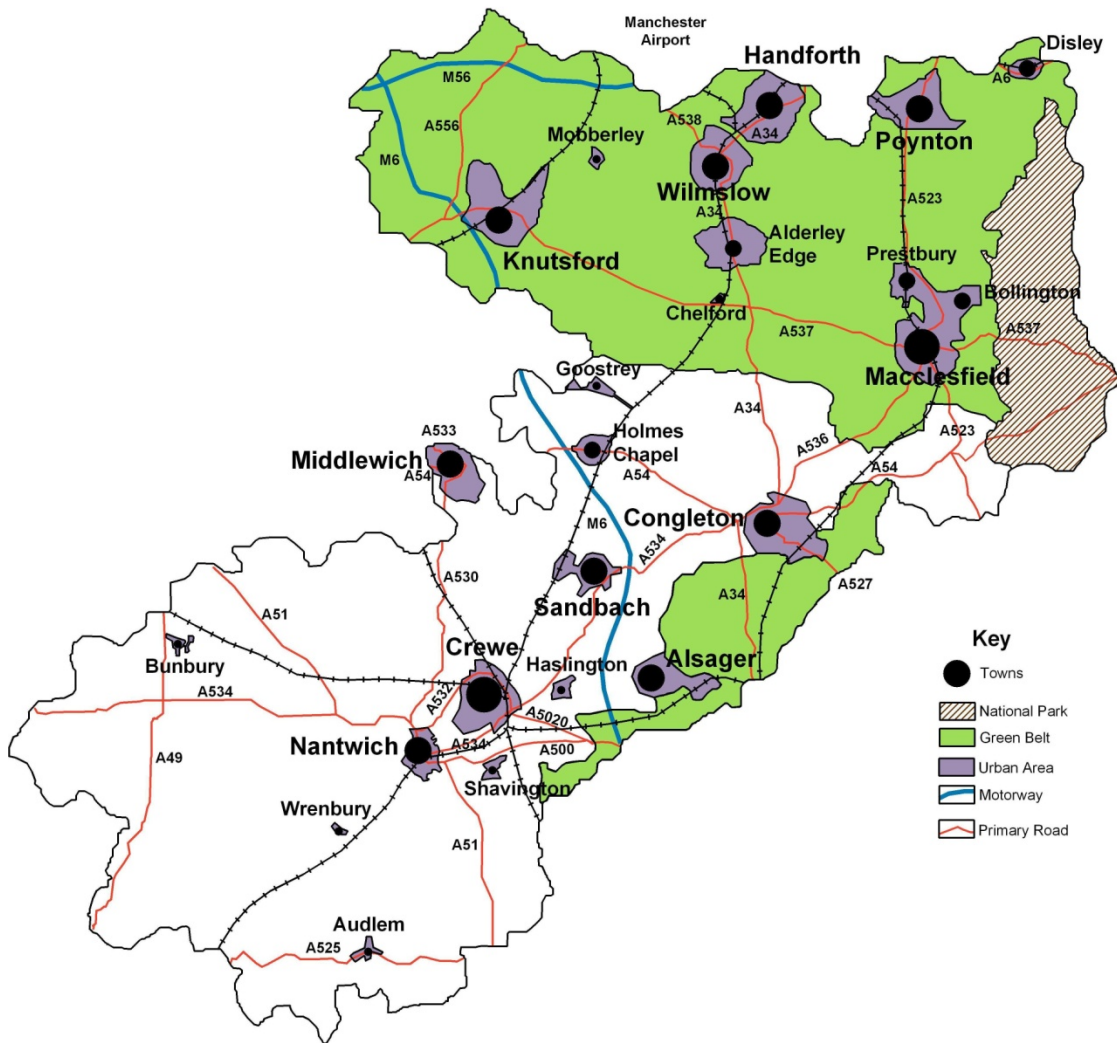
### **Progress with addressing the Cheshire East examination Inspector's interim views**

As a result Cheshire East Council are forming work streams to respond to these concerns. Overall this work needs to be responsive to growth in Cheshire East with the message, "don't hold back".

While the previous work under DtC was satisfactory the Inspector has suggested that other areas (e.g. the Potteries) can look after themselves and there is a greater need to facilitate growth in their own area. For instance the smaller towns in the northern part of the area (historically protected by the greenbelt), may be an outlet for growth.

