

ANNEX 1

Annex 1: Detail to be included in the response to GOEM

1 A response needs to be submitted on behalf of the National Park Authority that makes the following points:

Policy 1: Regional Core Objectives

2 Inclusion at a) of reference to housing stock meeting the needs of all communities in the region is potentially confusing since it could be read to mean that the “needs” of each separate geographic community (now matter how small) should be met within the place itself. This has not always been possible within the National Park (or in rural areas in other parts of the region) and will not be in future if statutory purposes are to be met. Using “address” rather than “meet” offers a means of removing this problem whilst ensuring that the broad intent of the new statement remains.

3 Reference in g) to sites of “European importance” and to cultural assets is welcomed. However, taken with increased references to biodiversity elsewhere in the text and given that there is no European landscape designation in the East Midlands, the new wording has an undesirable effect. It appears to give less importance to the national landscape designation that is the Peak District National Park than in the previous unqualified use of “natural and historic assets.” This could be overcome by use of “European and national importance.” The change would not contradict concerns about “Appropriate Assessment” which are dealt with elsewhere in the plan.

4 Enhanced references to habitat, biodiversity and species in h) and to carbon sinks in j) are welcomed.

Section 1.4: Promoting Better Design

5 New references in 1.4.1 to Town and Village Design Statements and to Historic Landscape Characterisations now appears to exclude other more generic local design guides and Landscape Character Assessments / strategies, both of which are relevant to the matters under discussion. This could be overcome by reference to “Local Authority design Guides, Town and Village Design Statements, Landscape Character Assessments and Strategies and Historic Landscape Characterisations will”

6 Does “in advance of” in paragraph 1.4.4 mean “in excess of?” The current wording is not clear.

Policies 8 and 9; Spatial Priorities in the Peak Sub-area, and Spatial Priorities outside the Peak district National Park

7 Reference to spatial priorities, policies and programmes rather than “development,” to the Peak District Moors SPA/SAC and to SPITS is welcomed. However, deletion of “in and around” from line 1 of Policy 8 creates serious potential difficulty and weakens current policy (Policy 10 of RSS8 March 2005). The Panel understood the importance of this phrase in terms of strategic spatial planning and recommended its inclusion in the policy title. It is important because it requires local planning authorities with responsibility for areas adjacent to the National Park, but outside the Sub-area (in the East Midlands - North East Derbyshire) to have regard to the impact of policies on National Park purposes. “In and around” also has important cross-regional boundary implications. Other RSS’s refer to policy for the National Park as being set out in RSS8. Relevant local authorities in the 3 other constituent regions can therefore be directed to the use of “in and around” as being applicable to their own policy and development management decisions. This has proved useful in practice and cases can be quoted if need be. It provides a link (through bullet point one of Policy 9) to Policy 10 for the management of tourism and visitors which also talks about “areas

adjacent to the National Park” and can apply to any of the 4 regions since development in each might (by easing pressures) contribute to management within the National Park and hence in the Peak Sub-area. Without this cross-referencing, the National Park Authority will need to pursue the repetition of these specific points policy in the RSSs in each of 3 other constituent region’s. With it, the principle is established, time and effort saved and greater consistency ensured.

- 8 In supporting text 2.4.29, the newly introduced word “particularly,” before “market housing,” should be removed. If it is not, the plan could be read to suggest that there will be no instances where local needs within the National Park (eg in very small fringe settlements that are unsuitable for sustainable development location) should be met in surrounding market towns. This was not the original intention of the sentence, which was to make clear that external market pressures on the National Park should not be diverted to adjacent rural areas. It would also be contrary to PPS7 and to discussion and findings at the EIP about the relationship of the National Park to adjacent areas (summed up in paragraphs 3.25 to 3.27 and 18.7 to 18.11 of the Panel Report).

Policy 10: Managing Tourism and Visitors in the Peak Sub-area

- 9 The stronger references to an integrated approach “encouraging and promoting” opportunities in adjacent areas that could reduce pressures on the National Park are welcomed.

Policy 13: Regional Housing Provision

- 10 The absence of a regionally derived target for the National Park is welcomed.

Policy 14: Regional Priorities for Affordable Housing

- 11 Given the use of numbers in this policy in place of the percentages in the submitted plan, the number of affordable houses in the whole Sub-region will be less than in the submitted policy, in which the figure for the Peak, Dales and Park HMA clearly specified that it applied to the areas outside the National Park. The wording of the proposed changed policy implies that affordable houses provided within the National Park (which were previously additional) should be deducted from the 7,300 in order to arrive at a figure for the rest of the HMA. Clarity is important, whichever meaning is chosen. In line with the views that it expressed at the options stage of the current review, and so long as any variation in targets is dealt with outside the National Park itself without impact on the absence of a target figure within it, the National Park Authority supports whichever interpretation the district and county planning authorities responsible for the Sub-region outside the Park decide to favour. This will then form a strong basis for planning and housing authorities to work together and develop a monitoring and delivery system that takes full account of the special circumstances in a sub-region that contains such a large national landscape designation.

