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Schedule of main modifications post-hearing DEC 18

1 Introduction

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough, new text is <u>underlined</u>) |
|-----------------|-------------|---------------------------------|---|
| MM1 | 12 | Additional text after para 1.28 | <p>Approach to Major Development</p> <p><u>Long standing national policy objectives and guidance in the National Parks’ Vision and Circular (2010) are reflected in Core Strategy policy GSP1 which sets out the principle that major development should not take place within the Peak District National Park other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy. Since the adoption of the Core Strategy, national policy tests were reaffirmed in paragraph 172 of the NPPF (2018). Footnote 55 of the NPPF (2018) states, ‘<u>whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined’.</u> In making this assessment close regard should therefore be had to the impact of a scheme on the special qualities of the National Park utilising the Landscape Strategy and other tools advocated by this document.</u></p> |
| MM2 | 12 | 1.29-1.30 | <p>1.29 Monitoring has also highlighted a number of areas where approval of planning of planning permission has been granted contrary to policy, particularly in schemes involving judgement over the degree of conservation and enhancement benefit achieved in furtherance of National Park purposes. This has raised concern over the potential for loss of valued features and characteristics of the National Park prompting the call for further investigation of the use of s106 to seek wider benefits in order to mitigate such losses, particularly those involving heritage assets, areas of biodiversity or areas where the quiet enjoyment of the National Park is adversely affected.</p> <p>1.30 It is vital that priority remains with the achievement of the conservation and enhancement of the National Park’s valued characteristics. In many cases planning conditions will provide an appropriate mechanism to mitigate the impact and allow sustainable development to progress. However in some cases planning conditions may not be sufficient to outweigh the harm to the National Park. Here, planning permission should be refused. Nevertheless if approval is otherwise granted for material planning reasons but contrary to policy, s106 agreements could</p> |

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| | | | <p>be used to mitigate the impacts of the development and, where appropriate, secure wider benefit specifically in order to secure National Park purposes. Such benefits could include financial contributions towards landscape scale projects conservation projects or the pursuit of recreation opportunities.</p> |
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3 Conserving and enhancing the National Park’s Valued Characteristics

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM3 | 15 | 3.12 | <p>3.12 Applicants must <u>refer to the Landscape Strategy and Action Plan and</u> follow the steps below to fully address landscape considerations:</p> <ol style="list-style-type: none"> 1. Ascertain whether the development proposal is in the Natural Zone and check the exceptional criteria for development in the Natural Zone (see policy DMC2). 2. Identify the ‘Landscape Character Area’ and ‘Landscape Character Type’ of the development site using the Landscape Strategy and Action Plan interactive map on the National Park Authority website. 3. Identify the key characteristics of this ‘Landscape Character Type’ from the Landscape Strategy and Action Plan. 4. Note general comments from the ‘Issues of Change’ section <u>of the Landscape Strategy and Action Plan</u> for the development. (For low carbon and renewable energy projects note comments from the ‘Energy and Infrastructure’ section). 5. Identify the key landscape features for each character landscape type from the ‘Landscape Guidelines’ and the ‘Plan’ section of the Landscape Strategy. 6. <u>In addition</u>, consider historic landscapes and cultural heritage features using the Historic Environment Record of the relevant constituent local authority (see Appendix 1). |

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| | | | 7. Assess the effect of the proposal on the landscape and, if necessary, modify it to ensure a positive contribution to landscape character and sense of place. |
| MM4 | 17 | 3.14 | An assessment of cumulative impacts should encompass the effects of the proposal <u>in combination with</u> an existing development, but also the anticipated impacts from development as yet unbuilt, where it either has a planning permission or is awaiting a planning decision. This should include proposals or development in constituent authorities. |
| MM5 | 17 | 3.15 | Development that can no longer serve an essential purpose e.g. in supporting sustainable farming, and which does not conserve and enhance, should be removed. Conditions may be applied to require removal where alternative uses enabled in principle by this plan would be un-suitable. |
| MM6 | 17 | DMC1 | <p>DMC1: Conservation and enhancement of nationally significant landscapes</p> <p>A. In countryside beyond the edge of settlements listed in policy DS1 of the Core Strategy <u>policy DS1</u>, any development <u>proposal</u> with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The assessment must be proportionate to the proposed development and clearly demonstrate how valued landscape character, including natural beauty, biodiversity, cultural heritage features and other valued characteristics will be conserved and, where possible, enhanced taking into account:</p> <p>(i) the respective overall strategy for the following Landscape Strategy and Action Plan character areas:</p> <ul style="list-style-type: none"> • White Peak; • Dark Peak; • Dark Peak Western Fringe; • Dark Peak Yorkshire Fringe; • Derbyshire Peak Fringe; • Derwent Valley; • Eastern Moors; • South West Peak; and <p>(ii) any cumulative impact of existing or proposed development including outside the National Park boundary;</p> |

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| | | | <p>(iii) <u>the effect of the proposal on the landscape and, if necessary, the scope to modify it to ensure a positive contribution to landscape character.</u></p> <p>B. Development which would not respect, would adversely affect, or would lead to undesirable changes in landscape character or any other valued characteristics⁴⁷ of the site and the area will not be permitted;</p> <p><u>B. Where a development has potential to have significant adverse impact on the purposes for which the area has been designated (e.g. by reason of its nature, scale and setting) the Authority will consider the proposal in accordance with major development tests set out in national policy.</u></p> <p>C. Where a building or structure is no longer needed or being used for the purposes for which it was approved and its continued presence or use is considered by the Authority, on the evidence available to it, to be harmful to the valued character of the landscape, its removal will be required <u>by use of planning condition or obligation where appropriate and in accordance with the tests in national policy and legislation.</u></p> <p>⁴⁷Core Strategy paragraph 9.15</p> |
| MM7 | 19 | 3.19 | <p>3rd bullet:</p> <ul style="list-style-type: none"> <u>a small number of existing farmsteads within the Natural Zone and on its borders. For the purposes of policy DMC2 the National Park Authority will take a pragmatic approach to existing farming operations. It is not intended to curtail existing farming activities within the Natural Zone or make existing farms unviable. Application for essential development and activities at these farmsteads will be considered on their merits and as contributing to the management of the Natural Zone itself. However, the presence of the Natural Zone will be an important factor in the siting and design of any structures which need careful integration into these sensitive landscapes to be acceptable. The Authority may also seek to facilitate or negotiate management agreements that assist the conservation and enhancement of these wilder areas as part of any planning approval, subject to the overall viability and sustainability of the farming unit.</u> |
| MM8 | 19 | 3.20 | <p>However, the impact of development in any parts of the Natural Zone may need to be very carefully monitored and controlled <u>because of potential adverse impact on water, soil and air quality, noise levels and dark skies, as outlined in policy DMC14.</u> The</p> |



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| | | | National Park Authority may seek planning obligations, and/or impose planning conditions to remove permitted development rights in order to achieve the necessary level of control. |
| MM9 | 21 | 3.25 | <p>Policies also require consideration of the intensity of a proposed use or activity; the impact on living conditions and on access and traffic levels; the potential for use of sustainable modes of transport; consideration of building techniques and ground conditions; and potential to incorporate measures that mitigate the impacts of climate change. Design must also be in accordance with the Peak District National Park Design Guide Supplementary Planning Document (Design Guide SPD). This includes detailed guidance notes on matters such as alterations and extensions, and shop fronts. Further guidance on the conversion of traditional buildings will also be published as a Supplementary Planning Document (SPD). In addition, the Authority provides guidance and information on wildlife and protected species. The Authority’s Landscape Strategy and Action Plan and Conservation Area Appraisals provide applicants with an assessment of local character and landscape on which to base the design of proposals.</p> <p><u>Adopted Neighbourhood Plans also play an important role in describing features and character of local value. These have a direct impact on the siting, design, layout and landscaping of proposals. In particular the Neighbourhood Plan may identify local greenspaces which a community has identified as worthy of protection.</u></p> |
| MM10 | 22 | 3.29 | <p>The Climate Change and Sustainable Building SPD explains the principles of sustainable design and provides detailed advice to help applicants plan new and existing buildings in a way that helps mitigate the effects of climate change, for example by reducing the risk of flooding flood risk. <u>It should be noted that the Code for Sustainable Homes, as referred to in this SPD, has now been withdrawn and replaced by new optional national technical standards.</u></p> |
| MM11 | 23 | DMC3 | <p>DMC3: Siting, design, layout and landscaping</p> <p>A. Where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects20 and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. Siting, mass, scale, height, design, building materials, and uses that are appropriate in their landscape/built context will be essential if permission is to be granted.</p> <p>B. Particular attention will be paid to:</p> <p><u>(i) siting,</u> scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including <u>impact on</u> open spaces, landscape features and the wider landscape setting which contribute to the valued</p> |

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| | | | <p>character and appearance of the area; and</p> <p><u>(ii)</u> the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area such as the character of the historic landscape and varied biodiversity assets; and</p> <p><u>(iii)</u> the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features, colours, and boundary treatments and an appropriate mix of species suited to both the landscape and biodiversity interests of the locality; and</p> <p><u>(iv)</u> access, utility services, vehicle parking, siting of services, refuse bins and cycle storage; and</p> <p><u>(v)</u> flood risk, water conservation and sustainable drainage; and</p> <p><u>(vi)</u> the detailed design of existing buildings, where ancillary buildings, extensions or alterations are proposed; and</p> <p><u>(vii)</u> amenity, privacy and security of the development and other properties that the development affects; and</p> <p><u>(viii)</u> the accessibility or the impact on accessibility of the development; and</p> <p><u>(ix)</u> visual context provided by the Landscape Strategy and Action Plan, strategic, local and other specific views including skylines; and</p> <p><u>(x)</u> the principles embedded in the design related Supplementary Planning Documents and related technical guides.</p> <p><u>20 NPPF para 109</u></p> |
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| MM12 | 24 | 3.38 | <p>In applying DMC4A, Particular particular regard should also be paid to:</p> <ul style="list-style-type: none"> • Hhistoric settlement pattern including street layout; • <u>the value of spaces with a recognised purpose to the community, such as graveyards, playing fields, play areas;</u> • Eexisting mass, scale, height, design, materials and the eaves and ridge heights of surrounding buildings; • Conservation Area Appraisals; <u>and</u> • The Landscape Strategy and Action Plan. |
| MM13 | 24 | 3.42 | <p>Adopted nNeighbourhood pPlans are a material consideration and can, provided an assessment is based on development plan criteria, provide a more detailed expression of the physical extent and capacity of settlements. As a part of the statutory dDevelopment pPlan for the area, any guidance on location and capacity for development that is shown in an adopted nNeighbourhood pPlan will be the starting point for the planning decision.</p> |
| MM14 | 24 | DMC4 | <p>DMC4: Settlement Limits</p> <p>A. A. Planning applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement’s historic pattern of development including the relationship of the settlement to local landscape character. <u>The siting of the development should complement and not harm the character of these settlements</u></p> <p>B. Development which would adversely affect or lead to the loss of open areas forming an essential part of the character of the built environment will not be permitted.</p> <p>C. B. Development that is separated from the existing settlement to such a degree that it no longer forms part of the whole, or is likely to result in pressure to infill an intervening gap, will not be permitted.</p> |
| MM15 | 26 | 3.54 | <p>Crucial to the conservation and enhancement of heritage assets is an understanding of what makes them significant, and how the setting contributes to the <u>that</u> significance. Adaptive re-use may be possible where it does not harm their significance or that of their landscape setting (see policies DMC5 and DMC10) <u>Historic England guidance³³ states, that ‘the ability to assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting early in the process is very important to an applicant in order to conceive and design a successful development’.</u> Significance is a collective term for the sum of all the heritage values attached to a place, be it a building, an archaeological site or a larger historic area such as a whole village</p> |

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| | | | <p>or landscape. Designated Heritage assets such as Conservation Areas make a significant contribution to local character and are statutorily protected from development that is inappropriate in scale, design, materials, details and form. All development must therefore respect local context and landscape character as outlined in Conservation Area Appraisals and the Peak District National Park Landscape Strategy and Action Plan. <u>Adaptive re-use may be possible where it does not harm their significance or that of their setting (see policies DMC5 and DMC10).</u></p> <p>³³Managing significance in Decision-Taking in the Historic Environment Historic Environment Good Practice Advice in Planning: 2 Page 2 Paragraph 7 https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2/</p> |
| MM16 | 26 | 3.55 | <p>Historic England guidance²⁸ states, that “the ability to assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting early in the process is very important to an applicant in order to conceive of and design a successful development.” Significance is a collective term for the sum of all the heritage values attached to a place, be it a building, an archaeological site or a larger historic area such as a whole village or landscape.</p> <p>²⁸Managing Significance in Decision-Taking in the Historic Environment, Historic England, 2015</p> |
| MM17 | 27 | DMC5 | <p>DMC5 Assessing the impact of development on <u>designated and non-designated</u> heritage assets and their settings-</p> <p>A. Planning applications for development affecting a heritage asset, its setting and their significance <u>including its setting</u> must clearly demonstrate in a Heritage Statement:</p> <p style="padding-left: 40px;">(i) how these its significance including how any identified features of value will be conserved and where possible enhanced; and</p> <p style="padding-left: 40px;">(ii) why the proposed development and related works are desirable or necessary.</p> <p>B. The Heritage Statement <u>supporting evidence</u> must be proportionate to the significance of the asset. It may be included as part of the a Heritage Statement or Design and Access Statement where relevant.</p> <p>C. Proposals likely to affect heritage assets with archaeological or other heritage interest <u>and potential archaeological interest</u> or potential interest should be supported by <u>appropriate information that identifies the impacts</u> or a programme of archaeological</p> |

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| | | | <p>works to a methodology approved by the Authority.</p> <p>D. Non-designated heritage assets of archaeological interest demonstrably of equivalent significance to sScheduled mMonuments will be considered in accordance with policies for designated heritage assets.</p> <p>E. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of the development on the character, appearance and significance, <u>character and appearance</u> of the heritage asset and its setting, <u>the application will be refused.</u></p> <p>F. Development will not be permitted if it would: <u>Development of a designated or non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset (from its alteration or destruction, or from development within its setting), unless:</u></p> <p style="padding-left: 40px;">(i) adversely affect the character and significance of a heritage asset and its setting including scale, mass, height, proportion, design, plan form, (including through subdivision), detailing or, materials used;</p> <p style="padding-left: 40px;">(ii) result in the loss of, or irreversible damage to original features or other features of importance or significance or the loss of existing features which contribute to the character, appearance, or setting (e.g. boundary walls, railings or gates);</p> <p style="padding-left: 40px;">(iii) result in the addition of new features, that would adversely affect the significance, character, appearance, or setting of a heritage asset (e.g. boundary walls, new access, services, garden, domestic apparatus)</p> <p style="padding-left: 40px;"><u>(i) for designated heritage assets, clear and convincing justification is provided, to the satisfaction of the Authority, that the:</u></p> <p style="padding-left: 80px;">a. <u>substantial harm or loss of significance is necessary to achieve substantial public benefits that outweigh that harm or loss;</u> <u>or</u></p> <p style="padding-left: 80px;">b. <u>in the case of less than substantial harm to its significance, the harm is weighed against the public benefits of the proposal,</u></p> |
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| | | | <p><u>including securing its optimum viable use.</u></p> <p><u>(ii) for non-designated heritage assets, the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.</u></p> |
| MM18 | 28 | DMC6 | <p>DMC6 Scheduled Monuments</p> <p>A. The exceptional circumstances where development involving scheduled monuments may be permitted are those where it can be demonstrated that the legislative provisions to protect Scheduled Monuments can be fully met.</p> <p><u>Planning applications involving a Scheduled Monument and/or its setting will be determined in accordance with policy DMC5.</u></p> <p>B. Where a Scheduled Monument or setting is adversely affected planning permission will be refused.</p> |
| MM19 | 30 | DMC7 | <p>DMC7 Listed Buildings</p> <p>A. Planning applications for development affecting a lListed bBuilding and/or its setting should <u>be determined in accordance with policy DMC5 and</u> clearly demonstrate:</p> <p style="padding-left: 40px;">(i) how their significance will be preserved; and</p> <p style="padding-left: 40px;">(ii) why the proposed development and related works are desirable and necessary.</p> <p>B. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on significance and architectural and historic interest of the lListed bBuilding and its setting and any curtilage listed features.</p> <p>C. Development will not be permitted if it would:</p> <p style="padding-left: 40px;">(i) adversely affect the character, scale, proportion, design, detailing of,</p> |

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| | | | <p>or materials used in the the Listed Building; or</p> <p>(ii) result in the loss of or irreversible change to original features or other features of importance or interest.</p> <p>D. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to:</p> <p>(i) removal of original walls, stairs, or entrances, or subdivision of large interior spaces;</p> <p>(ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and floors;</p> <p>(iii) the unnecessary removal, alteration or replacement of features such as windows, doors, fireplaces and plasterwork;</p> <p>(iv) the loss of curtilage features which complement the character and appearance of the the Listed Building (e.g. boundary walls, railings or gates);</p> <p>(v) repairs or alterations involving materials, techniques and detailing inappropriate to a the Listed Building;</p> <p>(vi) the replacement of traditional features other than with like for like, authentic or original materials and using appropriate techniques;</p> <p>(vii) extensions to the front of the Listed Buildings;</p> <p>(viii) extensions of more than one storey to the rear of listed small houses or terraced properties;</p> <p>(ix) inappropriate impact on the setting of the the Listed Building.</p> <p><u>unless justified to the satisfaction of the Authority that the proposed changes, loss or irreversible damage, and/or addition of new features to the Listed Building and its setting are:</u></p> <p><u>(a) less than substantial in terms of impact on the character and significance of the Listed Building and its setting, and</u></p> |
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| | | | <p><u>(b) off-set by the public benefit from making the changes, including enabling optimum viable use, and net enhancement to the Listed Building and its setting.</u></p> <p>E. Where change to a hListed bBuilding is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.</p> |
| MM20 | 31 | 3.79 | <p>Conservation Area Appraisals provide a vital analysis, justifying the reason for designating the area <u>and identifying (as shown on the inset maps)</u> and explaining the value of open spaces and other valued characteristics. In some circumstances the impact of a development on a village street scene will not be visible from the wider landscape. However the planning assessment also needs to focus on localised viewpoints including views in and out of the area, sense of place and open spaces. In these areas it can be important to protect open spaces because in many cases these are a vital feature of the historic settlement form. <u>Since 2008 the Authority has undertaken a rigorous process of updating its Conservation Area Appraisals, focussing on areas where either no appraisal existed or where it is timely to update older appraisals produced under earlier guidance. This is an on-going process and will continue beyond the adoption of this plan to inform the review of strategic policies. Where there is no appraisal or where only an older appraisal exists, applicants are advised to discuss these matters with the Authority’s Cultural Heritage Team. The desirability of protecting open spaces is not however necessarily confined to those spaces identified as important by Conservation Area Appraisals (see policy DMC3, policy DMC4 and supporting text, policy DMH6 and policy DMS7).</u></p> |
| MM21 | 32 | DMC8 | <p>DMC8 Conservation Areas</p> <p>A. Applications for development in a Conservation Area, or for development that affects its setting or important views into, or out of, <u>across or through</u> the area, should assess and clearly demonstrate how the <u>character or appearance and</u> significance of the Conservation Area will be preserved or enhanced. The <u>application should be determined in accordance with policy DMC5 and the</u> following matters should be taken into account:</p> <p>i) Form and layout of the area including views and vistas into and out of it and the shape and character of spaces contributing to the character of the historic environment <u>including important open spaces as identified on the Policies Map;</u></p> <p>(ii) Sstreet patterns, historical or traditional street furniture, traditional surfaces, uses, natural or man-made features, trees and</p> |

