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8. **AGREEING THE DRAFT DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT (BJT)**

**Purpose of the report**

1. To recommend to members the approval of the draft Development Management Policies Development Plan Document (DPD) as the second part of the Local Development Plan for the National Park and to recommend delegated authority for final editing of the document, completion of Appendices and the Policies Map and preparation of documents to support the formal public consultation and submission stages.

**Key issues**

2.
  - Achieving the correct application of National Park purposes through planning policies;
  - Taking a positive approach to foster the social and economic well-being of local communities and businesses in pursuing National Park purposes;
  - Seeking consistency with the adopted Core Strategy;
  - Seeking consistency with the National Planning Policy Framework within this context;
  - To ensure ongoing dialogue with communities and partners up to and through the statutory consultation and submission stages
  - To consider the weight to be attached to the document at this stage

**Recommendations**

3.
  1. That members agree the draft Development Management Policies DPD;
  2. That the document form the basis of the formal Sustainability Appraisal and Appropriate Assessment under the Habitats regulations;
  3. That delegated authority is granted to the Director of Planning in Consultation with the Chair and Vice Chair of Planning Committee to complete the editing process, Appendices and Policies map;
  4. That these documents form the basis of on-going consultation with communities and partners up to and including the statutory consultation and submission stages
  5. That from this stage some limited weight may be attached to the emerging DPD as a material planning consideration as an agreed statement of the Authority's intended position on development management policy.

**How does this contribute to our policies and legal obligations?**

4. Development Plan policies form a crucial part in delivering National Park purposes as they form the starting point for all planning decisions. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

5. The Development Management Policies Development Plan Document (DPD) will form part 2 of the Local Development Plan alongside the Core Strategy adopted in 2011. Ultimately, the adoption of Development Management Policies will enable the replacement of the existing saved Local Plan adopted in 2001. The only exception to this will be in respect of policies for Bakewell which will continue to be saved as, other than a policy position on the new Bakewell Development Boundary the Development Management Document does not provide detailed policy coverage for Bakewell owing to the emergence of the Bakewell Neighbourhood Plan. As such (other than policy and map coverage of the boundary) policies for Bakewell will be saved until such time as they are replaced by the emerging Neighbourhood Plan.
6. The commitment to produce the Development Management Policies (DMP) is set in Corporate Objectives as it provides a key mechanism for supporting the Authority's legal purposes and duty. In the same way the DMP supports many headline objectives and actions in the National Park Management Plan.

### **Background**

7. The work on the DMP began immediately after the adoption of the Core Strategy at the end of 2011, and the first round of public consultation, which took place in 2012, used the existing Local Plan as the basis of the consultation document. In addition the consultation assessed the consistency of Local Plan policies with the Core Strategy, and the National Planning Policy Framework (NPPF) as well as a range of issues emerging from Annual Monitoring Reports up to that point.
8. Following this stage, progress on the DMP slowed down owing to the need to respond to major government consultations on permitted development rights and other changes to the planning system. During this time the Policy Planning Team brought forward much needed guidance on climate change, sustainable buildings and renewable energy.
9. Nevertheless successive Parish Council Days and other parish liaison events, Land Management Forums, and contact with social housing bodies have ensured that key debates relating to housing delivery, farming and business interests have been maintained.
10. Furthermore a series of Member workshops during 2013 and 2014 gave a valuable steer on the preferred direction of travel across all areas of policy. From this members identified a subset of issues which proved to be the most contentious and which required deeper debate. This led to a chaired debate session on the following topics:
  - Housing need and eligibility
  - Replacement dwellings
  - Barn conversions
  - Safeguarding employment sites
  - Redevelopment of brownfield sites and economic viability
  - Other issues such as farm succession planning and downsizing for the elderly also emerged through the process.
11. On the back of this work officers brought forward the first full compendium of policies to the Authority meeting in March 2015. Members resolved to note these policies as a basis for detailed testing meetings with an agreed member working group which comprised:
  - Chair and Vice Chair of Planning Committee
  - Chair of Authority
  - Member representative for People and Communities

