

# Independent Examination of Peak District National Park Development Management Policies

## Peak District National Park Authority Responses to Matters and Issues

NB, existing modifications are highlighted in red with suggested new changes shown with strikethrough and underline.

### Matter 1 – Duty to Co-operate

**Issue:** Have the requirements of Section 33A of the Planning and Compulsory Purchase Act 2004 and the Local Planning Regulations 2012 (as amended) been met?

#### **1 Overall, has the duty to co-operate been fulfilled? Give a brief overview about how this requirement has been met.**

National Park Authorities are inherently cross boundary organisations that regard partnership working as an underlying principle.

The unusual administrative context of the National Park is recognised in law. In addition to the responsibilities placed upon National Park Authorities in pursuing their statutory purposes and duty, other relevant authorities must also have regard to National Park purposes in pursuing their work where this might affect land in a National Park<sup>1</sup>.

In order to demonstrate fully how the Duty to Cooperate has been met, the Authority has produced a Duty to Cooperate Statement (SD15) which appears in the evidence library. An interim version was produced alongside the Publication Version of the Plan and this was updated to form the final version for Submission to the Secretary of State.

The National Park Authority describes its relationship to other local councils and therefore local planning authorities across the Peak District as “constituent and adjoining authorities”. There are 11 constituent authorities who share the area of the National Park along with a further 3 who share a common boundary (abutting the boundary). A map showing the location of these authorities is set out on page

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<sup>1</sup> Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended by section 62 of the Environment Act 1995).

5 of the Duty to Cooperate Statement (SD15), along with a summary map of issues at page 17 (Appendix 2).

Ongoing dialogue has been maintained with all these authorities since mid-2012 with the commencement of the work on scoping Issues and Preferred Approaches. The timeline at page 10 of the Duty to Cooperate Statement (SD15) provides a summary of the various forms of liaison and cooperation that has taken place, both specifically in relation to the Development Management Policies, as well as broader Duty to Cooperate discussions and other regular liaison meetings (such as those with Parish Councils and land owning bodies such as the National Trust).

In some cases where more significant cross boundary issues are evident additional work has been done to establish a deeper sense of understanding through a more formal memorandum of understanding. This has been established for both High Peak Borough Council and Derbyshire Dales District Council where the relationship to housing supply is the clearest. Presently work is also ongoing to establish a Statement of Common Ground with Staffordshire Moorlands District Council. In all such cases the agreement is signed by the leaders' (Chair of Authority with respect to the National Park Authority) in order to bring a high level ownership to what can be politically sensitive matters. Examples of these documents are available at Appendix 3 of the Duty to Cooperate Statement.

## **2 How has the duty to co-operate been met with regard to minerals and waste development?**

The significance of minerals development as a strategic cross boundary issue was recognised by the Core Strategy (as shown in Appendix 1 of the Duty to Cooperate Statement (SD15)).

The timeline at page 10 identifies several occasions where specific duty to cooperate meetings have been held to discuss cross boundary issues with Derbyshire Council, including specific discussion re the respective mineral and waste local plans.

A key ongoing element of this cross boundary issue is the need to produce a joint Local Aggregates Assessment (EB34). A recent revision to the Derbyshire County Council, Derby City Council and Peak District National Park Authority Local Aggregates Assessment was completed in 2017 and is included in the evidence library.

This maintains a long established principle from the former East Midlands Regional Plan that there should be a gradual reduction in the amount and extent of minerals being won from the Peak District National Park. Extensive permitted reserves both

within the National Park and to an even greater extent in neighbouring quarries in Derbyshire will seek to compensate for the reductions in the protected landscape over time. Upon successive reviews the regional apportionment figure for the National Park has and will continue to be reduced.

With regard to major sites such as that at Breeden Hope Cement Works, the Authority also maintains dialogue via attendance at the local liaison group which considers both operational and long term issues for the site.

### **3 How has the duty to co-operate been met with regard to transport infrastructure?**

Liaison on transport related matters takes place at a range of levels, from formal comments on Local Plans and Local Transport Plans, to consultation input to highways improvement schemes (including road repair, safety infrastructure, signage renewal, village parking and enhancement initiatives).

The Authority also works closely with statutory rail infrastructure bodies in schemes to improve the rail network (specifically with regard to the Hope Valley route and involvement in local community rail partnerships).

The Authority is a statutory consultee in plans to upgrade the Trans-Pennine routes crossing the National Park and impacting upon the A57 Snake Pass and A628 Woodhead Pass. Moreover the Authority has been closely involved in the Project Board of the Wider Transport Connectivity Assessment (led by Transport for the North and Highways England) exploring opportunities to upgrade the full A628 route across the National Park. Such schemes are investigating feasibility of a full or part tunnel as well as other upgrades from single to dual carriage status. This represents major development in the National Park and the full National Park Authority meets to discuss proposals as they emerge.

In an attempt to facilitate effective partnership working the National Park Authority also undertakes proactive work, such as to develop a Transport Design Guide SPD currently being developed in close consultation with statutory bodies, and via close partnership working on green infrastructure projects (e.g. joint bidding and delivery of the cycling and walking trails up to and through the National Park).

### **4 How has the duty to co-operate been met with regard to housing provision and contributions to constituent authorities' housing need?**

The response to question 1 above highlights the efforts that have made to work with local district housing authorities to reach shared understanding on the constraints upon the National Park in responding to growth.

A long standing principle from the former East Midlands Regional Plan provides that while the National Park does not have a housing target in response to its statutory protection, it does however seek to understand the local needs of its communities, particularly for affordable housing and in response to rural enterprises such as farming. Houses may also be realised in response to development which is required in order to conserve or enhance the National Park (e.g. via conversions and brownfield sites).

The outcome of such development is then made known to the respective districts following annual monitoring (CD36-CD39) and such figures may then be taken off the targets in these respective district areas. This understanding is restated and formalised in memorandums of understanding and follows through to Local Plan production by local councils.

To assist the understanding of local need the National Park Authority has contributed to the production of local evidence documents (such as Strategic Housing Market Area Assessment and Strategic Housing and Economic Land Availability Assessment (EB15-EB16)) produced at the District level.