

Minutes of Local Plan Review Member Steering Group 25th April 2022

10am Hybrid meeting via Webex and at Aldern House

1. Roll Call

Officers	Members
Joanne Cooper (Planning Liaison Officer)	Robert Helliwell
Adele Metcalfe (Policy and Communities Team Manager)	Chris Furness
Brian Taylor (Head of Planning)	Janet Haddock Fraser
Tim Nicholson (Transport Policy Planner)	Andrew McCloy
	Ken Smith

Apologies

Annabel Harling, Yvonne Witter

2. Introduction and Presentation

The aim of the session was outlined as follows:

- To ensure that members of the Local Plan Review Steering Group understand current planning policy and key issues and pressures relating to Travel and Transport.

The Transport Policy Planner delivered a presentation outlining the current Local Plan Policies which deal with Transport matters, how these policies have performed, the results of early public engagement in the Local Plan Review, and the areas for debate.

3. Key Questions

A discussion took place around key themes and questions which had been circulated prior to the meeting.

The key questions were:

- a. Should we retain our current approach in policies T2, and DMT1 to oppose road building except where it is remedial in nature rather than in order to provide additional capacity?

If so, should we also continue with our approach to road-building outside of the National Park, where traffic is increased within the National Park as a result of the scheme?

- b. Should we continue to safeguard the former Matlock to Buxton and Woodhead routes for rail use or should we safeguard the Monsal and Woodhead Trails?

Should we have a blanket policy for safeguarding other existing multi-user Trails from future development?

- c. The Core Strategy takes a restrictive approach to parking, whilst the Development Management Policies document is more pragmatic / less restrictive. This is partially due to changing government policy. Does our DMP approach strike the right balance?
- d. What role does the Local Plan have in sustainable transport beyond planning applications and the delivery of infrastructure?

The 2001 Local Plan had a range of sustainable transport policies, is this the right approach? If not, do we need to find an alternative delivery mechanism?

- e. Air transport – is our current policy DMT9 fit for purpose in an age of drone delivery?

If not, how do we manage the impact of drone flights on ground nesting birds?

4. Debate

- a. **Should we retain our current approach in policies T2, and DMT1 to oppose road building except where it is remedial in nature rather than in order to provide additional capacity?**

If so, should we also continue with our approach to road-building outside of the National Park, where traffic is increased within the National Park as a result of the scheme?

Discussion

The Head of Planning explained that the aim of these policies is to reduce the impact of vehicles. Although the Authority does not have a great deal of influence on this, the policies provide an objective which enables the Authority to take a position on road development. Members added that this position reflects the Authority's statutory purposes.

Members expressed their support for the retention of the current approach and noted that the Authority cannot refuse all works, as some of them are remedial works which often are classed as permitted development.

Members stressed the importance of defining the following terms:

- Remedial works
- Sustainable travel
- Sustainable transport

A discussion took place regarding road developers' responsibility under S62 Environment Act 1995, which deals with the duty of certain bodies and persons to have regard to the purposes for which National Parks are designated. It was felt that this might be something that the government would look at again as part of its response to the Glover Landscape Review. This possibility was welcomed as it was felt by the group that the definition of "have regard to" can be problematic.

Member Steer

The current approach should be retained as in Policies T2 and DMT1. However it was considered important that 'remedial works' be defined within the document (along with other relevant definitions) to add clarity as to what was considered remedial under the policy.

The outcome of the Glover Landscape Review may add some clarity in relation to the Section 62 duty of highways authorities, including National Highways.

- b. Should we continue to safeguard the former Matlock to Buxton and Woodhead routes for rail use or should we safeguard the Monsal and Woodhead Trails? Should we have a blanket policy for safeguarding other existing multi-user Trails from future development?**

Discussion

Members discussed whether the current policy of safeguarding the trails for rail use should be "flipped" and whether the Authority should change the policy to safeguard them as multi user trails. Officers explained that a safeguarding policy was not the same as giving something permission, it aimed to keep the trails free from other development so that the proposed use remained possible.

Members expressed their support for changing policy to retain the trails as multi user routes. It was noted that use of the trails had increased during the pandemic and that there was no sign of this increased use tailing off. The current use of the trails was felt to provide a net benefit to the Authority's statutory purposes. Officers advised that a change in policy would make the Authority's intent more clear, rather than having very much impact on what is done in practice.

It was suggested that the siting of electricity cables along the Woodhead Trail may have compromised the likelihood of future rail use.

Members felt that it was important to develop sustainable transport schemes to reduce carbon emissions from users who travel to join the trails.

The plans to extend the Monsal Trail also influenced the Members feelings on their future use.

Officers advised that the current policy of safeguarding for rail use includes a provision that an alternative route for the trail would have to be found if rail use was reinstated. Investigations which had been carried out into this possibility by interest groups provided evidence which allowed the Authority to conclude that it would be impossible for a feasible alternative route to be created.