There is an overall need for the council to revisit housing numbers and site opportunities by reassessing urban capacity, particularly in the northern towns in the greenbelt.

Following this work a series of workshops are planned with the aim of going back to the Inspector in July with a set of proposed changes to the plan.



### Potential implications for the Peak District National Park

Another question had been raised over the 500 homes that Cheshire East had offered to take from High Peak which had been viewed as a means of addressing a cross boundary issue in the north east corner near Disley and which in itself also eases some pressure on the National Park. However in offering to take on these numbers the Inspector queried the wider rationale, ie what need does it address in Cheshire East and for what objective? Economic growth or housing markets?

At this time the 500 house arrangement with High Peak still stands.

It was considered that there were unlikely to be implications from a changed approach to responding to economic growth.

The 5 purposes of greenbelt were being applied in the greenbelt review and this was considered adequate to consider the impact on wider landscape quality.

Improved policies for the setting of the National Park had already been agreed during the publication stage including references to the flow of landscape character.

Question asked as to whether there was any relationship between the flow of aggregates and the supply of housing in the National Park. However the exceptional routes for both housing and minerals were considered to be quite distinct from these more market driven pressures for housing growth.

### Plan making progress in the Peak District National Park

National Park officers confirmed that the Core Strategy for the National Park was adopted in October 2011 and that the current work stream is centred on a part 2 style development management policies document and related Policies Map. Officers passed over a newly agreed Local Development Scheme setting out the programmes of work.

Future work streams include a Recreation Hubs Area Action Plan which have a bearing on areas such as Lyme Park and Macclesfield Forest as key sites and gateways into the National Park landscape.

In addition 8 areas have now been designated for neighbourhood plans in the National Park. This has the opportunity to respond creatively to large areas of constrained landscape with no settlement opportunities.

### **Other plan making activity in Cheshire East**

There is a huge amount of activity in relation to neighbourhood planning. A change in leadership on community led work reflects the need to manage growth flowing from the Local Plan. An opportunity has been offered to communities to help manage the anticipated growth through localised neighbourhood plans.

#### **Peak District National Park Authority**

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**PEAK  
DISTRICT  
NATIONAL  
PARK**

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Your ref: SP4 LDF V

Our ref:

Date: 06/07/2015

Dear Adrian

### **CHESHIRE EAST LOCAL PLAN STRATEGY – DUTY TO COOPERATE**

In response to your letter dated 29<sup>th</sup> June 2015, this Authority acknowledges and understands the position Cheshire East Council proposed to take to meet its objectively assessed housing need and allocate sufficient sites to enable that to happen.

This Authority has noted the work done to review the Cheshire East green belt. In so far as any of the areas of green belt are considered to be adjacent or very close to the National park boundary, this Authority notes and welcomes the conclusion that they are of major or significant contribution to the green belt. The conclusions lead us to conclude that these areas of green belt are the least likely to be developed, and on this assumption, this Authority is satisfied that the increased numbers of housing that need to be delivered in Cheshire East will be delivered in areas where development will not pose a threat to the integrity of the National Park. The Authority however welcomes the offer of ongoing dialogue on the development of the Cheshire East Local Plan Strategy and will assist the Council as necessary and proportionate to any Authority issues and concerns.

In line with the purposes of National Parks, the National Planning Policy Framework and the English National Park and the Broads Vision and Circular, and the Authority's development plan, the Authority does



not permit housing to meet general housing need. This Authority is therefore not in a position to offer to take any of the objectively assessed housing need on a formal basis. However, in common with our approach for other constituent authorities, this Authority agrees that any housing delivered in the Cheshire East part of the National Park can be counted towards the Council's housing delivery figures.

The Authority thanks the Council for its continued dialogue on the development of the Local Plan Strategy and will continue to follow the Council's progress through to plan adoption.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Fullilove', written in a cursive style.

Ian Fullilove  
Policy Planner

## 14. High Peak

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Dai Larner  
Executive Director  
High Peak Borough Council  
PO Box 136  
Buxton  
Derbyshire  
SK17 1AQ

Your ref:

Our ref: A.6101/BJT

Date: 13<sup>th</sup> February 2014

Dear Mr. Larner

### **High Peak Local Plan Duty to co-operate**

Thank you for your letter dated the 10<sup>th</sup> January.