- 12 Changed text in paragraph 3.1.12 implies that (ALL) “rural areas will also require market housing if they are to prosper.” This has not been found to be the case in the National Park, where evidence is that (with the exception of some enhancement sites – justified solely by meeting National Park purposes) turn over in the existing stock of market housing satisfies market vitality needs. The problem that the new text introduces for the National Park could be removed without altering the thrust of the sentence by replacing “will also” with “in general.”

- 13 The proposed change at 3.1.13 states that all of the bulleted mechanisms should be used in every local authority area. This was not the intent of the original wording, which had been deliberately chosen to be inclusive rather than prescriptive. Although the proposed change is supported by the recommendation in paragraph 4.68 of the Panel Report, it seems to be at odds with:
- the general approach in the RSS of enabling delivery solutions that are best

suited to local circumstances and with

- the Panel's acceptance and support of solutions tailored to work alongside statutory National Park purposes rather than superimposing a generalised rural approach

This difficulty could be overcome by use of "...should make use of a wide range of policy mechanisms, including...". Such wording would have the advantages of

- including other as yet unrealised mechanisms within its intent and
- not seeking (imposing?) site allocation for affordable housing in all LDFs including that for the National Park – a step further than the requirements of PPS3 which is not founded on evidence and which in some cases (such as in the National Park) is counter to the local evidence base.

- 14 Bearing in mind the discussion and findings at the EIP about the relationship of the National Park to adjacent areas (summed up in paragraphs 3.25 to 3.27 and 18.7 to 18.11 of the Panel Report) new paragraph 3.1.14 introduces difficulties which could be overcome as suggested here:

- In the second sentence, use of "allow rural communities to flourish and thrive" is vague and likely to cause unnecessary debate about the scale at which it is meant to apply. Is it a district, a town and its hinterland, a village or single hamlet, or a dispersed community of interest? In order to allow for flexibility and to facilitate the locally appropriate definitions of this concept in LDFs, it would be better to use "to allow the area to flourish and survive."
- In the third sentence of new paragraph 3.1.14, use of "in the area" is vague and perhaps even more likely to cause unnecessary debate about the scale at which it is meant to apply than the use of "rural communities" in the second sentence. Is it a district, a town and its hinterland, a village or single hamlet? In order to allow for flexibility and to facilitate the locally appropriate definitions of this concept in LDFs, it would be better to use "in the general area" or "in or close to the area" or a similar phrase.
- The fifth sentence appears to set growth objectives against sustainable patterns of development as embodied in journey length alone. This ignores strategic spatial conservation needs and could be overcome by using "...set against important conservation objectives and the need to avoid unsustainable"

Policy 15: Regional Priorities for Affordable Rural Housing

- 15 Inclusion of references to distinctive character and tranquillity are welcomed.

A Regional Target for the Efficient use of Land and Buildings for Housing

- 16 It will be extremely difficult (if at all possible) and very expensive to identify all vacant and underused property in large rural areas (paragraph 3.1.20), and of limited benefit given the low numbers likely to be involved. The problems introduced by the proposed wording could be overcome by the use of "Insofar as practicable..." at the beginning of the 3rd sentence.

Policy 21: Strategic Distribution

- 17 This new policy could be read such that all local authorities should bring forward sites for strategic distribution. That would be difficult to achieve in the National Park without significant change to current policy and discussion at the Examination in Public did not result in such a recommendation. Whilst this possible problem was also in the submitted plan and was not objected to by the National Park Authority, it could be overcome at this stage by:

- specifically excluding the National Park or
- requiring partnership working "at the Sub-regional level" to "bring forward appropriate sites" and / or
- putting "landscape" before "nature conservation" in the final bullet point and

using “in or near to” rather than “near to.”

Policy 31: Priorities for the Management and Enhancement of the Region’s Landscape

18 The inclusion of criteria recognising the value of tranquillity and dark skies is welcomed.

Policy 37: Regional Priorities for Waste Management

19 The newly worded policy omits an important caveat that had helped identify the scale of waste disposal suited to the Peak District National Park. This was not recommended by the EIP Panel Report. The new policy also states that all waste planning authorities should make provision for “the waste management capacity equal to the amount of waste generated and requiring management in their areas.” Appendix 4 is to be used as a guide, but appendix 4 does not contain information relating to the Peak District National Park Authority, which is a waste planning authority. This produces an ambiguous situation in which it might be supposed that the National Park Authority is required to provide for the management within the National Park of all waste that is generated within it. That would be contrary to the current position in both the National Park Structure Plan and the Waste Management Strategies of constituent county councils. It would also be likely to be impractical because economies of scale are not reached without combing waste generated within the National Park with that generated outside its boundaries.