Officers also advised that any plan for mixed use of the trails, would be problematic as users cannot share tunnels with trains and the presence of trains would preclude horse riders from using the trail altogether.

Members asked for clarification as to what would happen if Network Rail decided that they wanted to reinstate rail use on the trails, in order to ease congestion on existing rail lines. Officers advised that if the Secretary of State was to take a decision the Authority would be a statutory consultee, however it was felt that this was unlikely to happen in the short-medium term, given interest groups have made unsuccessful applications to the DfT for funding for studies and that the technical difficulties identified in the previous feasibility study still applied. It was also felt that Derbyshire County Council's position against future rail use of the Monsal Trail would make this unlikely.

Members also stated that the Authority should have a similar position in safeguarding the other multi user trails in the Park.

Member Steer

A change in approach to 'flip' safeguarding for Trail rather than Rail was supported, because of the net benefit of the current use to National Park purposes. This should be accompanied alongside measures to provide sustainable transport connections to the Trails.

An approach of safeguarding other existing multi-user Trails as Trails was also supported.

- c. The Core Strategy takes a restrictive approach to parking, whilst the Development Management Policies document is more pragmatic / less restrictive. This is partially due to changing government policy. Does our DMP approach strike the right balance?**

Discussion

Members raised the current lack of "Park and Ride" provision into the Park. Officers confirmed that demand responsive bus services connecting with trains were currently being considered. Also Peak Resort /Gateway had committed to providing a shuttle bus. Whilst it was preferable for any sites to be outside the Park the importance of being pragmatic about this was acknowledged.

Members also discussed parking outside of car parks, e.g. on the road side, which it was agreed was often problematic. It was felt that a more creative response to this should be considered, e.g. residents parking permits limited to one per adult in each household (it should be noted that such schemes incur a cost to affected households). Some small villages were

particularly affected by roadside parking even if they are not heavily visited by tourists and the visual effect on cultural heritage was felt to be a concern.

An example was given of a resident's car park which has been built in Bradwell, which residents pay to use. Officers confirmed that they would be able to offer advice regarding any similar schemes but it would be up to residents to suggest potential locations.

Member Steer

Whilst acknowledging the importance of ultimately delivering modal shift away from the private car, the current approach was supported as being pragmatic.

d. What role does the Local Plan have in sustainable transport beyond planning applications and the delivery of infrastructure?

The 2001 Local Plan had a range of sustainable transport policies, is this the right approach? If not, do we need to find an alternative delivery mechanism?

Discussion

Members were asked if they felt the Authority should continue to have a general statement in support of sustainable transport or whether it should have specific policies. Members confirmed that the current approach provided a simple, overarching, contextualising policy which allowed the Authority to fulfil its statutory purposes and that this approach should continue.

Given that transport within the Park is a partnership issue, it was suggested that the National Park Management Plan could have more influence than the Local Plan.

The Head of Planning sounded a note of caution that the current policy predated the NPPF and it was possible that it might be found at examination to be repeating national policy, and therefore be insufficiently local.

It was suggested that good practice in other National Parks and Local Authorities could be looked at and that policy would need to take into account the increasing demand for charging point infrastructure and potential hydrogen conversions.

Member Steer

The approach of the current Core Strategy, with Policy DMT1 acting as an introduction to the Plan's Sustainable Transport aims and the Authority's role as an advocate was supported. Similar policies for other NPAs should be assessed as part of the Review.

e. Air transport – is our current policy DMT9 fit for purpose in an age of drone delivery?

If not, how do we manage the impact of drone flights on ground nesting birds?

Discussion

A discussion took place regarding the use of drones. Officers advised that there is likely to be an increase in drone deliveries and asked whether no fly areas for drones might be appropriate. Members felt that the overall sentiment of the current policy was still sound. It was also noted that recreational drone use was likely to be an issue. It was suggested that one possibility might be to limit drones to business use, with appropriate controls. Controls of business use would be easier to agree than controls of private use. Business use could consist both of drones used for deliveries and those used by land managers or farmers.

It was felt that little monitoring of drone use takes place at present except possibly by individual land owners. Also current legislation does not include much in the way of restriction.

Energy use should be a consideration in future policy as drone deliveries might be more environmentally friendly than van deliveries. However this should be balanced with a potentially disturbing activity taking place in the Natural Zone and the impact on the special qualities.

It was felt that a public engagement / awareness project would be needed if drone use was to be permitted.

It was also noted that the likelihood of the Authority being able to enforce any policy was an important consideration. Officers advised that in planning terms any restrictions would be likely to relate to the use of land and whether that use is over 28 days duration.

Member Steer

Generally, it was felt that the current approach of the policy was still relevant. However, the value of commercial drones was recognised, along with the need to be able to better manage leisure use.

5. Next Steps

6. Date of next meeting

The next meeting is on Monday 16th May at 10am and will discuss Landscape, Biodiversity and nature recovery.