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| | | | <p>landscapes;</p> <p>(iii) <u>S</u>scale, height, form and massing of the development and existing buildings to which it relates;</p> <p>(iv) <u>L</u>locally distinctive design details including traditional frontage patterns and vertical or horizontal emphasis;</p> <p>(v) <u>T</u>he nature and quality of materials.</p> <p>B. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of their proposals on the character, appearance and significance of the component parts of the Conservation Area and its setting. <u>Where an outline application is submitted the Authority reserves the right to request additional information before determining the application.</u>⁴¹</p> <p>C. Outline applications for development will not be permitted.</p> <p><u>C.D.</u> Proposals for or involving demolition of existing buildings, walls or other structures which make a positive contribution to the character or appearance or historic interest of the Conservation Area will not be permitted unless there is clear and convincing evidence that:</p> <p>(i) the condition of the building (provided that this is not a result of deliberate neglect) and the cost of repairing and maintaining it in relation to its significance and to the value derived from its continued use, is such that repair is not practical; and <u>or</u></p> <p>(ii) all possible efforts have been made to continue the present use or find compatible alternative uses for the building, including putting the building on the market and seeking advice from relevant authorities and agencies; or</p> <p>(ii) the demolition is to remove an unsightly or otherwise inappropriate modern addition to the building <u>where its removal would better reveal buildings, walls or structures that make a positive contribution to the character or appearance or</u></p> |
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| | | | <p><u>historic interest of the Conservation Area.</u></p> <p><u>D.E.</u> Where development is acceptable, a record of the current site, building or structure and its context will be required, prior to or during development or demolition.</p> <p><u>E.F.</u> Plans for re-use of an area where demolition is proposed must be agreed and a contract for redevelopment signed before the demolition is carried out.</p> <p><u>E.G.</u> Where appropriate, felling, lopping or topping of trees <u>in a Conservation Area</u> will not be permitted without prior agreement. This may require their replacement, and provision for their future maintenance.⁴²</p> <p>⁴¹http://www.legislation.gov.uk/ukxi/2015/595/article/5/made If a Local Planning Authority considers that an outline application out to include details of the reserved matters it must notify the applicant no more than 1 month after the application is received, specifying which further details are required.</p> <p>⁴²https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#Protecting-trees-in-conservation-areas</p> <p>Trees in a <u>Conservation Area</u> that are not protected by an Order are protected by the provisions in <u>section 211 of the Town and Country Planning Act 1990</u>. These provisions require people to notify the local planning authority, using a '<u>section 211 notice</u>', 6 weeks before carrying out certain work on such trees, <u>unless an exception applies</u>. The work may go ahead before the end of the 6 week period if the local planning authority gives consent. This notice period gives the authority an opportunity to consider whether to <u>impose a Tree Preservation Order</u> on the tree.</p> |
| MM22 | 33 | DMC9 | <p>DMC9 Registered Parks and Gardens</p> <p><u>A. Planning applications involving a Registered Park and Garden and/or its setting will be determined in accordance with policy DMC5.</u></p> <p><u>A.B.</u> When considering the impact of a development proposal on Registered Parks and Gardens, including individual garden buildings or landscape features within them, or on their settings, their significance will be assessed by reference to the National Register compiled by Historic England and to other historic, botanical or ecological information.</p> |

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| MM23 | 35 | 3.108 | It is anticipated that permissions to convert such rudimentary buildings will rarely be worthy of conversion to higher intensity uses and as such will not <u>normally</u> be permitted. <u>Any approval of such buildings will only be permitted by way of exception where they display sufficient quality and substance to justify their survival and deliver a sustainable outcome.</u> |
| MM24 | 36 | DMC10 | <p>DMC10 Conversion of a heritage assets</p> <p>A. Conversion of a heritage asset to a use other than that for which it was designed will be permitted provided that:</p> <ul style="list-style-type: none"> (i) it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and (ii) the building is capable of conversion requiring no more than minor structural work, the extent of which would not compromise the <u>significance</u> historic interest and character of the building; and (iii) where the proposal involves the conversion to higher intensity uses, development will only be permitted within existing settlements, smaller hamlets, on farmsteads, and in groups of buildings in sustainable locations; (iv)<u>(iii)</u> the new use does not require changes to the asset’s setting and/or curtilage or new access or services that would adversely affect the heritage asset’s significance or have an adverse impact on its setting, including on the landscape character or character of the built environment of the area; <u>the changes brought about by the new use, and any associated infrastructure (such as access and services), conserves and enhances the heritage significance of the asset, its setting (in accordance with policy DMC5), any valued landscape character, and any valued built environment;</u> and (v)<u>(iv)</u> the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquillity, dark skies or other valued characteristics.;and <p>B. Buildings which are not deemed to be a heritage asset will not be permitted for conversion to higher intensity uses.</p> |

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| | | | <p>C. <u>B.</u> Proposals under Core Strategy policy HC1 part CI will only be permitted where:</p> <ul style="list-style-type: none"> (i) the building is a designated heritage asset; or (ii) based on the evidence, the National Park Authority has identified the building as a non- designated heritage asset; and (iii) it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and where appropriate the enhancement of the significance of the heritage asset and the contribution of its setting. <p>D. <u>C.</u> In all cases attention will be paid to the impact of domestication and urbanisation brought about by the use on landscape character and the built environment including:</p> <ul style="list-style-type: none"> (i) the supply of utility and infrastructure services, including electricity, water and waste disposal to support residential use; (ii) the provision of safe vehicular access; (iii) the provision of adequate amenity space and parking; (iv) the introduction of a domestic curtilage; (v) the alteration of agricultural land and field walls; (vi) any other engineering operation associated with the development. |
| MM25 | 39 | DMC11 | <p>DMC11 Safeguarding, recording and enhancing nature conservation interests</p> <p>A. Proposals should aim to achieve no net loss of <u>net gains to</u> biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological</p> |

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| | | | <p>importance all reasonable measures must be taken to avoid net loss by demonstrating that <u>in the below order of priority the following matters have been taken into consideration:</u></p> <ul style="list-style-type: none"> (i) enhancement proportionate to the development; (ii) no alternative sites exist that cause less harm; (iii) (ii) adverse effects have been avoided; <u>(iii) the 'do nothing' option and alternative sites that cause less harm;</u> (iv) appropriate mitigation; and (v) in rare cases, as a last resort, compensation measures to offset loss. <p>B. Details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance which could be affected by the development must be provided, in line with the Biodiversity Action Plan and any action plan for geodiversity sites, including provision for the beneficial future management of the interests. <u>Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the impact of a development proposal on a site, feature or species including:</u></p> <ul style="list-style-type: none"> <u>(i) an assessment of the nature conservation importance of the site; and</u> <u>(ii) adequate information about the special interests of the site; and</u> <u>(iii) an assessment of the direct and indirect effects of the development; and</u> <u>(iv) details of any mitigating and/or compensatory measures and details setting out the degree to which net gain in biodiversity has been sought; and</u> <u>(v) details of provisions made for the beneficial future management of the nature conservation interests of the site. Where the likely success of these measures is uncertain, development will not be permitted.</u> <p>C. Measures should ensure conservation of the features of importance in their original location.</p> <p>D. Where the likely success of the measures detailed in B) or C) is uncertain development will not be permitted.</p> <p>E.C. For all sites, features and species development proposals must also consider:</p> <ul style="list-style-type: none"> (i) cumulative impacts of other developments or proposals; <u>and</u> (ii) the setting of the development in relation to other features of importance, taking into account historical, cultural and landscape context; (iii) the impact on protected or notable species, adjacent habitats and ecological networks, including water resources, wildlife corridors and wildlife stepping stones. |
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| | | | <p>F. Development proposals will be expected to incorporate features to encourage biodiversity and retain and where possible enhance, existing features of biodiversity and geodiversity within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should be considered in association with new development to ensure habitat connectivity.</p> <p>G. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the impact of a development proposal on a site, feature or species including:</p> <p>(i) an assessment of the nature conservation importance of the site; and</p> <p>(ii) adequate information about the special interests of the site; and (iii) an assessment of the direct and indirect effects of the development; and</p> <p>(iii) an assessment of the direct and indirect effects of the development; and</p> <p>(iv) details of any mitigating and/or compensatory measures and details setting out the degree to which net gain in biodiversity has been sought; and</p> <p>(v) details of alternatives considered including the ‘do nothing scenario’ and justification for the choice of the preferred option and for discounting other options; and</p> <p>(vi) details of provisions made for the beneficial future management of the nature conservation interests of the site. Where the likely success of these measures is uncertain, development will not be permitted</p> |
| MM26 | 40 | DMC12 | <p>DMC12 Sites, features or species of wildlife, geological or geomorphological importance</p> <p>A. For Internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met.^{48 49 50 51 56 57 58}</p> <p>B. For sites, features or species of national importance^{52 59}, exceptional circumstances are those where development is essential:</p> <p>(i) for the management of those sites, features or species; or</p> <p>(ii) for the conservation and enhancement of the National Park’s valued characteristics; <u>or</u></p> <p>(iii) <u>where the benefits of the development at a site clearly outweigh the impacts on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.</u></p> |

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| | | | <p>C. For all other sites, features and species⁶⁰, development will only be permitted⁵³ where:</p> <p>(i) <u>significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained; and</u></p> <p>(ii) (i) the need for, and the benefits of, the development in that location clearly outweighs <u>any adverse effect the loss; and</u></p> <p>(iii) significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained.</p> |
| MM27 | 41 | DMC13 | <p>DMC13 Protecting trees, woodland or other landscape features put at risk by development</p> <p>A. Planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered in accordance with ‘BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations’ or equivalent.</p> <p>B. Trees and hedgerows, including ancient woodland <u>and ancient and veteran trees</u>, which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.</p> <p>C. Development should incorporate existing trees, hedgerows or other landscape features within the site layout. Where this cannot be achieved the onus is on the applicant to justify the loss of trees and/or other features as part of the development proposal.</p> <p>D. Trees, woodlands and other landscape features should be protected during the course of the development.</p> |
| MM28 | 41 | 3.128 | <p>There is already a wide recognition of the importance of ecosystem services in the National Park, such as the link between healthy moorlands and better carbon storage. The National Park is also a valuable drinking water catchment area. Many settlements within the National Park and its surrounding conurbations rely on the catchment area for an adequate supply of fresh, clean drinking water. Many fast flowing streams drain the moorland plateau and large expanses of blanket bog store large quantities of water. The National Park Authority has an important role in safeguarding and managing this resource by helping with <u>the</u></p> |

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| | | | restoration of large areas of open moorland, conserving and enhancing the internationally important habitats and species of moorland, reducing soil erosion and improving water supply and quality. <u>New development sites are more appropriately located away from locations which are identified as Ground Source Protection Zone 1 (SPZ1). Groundwater is a vital resource, supplying around one third of mains drinking water in England, however groundwater supplies are under pressure from development associated with an increasing population.</u> |
| MM29 | 43 | DMC15 | <p>DMC15 Contaminated and unstable land</p> <p><u>A.</u> Development on land that is known or suspected to be contaminated will be permitted provided that an accredited assessment shows that:</p> <ul style="list-style-type: none"> (i) there is no risk to public health arising from any existing contamination; and (ii) remedial measures (in situ or by safe disposal off-site) can remove any public health risk and make the site fit for its intended use without harm to the valued characteristics of the area <u>including any nature conservation or cultural heritage value;</u> and (iii) the land is not of high nature conservation or cultural heritage value.& <p>B. Development will not be permitted in the vicinity of sewage treatment works, high pressure or gas pipelines, or other notifiable installations, where they would present an unacceptable loss of amenity or risk to those using the development.</p> <p>C.<u>B.</u> Development on land believed to be unstable, <u>or suspected as being potentially unstable,</u> or likely to become unstable as a result of development will only be permitted where an accredited stability assessment shows that the land:</p> <ul style="list-style-type: none"> (i) is stable and will remain so; or (ii) can be made permanently stable by remedial measures undertaken as part of the development process without harm to the valued characteristics of the area; and (iii) that development will not affect the stability or safety of neighbouring areas. <p>D. Where contamination or instability is known or suspected to exist, or suspected to arise as a result of development, an accredited assessment will be required before a planning decision is made.</p> <p>E.<u>C.</u> Necessary remedial measures must be agreed before development commences.</p> <p>55</p> |

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4 Farming and Economy

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM30 | 44 | 4.2 | <p>Many businesses within the National Park derive direct and indirect economic benefits from their unique location and relationship with its landscapes. It is this relationship that the Authority seeks to foster and build upon in order to deliver National Park purposes and at the same time boost the economy and create local jobs. A 2008 study highlighted that the Peak District landscape was worth £135 million to the regional economy.⁶²</p> <p><u>The economic indications are still good: refreshed evidence released in August 2017 shows an increase in the Gross Valued Added (GVA) in English National Parks of over 30% in the 4 years between 2012 and 2016. This is almost twice the increase in the overall economy (16%). GVA for English National Parks in 2016 was between £5.5 and £8.7 billion compared to £4.1 to £6.3 billion in 2012. This indicates that the policies of English National Park Authorities are enabling strong business performance whilst ensuring the valued landscapes and built environments are conserved and enhanced.</u>⁶³ To further this relationship, businesses are encouraged to embrace the landscape, and the enhancement of it, as part of their business model. Economic activity within the National Park is predominantly made up of farming, land management, manufacturing, accommodation, and retail sectors. According to the last survey in 2008 there were 5,099 businesses in operation in the National Park providing around 18,900 jobs.</p> <p>⁶²<u>SQW Consulting titled Contribution if the Peak District National Park to the Economy of the East Midlands Economy Nov 2008</u> ⁶³<u>A 2017 update of the 'Valuing England's National Parks' produced by Cumulus Consultants for National Parks England (NPE) in May 2013</u></p> |
| MM31 | 45 | 4.10 | <p>Agricultural and forestry operationals development</p> <p>Core Strategy policy DS1 states that agricultural development will be acceptable in principle in the open countryside to reflect that <u>the</u> role of farming in managing landscape character. Where new agricultural or forestry buildings are demonstrably required, they should be located, designed and coloured to respect the landscape and other valued characteristics of the area. The Landscape Strategy should be used to determine landscape quality and any development expectation for that landscape type. Where such buildings require planning permission, the Authority reserves the right through conditions to require the removal of any building or structure when it is no longer needed for its intended purpose of land management and is having an</p> |

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| | | | adverse impact on the valued characteristics of the landscape, or neighbour amenity. <u>In order to respond to policy DME1A(x), an applicant should refer to the Core Strategy Spatial Objectives established on pages 44 – 47, and the Landscape Strategy.</u> |
| MM32 | 45 | 4.11 | Of particular practical importance for agricultural and forestry operational development is that it should relate <u>relates</u> well to local landscape and character, including that which will result from new afforestation or agriculture. Whilst considerable flexibility exists within the planning system for agricultural development, great care is still required and larger buildings are unlikely to be tolerated <u>permitted</u> where these cause adverse impacts to the natural beauty of the area. <u>In the context of the National Park landscape even modern farm buildings may constitute major development. In such cases the test in Core Strategy policy GSP1 will apply.</u> The policy principles will be applied as appropriate to <u>used as guidance on</u> proposals which are subject to ‘prior notification’ procedures (permitted development) as well as to <u>but will carry more weight as policy on</u> those that require full planning permission. Planning applications should be accompanied by full explanations of the agricultural or forestry proposals with which they are associated in order to allow for a proper assessment. When dealing with proposals for large, new agricultural buildings, particular care is necessary regarding size, massing, and colour. Dark coloured buildings are in general less obtrusive. |
| MM33 | 45 | 4.12 | In all cases, new buildings should only be designed with features and openings necessary for the operational use. Features that are not ordinarily required for such business use and are more commonly associated with other uses should be avoided ⁵⁶ . In some circumstances it may be preferable to incorporate simple stone work to lower levels in order to tie the modern building more successfully into the historic farmstead and surrounding landscape. Supplementary Planning Guidance provides detailed advice on the siting and design of more modern agricultural buildings. <u>Further guidance on additional information that may be submitted in support of an application is provided in the Authority’s Agricultural Developments Supplementary Planning Guidance, for example information on animal welfare, waste management, pollution control, or to meet the requirement for Environmental Impact Assessment. High environmental and welfare standards will carry positive weight in the planning process, subject to meeting the requirements of policy DME1 and other Development Plan policies.</u> |
| MM34 | 46 | DME1 | DME1 Agricultural or forestry operational development A. New agricultural and forestry buildings, structures and associated working spaces or other development will be permitted provided that it is proven <u>demonstrated</u> to the Authority’s satisfaction, that the building at the scale proposed is functionally required for that purpose <u>from information provided by the applicant on all the <u>following relevant criteria</u>; that the building at the scale proposed is functionally required for the purposes of agriculture:</u> |

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| | | | <p>(i) Location and size of farm <u>or forestry holding</u></p> <p>(ii) Type of agriculture <u>or forestry</u> practiced on the farm <u>or forestry holding</u>;</p> <p>(iii) Intended use and size of proposed building;</p> <p>(iv) Intended location and appearance of proposed building.</p> <p>(v) Stocking type, numbers and density per hectare;</p> <p>(vi) Area covered by crops, <u>including any timber crop</u>;</p> <p>(vii) Existing buildings, uses and why these are unable to cope with existing or perceived demand.</p> <p>(viii) Dimensions and layout;</p> <p>(ix) Predicted building requirements by type of stock/crop/other usage; and</p> <p>(x) Contribution to NPA objectives, e.g. winter housing to protect landscape <u>contribution to the Authority's objectives e.g. conservation of valued landscape character as established in the Landscape Strategy, including winter housing to protect landscape.</u></p> <p><u>B. New agricultural and forestry buildings, structures and associated working spaces or other development shall:</u></p> <p><u>(i) be located close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features; and</u></p> <p><u>(ii) not be in isolated locations requiring obtrusive access tracks, roads or services; and</u></p> |
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| | | | <p><u>(iii) respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design; and</u></p> <p><u>(iv) avoid adverse effects on the area’s valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and</u></p> <p><u>(v) avoid harm to the setting, fabric and integrity of the Natural Zone.</u></p> <p>and the proposed building(s) and structure(s):</p> <p>B. are close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features;</p> <p>C. are not in isolated locations requiring obtrusive access tracks, roads or services;</p> <p>D. respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design;</p> <p>E. avoid adverse effects on the area’s valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and</p> <p>F. avoid harm to the setting, fabric and integrity of the Natural Zone</p> |
| MM35 | 47 | 4.17 | <p>Relevant parts of the landscape strategy <u>Landscape Strategy</u>, any relevant Conservation Area AppraisalsAnalysis, and any Neighbourhood Plan, alongside the prevailing pattern of settlement in the area, will be used to consider the impact of proposed new buildings. <u>Newly adopted evidence from the Peak District National Park Farmsteads Character Statement and the Peak District National Park Farmsteads Assessment Framework will be used to consider the impact of proposed new buildings⁶⁶. This work shows the high survival rate of historic farmsteads and the Authority will therefore prepare a Supplementary Planning Document to embed it into the planning decision making process.</u></p> |