20 The difficulties and potential confusion introduced by the wording of new policy 37 could be removed by a footnote to the policy or possibly to the table in Appendix 4 that:

- reintroduces the caveat in the penultimate paragraph of the policy as submitted for examination in public or
- simply says that facilities for the disposal of waste or a scale that would conflict with statutory National Park Purposes are expected to be located outside its boundaries.

Regional Priorities for Energy Reduction and Efficiency and for Low carbon Energy Generation

21 New paragraph 3.3.69, with its clear emphasis on reducing energy demand and carbon emissions is welcomed.

22 However, new paragraph 3.3.75 states that there will need to be a “complete change” in current planning practice and that (ALL) local planning authorities will need to accept “far more” energy generation schemes. Given that micro-generation is covered elsewhere (paragraph 3.3.77) this appears to be referring to larger and major schemes. It is, therefore, in conflict with the sub-paragraph of 3.3.78 about the Peak Sub-area, which clearly states that it will “always be difficult” to accommodate large scale renewable energy generation schemes within or close to the National Park. The sub-paragraph also recognises the work already carried out by the National Park Authority in its supplementary guidance to promote a variety of appropriate opportunities for small scale generation. The sub-paragraph was challenged without success at the EIP and the Panel Report (paragraph 11.17) says that it is “useful as far as it goes”. The Panel did not recommend that the “sea-change” should encompass the National Park or its near surroundings in a manner that could be harmful to National Park purposes.

23 In addition, the lengthy discussion of targets in paragraphs 11.9 to 11.18 of the Panel Report did not conclude that existing targets are a minimum or that they are achievable. In the light of this discussion and without the additional evidence gathering and target review recommended in paragraph 11.18 of the Panel Report, it

does not seem credible to state bluntly in an evidence based document that without radical change targets cannot be met.

- 24 A better approach would be to redraft paragraph 3.3.75 to refer to an interim position subject to more work to be carried out in the forthcoming partial review – more accurately reflecting the Panel's findings, including its call for a “sea change”. In any event, in order to remove the internal conflict described in paragraph 24 above, the third sentence of plan paragraph 3.3.75 should be revised to read: “Without harming national or international landscape, wildlife or heritage designations, local planning authorities will need to accept

3.4 Regional Transport Strategy

- 25 New paragraph 3.4.13 deals with the regional funding allocation, and in particular with schemes that have not yet progressed through the preparation and funding process. The proposal is for a free-standing Implementation Plan, to be kept under review and updated more frequently than the RSS. Retaining a flexibility of approach to schemes, particularly in light of increased costs, and problems of delivery, is welcomed. However, an element of caution is needed. The more frequent updating of the Implementation Plan could lead to a higher number of schemes undergoing the early stages of preparation, only to be rejected: wasting time and effort. It is therefore important that a holistic rather than a piecemeal approach is taken to scheme identification and funding.

Policy 42: Regional Transport Objectives

- 26 The division of the previous Objective 6 into two Objectives 6 and 7 is welcomed as a positive move that decouples the objective to reduce traffic growth across the region, from the objective of improving air quality and reducing carbon emissions from transport. Whilst the two Objectives are linked with regard to reducing the need to travel, and encouraging modal shift, they are not interdependent.

Policy 44: Regional Approach to Traffic Growth Reduction

- 27 The revised approach is welcomed as being more realistic, however it would be useful to include of some targets against which progress might be measured.

- 28 Retaining a reference on new paragraph 3.4.20 to the Peak District National Park within an amended sentence that supports fiscal demand management measures is fully supported.

Policy 49: Regional Heavy Rail Priorities

- 29 “*support for Community Rail Routes and Services*” is welcomed.

Policy 54: Implementation of the Regional Freight Strategy

- 30 The National Park Authority recognises the benefits of identifying new strategic distribution sites. However, as with comments made on Policy 21, this Authority would be unable to support these within the National Park. Similarly, any such sites that may have a detrimental impact in encouraging an increase in Cross-Park Freight movements would be resisted.

Appendix 6, Table 1

- 31 The Authority maintains its objection to including the A628 Bypass and Glossop Spur in this table and requests that the reference be removed. Inclusion does not reflect the general spatial strategy which recognises the Peak District National Park as a unique national and regional asset (paragraph 3.3.2) requiring the highest level of protection (Policy 26).