- Member representative for Cultural Heritage
  - Member representative for Biodiversity
12. The group has met 4 times over the summer months. This has allowed several hours of detailed discussion and testing to be undertaken which has proved invaluable for officers. A detailed record of issues was taken and officers have used this to reconsider policy in order to address specific issues. It has also enabled officers to identify issues which officers conclude cannot be dealt with at this stage without significantly undermining the adopted Core Strategy. As such, some matters are recommended to be recorded and brought back for consideration during the more substantive review of strategic policy. This will commence on completion of the DMP work.
13. The work has now enabled the full draft plan to be produced up by officers and which can be viewed at Appendix 1.
14. Members should also note that alongside the consultation process with members officers have also engaged the Planning Advisory Service (PAS) to advise on certain aspects of soundness in plan making. A report has now been produced and focusses its advice on:
- The nature of a Development Management Document in the National Park context and the proportionality that can be applied in approaching evidence collection and the Duty to Cooperate (as compared to the comprehensive requirements set out for new Local Plans at a District level);
  - The consistency tests applied to the NPPF; and
  - Wider thoughts on whole plan viability; and
  - How to take issues such as LEPs and Combined Authorities into account

## **Proposal**

15. Members are now requested to approve the draft DMP document at Appendix 1. This will form the basis of statutory consultation. In order to complete the consultation documents and run the Sustainability Appraisal and give space for a clear 6 weeks period it is now anticipated that public consultation needs to commence immediately after the Christmas break. The intervening period provides time for additional engagement with parishes which has been requested by the Peak Park Parishes Forum. Following consultation the Authority may then proceed to submit documents to the Secretary of State (estimated for May 2016) as the commencement of the examination process.
16. In order to reach these statutory stages officers request that delegated authority be granted to the Director of Planning for a further period of editing in consultation with the Chair and Vice Chair of Planning Committee. This will ensure a higher level of rigour in terms of clarity of presentation, coherence within and across to the Core Strategy, as well allowing a final stage of testing on the legibility and function of the policies themselves. Changes should be technical and minor in nature as opposed to substantive points which shift the direction of policy, reflecting the steer and consensus reached at this point in the process.
17. At this stage only the main body of the document is brought before members as there are also technical refinements required to the Appendices. These are anticipated to include:
- A glossary;
  - Guidance on Heritage Statements and assessing non designated heritage assets;

- Lists of various designated sites such as:
  - conservation areas;
  - scheduled ancient monuments;
  - nature conservation sites;
  - registered parks and gardens;
- historic landscape characterisation;
- parking standards
- example housing needs survey

18. In addition the Policies Map has also been redrawn in order to create a spatial representation of the policies. The Policies Map is drawn at 2 broad scales, firstly to highlight the broader landscape designations and characteristics, and secondly to set out finer detail for villages and hamlets in a series of inset maps. Together with the written policies the map forms part of Development Management Policies DPD and supports the Local Development Plan as a whole. Maps illustrating the approach taken will be made available to view during the Authority meeting and can also be accessed via the Modern.gov intranet site (view in library/planning policy documents).

19. The document offers a clear statement of the direction and intent of policy, it benefits from earlier stages of public consultation and Sustainability Appraisal. As such by agreeing the draft plan officers advise that the plan may begin to accrue some material weight in planning decisions, albeit limited at this stage. Once the plan passes the formal representations stage and has been submitted for examination, further weight then may be given.

**Are there any corporate implications members should be concerned about?**

20. **Financial:** None, the work represents a corporate priority and is budgeted accordingly.

21. **Risk Management:** Low risk of not progressing at this stage as adopted Core Strategy and saved Local Plan still provide a policy basis. Issues will begin to arise as the plans age which could result in higher proportion of appeals supported, There is also advantage in completing the development management policies by triggering a more comprehensive plan review which enables an open debate with stakeholders on the spatial strategy and strategic policy principles.

45. **Sustainability:** None, plan processes are underpinned by comprehensive sustainability appraisal and policies reflect the full range of environmental, social and economic considerations. Aim of development management policy is to provide a positive policy framework that addresses and responds to business and community needs as far as possible within statutory National Park purposes.

46. **Background papers** (not previously published): -

- Report by Planning Advisory Service;
- Notes from member steering group meetings

47. **Appendices:** -

1. Draft Development Management Policies DPD

**Report Author, Job Title and Publication Date**

Brian Taylor, Policy Planning Manager, 24 September 2015