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| | | | ⁶⁶ Peak District National Park Farmsteads Character Statement, 2017 and the Peak District National Park Farmsteads Assessment Framework, 2017 (Historic England, Locus Consulting and PDNPA) |
| MM36 | 47 | DME2 | <p>DME2 Farm diversification</p> <p>A. Diversification of economic activity on a farm will be restricted to the specific use or range of uses for which permission is given rather than to a use class.</p> <p>B.A. Development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business, <u>meaning that the new business use is a subsidiary or secondary use or operation associated with the agricultural unit.</u></p> <p>C.B. New buildings may be permitted if the proposed development cannot be appropriately located in existing buildings of cultural heritage significance, or in other buildings which remain appropriate within the farm building group.</p> <p>D.C. Development will be permitted to remove a stand-alone building and replace it with a new building within the building group provided the scale, massing and use of the new building is appropriate, it respects the historic form <u>and character</u> of the building group, and the existing building has no cultural heritage significance.</p> <p>E.D. New or expanded buildings for non-farming uses that generate income to support the farm business will be permitted provided there is not net harm to any valued characteristics of the building group or valued landscape character as evidenced by the Landscape Strategy</p> <p><u>E. Where proposals for farm diversification are otherwise acceptable, the Authority will consider removing permitted development rights to limit the range of uses permissible, where to do so would be necessary, reasonable and consistent with national policy.</u></p> <p>(This policy does not apply to buildings justified for agricultural purposes, which, either through <u>the</u> prior notification procedure</p> |

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| | | | or <u>a</u> planning application, are legitimate forms of development on farms). |
| MM37 | 48 | 4.21 | <p>Core Strategy policy E1D states that existing business land or buildings, particularly those which are of high quality business land and in a suitable location will be safeguarded for <u>Use Class B-class-use</u>, and that the Employment Land Review has been used to help define the principles behind safeguarding.</p> <p><u>Policy DME3 uses evidence of strategic need as a criterion against which proposals will be assessed. If there is a strategic need to retain these sites in business use there will be a presumption against loss of parts of the business space to other uses. If however, there is no such strategic need, or there is robust evidence provided by an applicant, and accepted by the Authority, that the proposed loss of the business space will not result in a strategic shortfall of business space, the Authority is able to consider proposals for alternative uses on part of sites more favourably. The predominant or main use of these sites should however remain business use.</u></p> <p><u>In the context of policy DME3, the word ‘predominant’ means the character of a site rather than an absolute percentage or proportions of business use vis á vis other uses below which other uses could be considered in floor space terms to be the main uses. This is a pragmatic approach that recognises the differences in character between sites and locations, and the fact that some will be more suited to mixes of uses than others.</u></p> |
| MM38 | 48 | DME3 | <p>DME3 Safeguarding employment sites</p> <p>The following sites <u>are identified on the Policies Map and will be safeguarded for Class B1, B2 or B8 industrial use and employment uses</u> unless the development plan <u>Development Plan</u> and evidence of strategic need (including from any adopted neighbourhood plan evidence or policy) justifies mixed use development, in which case the predominant use(s) should remain in the B1, B2 or B8 Use Classes:</p> <p><u>Aston Industrial Estate</u> <u>Bakewell, Deepdale Business Park, Ashford Road</u> <u>Bakewell, Riverside Business Park (incorporating Lumford Mill)</u> <u>Bakewell, Station Road</u> <u>Bamford, Station Road</u></p> |

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| | | | <p>Bradwell, Newburgh Site Bradwell/Brough, Stretfield Mill Brough, Vincent Works, Calver Sough Industrial units <u>Great Hucklow Cartledge House Business Centre</u> Great Longstone Industrial Estate Hathersage, Hall Farm Hathersage, Station Yard Tideswell, Whitecross Industrial Estate Aston Industrial Estate</p> |
| MM39 | 51 | DME4 | <p>DME4 Change of use of non-safeguarded, unoccupied or under-occupied employment sites in <u>Core Strategy policy DS1 settlements</u></p> <p><u>A.</u> The change of use, or re-use of non-safeguarded, unoccupied or under-occupied employment sites in <u>or on the edge of Core Strategy policy DS1</u> settlements to non-business uses will be permitted provided that: <u>the site or building(s) have been marketed to the Authority’s satisfaction for a continuous period of 12 months prior to the date of the planning application, in line with the requirements of this p<u>l</u>an, and the Authority agrees that there is no business need for the retention of them⁶⁹⁶⁷</u>; and</p> <p><u>B.</u> In the case of proposals to change to other e<u>C</u>lass B u<u>S</u>es where a change requires planning permission⁶⁹⁶⁸: 1.218 <u>the changed nature of any business use proposed for land or building(s) is justified, by evidence of need having regard to the need for particular business premises and space in the National Park or, if expressed as a need by for the District, Borough, or Metropolitan Council relevant local authority for that council area and the size and type of buildings proposed would address that need. and</u></p> <p>1.219 In accordance with any evidenced need, the size and type of buildings proposed would address that need; and in all cases</p> <p><u>C.1.220 For all changes of use</u> The proposed use conserves and enhances any valued character associated with the site or</p> |

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| | | | premises, including any cultural heritage significance attached to the site or buildings and the wider settlement pattern. |
| MM40 | 51 | 4.46 | Use c Class B1 E employment Uses in the countryside outside Core Strategy policy DS1 settlements Core Strategy policy E2 sets out the policy principles for businesses in the countryside, directing economic development to <u>existing buildings</u> in smaller settlements, farmsteads and groups of buildings in sustainable locations. It makes clear that business use in an isolated existing or new building in the open countryside will not be permitted <u>other than in accordance with policy DMC10 in order to conserve or enhance a heritage asset by conversion.</u> |
| MM41 | 51 | 4.47 | The Authority may also remove permitted development rights ⌋ (i.e. those rights conveying permission for certain types of development without the requirement to obtain planning permissions) if that is felt necessary to make the development otherwise acceptable. <u>Business decisions include location, but good broadband coverage will not outweigh conservation concerns as laid out in policy DME5.</u> |
| MM42 | 52 | DME5 | DME5 Use Class B1 employment uses in the countryside outside Core Strategy policy DS1 settlements A. Planning permission for a <u>Use Class B1</u> ⁶⁰⁶⁹ employment use in an existing building will be granted provided ⌋ <u>A</u> that <u>A</u> any adverse effect on any building with cultural heritage significance, and on the valued characteristics and amenity of the area can be mitigated <u>including, but not exclusively,</u> by <u>the</u> application of the following criteria: (i) R <u>restriction to the specific activity applied for; and</u> (ii) A <u>a</u> specified and agreed scale, intensity and type of activity, including vehicular movements and hours of operation; and (iii) A <u>a</u> specified and agreed arrangement of parking and/or storage of vehicles, equipment and materials. B. For the particular use permitted, and where necessary and appropriate: (i) P <u>permitted development rights (particularly for further buildings or structures) are removed; and/or</u> |

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| | | | <p>(ii) Ppermission is time limited for a temporary period of (usually) 2 years; and/or</p> <p>(iii) hin the case of personal permissions, the permission is restricted to <u>the</u> personal benefit of the occupant of the building only; and</p> <p><u>C.</u> If any combination of these mechanisms proves to be ineffective in practice, a further permission will not be granted.</p> <p>6669 B1 Use - Office use other than a use within <u>Use Class A2</u>, research and development of products or processes <u>processes</u>, any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area.</p> |
| MM43 | 52 | 4.49 | <p>The National Park Authority recognises that in rural areas it is common that people work in or around their homes, because the space to do so is more commonly available than it is in more built up areas. Also, in more recent times, the inconvenience and escalating costs of travelling to work, coupled with improved communication technology, makes working from home an attractive option. <u>Digital Derbyshire was aiming for 98% of homes and businesses in Derbyshire to be able to access broadband speeds of at least 24Mbps by the end of 2018⁷⁰. The aim of economic development agencies is to have super broadband access for over 90% of businesses by 2017.</u> Such changes have few planning implications but are extremely important in encouraging high quality, high wage jobs into the area. <u>This is expanded upon in the supporting text to policy DMU14.</u></p> <p>⁷⁰https://www.derbyshire.gov.uk/business/community-broadband/digital-derbyshire.aspx</p> |
| MM44 | 52 | DME6 | <p>DME6 Home working</p> <p>A Permission for home working will be restricted to a specified activity within u<u>Use</u> e<u>Class B1</u> and restricted to a scale that can be accommodated within the dwelling, or ancillary buildings, without creating a need or demand for further ancillary buildings, or <u>an extension of a dwelling beyond that which would normally be permitted by policy policies DMH7 and DMH8; and</u></p> <p>B. Planning conditions and/or <u>legal agreements</u> obligations will be used as necessary and appropriate to control any aspects of the business activity likely to adversely affect the valued characteristics, residential character or amenity of the area. The conditions and/or <u>legal agreements</u> obligations may include:</p> <p>(i) the exclusion of permitted development rights for further buildings or structures;</p> |

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| | | | (ii) controlling the scale, intensity and type of activity, including vehicular movements and hours of operation; <u>and</u> (iii) controlling the arrangement for <u>the</u> parking and/or storing of vehicles, equipment and materials. |
| MM45 | 53 | 4.50 | <i>Expansion of existing industrial and business development <u>not involving farm diversification</u></i> <u>Policy DME7 deals with the size of industrial and business development but not the design, layout and neighbourliness of employment sites, which is dealt with by policy DME8. Core Strategy policies E1 and E2 set out the principles for business growth. Where a business is in a built up area the impact on residents’ amenity is a particularly important consideration.</u> |
| MM46 | 53 | 4.51 | The Authority understands that when businesses are successful, site operators will desire expansion around the existing buildings rather than move to other locations. However, in the National Park, the importance of <u>conserving amenity and valued characteristics of the area, such as the quality of the landscape, conservation <u>cultural heritage and biodiversity</u></u> , justifies strict limits to physical growth. The first consideration is always the <u>potential impact on landscape impact and cultural heritage</u> , and whether the expansion of the business in that location will conserve or enhance valued landscape character or other valued characteristics <u>such as the cultural heritage associated with the site and buildings and its environs.</u> |
| MM47 | 53 | 4.54 | <i>Treating business expansion as major development</i> In order to promote <u>a</u> business of an appropriate scale for the National Park, the Authority will assess the potential impacts of the scheme and consider whether it should be classed as major development. Policy GSP1 of the Core Strategy and national policy are clear that major development in the National Park should be refused (NPPF para 116) except in exceptional circumstances where the development development can be demonstrated as being in the public interest (<u>NPPF (2012) paragraph 116</u>). <u>In accordance with Core Strategy policy GSP1, the Authority will treat each case on its merits. This may lead to it treating proposed business expansion as major development.</u> <u>The general presumption is that major development in National Parks should be avoided. Applicants are therefore encouraged to explore, at the pre-application stage, the likelihood of a proposal being considered ‘major’. This enables the applicant to understand what policy tests will be applied. This can help an applicant make an informed choice on business expansion rather than incurring potentially abortive costs on planning applications for development that may have little prospect of success.</u> <u>This advice is given following legal advice⁷¹ to the South Downs National Park Authority where it was advised that, in a National</u> |

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| | | | <p>Park, development falling outside of the thresholds for major development⁷² may be considered to be major. <u>This advice is now national policy as outlined by NPPF (2018) paragraph 172 and footnote 55.</u></p> <p>⁷¹https://www.southdowns.gov.uk/wp-content/uploads/2015/01/Guidelines-on-Significance-for-SDNP-Planning-Applications-%E2%80%93-NPPF-Complaint-July-2014.pdf</p> <p>⁷²<u>The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006</u></p> |
| MM48 | 54 | DME7 | <p>DME7 Expansion of existing industrial and business development <u>not involving farm diversification where it is not ancillary to agricultural business.</u> In or on the edge of a DS1 settlement</p> <p><u>A.</u> In or on the edge of a Core Strategy policy DS1 settlement, expansion of an existing industry or business will be permitted provided that:</p> <p><u>(i)A.</u> It <u>it</u> is operating in an appropriate location; and</p> <p><u>(ii)B.</u> The <u>the</u> scale and type of development can be accommodated without adversely affecting the <u>residential</u> amenity and valued characteristics of the area or to traffic safety and circulation; and</p> <p><u>(iii)C.</u> Proper <u>Proper</u> consideration has been given to the possibilities of using, modifying or extending buildings to conserve and enhance landscape character before proposing new buildings.</p> <p>Outside DS1 settlements</p> <p><u>B.</u> Outside Core Strategy policy DS1 settlements, expansion of existing industrial and business development will only be permitted where:</p> <p><u>(i)D.</u> It <u>it</u> is of a modest scale in relation to the existing activity and/or buildings; <u>and</u></p> <p><u>(ii)E.</u> The <u>the</u> scale and type of development can be accommodated without adversely affecting the <u>residential</u> amenity and valued characteristics of the area or to traffic safety and circulation; <u>and provided impact on residential amenity from operating hours, lighting and noise is considered acceptable; and</u></p> <p><u>(iii)F.</u> It <u>it</u> does not adversely affect, and wherever possible secures the enhancement of the site as well as the future management of the valued characteristics of the site and adjoining land within the ownership of the business; and</p> <p><u>(iv)G.</u> Proper <u>Proper</u> consideration has been given to the possibilities of conserving and enhancing landscape character by using, modifying or extending existing buildings; and</p> <p>H. Impact on valued characteristics and residential amenity from operating hours, lighting and noise is considered acceptable.</p> |

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| MM49 | 54 | 4.60 (Para 4.66 to be moved above this para) | <u>Policy DME8 deals with the design, layout and neighbourliness of employment sites but not the question of whether a site can be expanded, which is dealt with by policy DME7. Employment sites, and the types of building associated with them, usually have an impact on the landscape and the amenity of those living in or visiting that area but can also have an impact on biodiversity. The extent and nature of the impact often depends on the care taken to achieve adequate screening, and on subsequent standards of operating practice or site maintenance. In some circumstances screening in itself will introduce an undesirable landscape feature and may not therefore always be considered to be an acceptable way to mitigate the landscape impact of the development.</u> |
| MM50 | 54 | 4.63 | The Authority is careful to avoid permitting <u>approving</u> development that encourages increased vehicle movements and demand for road upgrades. Where operators expand businesses into buildings only permitted for agriculture without planning permission, <u>The Authority reserves the right to use conditions or legal obligations to take enforcement action to</u> bring the activity under the planning system where possible and necessary to stop it development from where it is creating adverse impact pressure onto often very minor roads and sensitive landscapes. |

5 Recreation and Tourism

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM51 | 56 | New heading (after 5.12) | <u>Recreation hubs</u> |
| MM52 | 56 | After 5.12 (New) | <u>The National Park Authority recognises that there are a number of sites within the National Park that are located outside of settlements, and which attract large numbers of visitors, participating in a range of outdoor activities including, but not exclusive to walking, cycling, horse riding and climbing. Because such sites attract visitors to participate in recreational activities we have named such locations as recreation hubs. It is important that recreation hubs have appropriate facilities for visitors in order to enhance their experience and understanding of the National Park. It is also important to ensure that their visit does not impact negatively on either the valued characteristics of the location or on the amenity of neighbouring settlements.</u> |
| MM53 | 56 | After 5.12 (New) | <u>In order to ensure that facilities for visitors at recreation hubs are appropriate to the location and the number of visitors, the National Park Authority will bring forward a Recreation Hubs Supplementary Planning Document (SPD) to guide the development of facilities at such sites. This document will take a site specific approach, assessing existing provision of facilities, and the demand and suitability for additional facilities at specific sites. However, the SPD will also provide guidance for the development of visitor</u> |

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| | | | <u>facilities at any future sites that might come forward.</u> |
| MM54 | 57 | 5.18 | <p>Core Strategy policy RT3 is clear that static caravans, chalets and lodges are not acceptable features in the National Park. The open character of large parts of landscape particularly in the White Peak and Dark Peak mean that the non-traditional <u>non-traditional</u> and permanent presence of such forms of accommodation are <u>is</u> incompatible with the conservation purpose of the National Park. There is however a growing range of alternative forms of accommodation such as camping pods, yurts, shepherd’s huts etc. which have come onto the market in response to a demand for greater quality and comfort. For clarity, the National Park Authority considers all such forms of accommodation to have the same potential for adverse landscape impact and therefore they will be determined against Core Strategy policy RT3 part B.</p> <p>There may be exceptional circumstances where some structures may be acceptable. For example, experience has highlighted that wooden pod structures <u>with no associated development</u> can provide a sensitive, low key form of accommodation particularly in woodland settings where the scope for landscape harm is negligible or indeed nil. Such solutions can help to support the local economy by extending the tourism season. Similarly the traditionally styled shepherd’s hut accommodation can also provide an alternative form of provision with <u>very minimal</u> no landscape harm <u>impact but can only be justified as exceptional if provided</u> only one hut is installed on any one <u>agricultural holding</u>. <u>Site</u> <u>Such development should be used to support farm diversification and as such should also be assessed against the requirements of policy DME2. Policy DMR1 then requires that such development is</u> and they are located close to <u>an</u> existing farmsteads where existing access, parking arrangements and facilities can be utilised.</p> |
| MM55 | 58 | DMR1 | <p>DMR1 Touring camping and caravan sites</p> <p>A. The development of a new touring camping or touring caravan site, or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.</p> <p>B. Shopping, catering or sport and leisure facilities at camping and caravan sites will be permitted provided that <u>they accord with the requirements of Part A and</u> there is no significant adverse effect on the vitality and viability of existing facilities in surrounding communities and the development is of a nature suited to the needs of the site itself.</p> <p>C. Exceptionally, the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact, or a single shepherd’s hut where this can be located</p> |

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| | | | close to <u>the</u> facilities of a farmstead without harm to the natural or historic landscape. |
| MM56 | 58 | DMR2 | <p>DMR2 Holiday occupancy of <u>touring</u> camping and caravan sites</p> <p>A. Where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to <u>holiday accommodation no more than 28 days per calendar year by any one person.</u></p> <p>B. For an existing camping or caravan site, the removal of any existing condition that stipulates months of occupation, and its replacement by a holiday occupancy condition, will be permitted, provided that the site is adequately screened in winter months and that there would be no adverse impact on the valued characteristics of the area or residential amenity.</p> |
| MM57 | 59 | DMR3 | <p>DMR3 Holiday occupancy of self-catering accommodation</p> <p>Outside settlements listed in <u>Core Strategy policy DS1</u> of the Core Strategy:</p> <p>A. wWhere self-catering accommodation is acceptable, its use will be restricted to <u>holiday accommodation no more than 28 days per calendar year by any one person; and</u></p> <p>B. fFor existing accommodation, the removal of any condition that stipulates <u>either</u> months of <u>occupation</u>, <u>or</u> occupation <u>of no more than 28 days per annum by any one person</u> will be permitted provided <u>that</u>:</p> <p>(i) that there would be no adverse impact on <u>the</u> valued characteristics of the area or residential amenity; and</p> <p>(ii) the dwelling unit is tied by legal agreement to occupancy in perpetuity by those in housing need and having the required local connection as specified in <u>policies DMH1 and DMH2</u>; and</p> <p>(iii) the size of the dwelling unit is within that specified in <u>housing policies policy DMH1</u> beyond which the dwelling unit cannot reasonably be rented or part owned at a price eligible occupants can afford or of a size that can be reasonably rented or</p> |