- 32 At the time of writing this response, the Authority is awaiting revised evidence from

both the Highways Agency and Tameside Metropolitan Borough Council, as a number of inaccuracies were found in the traffic flow data. Therefore, the detailed points that follow are based on information in the February 2007 Draft Orders.

RTS objective 4

- Neither scheme assists in achieving the RTS objective 4 that is referred to in Appendix 6 Table 1, the schemes contravene a number of the Plan's policies, and the schemes contradict national policy and statutory considerations.
- The Authority does not believe that the A628 Bypass or the Glossop Spur support sustainable development in the region, as stated in Objective 4 of the RTS. This is due to the significant forecast increase in traffic compared to the 'do nothing' scenario. Figures from the 2007 Draft Orders for the Bypass indicate that average annual traffic flows on the A628 east of the A6024 are predicted to increase by 20% in 2015 (from 12,500 to 15,000 vehicles) and 20% in 2030 (from 13,700 to 16,400 vehicles). Furthermore, Peak Park screen line figures indicate that a significant amount of this growth represents traffic that results from the proposed scheme (around 4,100 vehicles per day in 2015). The Authority considers that this increase in traffic is not in line with sustainable development.
- Therefore, the Authority disagrees that the A628 Bypass and Glossop Spur assist in achieving the RTS Objectives that are in Table 1 of Appendix 6. Consequently, it requests that references to meeting Objective 4 of the RTS be removed from the table. In addition, the Authority cannot see how the schemes as they stand will assist any of the other RTS Objectives as presented in the consultation document.

Compatibility with other RSS Policies

- The Authority believes that the inclusion of the Bypass in Appendix 6 Table 1 is in direct contradiction of Policies 9 and 42, and sections of Policy 1 of the Plan. In relation to Policy 9, the Authority feels that the inclusion of the A628 Bypass:
 - Does not help to secure the conservation and enhancement of the National Park, nor does it respect the statutory purposes of the designation of the National Park. The Authority believes that the proposed scheme is significantly detrimental to achieving our purposes.
 - Does not protect or enhance the natural and cultural heritage of the Sub-area, particularly the Peak District Moors Special Protection Area and the South Pennines Moors Special Area of Conservation;
 - Is further developing a route for long-distance traffic through the National Park without having explored all alternative options to a road-building scheme.
- Regarding Policy 42, section iii) Peak Sub-area: objective P4, is also contravened by the inclusion of the scheme in Table 1 of Appendix 6. P4 states that the development of improved transport linkages to the North West region should have due regard to the statutory purposes of the National Park. In the instance of the A628 Bypass, the Authority does not feel that this is the case, as the proposed scheme is significantly detrimental to purposes.
- In relation to Policy 1, it is felt that without all alternatives to a Bypass being explored, the proposed Bypass may contravene section (f) of this policy, as an alternative option may 'protect and enhance the environment' to a greater extent than a Bypass. In addition, the Authority argues that the significant forecast increase in traffic along the A628 contravenes this part of policy 1, since it will have an adverse effect on the environment. Furthermore, it considers that the scheme would be contrary to part (h) of policy 1, which relates to climate change. Given that all alternatives to a Bypass have not yet been fully explored, it is unclear whether it is 'making (the) best use of existing infrastructure'. It is recognised and

well documented that new roads generate new traffic and do not merely serve to divert existing traffic. Therefore, the proposed Bypass is unlikely to reduce the causes of climate change.

- In addition, the Authority feels that alternatives to the proposed scheme have not been sufficiently explored. For this reason, the schemes are not in-line with National policy and the RTS Core Strategy (as outlined in points 3.4.2 and 3.4.4) of 'only increasing highway capacity when all alternative measures have been considered' and 'only developing additional highway capacity when all other measures have been exhausted'.

National policy and statutory considerations

- The Authority considers that the proposed A628 Bypass is not compliant with PPS7, because there has not been thorough examination of all reasonable alternatives. The Authority disagrees with some of the Highways Agency's "exceptional circumstances" for proposing a major development with the National Park.
- The Authority considers that the proposed A628 Bypass is not compatible with PPG13, PPG2 and PPS9 or with the National Parks and Access to the Countryside Act.
- PPS 11: Regional Spatial Strategies: states in paragraph 19 of Annex B that regional priorities for transport should be:
 - consistent with the RTS' objectives and policies and support the wider objectives of the RSS;
 - consistent with national transport priorities set out in national policy documents;
 - defined in broad terms only and focus on general outcomes, unless there is already a clear commitment to deliver a particular scheme confirmed by DfT or the relevant national transport delivery agency;
 - capable of being delivered within the RSS timeframe.

In the Authority's opinion, inclusion of the A628 Bypass in the RTS is contrary to these points.