Firstly, I can confirm that the Authority has responded to the latest Local Plan consultation for High Peak. Our response is consistent with comments made previously by the Authority with regard to proposed sites. We trust that this, along with other responses, will help provide High Peak Borough Council with the evidence they need to make decisions on these sites.

With regard to matters of housing numbers and delivery we fully understand the reasons for making this request under the Duty to Cooperate. However our position is clear and supported by the Government in its Vision and Circular for National Parks<sup>1</sup> that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will focus on addressing affordable housing needs.

The National Park Authority is confident in its approach to managing development appropriate to its statutory purposes and in response to community needs. As such a move away from these sound principles to one involving the accommodation of growth from elsewhere is not a position the Authority can support and runs counter to the logical spatial principle that development pressure can be absorbed by areas outside the Parks in the national interest. This also ensures that neighbouring planning authorities in the wider Peak District are meeting their legal duty to have regard to National Park purposes in planning across strategic areas.

We welcome your recognition of the environmental protection afforded to the Borough, by virtue of both national park and green belt designation. It is clear that this has already helped to justify a constrained context for housing supply in the High Peak, and we support that position. We have also continued to support the facility that any housing permitted in the High Peak part of the National Park is counted towards any housing target for the Borough.

I was pleased to note your acknowledgement of the various commitments we have already made to work collaboratively on a range of initiatives, including evidence gathering and infrastructure matters.

The Authority takes its responsibility to its communities seriously. As such we were pleased to take up the offer of proactive work (through a service level agreement with High Peak Borough Council) to undertake housing need surveys, and site searches with High Peak communities within the National Park through to

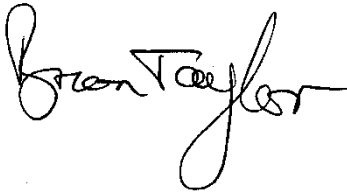
<sup>1</sup> English National Parks and the Broads – UK Government Vision and Circular 2010.

2015. This work offers High Peak Borough Council an up to date picture of housing need, and gives Housing Officers a clear steer on sites that are acceptable for development in principle, subject to land owner support and finances being available. The National Park Authority has a long history of helping to broker such schemes.

As such it is our feeling that the Authority is already meeting its duty to cooperate on these significant cross boundary matters.

I am, of course, happy to discuss any of this response with you if it raises questions that you wish to explore further.

Yours sincerely

A handwritten signature in black ink that reads "Brian Taylor". The signature is written in a cursive style with a large, looping initial 'B' and a long, sweeping tail on the 'y'.

Brian Taylor  
Policy Planning Manager

## **DUTY TO CO-OPERATE**

### **Memorandum of Understanding between the Peak District National Park Authority and High Peak Borough Council.**

This Memorandum of Understanding establishes a framework for co-operation between Peak District National Park Authority and High Peak Borough Council. It primarily relates to the preparation of Development Plans in the two local planning authority areas but also sets out a framework for future collaboration on identified strategic cross boundary planning issues. It is made within the context of the Duty to Co-operate as required under Section 110 of the Localism Act 2011.

#### **Purposes**

- Establish areas of agreement in relation to strategic planning and development issues between the Peak District National Park Authority and High Peak Borough Council;
- Identify areas where further work is required;
- Set out a future work programme for areas of collaboration

#### **Scope**

The scope of this Memorandum of Understanding is to cover:

- Planning and monitoring housing provision across High Peak Borough, including within the High Peak part of the National Park
- The protection of the setting of the Peak District National Park and recognition of the Park's statutory purposes
- Joint working on infrastructure planning
- Joint working on evidence gathering to inform future planning policy reviews and strategies
- Support for Neighbourhood Plans that cover both Local Planning Authority areas

#### **Limitations**

For the avoidance of doubt, this memorandum shall not fetter the discretion of the local authorities in the determination of any planning application, or in the exercise of any of its statutory powers and duties, or in its response to consultations, and is not intended to be legally binding. The terms of the Memorandum of Understanding can be dissolved at the written request of either party.

#### **Established joint working arrangements**

The Peak District National Park Authority, High Peak Borough Council and Derbyshire Dales District Council have worked jointly to commission evidence base studies which relate to the Peak Sub-Area <sup>2</sup>as identified in the former East Midlands Regional Plan. The Peak Sub-Area Local Planning Authorities have also jointly explored infrastructure requirements and potential funding arrangements in the form of joint workshops with infrastructure providers and the commissioning of a Community Infrastructure Levy Study.