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| | | | <p><u>part owned.</u></p> <p>Within a settlements listed in <u>Core Strategy policy DS1</u> of the Core Strategy:</p> <p>C. aA holiday occupancy condition will be applied to self-catering accommodation if the property being converted has inadequate indoor or outdoor living space or is so closely related to adjoining properties that the introduction of residential use would cause unacceptable harm to their amenity; and</p> <p>D. fFor existing accommodation, the removal of any holiday occupancy condition will be permitted where the criteria in B) above are met.</p> |
| MM58 | 59 | DMR4 | <p>DMR4 Facilities for keeping and riding horses</p> <p>Facilities for keeping and riding horses will be permitted provided that the development:</p> <p>(i)A. is specifically designed to accommodate horses; and</p> <p>(ii)B. <u>is not constructed of a scale or design or materials, or any combination of these three aspects of a proposal which would be tantamount to creating a new dwelling or a building that would lend itself to future conversion for such purpose; and is constructed to a scale, of a design and utilising materials that are appropriate to the function of the building; and</u></p> <p>(iii)C. is located adjacent to existing buildings or groups of buildings; and</p> <p>(iv)D. does not alter the valued landscape character by changing the landform or in any other way have an adverse impact on its character and appearance; and</p> <p>(v)E. is not likely to cause road safety problems; and</p> <p>(vi)F. in the case of commercial stables/riding centres, has good access from the strategic and secondary road networks and</p> |

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| | | | to an adequate bridleway network that can accommodate the increased activity without harming the valued characteristics of the area or their enjoyment by others. |
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6 Housing

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM59 | 60 | 6.2 | <p>However, the <u>The</u> adopted Core Strategy for the National Park states that it is not appropriate to permit new housing simply in response to the significant open market demand to live in it's <u>its</u> sought after environment. That view is confirmed by the National Park Vision and Circular⁶⁴⁷⁶, and the Strategic Housing Market Assessments (SHMAs), of Derbyshire Dales and High Peak. These two councils comprise 82.3% of the National Park population⁶⁵⁷⁷. This forms part of the evidence base for these councils' local plans and has led to agreed reasonable estimates for housing delivery in the National Park based on past trends. Estimates do not represent a target but neither do they represent a limit. <u>The Authority considers that an increase in the overall provision of market housing would, rather than meet the needs within the National Park, stimulate market demand from outside the National Park, with cumulative negative consequences for the special qualities of the National Park and for the ability of existing communities to access and afford the homes they need.</u></p> |
| MM60 | 60 | 6.4 | <p>All new housing is therefore permitted as an exception to the strategic principle that development of all types should be constrained in the National Park. All development on previously undeveloped land is classed as an exception site, insofar as housing allocations are not otherwise brought forward in the d<u>Development p</u>lan. Nevertheless, as far as a<u>National p</u>ark purposes can be upheld, the policies enable 'affordable housing' to address local needs on these sites. <u>The houses are affordable in the sense that they are attainable by those recognised by the Housing Authority to be in housing need. The cost of the houses is, in the case of rented accommodation, no more than the prevailing market rents relative to the size of the property minus 20%. Shared ownership, where possible, allows persons to purchase a share of the property with the remainder being owned by a social housing organisation such as a housing association. The restricted occupancy criteria (i.e. restricted to local persons with a strong local connection to the area and being in housing need) suppresses the price that the property would be valued at were there no such restrictions on purchase or occupancy.</u></p> |

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| | | | <p>Policies also enable essential worker housing, ancillary accommodation, holiday accommodation and open market housing, by conversion or new build where this can drive the conservation and enhancement of the National Park, e.g. by re-development of previously developed sites. <u>None of these forms of accommodation is considered to be ‘affordable’ in the sense that it can address housing need (as evidenced by Housing Authority Need Surveys or other information on housing need). Some market housing can be provided by way of starter homes. Regulations define starter homes as housing provided for first time buyers under 40 years of age and sold at no more than 80% of market value.⁷⁸</u></p> <p><u>Any of these, in the right circumstances, can address National Park purposes and/or community needs, though in the case of starter homes their reduced financial value, and therefore value to local people in the community is likely to be temporary owing to a provision in regulations⁷⁹ that enables owners to sell the properties free from penalty after a period specified by Government. Because of this provision there is nothing to prevent these houses being sold outside of the local community and consequently there is a strong likelihood that their financial value will rise quickly, making the houses no different in the medium to long term to unencumbered market housing in terms of their ability to address housing need. As such they should not be considered affordable in perpetuity and there should be no expectation amongst developers that they will be able to build more starter homes because existing starter homes have ceased to function as starter homes for first time buyers.</u></p> <p><u>Because starter homes cannot address a proven community housing need in perpetuity, they can only therefore be permitted in order to secure the conservation and enhancement of the National Park.</u></p> <p>⁷⁸NPPF Guidance Starter Homes https://www.gov.uk/guidance/starter-homes ⁷⁹Housing and Planning Act 2016 Part 1 Chapter1 Section 3 (1) (a)</p> |
| MM61 | 61 | 6.10 | <p>The NPPF (2018) provides a national definition of affordable housing, including <u>is housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:</u></p> <p><u>a) Affordable housing for rent: meets all of the following conditions: (i) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent⁸², or is at least 20% below local market rents (including service charges where applicable); (ii) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (iii) it includes provisions to remain at an affordable price for future eligible households, or</u></p> |

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| | | | <p><u>for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes, affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).</u></p> <p><u>b) Starter homes: Is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.</u></p> <p><u>c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.</u></p> <p><u>d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership to those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to the Government or the relevant authority specified in the funding agreement.</u></p> <ul style="list-style-type: none"> • Social rented – Social housing is let at low rents on a secure basis to those who are most in need or struggling with their housing costs. Normally councils and not for profit organisations (such as housing associations) are the ones to provide social housing; • Affordable rented housing – The government has introduced a new tenancy scheme for social housing landlord, such as Housing Solutions. This new scheme is called Affordable Rents. The Affordable Rent Scheme allows housing associations to; let properties at rents of up to 80 percent of those charged in the private sector; and • Intermediate housing – Homes for sale and rent provided at a cost above social rent but below market levels. These can include shared equity (shared ownership and equity loans), and other low cost homes for sale and intermediate rent, but not affordable rented housing. <p><u>⁸²NPPF 2018 Page 64 Annex 2 Glossary Affordable housing for rent</u></p> |
| MM62 | 61 | 6.11 | <p>All homes provided against the definitions in 6.10 above help address the challenge of affordability. Other forms of housing such as starter <u>Starter</u> homes, which have legal status as affordable housing, are unlikely to address a locally evidenced need for affordable housing in the National Park. This is because they may still be more expensive than can be afforded by local people in</p> |

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| | | | housing need. This is especially the case where local people cannot access mortgages for the houses. Products such as this and custom and self-build properties <u>They</u> would not be appropriate to justify the development of exception sites; however they may provide a useful additional rung on the housing ladder as part of redevelopment sites, justified by conservation and enhancement. The Authority will assess the demand for such units at the time of the application and explore with the developer the options to address demand. |
| MM63 | 61 | 6.12 | Self-build housing, also known as Custom Build, typically involves individuals commissioning the construction of a new house from a builder, contractor, package company or physically building a house for themselves. The Government are <u>is</u> keen to promote an increase in self-build housing as one of the means of addressing housing need. The Self-Build and Custom Housebuilding Act 2015 requires local planning authorities to keep registers of people who have expressed an interest in self and custom build in the plan area. It also places a duty on local authorities to ‘have regard to’ such registers when carrying out their planning, housing, land disposal and regeneration. Where there is a proven need for self-build housing provision as demonstrated by the Authority’s Self-Build Housing Register, developers will be encouraged to make provision for small builders or individuals or groups who wish to custom build their own home as part of a scheme to re-develop a site. In determining the nature and scale of provision, developers should have regard to considerations of viability and site specific circumstances. This form of housing will be considered under policy DMH6. This form of housing may be permitted on exception sites provided there is a proven need for affordable housing and any proposed self-build/custom build units address that need, but it can also be permitted as market housing in accordance with policy DMH6 where justified by the conservation and enhancement it enables. |
| MM64 | 62 | New para (after 6.13 on p.62) | Second and holiday home ownership reduces the availability of housing stock and, in part, exacerbates the gap between house prices and local incomes. Whilst the percentage of such homes overall is lower than that in most other National Parks, for some Peak District villages the figures can be much higher. This re-enforces the need for a form of housing that is available in perpetuity to local people in housing need and cannot be sold and used as second or holiday homes. Existing market housing cannot be subject to such occupancy clauses, and new market housing is not usually subject to occupancy restrictions such as a principle occupancy clause. Such a condition would require that a dwelling is lived in permanently, which reduces the scope for use as a holiday or second home. However, subject to satisfactory evidence of high levels of second or holiday home usage, such new market housing may be subject to principle occupancy conditions. Current evidence for the National Park as a whole does not justify a principle occupancy clause on all newly built housing, but the Authority will support any Neighbourhood Plan that has such an adopted policy. |
| MM65 | 62 | 6.13 (second | Housing a <u>A</u> uthorities have some discretion over what is considered unsatisfactory. In this area it is rare that accommodation is |

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| | | 6.13) | <p>considered unsatisfactory because of its condition or the quality of its facilities. The more common reasons are lack of space for the household and the cost (affordability) of the accommodation available. In this area, accommodation is considered unsatisfactory when it is in poor condition or lacking in basic facilities. It is also common that accommodation is unsatisfactory because it is too small for the size of the household and is too expensive for the household to sustain. Affordability is often the reason why people are unable to set up a household for the first time. The degree of priority given to a person when properties are allocated through choice based lettings schemes such as Home Options and Moorlands Choice is determined by the Housing Authority (see Appendix 7: Registering a housing need). They assess whether a person’s claim of unsatisfactory accommodation justifies allocation of a property. A variety of choice based letting systems are used to assess and categorise people’s housing need.¹⁹</p> |
| MM66 | 62 | 6.14 | <p>Under housing law, there are two ways to calculate if a home is overcrowded. One is by the number of rooms for people to sleep in. This is called the room standard. The other is by the amount of space in the home and the number of people living in it. This is called the space standard. Statutory overcrowding is when there are too many people living in the home using either of the calculations.</p> <p><i><u>Young people and others forming a household for the first time</u></i></p> <p><u>Many people, and particularly young people, seeking to form a household for the first time are often in accommodation that is not legally overcrowded. The Authority acknowledges the genuine desire of persons of any age to form households away from the family home or houses in multiple occupation. The Authority also acknowledges that many households require accommodation to</u></p> |

¹⁹ <https://www.home-options.org/> (footnote reference to move to para. 6.17)
<http://www.moorlandshomechoice.co.uk/>
http://cheshireeast.gov.uk/housing/housing_options/housing_options.aspx
<https://www.kirklees.gov.uk/community/housing/housingOptions.aspx>
<http://www.berneslaihomes.co.uk/about-us/>
<https://www.sheffield.gov.uk/in-your-area/housing-services/homelesshousingoptions/housingsolutions/housingoptions.html>
<http://www.ne.derbyshire.gov.uk/housing/strategic-housing-service/choice-based-lettings-allocation-policy/>
http://www.oldham.gov.uk/info/200255/find_a_home

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| | | | <u>rent rather than to buy.</u> |
| MM67 | 63 | 6.16 | Housing need in rural areas is however difficult to gauge because the housing need is often hidden and some people are not registered as being in housing need. Therefore, the Authority encourages and supports any other methods of community engagement undertaken by housing bodies that helps establish genuine housing need. Housing Authorities use a series of questions to assess claims of housing need. This Authority has agreed with the Housing Authorities that it will require the same information when individuals apply to build affordable housing for their own use in a <u>Core Strategy policy DS1 settlement</u> (see Appendix 86). <u>The Authority will adopt any changes to assessment of housing need that is adopted by any neighbouring Housing Authority e.g. changes to definitions of overcrowded or unsatisfactory accommodation.</u> |
| MM68 | 63 | 6.20 and 6.21 | <p><u>Downsizing</u></p> <p>6.20 However, there may be circumstances where release of capital alone cannot resolve a need to move for other reasons. For example, decreased mobility might not be able to be accommodated by adaptations to a person’s current home, and there may be no suitable homes available that could accommodate such a change of circumstance. This may create a housing need, and may become more common as the proportion of elderly residents increases.</p> <p>6.21 Also, where people of any age ‘own’ a house but have a mortgage, unforeseeable changes to their circumstances, such as drop in income, redundancy, or household breakdown may lead to a break up of a household and/or a need to sell the property. In such cases, the capital gain from selling the property may be relatively modest by comparison with someone who owns a house outright. Where the changed circumstance is entirely unintended, it is not unreasonable to consider that a housing need is created. Such circumstances would be captured under the term ‘otherwise unsatisfactory’ which is part of the policy and is explained above.</p> <p><u>6.20 Some people who own their properties outright may want, as they get older, to move to smaller properties and remain in and contribute to the communities where they have lived for many years. Reasons may vary from decreased mobility and a practical difficulty in managing or adapting the current home to meet changed needs, to the need to realise capital to support their old age. This is commonly known as downsizing and should, wherever possible, be met through the existing housing stock where that is suitable. However, there may be circumstances where this is not possible and where the circumstances of the applicant justify the provision of a home to meet their needs. This may become more common as the proportion of elderly residents increases.</u></p> |

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| | | | <p><u>6.21 While it may not be practical or desirable to undertake a full means test, the Authority will need to be persuaded that homeowners have no alternatives available to them on the open market or through social housing that can meet their changed circumstances. This means an applicant should provide evidence of their search for housing on the market at the time of submitting a planning application and/or seeking pre-application advice.</u></p> |
| MM69 | 65 | 6.37 | <p>Where affordable housing is proposed, the size of housing is controlled so the Authority can reasonably impose and retain legal agreements to ensure they remain affordable and for local people in housing need. <u>Size can be controlled by a planning authority and has over successive plan periods proved an effective planning tool, alongside restricted occupancy in holding values below market value to the extent that houses remain affordable to people in housing need locally. It is considered the most reliable and practical way to achieve this objective because a planning authority can employ size as a way to control price but cannot use prevailing land and property values to indicate appropriate size.</u> The mix of houses should reflect what is needed in the area. If this is not apparent from Housing Need <u>Surveys</u>, the Authority will consult the relevant Housing <u>Authority manager</u>. Homes built by individuals to meet their own need are classified as intermediate houses <u>(between pure affordable rent and shared ownership prices and unencumbered open market rent and sale prices)</u> because they can be sold on or rented by the first owner and occupant after a period of three years to persons who are not in housing need provided the persons satisfy <u>satisfies</u> the local connection criteria.</p> <p><u>The requirement for the first time occupant to live in the property for three years is intended to encourage only those in genuine housing need to apply for new housing. The period is seen as long enough to enable genuine need to be met but not so long that it would unfairly restrict the owner's ability to move in the event that their circumstances change. The Section 106 Agreement allows for a move within three years in the event of unforeseen circumstances. The requirement for the first occupant to live in the property for a minimum of three years was established through the Supplementary Planning Guidance titled 'Meeting the local need for affordable housing in the Peak District National Park', which was adopted in July 2003. The requirement has become accepted practice in applying the Section 106 Agreement.</u></p> <p>The ongoing value of these houses will be higher because of the less stringent occupancy conditions, but the size of the housing will nevertheless continue to be controlled in line with the original applicant's housing need. (controlled by the space standard requirement for households of different sizes). This places the houses in the intermediate bracket between pure affordable rent and shared ownership prices and unencumbered open market rent and sale prices. In these cases greater flexibility will be afforded in terms of the size requirement up to the maximum of 97m² in accordance with policy DMH1.</p> |

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| | | | <p><u>The provision of affordable housing units under policy DMC10 (which is concerned with conversion of heritage assets) will only be appropriate where units are of a size that conforms closely to the provisions of policy DMH1 and ensuring that the conservation and enhancement of any heritage asset is not compromised.</u></p> <p><u>Through policy DMR3, (which is concerned with occupancy of holiday accommodation) the removal of holiday occupancy conditions and the introduction of full time residential use can be a sustainable means of increasing the range and extent of stock to meet housing need in the area as it helps those in housing need without the need to build new houses. In order to address the local need for affordable housing the replacement of a holiday occupancy condition with a legal agreement for locally needed affordable housing will only be appropriate where the size of the unit conforms closely with the size provisions in policy DMH1.</u></p> |
| MM70 | 66 | 6.38 | <p>Where affordable houses are built, it is considered that the smaller the area of land taken up by each house, the lower the cost of the land per house, and the lower the value of the house will be on completion, and in perpetuity. There is however a need for all new development to be sensitive to any valued settlement pattern. This may justify different plot ratios from place to place including on occasions more generous gardens. For example, the pattern of estate farm villages might justify a low plot ratio <u>with bigger gardens</u>, whereas the pattern in former lead mining villages might lend itself to high densities and <u>smaller gardens</u>. However, whilst it is reasonable to provide gardens wherever possible the size of the plots <u>should not, irrespective of the prevailing settlement pattern, be such that the value of the plot including the house cannot reasonably be retained as affordable does not affect the price that a Registered Social Landlord would pay for a plot. That is determined by the finance available to them to build affordable houses and their funds to do so.</u> The conservation and design issues are covered in detail in Chapter 3.</p> |
| MM71 | 67 | DMH1 | <p>DMH1 New Affordable Housing</p> <p>A. Affordable housing will be permitted in or on the edge of Core Strategy policy DS1 settlements, either by new build or by conversion; and outside of Core Strategy policy DS1 settlements by conversion of existing buildings provided that:</p> <p>(i) There there is a proven need for the dwelling(s); and</p> <p>(ii) Any any new build housing is within the following size thresholds:</p> <p>Number of bed spaces Maximum Gross Internal Floor Area (m²)⁷⁴⁸⁶</p> |

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| | | | <p>One person 39</p> <p>Two persons 58</p> <p>Three persons 70</p> <p>Four persons 84</p> <p>Five persons 97</p> <p>B. Starter homes will not be permitted on exception sites⁷² but may be permitted as part of a development of housing to enhance a previously developed sites <u>site</u>⁸⁷.</p> <p>C. Self-Build and Custom Build plots <u>housing</u> will not be permitted on <u>rural</u> exception sites but may be permitted as part of a development of housing to enhance a previously developed sites in accordance with Part A regarding proof of need and size thresholds.</p> |
| MM72 | 68 | New para (after para 6.52 p.68) | <u>For the avoidance of doubt, the justification for new affordable housing permitted by policy DMH1 must be evidence of housing need from within the National Park. The reason for this clarification is that some Parishes, for example Hayfield and Bradfield, lie both sides of the National Park boundary, but have the majority of their population living outside the National Park. The Authority considers it is unsustainable to accommodate all the Parish housing need inside the National Park. However, where the National Park splits a Core Strategy policy DS1 settlement, for example Hayfield and Waterhouses, the Authority will accept that a housing need from anywhere within that settlement can justify new affordable housing being built inside the National Park. This recognises that an administrative boundary through a Core Strategy policy DS1 settlement should not work against people's sense of community and belonging.</u> |
| MM73 | 68 | DMH2 | <p>DMH2 First occupation of new affordable housing</p> <p>In all cases, new <u>affordable</u> housing must be first occupied by persons satisfying at least one of the following criteria:</p> <p>(i)A. <u>A</u> person (and his or her dependants) who has a minimum period of 10 years' permanent residence in the p<u>Parish</u> or an</p> |

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| | | | <p>adjoining parish <u>inside the National Park</u> and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or</p> <p>(ii) B. A person (and his or her dependants) not now resident in the parish but having lived for at least 10 <u>years</u> out of the last 20 years in the Parish or an adjoining parish <u>inside the National Park</u>, and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or</p> <p>(iii) C. A person who has an essential need to live close to another person who has a minimum of 10 years¹ residence in the a <u>parish</u> <u>inside the National Park</u>, the essential need arising from infirmity</p> |
| MM74 | 69 | DMH3 | <p>DMH3 Second and subsequent occupation of affordable housing (The occupancy cascade)</p> <p>A. Each and every time a previously occupied property <u>affordable home</u> becomes vacant, owners and managers of affordable housing must, as stated in the Section 106 Agreement, follow the cascade mechanism in steps B. i) to iv) , or C i) to v) until an eligible occupant is found.</p> <p>B. For <u>Registered Social Landlord</u> RSL owned and managed homes, and privately owned and managed schemes of more than one affordable homes, <u>owners and managers must:</u></p> <p>(i) S<u>sell</u> or rent an<u>the</u> affordable home to someone within the parish or adjoining parish <u>(within the National Park)</u> who meets the eligibility criteria as set out in policyies <u>DMH1 and DMH2</u> the Supplementary Planning Document and the Section 106 Agreement. (Where a parish is split by the National Park boundary, only those people living within the National Park part of the parish should be eligible initially. The property should be advertised widely at the price advised by the district valuer and prepared at the time marketing is required, or any other body appointed by the Authority for such purposes or, in the case of a rented property, at the target rent at the time. The parish council, housing authority and housing associations working in the area should be advised of the vacancy as soon as houses become vacant.)</p> <p>(ii) A<u>a</u>fter a minimum period of 3 months, (minimum three months total) widen the search to include (in order of preference) those in the Parish or an adjoining parish with residency of the previous 5 consecutive years, and those who meet the local occupancy criteria (10 years) in the next adjoining parishes <u>within the National Park</u>.</p> <p>(iii) A<u>a</u>fter a further month, (minimum 4 months total), widen the search to include those who meet the local occupancy criteria (10 years) in the whole of the National Park.</p> |

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| | | | <p>(iv) Aafter a further 2 months (minimum 6 months total) widen the search to include those who meet the local occupancy criteria (10 years) in parts of a split rural pParish lying outside the National Park or rural pParishes entirely outside the Park but sharing its boundary.</p> <p>C. For privately owned and managed affordable housing <u>including self build units, owners and managers must:</u></p> <p>(i) Ssell or rent an affordable home to a person (and his or her dependants) with a minimum period of 10 years permanent residence over the last twenty years in the pParish or an adjoining pParish, or</p> <p>(ii) Aa person who has an essential need to live close to another person who has a minimum of 10 years' residence in the pParish, the essential need arising from infirmity</p> <p>(iii) Aafter a minimum period of 3 months, widen the search to include (in order of preference) those in the Parish or an adjoining pParish with residency of the previous 5 consecutive years, and those who meet the local occupancy criteria (10 years) in the next adjoining pParishes.</p> <p>(iv) Aafter a further month, (minimum 4 months total), widen the search to include those who meet the local occupancy criteria (10 years) in the whole of the National Park.</p> <p>(v) Aafter a further 2 months (minimum 6 months total) widen the search to include those who meet the local occupancy criteria (10 years) in parts of a split rural pParish lying outside the National Park or rural pParishes entirely outside the Park but sharing its boundary.</p> <p><u>D. The property should be advertised widely at the price advised by the District Valuer and prepared at the time marketing is required, or any other body appointed by the Authority for such purposes or, in the case of a rented property, at the target rent at the time. The Parish Council, Housing Authority and Housing Associations working in the area should be advised of the vacancy as soon as houses become vacant.</u></p> <p><u>E. Where a Parish is split by the National Park boundary, only those people living within the National Park part of the Parish should be eligible initially.</u></p> |
| MM75 | 70 | 6.58 | <p>Before permitting worker accommodation, the Authority will require financial evidence that the business has been operating for at least three years, that it is currently profitable and that it has been so for at least one of the last three years, and that the profit from the business as opposed to turnover, is such that it can sustain the ongoing cost of the dwelling.</p> |

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| MM76 | 70 | 6.59 | <p>Whilst tTraditional land management businesses may expand or contract in terms of its landholding, the ongoing costs associated with the dwelling linked to the landholding must reflect the actual and potential income that might be generated from the landholding. It is conceivable that large landholdings in upland pasture areas may only sustain marginal businesses. It is also conceivable that small landholdings may sustain more profitable businesses e.g. if it is farming a different type of stock. The size of the landholding is therefore a guide to business viability, but will not o<u>fin</u> itself be used to control the size of the dwelling or ultimately determine whether to permit or refuse an application.</p> |
| MM77 | 71 | DMH4 | <p>DMH4 Essential worker dwellings</p> <p>A. The need for a worker dwelling to support agriculture, forestry or other rural enterprises businesses will be considered against the needs of <u>the</u> business concerned⁷³⁸⁸. Development will be permitted <u>by conversion or new build</u> provided that:</p> <p>(i)A. A <u>a</u> detailed appraisal demonstrates that there is a genuine and essential functional need for the worker(s) concerned, with a requirement that they need to be readily available at most times, day and night, bearing in mind current and likely future requirements; and</p> <p>(ii)B. Tthere is no accommodation available in the locality that could enable the worker(s) to be readily available at most times, day and night, bearing in mind current and likely future requirements; and</p> <p>(iii)C. Tthere is no traditional building that could be converted for use as a worker dwelling, within or close to the main group of buildings, in line with other policies and guidance on siting and design, and could serve this purpose</p> <p>(iv)D. Wwhere conversion of existing buildings is not an option, construction costs of new buildings reflect the likely sustainable income of the business; and</p> <p>(v)E. Tthe new building is within or immediately adjacent to the site of the existing building group and enhances the building group when considered in its landscape setting; and</p> <p>(vi)F. the new building is smaller than any house in the building group that is already <u>Where a house already exists, and is under the control of the business and in accordance with policy DMH5, the subsequent housing is subservient in size to the existing original house unless an acceptable landscape and building conservation outcome for the building group and the setting can only be achieved by a bigger buildinghouse; and</u></p> <p>(vii)G. Sstated intentions to engage in or further develop <u>the land management</u> business are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time. <u>The Authority will require financial evidence that the business has:</u></p> |

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| | | | <p>a. <u>been operating for at least three years; and</u></p> <p>b. <u>that it is currently profitable; and</u></p> <p>c. <u>that it has been so for at least one of the last three years; and</u></p> <p>d. <u>that the profit from the business as opposed to turnover, is such that it can sustain the ongoing cost of the dwelling; and</u></p> <p>e. <u>the ongoing costs associated with the dwelling linked to the landholding reflect the actual and potential income that might be generated from the landholding.</u></p> <p>B. Where there is uncertainty about the <u>financial</u> sustainability of an otherwise acceptable proposal, permission may be granted for an appropriately coloured caravan or other temporary accommodation.</p> |
| MM78 | 72 | 6.68 | <u>Ancillary accommodation and succession planning</u> |
| MM79 | 73 | DMH5 | <p>DMH5 Ancillary dwellings in the curtilages of existing dwellings by conversion or new build</p> <p>A. The conversion of an outbuilding close to a dwelling, to ancillary dwelling use will be permitted provided that:</p> <p>(i) it would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or create a planning need for over intensive development of the property at a later date through demand for further outbuildings; and</p> <p>(ii) the site can meet the parking and access requirements of the proposed development; and</p> <p>(iii) the new accommodation provided would remain within the curtilage of the main house, accessed via the same access route, sharing services and utilities, and remain under the control of the occupier of the main dwelling or</p> <p>B. Where no buildings are suitable for conversion, a new build ancillary dwelling unit can be accommodated in such a way that it:</p> <p>(i) is within the existing building group; and</p> |

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| | | | <p>(ii) is subsidiary in physical size to the main house; and</p> <p>(iii) is of an appropriate design and materials that complement the existing building group; and</p> <p>(iv) is able to be located in such a way that any heritage significance of the existing building group is conserved or enhanced by the new building; and</p> <p>(v) is able to be located in such a way that the wider landscape setting of the building group is conserved or enhanced by the new building; and</p> <p>(vi) does not require new access points and tracks from highway to building or new services and utilities infrastructure; and</p> <p>(vii) can be contained within a single planning unit by condition.</p> <p>C. proposals under A or B, where it is not possible to secure its ancillary status in perpetuity by planning conditions, the ancillary accommodation will be tied to the main dwelling by way of <u>a s106 Agreement</u>.</p> |
| MM80 | 74 | 6.77 | <p>The following policy clarifies that in the context of proposals for dwelling use, previously developed land means land which is, or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. <u>This is commonly referred to as brownfield land and is a nationally recognised definition for planning purposes.</u></p> <p>For the avoidance of doubt it previously developed land does not include <u>(brownfield land) is not:</u></p> <ul style="list-style-type: none"> • land that is or has been occupied by agricultural (including horticultural buildings) or forestry buildings; • land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through planning conditions and Section s106 Agreements; • land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; |

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| | | | <ul style="list-style-type: none"> land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.^{74 89} <p><u>Many sites that have been the subject of some development activity can fit into these categories (e.g. they have some evidence of previous farm buildings or other activity such as mineral working).</u></p> <p><u>In order to secure the optimum number of affordable houses and avoid increasing the pressure on greenfield land for such development, the first presumption is against re-use of such sites for market housing unless until it is proven that a site is previously developed land. This is especially important in the context of the pressure for market housing in the National Park and the limited capacity for greenfield development (rural exception sites) for affordable housing to address housing need (as evidenced by work with Parish Councils and housing enablers to find sites).</u></p> <p><u>If it is proven that a site is previously developed land, and it is in a Core Strategy policy DS1 settlement, any application for market housing will be assessed in line with Core Strategy policy HC1C.</u></p> <p><u>If there is no evidence that the land is previously developed but the Authority still considers that enhancement would be beneficial in the wider interests of its statutory purposes, it may permit open market housing as a means of enabling this. This could be relevant to agricultural land and buildings in and on the edge of settlements. However, the expectation will remain that at least some of the proposed housing (subject to viability) will address an evidenced local need for affordable housing of the type provided for by policy DMH1.</u></p> <p><u>In cases where land and/or buildings do not have previously developed land status and have been deliberately neglected or despoiled, the Authority will achieve its objective of conservation and enhancement through the use of its powers under Section 215 of the Town and Country Planning Act 1990, alongside normal planning enforcement, unless the site commends itself for development for other reasons.</u></p> <p><u>Outside of Core Strategy policy DS1 settlements and away from other forms of built development, applications for housing will be assessed against Core Strategy policies DS1 and GSP2.</u></p> |
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| MM81 | 75 | 6.84 | <p>When a <u>mixed scheme of housing</u> is proposed as part of a site's re-development, the Authority will ask housing managers to confirm the type and mix of houses needed <u>because it is important in conserving and enhancing the National Park that the Authority addresses the wider housing needs of the population wherever possible. The market element of the scheme should also help improve the housing mix but these houses are not considered to be in any way affordable in the sense that they can address housing need as those terms are understood by the NPPF (2018) and this Development Plan.</u></p> |
| MM82 | 75 | DMH6 | <p>DMH6 Re-development of previously developed land to dwelling use A. Re-development of previously developed land for housing will be permitted provided that:</p> <p>(i) the development conserves and enhances the valued character of the built environment or landscape on, around or adjacent to the site; and</p> <p>(ii) An adopted Neighbourhood Plan has not identified the land for continued community or employment use or open space; and</p> <p>(ii) (iii) Wwhere the land is inside or on the edge of a Core Strategy policy DS1 settlement, and subject to viability, an element of the housing addresses local need for affordable housing <u>potentially including starter home or custom or self-build housing provision.</u></p> <p>(iv) Partial or proposed multi-phased development of sites can, by use of condition or if expedient legal agreement ensure the conservation and enhancement of the whole site.</p> |
| MM83 | 76 | DMH7 | <p>DMH7 Extensions and alterations A. Extensions and alterations to dwellings will be permitted provided that the proposal does not:</p> <p>(i) detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or</p> <p>(ii) dominate the original dwelling <u>particularly</u> where it is a designated or non-designated cultural heritage asset; or</p> |

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| | | | <p>(iii) amount to the creation of a separate independent dwelling; or</p> <p>(iv) create, by inclusion of land not previously within the residential curtilage, <u>an</u> adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic; ; <u>or</u></p> <p><u>(v) in the case of houses permitted under policy DMH1, exceed 10% or take the floorspace of the house above 97m².</u></p> <p><u>B.</u> Proposals for house extensions involving the conversion of adjoining buildings and by the provision of new ancillary buildings must also satisfy Ppolicy DMH5.</p> <p><u>C.</u> Where an extension provides ancillary accommodation and it is not possible to secure its ancillary status in perpetuity by planning conditions it will be tied to the main dwelling by way of a sSection 106 aAgreement.</p> |
| MM84 | 76 | Prior to para 6.91 | <u>New outbuildings for domestic garaging and storage use and alterations and extensions to existing outbuildings in the curtilage of dwelling houses</u> |
| MM85 | 76 | DMH8 | <p><u>DMH8 New outbuildings for domestic garaging and storage use and alterations and extensions to existing outbuildings in the curtilage of dwelling houses</u></p> <p>A. New outbuildings will be permitted for garaging and storage use provided: A. the scale, mass, form, and design of the <u>new</u> building conserves and enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape, including Listed building status and setting, <u>C</u>onservation <u>A</u>rea character, important open space, valued landscape character. ; <u>and</u></p> <p><u>B. Alterations and extensions to existing outbuildings will be permitted provided changes to the mass, form, and appearance of the existing building conserves and enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape, including Listed Building status and setting, Conservation Area character, important open space, valued landscape character.</u> the building exhibits the minimum of features necessary for the proposed storage use</p> |

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| | | | <u>C. The use of the building(s) will be restricted through conditions, where necessary.</u> |
| MM86 | 77 | 6.94 | <p>It may be acceptable to permit larger larger houses (whether that is by height, floor space or mass, or a combination of these measures), but enhancement to the surrounding built environment and landscape cannot always be achieved by larger houses, even if, as individual buildings, their design is superior to the house it is proposed to replace. The replacement dwelling must produce a significant overall benefit (positive impact) to the natural beauty, wildlife and cultural heritage of the area (in accordance with Core Strategy policy GSP2). Housing that already integrates well with its surrounding landscape should not therefore automatically be viewed as having re-development potential.</p> <p><u>The Authority will also consider whether it is appropriate to include the footprint of other buildings in the calculation of existing floorspace as the starting point for assessing a replacement dwelling. Some of these ancillary buildings may be valuable for their design and materials and therefore their positive contribution to the built environment, in which case it may be undesirable to lose them. In cases where it is agreed to lose buildings, the Authority will consider whether loss of such buildings will create pressure for additional buildings in the future e.g. for garaging or other storage purposes. It will also consider whether, in light of the enhancement gained by the replacement dwelling, the impact of permitting further buildings on the enhancement already gained would be positive or negative. If it is considered that further changes would undermine the enhancement achieved by the replacement dwelling, the Authority will remove permitted development rights.</u></p> |
| MM87 | 77 | 6.97 | <p>The Authority acknowledges that some National Park communities perceive that this policy may lead to an unsustainable loss of smaller housing across the National the Park villages. <u>Whilst the Authority's Design Guide states that bungalow design does not reflect the built traditions of the Peak District, it does recognise that well-designed single storey dwellings can be acceptable. There must be recognition at pre-application advice and decision making stages when considering whether a proposed replacement dwelling enhances landscape or built environments⁹².</u> However, the Authority has no the Plan objective to protect small market housesing in themselves other than <u>for</u> conservation reasons.</p> <p>⁹²<u>PDNPA 2007 Design Guide paragraph 3.21</u></p> |
| MM88 | 78 | DMH9 | <p>DMH9 Replacement dwellings</p> <p>A. The replacement of a dwelling will be permitted provided that the dwelling to be replaced:</p> |

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| | | | <p>(i) is not listed Listed individually or as part of a group listing; <u>and</u></p> <p>(ii) is not considered to have cultural heritage significance; and</p> <p>(iii) is not considered to contribute positively towards the valued landscape character or built environment in which it is located; and</p> <p><u>B. All proposed replacement dwellings must enhance the valued character of the site itself and the surrounding built environment and landscape, reflecting the guidance provided in the Peak District National Park Authority Design Guide (2007) or any successor adopted Design Guide;</u></p> <p>B.C. <u>Any replacement dwelling should only be larger than the dwelling it replaces where the proposed replacement dwelling. Larger replacement dwellings should demonstrates significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape; and</u></p> <p>C.D. <u>In all cases the replacement dwelling must not create an adverse impact on neighbours’ residential amenity; and</u></p> <p>C.E. <u>In all cases the replacement dwelling must exhibit high sustainability standards.</u></p> <p>D.F. <u>In the event that the proposed replacement dwelling is on another footprint, the existing dwelling shall be is removed from the site prior to the completion of the development, or within 3 months of the first occupation of the new dwelling, where the existing dwelling is <u>currently occupied. in residential use;</u> and</u></p> <p>E.G. <u>In a Core Strategy policy DS1 settlements, demolition of one dwelling and re-development with more than one dwelling may be permitted provided that the proposed development satisfies the criteria on above and is required in order to achieve conservation and enhancement in accordance with Core Strategy policies DS1C, and GSP2D and HC1C.</u></p> <p>F.H. <u>Where there is specific evidence of general housing need in the Parish for a particular size of dwelling (for example from a</u></p> |
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| | | | <p>Neighbourhood Plan), the size of the net additional housing units should reflect that evidence.</p> <p><u>I. Permitted development rights may be removed if this is considered necessary to protect the enhancement achieved.</u></p> |
| MM89 | 79 | DMH10 | <p>DMH10 Sub-division of dwellings to create multiple dwelling units</p> <p>The subdivision of a dwelling and the creation of new dwelling units will be permitted provided that the subdivision would not prevent or undermine:</p> <p>A.(i) the quality of the landscape and immediate setting of the building in line with conservation policies; or</p> <p>B.(ii) the residential amenity of any nearby residential properties; or</p> <p>C.(iii) the use of the original dwelling where that is already subject to <u>a condition or</u> legal agreements restricting use:</p> <p>(i)a) <u>use</u> as an affordable house for eligible persons in housing need; or</p> <p>(ii)b) as an ancillary dwelling; or</p> <p>(iii)c) <u>use</u> as an essential worker dwelling; or</p> <p>(iv)d) <u>use</u> by those either requiring or providing care; or</p> <p>(v)e) joint use of the building for residential and business use-;</p> <p><u>or</u></p> <p><u>(iv) the use of any outbuilding as an ancillary dwelling where it is already subject to a condition or legal agreement restricting its use.</u></p> |
| MM90 | 80 | DMH11 | <p>DMH11 Section 106 aAgreements</p> <p>Section 106 aAgreements will be applied to housing developments as follows:</p> <p>Affordable Housing</p> <p>A. In all cases involving the provision of affordable housing, the applicant will be required to enter into a Section 106 legal aAgreement that will:</p> <p>(i) restrict the occupancy of all affordable properties in perpetuity in line with policies DMH1, DMH2 and DMH3; and</p> <p>(ii) prevent any subsequent development of the site and/or all affordable property(ies) where that would undermine the</p> |