Both authorities are members of wider partnerships that help to inform and deliver Development Plans in the Peak District National Park and High Peak. These include; High Peak and Hope Valley Community Rail Partnership, Visit Peak District and Derbyshire, Peak District Partnership, the Wider Peak District Cycle Strategy Steering Group, and Business Peak District.

Regular communication is taking place and meetings have been held between the two local planning authorities to discuss and agree strategic cross boundary planning matters in accordance with the Duty to Co-operate as set out in statute and National Planning Policy Framework and Guidance

### **Current Development Plan position (June 2014)**

The current position is as follows:

- The Peak District National Park Core Strategy was adopted in 2011. It provides the spatial strategy and strategic policies for the National Park up to the year 2026.
- A Development Management Policies Development Plan Document for the Peak District National Park Authority is under preparation and will replace the saved policies of the Peak District National Park Local Plan 2001;
- The High Peak Local Plan was published on 23<sup>rd</sup> April 2014. The document sets out the overall vision and planning strategy for High Peak along with allocating all development sites and specifying development management policies.
- A range of Neighbourhood Plans are also now emerging across these planning areas, the most progressed of which is the Chapel-en-le-Frith Neighbourhood Plan which crosses the boundary of High Peak and The National Park for planning purposes. If adopted this will form a part of the development plan for each area.

## **MAIN PROVISIONS**

### **Planning, monitoring and enabling housing provision across High Peak Borough, including within the Peak District National Park**

#### Agreed

- The draft High Peak Local Plan makes provision for at least 7,200 dwellings over the period 2011-2031 at an average annual development rate of 360 dwellings. The planned requirement is less than the full objectively assessed need for housing arising in the whole of the Borough, including the Peak District National Park (420 to 470 dwellings per annum, as at February 2014);

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<sup>2</sup> Peak Sub-Area consisted of High Peak Borough, Derbyshire Dales District and the whole of the Peak District National Park

- The High Peak Local Plan does not make provision to fully meet current objectively assessed needs for housing within High Peak due to development constraints related to impacts on landscape character, including the Peak District National Park and the impact on highways infrastructure in High Peak and Cheshire East and Greater Manchester;
- The Cheshire East Local Plan Strategy (as published in March 2014) will make provision for a 500 dwelling contribution towards the housing required in High Peak Borough during the period 2020-2030 (an average of 50 dwellings per year). This contribution is proposed, in part, to help avoid over development in proximity to the Peak District National Park. The 500 dwelling contribution will not result in the whole of High Peak's objectively assessed need for housing being met.
- The Peak District National Park Authority support the principle of below trend housing provision in the High Peak Local Plan in recognition of development constraints, including the need to protect the setting of the National Park. The principle of below trend housing provision in High Peak was previously established in the East Midlands Regional Plan;
- The High Peak Local Plan includes an estimated contribution of 110 dwellings towards High Peak's housing needs which may be delivered within the part of High Peak which lies within the National Park. This figure relates to the High Peak Local Plan period (2011-2031) and is an estimate based on past delivery rates within the National Park. It does not represent a target for the Peak District National Park Authority. The figure will be subject to monitoring;
- The Peak District National Park Core Strategy does not include a target for housing development. Such development is strictly controlled in order to address the needs of communities in the National Park and ultimately to conserve and enhance the National Park.
- Borough Council housing officers will continue to reflect national park purposes, policies, and legal mechanisms when discharging their statutory housing functions in the national park area, e.g. through the allocation of completed affordable homes to people who meet the terms of signed Section 106 Agreements. This is to ensure that future development implications are taken into consideration. Close liaison with both the National Park Authority and rural parishes can ensure the future sustainability of schemes by addressing the needs of National Park communities in perpetuity.