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| | | | <p>Authority's ability to restrict the occupancy of properties in perpetuity and for the properties to remain affordable in perpetuity by restricting overinvestment.</p> <p>Essential worker dwellings</p> <p>B. Where planning conditions cannot achieve the desired outcome of ensuring worker dwellings are retained tied by the business, the applicant will be required to enter into a Section 106 legal a Agreement that will: (i) restrict the occupancy of all properties in perpetuity in line with policy DMH4.</p> <p>C. Where, permission is granted for the temporary release of an occupancy restriction <u>conferred by a legal agreement</u> on a property in a Core Strategy policy DS1 settlement, the dwelling will:</p> <ul style="list-style-type: none"> (i) remain tied to the business; or <u>and</u> (ii) will remain limited to persons in housing need and satisfying the local occupancy criteria, under Ppolicy DMH2, or may revert be put to holiday use, until such time as an essential worker or other qualifying person needs the property. <p>D. Where, exceptionally, permission is granted for the temporary release of an occupancy restriction <u>conferred by a legal agreement</u> on a property outside a Core Strategy policy DS1 settlement, the dwelling will:</p> <ul style="list-style-type: none"> (i) remain tied to the business; or <u>and</u> (ii) revert be put to holiday use; or (iii) be temporarily occupied by <u>a</u> local person who has lived in the pParish or adjoining pParish for ten out of the last twenty years and is in housing need, until such time as a business need arises again. <p>E. The removal of sSection 106 aAgreements on essential worker dwellings will not be permitted unless it can be demonstrated that:</p> <ul style="list-style-type: none"> (i) reasonable attempts have been made to allow the dwelling to be used by a person who could occupy in accordance with the restriction; and (ii) the long-term need for the dwelling in the locality has ceased and a temporary relaxation therefore serves no purpose. <p>Ancillary accommodation</p> <p>F. Where planning conditions cannot achieve the desired outcome of tying properties together, the ancillary accommodation, whether achieved by extension, conversion, or new build will be tied to the main property by legal agreement.</p> <p>G. Variation to <u>the requirements of</u> a sSection 106 aAgreement may be permitted if it can be demonstrated that the proposed new use of the ancillary accommodation is in accordance with other policies of this pPlan relating for example to holiday</p> |
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| | | | <p>accommodation use or essential worker use.</p> <p>H. Removal of a sSection 106 aAgreement to remove the ancillary status of accommodation will not <u>normally</u> be permitted.</p> |
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7 Shops, Services and Community Facilities

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM91 | 81 | 7.5 | <p><i>Shops, professional services and related activities in Core Strategy <u>Policy DS1</u> named settlements</i></p> <p>Local businesses such as village shops and public houses are essential components of community life and policies seek to guard against the loss of valued facilities and services. The day to day needs of local communities are increasingly being met by innovative projects such as the community-owned village shop at Winster, the community pub in Bamford and the shop at Parwich, which operates from the village pub.</p> <p>Since most of the National Park's settlements lie within reach of larger towns and cities beyond its boundary, it is reasonable to limit retail development to that which serves the needs of the local community and the settlement's visitor capacity. In this way the natural beauty and cultural heritage of the National Park can be conserved and enhanced.</p> <p>Wherever possible the aim of planning policy within the National Park is to retain the primary retail function (<u>u</u>se <u>e</u>Class A1 shops) in order to maintain the viability and vitality of <u>Core Strategy policy DS1</u> named settlements. Planning applications must therefore be supported by evidence to show that local convenience shopping will not be adversely affected or undermined by the proposed development. In rural communities the local shop (convenience store) often provides the only shopping option available to the local community without the need to travel.</p> |
| MM92 | 82 | 7.6 & 7.7 | <p>7.6 Access to community facilities and services are considered an essential element of sustainable and inclusive communities and sense of place. <u>Planning applications are expected to make provision for the separate use of upper floors.</u> Flexible use of community facilities can provide a useful means of extending the range of services in a locality. 7.7 When buildings are converted to a shopping use, the upper floor is not always required by the shopkeeper. If allowance is not made for access to upper floors</p> |

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| | | | <p>they can be left vacant. Their use for accommodation or office space is then prevented, to the disadvantage of the vitality of settlements and sometimes to the upkeep of the buildings concerned.</p> <p><u>7.7</u> The Town and Country Planning (General Permitted Development) Order 2015 allows for the change of use of the first floor of a shop to living accommodation or a financial or professional service use without the need for planning permission. Such uses can prevent the loss of vitality that accompanies buildings which are partly unused. The National Park Authority will encourage the appropriate use of upper floors of buildings when assessing development proposals.</p> |
| MM93 | 82 | 7.8 | <p><u>7.8 Bakewell Neighbourhood Plan (at the time of writing Regulation 16 submission draft) seeks to define a Primary Shopping Area in the Central Shopping Area where Use Classes A3/4/5 are permitted only up to a threshold.</u></p> |
| MM94 | 82 | DMS1 | <p>DMS1 Shops, professional services and related activities in Core Strategy <u>policy DS1</u> named-settlements</p> <p>In furtherance of Core Strategy <u>policy HC5</u>, <u>shops, professional services and premises for the sale and consumption of food and drink development within named-settlements listed in policy DS1 of the Core Strategy <u>policy DS1</u></u> will be encouraged provided that:</p> <p>A. supporting evidence shows that local convenience shopping will not be adversely affected or undermined; and</p> <p><u>(i).B.</u> there are adequate facilities and access for the storage and disposal of goods, waste and delivery of stock; and</p> <p><u>(ii).C.</u> in newly built shops (and in those conversions that involve substantial change to an existing building) <u>where upper floors are proposed or already exist</u>, provision is made for access allowing separate use of upper floors. This should be from an entrance onto the front of the building wherever possible. ; and</p> <p>D. access is provided for people with a mobility difficulty where practicable.</p> |
| MM95 | 84 | 7.23 | <p>Under Core Strategy <u>policy HC4C</u> evidence of reasonable attempts to secure another community use must be provided before any other use is permitted. The National Park Authority will need to be satisfied that the viability and marketing exercises have been carried out robustly and in accordance with the criteria set out above. Where reference is made to the availability of another</p> |

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| | | | <p>building, available elsewhere or reasonably accessible, that will satisfy the same community need, the National Park Authority will need to make a judgement about whether the same need will be satisfied, for example the availability of a public house is likely to cater for a different user to that of a church/chapel.</p> <p><u>The loss or change of use of existing public services, including existing health facilities, will be acceptable if it is shown that this forms part of a wider estate reorganisation programme to ensure the continued delivery of services. Evidence of such a programme will be accepted as a clear demonstration that the facility under consideration is neither needed nor viable and that adequate facilities are or will be made available to meet the ongoing needs of the local population. In such cases policy DMS2A would not apply and no viability or marketing information will be required.</u></p> <p><u>A business may make representation to the Authority if it considers and can demonstrate with reasoned justification that 12 months marketing is too long a period for the type of business concerned.</u></p> <p><u>Shops other than convenience shops, hot food takeaways and cafes/restaurants would be exempt from the need for marketing as their purpose is not to serve a community need.</u></p> |
| MM96 | 84 | DMS2 | <p>DMS2 Change of use of shops, community services and facilities</p> <p>A. Where an applicant is seeking change of use <u>from a shop, community service/facility</u> to a non-community use, evidence of reasonable attempts to sell or let the shop or community <u>service/facility</u> as a going concern must be provided including:</p> <p>(i) evidence of a thorough viability <u>assessment</u> and a marketing exercise with a commercial property agent, sustained over at least 12 months⁹², to sell or let the building for alternative community uses or facilities including local needs affordable housing; and</p> <p>(ii) evidence of marketing of the property through the e<u>Economic</u> d<u>Development</u> €<u>T</u>e<u>a</u>m of the appropriate local authority for at least 12 months; and</p> <p>(iii) details of contact <u>made</u> with the Town Council, Parish Council or Meeting and other adjacent Parishes to establish the needs existing in the local area and an assessment of the local affordable housing needs in the Parish or adjoining Parishes</p> |

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| | | | <p>with reference to an up to date hHousing aNeeds sSurvey prepared by or in consultation with the district authority as hHousing aAuthority.</p> <p>B. The Authority will consider favourably proposals for <u>the</u> change of use of shops, community services and facilities to mixed use community schemes including the provision of affordable housing for eligible local need and for workspace.</p> <p>C. Where the ground floor of a dwelling is a mixed residential and retail use, residential amenity will be fully taken into account when considering change of use. If segregation of the retail area from the dwelling would have an unacceptable impact on its residential amenity, permission will be granted for change to residential use. <u>Permission will be granted for change of use of the retail area to residential use if the retail use has an unacceptable impact on residential amenity, and segregation of the retail area from the dwelling would also have an unacceptable impact on residential amenity.</u></p> <p>⁹³A business may make representation to the Authority if it considers 12 months to be too long a period for the type of business concerned, but the business will need to provide reasoned justification why a shorter period of marketing is justified.</p> |
| MM97 | 85 | DMS3 | <p>DMS3 Retail development outside Core Strategy policy DS1 named settlements.</p> <p>A. Where retail development is associated with an industrial or business unit, sales will be mainly restricted to goods produced on the unit.</p> <p>B. At petrol stations, retail activity must remain ancillary to fuel sales. <u>At petrol stations, new or increased retail space will be permitted provided that:</u></p> <p>(i) <u>it does not reduce the size of the petrol station forecourt; or</u></p> <p>(ii) <u>it does not marginalise the petrol station to the extent that the retail activity becomes a destination in itself; and</u></p> <p>(iii) <u>there is no additional demand for car parking or associated infrastructure.</u></p> <p>C. New development within existing garden centre sites or nurseries will not be permitted unless it is related to the primary function of the site and would not damage the valued characteristics of the area.</p> <p>D. Proposals to expand or intensify the use of an existing site or building must assess the impact of the development in its</p> |

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| | | | <p>landscape context by reference to the Peak District National Park Landscape Strategy and Action Plan. Expansion or intensification of the use of an existing site or building will only be permitted where it is of a modest scale in relation to the existing activity and/or buildings and it does not adversely affect the valued character, residential amenity and landscape setting.</p> |
| MM98 | 86 | 7.31 | <p>External roller shutters are not compatible with the conservation and enhancement of the National Park’s character. Alternatives should be used. These include internal roller shuttering and internal shutters of a more traditional design. Alternatives are suggested such as laminated security glass, robust stall-risers, or mesh security screens to the inside of the display window.</p> |
| MM99 | 87 | DMS5 | <p>DMS5 Outdoor advertising</p> <p>A. Advertisements will be granted consent provided that they:</p> <ul style="list-style-type: none"> (i) are as near as possible to the business or activity concerned (an exception may be made for community information boards or finger-post schemes in <u>the named settlements of Core Strategy policy DS1</u>); and (ii) do not result in a proliferation of signs inappropriate to the building or locality; and (iii) do not pose a hazard to public safety or unduly harm the amenity of neighbouring properties; and (iv) are in proportion and appropriately located relative to the building on which they are displayed and/or to nearby buildings; and (iv)(v) are of a high standard of design, materials and construction; and (v) (vi) their scale, setting and design are of a scale, design and method of fixing that do not detract from features of architectural or historic importance or other valued characteristics of the area; <u>and</u> <u>(vi) conform to guidance set out in the Authority’s Shop Fronts Supplementary Planning Document.</u> <p>B. Internal illumination will not be granted consent (except for single illuminated pole signs essential to road safety at petrol</p> |

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| | | | <p>stations on main roads). External illumination will not be granted consent unless it is during opening hours in predominantly commercial areas; or is at <u>for</u> public houses, restaurants or similar premises <u>that are reliant on evening trade (i.e. open after dark)</u> providing it does not adversely affect dark skies.</p> <p>C. Signs or adverts more than 3.6 metres above ground level, or (if lower) above the bottom level of any first floor window on the same wall, will not be granted consent unless:</p> <p>(i) they are hanging <u>projecting</u> signs; or</p> <p>(ii) the building is a public house, hotel or restaurant that does not have a fascia and the sign or advert has individual lettering attached to it so as to minimise any harmful visual impact and any damage to the stone or brickwork. <u>the architecture of the building dictates that a sign would be better sited higher up on a property.</u></p> <p>D. Advertisements for the purpose of announcement or direction will not be granted consent unless they are reasonably required having regard to the nature and location of that which they advertise.</p> |
| MM100 | 87 | 7.36 | <p>The National Park Authority’s approach is set out in Core Strategy policy HC4 <u>part C. of the Core Strategy</u>, including that any development of sites or buildings justified under policy should meet another community need including affordable housing. The absence of the required justification will demonstrate that alternative options to meet the social or economic needs of the local community have been insufficiently explored to warrant a change of use to a use not otherwise permitted by policy HC4 of the Core Strategy.</p> |
| MM101 | 88 | 7.39 | <p>The Policies Map shows the existing community recreation sites and sports facilities that have been safeguarded for community use.</p> |
| MM102 | 88 | New text after para. 7.41 | <p><u>The Policies Map shows the existing community recreation sites and sports facilities that have been safeguarded for community use.</u></p> |
| MM103 | 88 | DMS7 | <p>DMS7 Retention of community recreation sites or sports facilities</p> <p>A. Development that would prejudice the continued use of community recreation sites or sports facilities, <u>including those identified on the Policies Map</u>, will not be permitted unless:</p> <p>B. <u>(i)</u> an assessment has been undertaken which has clearly shown the open space, buildings or land to be no longer required; and</p> |

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| | | | <p>€ <u>(ii)</u> the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and or D <u>(iii)</u> the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.</p> <p><u>B</u>. E. Exceptionally where sites can be shown to be no longer required, new uses should meet another community need (including those for affordable housing for local people). Evidence of reasonable attempts to secure such a use will be required before alternatives are permitted.</p> |
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8 Bakewell

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM104 | 89 | 8.4 | Business premises now exist on the Deepdale site on Ashford Road, and some businesses have taken up residence on the Riverside site since the previous Local Plan was published in 2001. However this site is an example of where premises could be improved, and policy would allow for a mix of uses provided a significant <u>predominant</u> element of business use is retained. |
| MM105 | 89 | 8.6 | <u>The intent of the planned approach for Bakewell is to give the community more influence through its emerging Neighbourhood Plan. Therefore this Plan sets out the strategic context for Bakewell but leaves space for the community to devise local policy. The Neighbourhood Plan for Bakewell will consider: the development boundary; environmental resilience; protection and enhancement of the town’s setting, special character and heritage assets, including the designation of local green spaces; housing; community facilities, shops and services; employment sites and transport and communications. Any policies or neighbourhood development orders adopted in a neighbourhood plan for Bakewell will form part of the development plan and be given weight when planning proposals are put forward.</u> |
| MM106 | 89 | 8.7 | <u>Bakewell Development</u>Settlement <u>Boundary</u> The settlement <u>Development</u> b <u>B</u> oundary makes it easier to assess whether applications are inside or on the edge of the settlement. As a tool to manage development pressure and avert speculative proposals for detached sites, it has been successful. Development pressure remains, so it is sensible to retain the boundary, and this is done through e <u>Core</u> s <u>Strategy</u> <u>policy DS1</u> . The |

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| | | | boundary shown is that agreed with the community as the preferred extent for growth and would be adopted by the proposed Neighbourhood Plan for the town. It is shown on the proposals map. |
| MM107 | 89 | New para's after 8.7 | <p><u>The Development Boundary as defined in the 2001 Local Plan is now too restrictive. There is very limited potential for development inside this boundary. The Bakewell Neighbourhood Plan (at the time of writing Regulation 16 submission draft) proposes to extend the Development Boundary to accommodate the future growth of the town.</u></p> <p><u>The Development Boundary is also adjusted to correct anomalies (for example to include the Agricultural Business Centre constructed outside the 2001 Development Boundary) and errors (for example to rationalise gardens and include car parks).</u></p> <p><u>The Development Boundary shown on the Policies Map is the same as the Development Boundary in the Bakewell Neighbourhood Plan.</u></p> <p><u>Policy DMC4 on settlement limits will apply to Bakewell so that applications for development that are within the Development Boundary can still be assessed with regard to the historic pattern of development.</u></p> <p><u>Residential gardens are not considered to be 'previously developed land' and nor are they 'exception sites' for starter homes or self-build/custom build homes, in line with the approach set out in policy DMH1.</u></p> |
| MM108 | 89 | DMB1 | <p>DMB-1 Bakewell's DevelopmentSettlement Boundary</p> <p>The future development of Bakewell will be contained within the dDevelopment bBoundary. Policy DMC4 will not apply.</p> |
| MM109 | 89 | 8.10 | <p>The boundary of this <u>the Central Shopping a</u>Area is that originally established for the Local Plan 2001, <u>with the exception of minor amendments where the boundary split a building.</u> The aNeighbourhood pPlan process has considered whether there is a need to change the eCentral sShopping aArea boundary and concluded that there was is no need to change the boundary. The aNational pPark Authority agrees with this approach.</p> |
| MM110 | 90 | 8.11 | <p>The Core Strategy policy DS1 establishes development expectations for Bakewell confirming that a dDevelopment bBoundary and Central Shopping Area will be retained. <u>Given the strategic need for employment sites, the policy safeguards existing employment sites, ensures</u> The strategic need for employment sites means that the policy safeguards existing employment sites so that their re-development includes a <u>substantial predominant</u> element of business use, and promotes enhancement of under-used employment sites. Evidence for the Core Strategy has also led to policy scope for a new build hotel to serve the town and improve</p> |

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| | | | the range of accommodation with the National Park. |
| MM111 | 90 | 8.15 | <p>The retail offer and the number and type of facilities such as cafes and restaurants is to a large extent determined by market forces, and there is rarely justification to use planning as a tool to influence the offer or prevent change. This is especially the case where changes would not result in the loss of a valued facility or service (in the sense that its loss would mean there was no other business offering that service in the town). However, there may be cause for concern if any particular type of facility was becoming dominant to the detriment and loss of other valuable services.</p> <p>The use of neighbourhood development orders or removal of usual permitted development rights to switch within use classes may be tools the community of Bakewell or the Authority considers using to slow down or reverse a pattern of retail use if it considers it is detrimental to the overall retail offer for residents or visitors. This may accompany a neighbourhood plan, and may serve to respond positively to deeply held concerns that the retail mix or range of facilities is unhealthy and working against securing a vibrant and thriving community.</p> <p><u>(New Para) The Neighbourhood Plan process has evidenced deeply held concerns that the retail mix or range of facilities is unhealthy and failing to secure a vibrant and thriving community. Bakewell Neighbourhood Plan policy will seek to slow down or reverse this trend by defining a 'Primary Shopping Area' in the Central Shopping Area where Use Classes A3/4/5 are only permitted up to a threshold.</u></p> |

9 Travel and Transport

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM112 | 92 | 9.17 | The demand for connectivity between our neighbouring urban areas has led to calls for new or improved roads, and the reinstatement of former rail routes across the National Park. This demand has been largely focussed on improvements for east-west connections, and in particular, between South Yorkshire and Greater Manchester. |
| MM113 | 92 | 9.19 | <u>The creation of sub-National transport bodies such as Transport for the North is likely to increase the pressure for new or significantly improved roads across the National Park. Improved transport connectivity between major cities is seen as a key factor in driving economic growth. Because east-west connections through the southern Pennines are considered to be poor in comparison with other key corridors, this is a key area for major investment by Transport for the North.</u> |

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| | | | <p>Core Strategy Ppolicy TC2 makes it clear that <u>major</u> new road schemes not specifically related to residential or business development will not be permitted unless there are exceptional circumstances, whilst Core Strategy policy T2A states that transport developments that increase cross-Park traffic will be opposed. Core Strategy Ppolicy T2B refers to possible exceptional circumstances by which transport developments that increase cross-Park traffic might be acceptable. A similar approach for enhanced or reopened railways is espoused in Core Strategy policy T5 and its accompanying text (paragraph 15.31). Core Strategy policy T3 is also relevant, in so far that any new scheme would be expected to be delivered in accordance with T3.</p> |
| MM114 | 92 | 9.20 | <p>This approach is given clarity in Ppolicy DMT1 below, whereby the presumption against new cross-Park <u>road</u> routes, both road and rail, is restated along with a definition of the exceptional circumstances under which new cross-Park routes might be deemed acceptable.</p> |
| MM115 | 93 | DMT1 | <p><u>DMT1 Cross-pPark infrastructure roads</u></p> <p>New roads or railways for cross-Park travel will not be supported, and no proposals for a major alteration to an existing road or railway will <u>not</u> be permitted, unless:</p> <p>(i)A. There is a compelling national need which cannot be met by any reasonable alternative means, and (ii)B. It is demonstrated to be in the overall public interest; and (iii)C. It is demonstrated to provide long term local transport benefit, and (iv)D. There is a demonstrable long term net environmental benefit within the National Park, and (v)E. There is a demonstrable long term net economic benefit within for the National Park.</p> |
| MM116 | 93 | DMTX (new) supporting text | <p><u>Local road improvements</u></p> <p><u>The road infrastructure across the Peak District National Park is largely dependent on historic routes linking settlements and the urban areas surrounding the National Park. This means that in many cases routes are subject to the undulating terrain of the National Park, with steep and twisting sections in many locations. The Park’s geography can also mean that many of the roads within its boundary have retaining walls adjacent to steep drops with associated safety features such as vehicle restraint systems.</u></p> <p><u>Over time, the effects of erosion and prolonged periods of extreme weather can lead to a deterioration of retaining walls, safety features and the road’s subsurface leading to a requirement for reconstruction. In such circumstances, the importance of the</u></p> |

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| | | | <p><u>safety of the road user means that such works are carried out in a timely fashion. Where this is the case, a constructive approach is taken to working with Highway Authorities, Highways England and other bodies to try and ensure that remedial works are carried out with regard to the valued characteristics of the National Park.</u></p> <p><u>Similarly there are occasions when there may be a requirement for a minor change to alignment of a route for safety reasons. For example, this may be in response to the narrowness of the carriageway, its camber, or the severity of a bend.</u></p> <p><u>Core Strategy policies T2B and T2C set out the Authority’s overall approach to cross-Park road building. However, this policy does not cover the delivery of remedial works which may be required in relation to maintenance or safety; as such further guidance is provided within policy DMT2.</u></p> <p><u>In most cases, remedial works of this nature are proposed under the General Permitted Development Order (2015) Part 9, which grants Highway Authorities permitted development rights for any works required for the maintenance or improvement of the road on land within the highway boundary, or land adjacent to and adjoining the highway boundary. However, land within the National Park is subject to the highest designation in relation to its natural beauty, wildlife and cultural heritage. In addition, large areas of the National Park are subject to high level Natura 2000 designation in relation to its international importance for rare species and their habitats.</u></p> <p><u>Section 62 of the Environment Act (1995) places a Statutory Duty on Highway Authorities and other bodies to have regard to National Park purposes. Therefore, relevant Highway Authorities, and any agents working on their behalf are expected to consult with the National Park Authority with regard to Local Road Improvement Schemes. Prior consultation enables a better understanding of any potential impacts of a scheme, and the opportunity to mitigate and/or provide wider enhancement to the National Park’s valued characteristics.</u></p> <p><u>Provided that remedial works are planned at a scale and in a manner sympathetic to the setting, designation and other valued</u></p> |
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| | | | <p><u>characteristics of the National Park and are inclusive of appropriate mitigation and enhancement the Authority will be supportive of such schemes. Policy DMT2A sets out the relevant criteria in relation to this.</u></p> <p><u>In some cases, the proximity of works to designated sites within the National Park or the scale of them means that they are subject to Schedule 2 Environmental Impact Assessment. This in turn means that they require planning permission from the Authority. Where this is the case, the Authority will take a constructive approach in working with the constituent Highway Authorities or Highways England to ensure that the planning application takes account of, and provides mitigation for, any impacts on the National Park’s the valued characteristics. Where possible, an enhancement of the valued characteristics is required as a result of the scheme. Policy DMT2A also sets out the criteria to be met by the developers of such schemes.</u></p> <p><u>In all cases, the Authority reserves the right to judge each scheme on its merits, and support should not be assumed by the promoting body. Core Strategy policy T1B states that cross-Park traffic will be deterred. Policy DMT2B builds on this by making it clear that local road schemes aimed specifically at increasing capacity on the road network within the National Park will not be supported.</u></p> |
| MM117 | 94 | DMT2 | <p><u>DMT2 Local road improvements</u></p> <p><u>Local road schemes aimed at ensuring the safe operation of the highway network may be delivered either through the General Permitted Development Order or through a planning application. The approach to such proposals in both circumstances is provided below:</u></p> <p><u>A. Remedial road schemes aimed at addressing safety will be supported or permitted, provided that:</u></p> <p><u>(i) the National Park Authority receives early and appropriate consultation on any proposed scheme that falls under the General Permitted Development Order; and</u></p> <p><u>(ii) the scale of schemes is kept to a minimum consistent with the need to address the required road improvement while ensuring that scale is appropriate to the landscape; and</u></p> <p><u>(iii) they are designed in a manner appropriate to setting and any additional national or international designations, and</u></p> <p><u>(iv) where the scheme is likely to have negative impacts on the valued characteristics of the National Park, that mitigation, and</u></p> |

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| | | | <p><u>where possible enhancement measures form part of the scheme design.</u></p> <p><u>B. Local road schemes with the sole purpose of increasing capacity on the network will not be supported.</u></p> |
| MM118 | 94 & 95 | Paras 9.30 to 9.36, | <p>(New para before 9.30) <u>Core Strategy policy GSP1E</u> sets out the principle that major development should not take place within the Peak District National Park other than in exceptional circumstances, and following the rigorous consideration of criteria within national policy. In the case of the delivery of a new railway or the reopening of a former railway, this policy would apply, irrespective of the safeguarding set out in <u>Core Strategy policy T5A</u>.</p> <p>Policy DMT34 adds clarity and detail to the Core Strategy, providing the criteria under which new railway infrastructure may or may not be deemed acceptable, should the criteria set in <u>Core Strategy policy GSP1</u> DMT1 be met. <u>New railways within the National Park represent opportunities for sustainable transport, but can also have negative impacts on the landscape and recreational enjoyment of the Park. A balanced approach weighing both benefit and impact is required when considering railway construction. New railways may be proposed by a number of bodies including by Network Rail, regional, sub-regional or devolved transport bodies, local authorities or as part of a tourist or heritage attraction. Because of the need to ensure that all benefits and impacts are weighed in a consistent manner, regardless of promoting body or organisation, all new railway schemes will be required to meet the criteria provided in policy DMT4.</u></p> <p><u>Policy DMT4B clarifies that any new railway within the National Park will be expected to provide a net environmental benefit. Policy DMT4C then goes on to provide clarity as to the demonstrable benefits that would be expected as a result of any new railway provision. These include, but are not exclusive to, the removal of road traffic from parallel routes, the provision of a sustainable transport solution and the mitigation of any habitat loss. Other benefits could include improvements to local air quality or improvements to amenity for National Park residents.</u></p> <p>9.31 In keeping with Core Strategy Ppolicies T6A and T6B, policy DMT3C<u>4E</u> stipulates that where rail development impinges on existing footpaths, bridleways, or trails, an alternative route of equal or better quality that ensures continuity should be provided.</p> <p>9.32 Policy DMT3D states that proposals to construct railways acting primarily as tourist attractions are unlikely to be successful</p> |

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| | | | <p>because of their incompatibility with both transport and recreation policies. Elsewhere, railway stations usually generate road traffic, and a demand for additional facilities to cater for customers such as car parks and toilets. Where the line is aimed at the tourist market, such demands are likely to be even more acute.</p> <p>9.33 The development of a new passenger railway station or terminus <u>within the National Park</u> forming the destination of a Park &and Ride scheme or as part of a visitor / traffic management scheme or for principally local use could be deemed acceptable, but would need to demonstrate an overall environmental and economic benefit to the National Park. Policy DMT3E4F provides the criteria that would need to be met to justify the development of a <u>passenger</u> railway station or terminus within the National Park.</p> <p>9.34 In bringing forward any rail scheme, developers must be able to demonstrate that there will be a net environmental benefit to the National Park.</p> <p>9.35 Where a rail development occurs, including light rail, heavy rail or guided bus scheme, the detrimental effects of the scheme must be outweighed by significant benefits to the National Park. These include, but are not exclusive to, the removal of road traffic from parallel routes or the provision of mitigation against habitat loss.</p> <p>9.36 <u>9.34</u> There are national programmes for the <u>electrification of railways</u> within close proximity to the National Park, including the Trans Pennine and Midland Mainline <u>routes</u>. This would suggest that in the medium term, there may be plans to electrify the Hope Valley Line. Whilst there are clear benefits to electrification, including benefits to local air and noise pollution, as well as providing longer term sustainability and viability of the railway; at the same time, there are likely to be negative impacts for the National Park, in particular visual intrusion. Therefore, as with other rails schemes within the National Park, a clear net environmental or economic benefit would need to be demonstrated. In all cases of rail development in the National Park, Network Rail and their agents must have regard to National Park purposes, as stipulated in Section 62 of the Environment Act (1995).</p> |
| MM119 | 95 | DMT3 | <p>DMT43 Railway construction</p> <p><u>A. New railways within the National Park, including those developed as tourist or heritage attractions must represent a sustainable transport solution ensuring that the benefits are weighed against any negative impacts on the landscape and existing recreational users of the Park.</u></p> |

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| | | | <p>A. B. Any heavy rail, light rail or guided bus development must clearly demonstrate a net environmental benefit to the National Park.</p> <p>B. C. Any detrimental effects that a heavy rail, light rail or guided bus scheme may have on the National Park must be outweighed by significant benefits – including a demonstrable lasting removal of road traffic from parallel routes and the <u>provision of passenger services to, from and between stations within the National Park.</u></p> <p>D. MMitigation of any habitat loss <u>must be included within any railway proposals, along with proposals for enhancement where possible.</u></p> <p>E. E. Any heavy rail, light rail or guided bus development that impinges on existing footpaths, bridleways or major trails must comply with the policy approaches in <u>policy DMT45A</u>, ensuring equally good alternatives and maintaining their continuity.</p> <p>D. New railways designed primarily as tourist or heritage attractions will not be permitted.</p> <p>F. E.The development of a new passenger railway station or terminus within the National Park must be able to demonstrate an overall environmental and economic benefit to the National Park. It will be permitted provided that:</p> <p>(i) It it is the destination end of an acceptable pPark &and rRide scheme; or (ii) It is a temporary part of a phased construction programme; or (iii)(ii) It it is part of a traffic / visitor management project; or (iv)(iii) It it is principally used for local purposes.</p> |
| MM120 | 96 | 9.43 | <p>Policy DMT45D goes further by providing clarification of criteria whereby proposals for new routes for walking, cycling and horse riding that do not fall within the highway can be brought forward. <u>All of the criteria should be met when delivering new and extensive multi-user trails. However, in the case of small scale improvements to existing rights of way, a less prescriptive approach may be acceptable. Where new routes are proposed on existing rights of way such as public footpaths, the amenity for</u></p> |

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| | | | <u>existing users will be maintained.</u> |
| MM121 | 96 | DMT4 | <p>DMT4⁵ Development affecting a public right of way</p> <p>A. Where a development proposal affects the route of a public right of way, either the definitive line of the public right of way should be retained, or, in exceptional circumstances, where retention of the definitive line is not possible, the developer will be required to provide an alternative route that:</p> <ul style="list-style-type: none"> (i) is of equal, <u>or preferably, of better an improved</u> quality than compared to the original; and (ii) Hhas similar or improved surface appropriate to its setting; and (iii) Wwherever appropriate, is of benefit to users with special needs, including those with disabilities; and (iv) is available before the definitive route is affected or if this is not possible, until the development is complete, a suitable temporary route is available before the definitive route is affected; and (v) is as convenient and visually attractive as the original. <p>B. Where development occurs, opportunities will be sought to provide better facilities for users of the rights of way network, including, where appropriate, providing links between the development and the rights of way network, including the National Park’s Trail network.</p> <p>C. Development that would increase vehicular traffic on footpaths, bridleways or byways open to all traffic to the detriment of their enjoyment by walkers and riders will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.</p> <p>D. The development of new routes for walking, cycling and horse riding including multi-user trails will be supported, provided that they conserve and enhance the valued characteristics of the area, and are subject to the following criteria:</p> <ul style="list-style-type: none"> (i) Fthey connect into the wider rights of way network; and (ii) Fthey connect with settlements within and beyond the nNational pPark boundary; and (iii) Fthey are designed and constructed to an appropriate standard, in keeping with its setting; and (iv) Wwhere it is likely to act as a destination in its own right, that appropriate, new or existing visitor facilities are made |

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| | | | <p>available.</p> <p><u>In the case of minor improvements to existing or permissive rights of way, (i) and (ii) are unlikely to apply.</u></p> |
| MM122 | 98 | DMT5 | <p>DMT56 Business parking</p> <p>A. New or enlarged car parks will not be permitted unless a clear, demonstrable need can be shown.</p> <p>B. Where planning permission is required, additional parking provision should be of a limited nature, whilst being appropriate to the size of the development and taking account of its location and the visual impact of parking.</p> <p>C. The adopted parking standards are provided in Appendix 10.</p> |
| MM123 | 98 | 9.63 | <p>Over recent years there have been many calls for new or improved car parks at popular visitor destinations, including <u>villagesettlements</u> and within the wider countryside. The general approach is to first ensure that there is a genuine need for additional capacity; in most cases this may be triggered by evidence of the impact of either unofficial overflow parking or in some cases inappropriate parking. Where there is a need for additional parking, in some cases, this need can be met within the footprint of existing car parks, without detriment to the location or the National Park’s special qualities. <u>Alternatively, there may be a need for a newly created car park to address demand for visitor access to a particular location. In either case, the Authority would expect to see a demonstration of local benefit from the removal of on-street or inappropriately parked vehicles through Traffic Regulation Orders or other methods,</u> to support the application for additional off-street parking. However in some cases, demand is restricted to busy summer weekends. In these cases the General Permitted Development Order permits the use of land for parking without the requirement for planning permission. This can include the use of fields for parking for busy weekends such as for well dressings or carnivals; this approach can be undertaken on other busy days for up to 28 days per year. However, care should be taken to identify sites that can be accessed safely, without impacting on the highway network.</p> |
| MM124 | 98 | 9.63 (new para) | <p><u>In some cases, demand for visitor parking is restricted to busy summer weekends. In these cases the General Permitted Development Order permits the use of land for parking without the requirement for planning permission. This can include the use of fields for parking for busy weekends such as for well dressings or carnivals; this approach can be undertaken on other busy days for up to 28 days per year. However, care should be taken to identify sites that can be accessed safely, without impacting on the highway network.</u></p> |

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| MM125 | 99 | DMT6 | <p>DMT67 Visitor parking</p> <p>A. New or enlarged car parks will not be permitted unless a clear, demonstrable need, <u>delivering local benefit</u>, can be shown.</p> <p>B. For visitor car parking additional off street parking will normally only be permitted where it replaces equivalent on street parking spaces. <u>Where new or additional off-street visitor parking is permitted, an equivalent removal of on-street parking will usually be required. This will be delivered through Traffic Regulation Orders to restrict on-street parking.</u></p> <p>C. In considering proposals for new or enlarged car parks in the Natural Zone and in Conservation Areas, the developer is expected to have assessed alternative sites located in a less environmentally sensitive location, capable of being linked to the original visitor destination either by a p<u>Park</u> &and r<u>Ride</u> system or right of way.</p> |
| MM126 | 99 | 9.66 | <p>Core Strategy Policy T7B sets the strategic principle that residential parking should be set at the ‘minimum required for operational purposes’, whilst having regard to environmental constraints and any future requirements. Policy DMT78A directs developers to provide <u>sufficient</u> off-street parking for residential developments unless the provision of on-street parking meets highway and amenity standards. The Ppolicy then goes on to <u>reference the Peak District National Park Parking Standards in relation to the appropriate levels of parking provision for residential development</u> provide minimum parking standards for residential development. <u>The standards set a minimum number of spaces that developers are expected to meet to ensure adequate provision. In locations where the availability of on-street parking is scarce, or the impacts of on-street parking on amenity an issue, the Parking Standards allow for greater provision up to a maximum number of spaces. The Peak District National Park Parking Standards are provided in Appendix 9.</u></p> |
| MM127 | 99 | New para after 9.66 | <p><u>Where there is sufficient on-street parking available, and where there is no resulting impact on the highway safety or residential amenity,</u> The provision of car free development without bespoke parking facilities may <u>will be viewed favourably; but</u> however this will require reasonable alternative parking to be available. Finally <u>Policy DMT78B offers protection to off-street parking provision within a development, where its loss would have negative impacts on local traffic flow. The Authority may seek to control loss of provision by means of appropriate conditions.</u></p> |
| MM128 | 100 | DMT7 | <p>DMT78 Residential off-<u>street</u> parking</p> <p>A. Off-street car parking for residential development should be provided unless it can be demonstrated that on-street <u>on-street</u> parking meets highway and amenity standards <u>and does not negatively impact on the visual and other amenity of the local</u></p> |

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| | | | <p><u>community</u>. This should be either within the curtilage of the property or allocated elsewhere. <u>Full details of the appropriate range of parking provision for residential developments can be found within the Parking Standards at Appendix 9.</u> normally at the following levels:</p> <p>(i) For one bedroom dwellings; 1 space per unit plus 1 space per 2 units for visitors (ii) For two and three bedroom dwellings; 2 spaces per unit (iii) For four bedrooms and above; 3 spaces per unit (iv) For holiday residences; 1 space per 1 and 2 sleeping room units, 2 spaces per 3 (and over) sleeping room units (v) Car free development will be considered favourably where reasonable alternative parking provision exists.</p> <p>B. Off-street car parking space provided as part of a development will be protected where there is evidence that the loss of such space would exacerbate local traffic circulation problems.</p> <p>C. The design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.</p> |
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10 Utilities