#### Commitment to future work

- Data relating to housing commitments and completions across the whole of High Peak will be monitored and shared between the two authorities on an annual basis in order to effectively monitor housing provision to ensure that the 110 dwelling contribution identified in the High Peak Local Plan remains an accurate estimate. This information will inform any future review of the High Peak Local Plan. Use of the Derbyshire Local Planning Authority planning monitoring database (CDPSmart) will assist with this process;
- High Peak Borough Council will continue to work with other neighbouring authorities to identify the scope for them to accommodate the outstanding housing need for High Peak;
- The Peak District National Park Authority and High Peak Borough Council will continue to liaise and consult on future evidence gathering and Development Plan updates in relation to housing matters

#### **The protection of the setting of the Peak District National Park and recognition of the Park's statutory purposes**

## Agreed

- High Peak Borough Council recognises its duty to have regard to the purposes of the National Park as specified in the Environment Act 1995, namely;
  - (i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the national parks; and
  - (ii) to promote opportunities for the understanding and enjoyment of the special qualities [of the parks] by the public.
- The vision, objectives, spatial strategy, and policies of the High Peak Local Plan support the purposes of the National Park;
- In particular, the policies contained in the High Peak Local Plan provide an appropriate degree of protection to the setting of the National Park. The policies and the sites to which they relate have been informed by the High Peak Local Plan Landscape Impact Assessment. This assessment considered the impact of development sites on the setting of the National Park and recommended appropriate mitigation measures and policy responses to be included in the High Peak Local Plan.

## Commitment to future work

- High Peak Borough Council will apply the policies of the Local Plan that relate to the protection of the setting of the National Park during the determination of planning applications. These include Policies S1 (Sustainable Development Principles), EQ3 (Countryside and Green Belt Development), EQ5 (Design and Place Making) and relevant Strategic Development site policies;
- High Peak Borough Council will continue to consult with the National Park Authority on planning applications which adjoin or are in close proximity to the National Park boundary. Consultation on planning applications which are located away from the National Park boundary but which may have a significant impact on the National Park will also be undertaken.
- In accordance with the provisions of High Peak Local Plan Policy EQ5 (Design and Place Making) the Borough Council will require applicants to engage with the Peak District National Park Authority where relevant in the early stages of drafting proposals to discuss and agree appropriate designs, layouts, boundary treatments and other measures to mitigate landscape impacts and protect the setting and character of the countryside and National Park. When applicable, such matters will be discussed at the pre-application stage
- The National Park Authority and High Peak Borough Council will continue to consult and liaise on the progress being made on development sites close to the National Park boundary or which are located away from the National Park boundary but which may have a significant impact on the National Park in terms of the agreed policy positions regarding design and landscaping treatments to respect the urban/rural transition and the overall character and appearance of development and its impact on the setting of the National Park.
- The National Park Authority wishes to explore the scope for a gradual reduction in the spatial scale and quantum of housing delivery in respect of potential windfall sites and future land allocations at the edge of the National Park in response to landscape character

and capacity and to help High Peak Borough Council to have regard to National Park purposes<sup>3</sup> in pursuing its plan making function.

## **Joint working on infrastructure planning**

### Agreed

- The Peak District National Park Core Strategy, High Peak Local Plan and High Peak Infrastructure Delivery Plan have been informed by joint working in relation to identifying infrastructure capacity, future requirements and the viability of introducing a Community Infrastructure Levy;
- The Peak District National Park Authority and High Peak Borough Council will continue to work with and support partnerships that support and deliver infrastructure improvements;
- The National Park and High Peak share many key services and facilities which serve local communities, including schools, health care, transport and green infrastructure;
- The High Peak Local Plan provides policy support for the protection and enhancement of shared infrastructure and services;

### Commitment to future work

- The Peak District National Park Authority and High Peak Borough Council will liaise on future infrastructure planning to identify opportunities for further joint working;
- In the event that High Peak Borough Council decides to implement a Community Infrastructure Levy, the scope to include Green Infrastructure shared with the National Park Authority on its Regulation 123. "Infrastructure List" would be considered and prioritised accordingly alongside other measures required to support growth

## **Joint working on evidence gathering to inform future planning policy reviews and strategies**

### Agreed

- The Peak District National Park Authority and High Peak Borough Council have longstanding informal arrangements to jointly gather evidence to inform planning policies and strategies. Since 2007 the agreed basis for sharing the cost of commissions between the Authorities<sup>4</sup> has been based on the split of population and the degree of benefit that commissioned evidence can bring to the work of each Authority. The Borough Council will utilise evidence to support planning, housing and economic development functions as opposed to the single planning purpose for the National Park Authority. A contribution of 10% from the National Park Authority towards commission costs has historically been agreed as logical and reasonable broadly based on the distribution of population between the two local planning authority areas and contributions from other relevant authorities.