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough, new text is <u>underlined</u>) |
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| MM129 | 101 | 10.6 | The National Park Authority will consult the utility providers and the Environment Agency on planning applications where service provision is likely to be an issue. Wherever possible, planning controls are used to enable service infrastructure to be improved rather than refuse the development. <u>This may include the necessity to coordinate the delivery of development with timing for the delivery of infrastructure improvements such as for surface water management and connection into the foul sewer network.</u> |
| MM130 | 102 | New para before DMU1 | <u>Where a development is of a significant size, there may be a case for a phased delivery, with parts of the site coming on-stream over time. It is accepted that the works to connect with new infrastructure may not be delivered ahead of the whole development</u> |

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| | | | <u>being completed. Nevertheless, delivery should be synchronous with each phase of development, and full details of the required service provision should be disclosed at the planning application stage.</u> |
| MM131 | 101 | DMU1 | <p>DMU1 Development that requires new or upgraded service infrastructure</p> <p>A- New or upgraded service infrastructure for new will be provided to development <u>will be permitted provided that it subject to the requirement that the full details are provided in the planning application and it:</u></p> <p>(i) does not adversely affect the valued characteristics of the area; and</p> <p>(ii) can be provided before any new land use <u>does not commence prior to the appropriate delivery of the services begins.</u></p> |
| MM132 | 104 | After DMU3 | <p><u>Broadband</u></p> <p><u>The availability of a high speed broadband connection is of great importance to both residents and businesses within the National Park. For businesses it can be a key factor in selling goods and services to a local, national or international market. For residents, it offers access to goods and services, whilst reducing the need to travel. It is acknowledged that compared with most urban areas, broadband provision within the National Park can be slow, and in some places non-existent.</u></p> <p><u>The installation of infrastructure for the provision of broadband is covered by the General Permitted Development Order (2015). A previous requirement of the Order requiring prior approval for infrastructure for fixed line broadband within National Parks was formally removed in May 2018.</u></p> <p><u>The provision of fixed line broadband lies outside of the scope of this document, as it requires neither planning permission, nor the prior approval of sites by the Authority. However, the Authority will work with communities and partner organisations to facilitate the provision of high speed broadband throughout the National Park. Where possible the Authority will work with the providers of broadband to ensure that the associated infrastructure is in the best locations for communities, whilst having regard to the setting of Conservation Areas and that of the wider landscape and other valued characteristics.</u></p> |
| MM133 | 103 | After Broadband text | Insert section heading <u>Telecommunications Infrastructure</u> |

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| MM134 | 104 | New para after 10.19 | <p><u>The National Parks England and Mobile UK Joint Accord / Memorandum of Understanding was adopted in June 2018.¹⁰¹ The accord complements the Code of Best Practice and has three objectives:</u></p> <p><u>1. To endeavour to deliver high quality mobile coverage and customer experience to communities living in, working at and visiting our National Parks in recognition of the essential nature of mobile connectivity in line with UK Government ambitions to ensure comprehensive mobile coverage;</u></p> <p><u>2. To protect the special qualities of the National Parks by minimising any adverse environmental impacts in providing mobile coverage in recognition of their national importance, while recognising the practical difficulties of providing coverage in areas of high landscape value; and</u></p> <p><u>3. To work together proactively and pragmatically to achieve these aims, recognising that telecommunications infrastructure has siting and design requirements driven by the technology and that National Parks are an important national designation.</u></p> <p>¹⁰¹http://www.mobileuk.org/Mobile%20UK%20-%20National%20Parks%20England%20Accord%20-%202018.pdf</p> |
| MM135 | 104 | New para before DMU4 | <p><u>The telecommunications industry has evolved rapidly over recent years, as demand has grown and technology has progressed. In particular, mobile phone technology has seen a dramatic shift from devices acting primarily as telephones through to the development of hand-held computers, which interact with the virtual world in a variety of ways. This level of development is likely to continue over the life of this Plan. Therefore it is important that this policy is able to allow for future developments in technology that may lead to changes in requirements for the supporting infrastructure. Where new technology leads to the requirement of infrastructure that falls outside of the scope of the policy, and such infrastructure negatively impacts on the National Park and its setting, the Authority reserves the right to update its policy accordingly.</u></p> |
| MM136 | 105 | New para's before DMU5 | <p><u>Restoration of utility and telecommunications infrastructure sites</u></p> |

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| | | | <p><u>Utility infrastructure often needs to be located in open countryside locations where permission for other types of development would be refused. Similarly, the alteration of a building’s character and appearance may be acceptable, whilst the associated equipment is in use, but not otherwise.</u></p> <p><u>Developments in technology, particularly in relation to telecommunications infrastructure have occurred quite quickly over the life of the Core Strategy. This can mean that the lifespan of infrastructure can be limited, with relatively new technology becoming quickly obsolete. It is important that where this occurs, the infrastructure is removed once it no longer addresses any operational need. The removal of such obsolete equipment will form a condition for approval of new sites.</u></p> <p><u>In addition to the removal of obsolete utility or telecommunications infrastructure, developers will be required to return the site to either its original condition, or to a previously agreed alternative. This restoration will be required to be undertaken within a set time period agreed as part of the original development consent, following the cessation of operational use.</u></p> <p><u>Where water supply infrastructure is related to severe weather events such as drought or high rainfall, this policy will not apply, provided that the long-term requirement of the infrastructure is established.</u></p> |
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Minerals and Waste

| Mod. No. | Page | Para. / Policy Number | Proposed Modification (deleted text has strikethrough , new text is <u>underlined</u>) |
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| MM137 | 106 | 11.1 | <p>The Core Strategy Policies MIN1 to MIN4 set out the overall strategic context for minerals development (winning and working of minerals and related development) in the National Park. The NPPF (2012) requires that when determining planning applications, Local Planning Authorities should, as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks. The general direction of Core Strategy policy is to continue to enable <u>the gradual reduction of aggregates and other land-won minerals, taking account of the requirements in national policy for ensuring adequate supplies of minerals, and in doing so taking account of the availability of minerals both inside and outside the National Park</u> progressive reduction in mineral working in the National Park. <u>However, the Core Strategy recognises that a different approach will be taken to fluorspar and small-scale building and roofing stone, which may be permitted in accordance with Core Strategy policies MIN2 and MIN3.</u></p> |

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| | | | <p><u>Core Strategy policy MIN1 provides that in order to reflect the approach to major development, new mineral extraction or extensions to existing mineral operations (other than fluorspar proposals and small scale building and roofing stone) will not be permitted other than in exceptional circumstances and where it can be demonstrated they are in the public interest.</u></p> <p><u>Core Strategy pPolicies CC3 and CC4 set out the overall strategic context for waste development. The policies in this DPD Development Management document provide a further level of policy detail for all minerals and waste related developments are applicable alongside the Core Strategy policies. Applications that are acceptable in principle with Core Strategy policy will need to be sequentially assessed against these Development Management policies, but only become relevant if an application is acceptable in principle when considered against the core strategy policy.</u> For practical purposes the dDevelopment mManagement criteria for both minerals and waste management development are brought together in this chapter owing to the close similarity in issues that require consideration.</p> |
| MM138 | 106 | 11.4 (insert under this para) | <p><u>Applicants are encouraged to undertake consultation with Statutory Consultees and the local community before applying for any major minerals or waste development. The application should then outline:</u></p> <ul style="list-style-type: none"> <u>(i) what consultation has been undertaken; and</u> <u>(ii) who has been consulted; and</u> <u>(iii) how the applicant has responded to the results of the consultation; and</u> <u>(iv) how the application responds positively to the views expressed by the local community.</u> |
| MM139 | 106 | 11.5 | <p><i>The justification for the development minerals and waste development</i></p> <p>Minerals development approved under <u>Core Strategy policy MIN1 of the Core Strategy</u> is only permitted where the working is properly justified <u>and as demonstrating exceptional circumstances applying the major development tests as set out in paragraph 116 of the NPPF (2012).</u> Fluorspar proposals approved under Core Strategy policy MIN2 are only permitted where extraction of proven deposits takes place underground and extraction is environmentally acceptable. Local small-scale building and roofing stone proposals will only be permitted under Core Strategy policy MIN3 where they meet a demonstrable need within the National Park, which cannot be satisfied from existing permissions inside or outside the National Park; the stone will be confined to local use only on buildings and structures within the National Park; and the individual and cumulative impacts of working on the environment, amenity and communities can be appropriately mitigated.</p> <p><u>In order to fully address the principles of Core Strategy policy MIN1 and the major development tests established in paragraph 172 and footnote 55 of the NPPF (2018), applicants for minerals or waste development will be expected to provide a range of</u></p> |

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| | | | <p><u>evidence. Policy DMMW1 provides the full list and explains that the need to demonstrate these requirements may vary in the case of applications for extensions to mineral workings, depending on their scale and nature.</u></p> <p>In both these cases and development involving waste management facilities the following evidence is required:</p> <ul style="list-style-type: none"> — The availability of other permitted or allocated mineral supply <u>the availability of secondary or recycled materials;</u> or the availability of other permitted or allocated waste sites or developments, both within and outside the National Park. The proximity of the mineral extraction to the end-user market or the proximity of the waste operation to the supply chain. — Suitable geological and other information on the quality, availability and volume of the mineral reserves, ensuring that high quality materials are retained for appropriate end uses. — Information relating to durability and aesthetic qualities of the stone together with precise details of its compatibility with any repair or restoration project it is proposed to supply. — Information relating to any claimed impact of the development on the local economy and job opportunities. — Information relating to the contribution of any planning benefits to the local community; |
| MM140 | 107 | DMMW1 | <p><u>DMMW1 The justification for minerals and waste development</u></p> <p>A. Minerals <u>s</u> and waste development will only be permitted where evidence is provided in relation to the viability and need for the development. This must include evidence, <u>as appropriate</u>, of:</p> <p>(i) the availability of other permitted or allocated mineral supply or the availability of secondary or recycled materials;</p> <p>(ii) the availability of other permitted or allocated sites or developments, both within and outside the National Park;</p> <p>(iii) Evidence of the proximity of the mineral extraction to the end-user market or the proximity of the waste operation to the supply-chain;</p> <p>(iv) Evidence by way of suitable geological and other information on the quality, availability and volume of the mineral reserves, ensuring that high quality materials are retained for appropriate end uses; <u>and</u></p> |

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| | | | <p>(v) Evidence of the durability and aesthetic qualities of the <u>building/roofing</u> stone together with precise details of its compatibility with the <u>any</u> repair or restoration project it is proposed to supply.</p> <p><u>B. In order to demonstrate whether minerals development is in the public interest, consideration should include an assessment of:</u></p> <ul style="list-style-type: none"> (i) <u>the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, on the local economy;</u> (ii) <u>the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and</u> (iii) <u>any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which these can be moderated.</u> <p><u>The need to demonstrate the requirements set out in B(i)-(iii) may vary in the case of applications for extensions to minerals workings, depending on their scale and nature.</u></p> |
| MM141 | 108 | DMMW2 | <p>The Impact of Minerals and Waste Development on Amenity</p> <p>A. Minerals development or the development of waste management facilities will only be permitted where the adverse impacts on amenity can be reduced to an acceptable level or eliminated, <u>particularly</u> in relation to:</p> <ul style="list-style-type: none"> (i) Nuisance and general disturbance resulting from transport, including number of vehicles, access arrangements, preventing transfer of mud onto roads and routes proposed for use to and from the site; (ii) Noise, including noise of a level, type, <u>frequency</u> and <u>duration</u> hours of operation likely to have negative impacts on areas of tranquillity; (iii) Vibration; (iv) dust (v)(iv) <u>F</u>umes and <u>s</u>mell <u>o</u>odour; (vi)(v) <u>W</u>ater run-off and flooding; (vii)(vi) <u>V</u>isual impact; (viii)(vii) <u>T</u>he potential effects of land instability arising from the development; |

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| | | | <p>(ix)(viii) Effects on human health including effects of air pollution, smells, and fumes; and, (x)(ix) Minimise impacts on recreation and public rights of way.</p> |
| MM142 | 108 | DMMW3 | <p>DMMW3 The himpact of Minerals and Waste Development on the Environment</p> <p>A: Minerals development or the development of waste management facilities will only be permitted where the impacts of the development on the environment of the National Park are reduced to an acceptable level, or eliminated, <u>particularly</u> in relation to:</p> <ul style="list-style-type: none"> (i) The risk and impact and potential pollution on environmental receptors, <u>including from any pollution</u>; (ii) The need to minimise landscape and visual impact; (iii) The need to minimise impacts on cultural heritage assets and the setting of these assets; (iv) The need to minimise the residual waste arising from the development along with the proposals for the disposal of residual waste; (v) Any potential effects on groundwater, rivers or other aspect of the water environment; (vi) The potential effects of land instability; (vii) The impact on agricultural and forestry interests, including to soil resources; (viii) The efficiency and effectiveness of the proposed working scheme or operation including the phasing proposals and the likelihood of the development being carried out as proposed; (ix) The need to prevent unauthorised public access and/or stock ingress, and to ensure adjacent land can be appropriately managed; |

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| | | | <p>(x) The proposed scale, siting, colour and design of buildings, plant and structures; and</p> <p>(xi) The functional need for any buildings, plant and structures.</p> |
| MM143 | 110 | DMMW4 | <p>DMMW4 Waste Management Facilities</p> <p>A. In accordance with <u>Subject to conformity with</u> Core Strategy policies CC3 or CC4 of the Core Strategy, waste management facilities should be located in accordance with the following sequential approach having regard, where appropriate, to the relevant Municipal Waste Management Strategy:</p> <ul style="list-style-type: none"> (i) Existing authorised waste management sites located in <u>Core Strategy policy DS1</u> settlements within the National Park; (ii) Existing or allocated industrial land within <u>Core Strategy policy DS1</u> settlements; (iii) Previously developed land within <u>Core Strategy policy DS1</u> settlements; (iv) Industrial land or previously developed land outside <u>Core Strategy policy DS1</u> settlements; (v) Vacant or under-utilised agricultural buildings; (vi) Greenfield sites or any other land. <p>and</p> <p>B. Proposals for waste management facilities must:</p> <ul style="list-style-type: none"> (i) Be of <u>an</u> appropriate scale, reflecting the needs of the local resident and business community to create and dispose of waste; and (ii) Minimise the need for transportation of waste to the facility; and (iii) Minimise and where possible avoid any requirement for <u>the</u> outside storage of waste; and (iv) Minimise and where possible avoid any adverse impact on <u>the</u> valued characteristics of the area; and (v) Minimise and where possible avoid any adverse impact on the amenity of resident and visitor communities; <u>and</u> (vi) <u>not involve land raising.</u> |
| MM144 | 111 | DMMW5 | <p>DMMW5 Restoration and Aftercare</p> <p>A. Minerals development or the development of waste management facilities <u>disposal of waste by deposit or landfill</u> will only be</p> |

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| | | | <p>permitted where the restoration and aftercare contributes to the enhancement of the National Park. All proposals must demonstrate that:</p> <ul style="list-style-type: none"> (i) Rrestoration can be achieved in the timescale proposed; and (ii) Ssufficient material is, <u>or will be</u>, available to achieve the levels proposed; and (iii) No future land stability or public safety issues will arise; and (iv) All buildings, plant and machinery including bases, foundations and utilities will be removed; and (v) <u>where appropriate</u> Rrestoration will contribute to <u>the</u> enhancement of; biodiversity, geodiversity and amenity, and be acceptable within the context of the Landscape Strategy for the National Park; and (vi) Aa comprehensive scheme for the aftercare of the restored land shall be implemented to bring the restored land up to the required standard for use for <u>agriculture</u>, woodland, nature conservation or amenity within a five year aftercare period. If the required standard cannot be reached within a five year period, or the benefits of the restoration in contributing to the biodiversity, amenity or geodiversity of the National Park cannot be maintained without long term management, an extended period of aftercare should be secured. |
| MM145 | 111 | 11.20 | <p>It is not possible to quantify the number of sites, or quantity of ancillary development that would trigger cumulative impact. This is dependent on the particular locality and will be assessed on a case by case basis. However, gradual industrialisation <u>the cumulative effects of such developments</u> can erode the very qualities of landscape biodiversity and cultural heritage that underpin National Park designation and erode the tranquillity and quiet enjoyment that residents and visitors experience. The valued characteristics of an area are many and varied and will therefore always be key material considerations when assessing applications for mineral further working.</p> |
| MM146 | 111 | DMMW6 | <p>Cumulative Effect of Mineral and Waste Development A: Minerals <u>development</u> or the development of waste management facilities will only be permitted where the cumulative impact</p> |

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| | | | <p>of the development is considered to be acceptable, taking into account:</p> <ul style="list-style-type: none"> (i) existing operations on the site and in the locality; and (ii) existing impacts from other development, other impacts from existing or planned development; <u>and</u> (iii) its setting both concurrently and successively, including; <u>and</u> (iv) the off-site impact of any utility or infrastructure improvements necessary to serve the development. |
| MM147 | 112 | DMMW7 | <p>DMMW7 Safeguarding local building and roofing stone resources and safeguarding existing permitted minerals operations from non-mineral development <u>Safeguarding gritstone resource</u></p> <p>A selection of small individual areas for local small-scale buildings and roofing stone for conservation purposes is safeguarded from non-minerals surface development through the definition of a Mineral Safeguarding Area on the Policies Map.</p> <ul style="list-style-type: none"> A. <u>The gritstone resource will be safeguarded from sterilisation by non-mineral surface development through the defined Mineral Safeguarding Areas on the Policies Map.</u> B. <u>When considering applications for major non-mineral surface development in these safeguarded areas outside of existing settlements and the areas immediately adjacent to existing settlements, the prior extraction of minerals should be undertaken ahead of the non-mineral surface development where possible to prevent mineral sterilisation. Where prior extraction is not practical or economically feasible, applicants will be required to demonstrate that either there is no mineral likely to be of current or future economic value that would be sterilised by the development, or that proceeding with the proposed development on that site would be of overriding importance in relation to the significance of the mineral resource.</u> |
| MM148 | 113 | DMMW8 | <p><u>DMMW8 Ancillary minerals development</u></p> <p>A. Ancillary mineral-related development <u>at mineral extraction sites</u> will be permitted provided that:</p> <ul style="list-style-type: none"> (i) there are clear benefits in <u>is</u> a close link between the ancillary development proposed industrial and mineral <u>the existing winning and working on the site developments</u> because the material to be used <u>in the ancillary process</u> is <u>won and worked produced mainly on-site</u>; and |

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| | | | <p>(ii) when planning permission for mineral working expires (or if the plant becomes redundant before the completion of mineral working) all plant, buildings and machinery will be removed, and the site will be satisfactorily reclaimed to an agreed after-use. This will be achieved by a <u>legal agreement</u> planning obligation or condition imposed at the time of the grant of planning permission; <u>and</u></p> <p><u>(iii) mineral related development (including processing, stocking, storage or sorting of minerals) will not be permitted on sites which are not operational mineral extraction sites.</u></p> |
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