### Commitment to future work

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<sup>3</sup> National Parks and Access to the Countryside Act (1949) Section 11A as inserted by Section 62 of the Environment Act 1995.

<sup>4</sup> Including Derbyshire Dales where appropriate



- A joint programme will be agreed by both authorities to outline the timetable for reviewing and updating joint evidence base studies. The cost will continue to be shared on a basis proportionate to the nature and scope of the study. When applicable, this will reflect the distribution of population between the two local planning authority areas.

## **Support for Neighbourhood Plans that cover both Local Planning Authority areas**

### Agreed

- The Peak District National Park Authority and High Peak Borough Council support the preparation of Neighbourhood Plans that accord with the strategic policies of the Peak District National Park Core Strategy and High Peak Local Plan where applicable;
- Neighbourhood Planning support for Town / Parish Councils and Neighbourhood Forums will be provided by both the Peak District National Park Authority and High Peak Borough Council when a defined Neighbourhood Area spans the plan areas of each respective Local Planning Authority;
- Where formal decisions are required by a local planning authority in relation to the stages of neighbourhood planning as set out in the Neighbourhood Planning (General) Regulations 2012, the decisions will be taken by both High Peak Borough Council and the Peak District National Park Authority. The authorities will liaise over both committee timetabling and the content and recommendations of committee reports. Decision statements will be issued jointly and publicised by both authorities.
- Publicising neighbourhood areas and draft neighbourhood plans for public consultation will be carried out jointly by both authorities, over the same time-frame.
- The appointment of an independent Examiner will be made following agreement between both authorities and the Town or Parish Council / Neighbourhood Forum.
- Department for Communities and Local Government Neighbourhood Planning Grant will be claimed by High Peak Borough Council. Following receipt of each quarter's grant, Peak District National Park will invoice for a share reflective of the distribution of population across the Peak District National Park and High Peak Local Plan areas within the neighbourhood area in question.
- Costs of examination and referendum for a cross boundary Neighbourhood Plan will be shared according to the same division of Neighbourhood Planning Grant

### Commitment to future work

High Peak Borough Council will continue to liaise with the National Park Authority over the preparation, publication, examination and referendum of neighbourhood plans that cross the boundary of both local planning authorities.

### **Monitoring**

Details of activities undertaken in relation to this Memorandum of Understanding shall be recorded and published in a monitoring report in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012

### **Review**

This Memorandum shall be reviewed in whole or in part as required and at a minimum at the time of any relevant Development Plan update or Development Plan review.

**Signed:**  
**For High Peak Borough Council**

**Dated:**

**Signed:**  
**For the Peak District National Park Authority**  
**Dated:**

## Environment Agency follow up from DtC meeting on 18<sup>th</sup> March 2016

Hi Brian,

Thanks so much for our catch-up today. I thought it would be helpful to set out the actions from our meeting:

- ND to make contact with Christine Massey at Derbyshire County Council about attending the next Derbyshire Planning Policy Group to discuss the [new climate change guidance](#) (briefing attached).
- ND to make contact with Pat Lunn, Chair of Bakewell Town Council to offer Environment Agency support and explore their ambitions for allocating sites in the emerging Bakewell Neighbourhood Plan, which may introduce the requirement for additional flood modelling to understand the impact of the new climate change guidance on flood risk from the River Wye.
- ND to collate existing flooding information held by the Environment Agency for Peak District National Park Authority and send GIS layers to Alfie Kelly at PDNPA for possible inclusion in the policy maps.
- ND to discuss with flood risk colleagues the potential for housing as part of the mix at Riverside Business Park in Bakewell and any concerns this brings e.g. access and egress.
- ND to discuss with flood risk colleagues the availability of reservoir inundation maps for those communities in the National Park downstream of reservoirs e.g. around Bradfield and on the Oldham-side.
- ND explained that JD is collating updated plans and programmes for the Sustainability Appraisal Update, which will be sent to BT in the next few weeks.
- BT send ND emerging chapters on the natural environment from the draft Development Management Policies for informal consultation prior to statutory consultation expected in summer 2016.

Perhaps if we get together again in a couple of months time, especially once I understand more about the ambitions for the Bakewell Neighbourhood Plan.

Kindest regards  
Naomi

**Naomi Doughty** MSc (Hons); BSc (Hons)  
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