



## OPEN REPORT COMMUNITY AND ENVIRONMENT COMMITTEE

---

Community and Environment Committee – 21<sup>st</sup> November 2024

### PEAK DISTRICT NATIONAL PARK AUTHORITY LOCAL PLAN REVIEW ISSUES AND OPTIONS CONSULTATION – COUNCIL RESPONSE

Report of Director of Place and Economy

#### Contact Details

Mike Hase  
Planning Policy Manager  
[mike.hase@derbyshiredales.gov.uk](mailto:mike.hase@derbyshiredales.gov.uk)  
Tel. 01629 761251

#### Wards Affected

All wards within the Peak District National Park

#### Report Summary

On the 7<sup>th</sup> October 2024, the Peak District National Park Authority published a '*Issues and Options*' consultation on a new Local Plan for the Peak District. The new Local Plan will replace the existing Core Strategy (2011) and Development Management Policies Documents (2019) and provide the framework to guide new development; and policies to determine planning applications within the Peak District National Park to 2045. The new Local Plan seeks to ensure that development is coordinated; reflects the goals of local communities and meets the National Park statutory purposes.

The purpose of this report is to provide a District Council response to the Peak District National Park Authority's Local Plan Review *Issues and Options* consultation and enable Members to respond by the 29<sup>th</sup> November 2024 deadline.

#### Recommendation

1. That the District Council response to the Peak District National Park Local Plan Review *Issues and Options Consultation* as set out in **Appendix 1** is agreed for submission to the National Park Authority and submitted by the deadline of 29<sup>th</sup> November 2024.

#### List of Appendices

- Appendix 1** – Peak District National Park Authority Local Plan Review *Issues and Options Consultation* document  
**Appendix 2** – Proposed Response to Local Plan Review *Issues and Options Consultation* Questions

**Background Papers**

[Peak District National Park Authority Local Plan Review Issues and Options Consultation Report](#)

[Peak District National Park Authority Local Plan Review Issues and Options Sustainability Appraisal Report](#)

[Peak District National Park Authority Local Plan Review Issues and Options Habitat Regulations Assessment Screening Report](#)

**Consideration of report by Council or other committee**

None

**Council Approval Required**

No

**Exempt from Press or Public**

No

# PEAK DISTRICT NATIONAL PARK AUTHORITY LOCAL PLAN REVIEW ISSUES AND OPTIONS CONSULTATION

## 1. Background

- 1.1 The Peak District National Park Authority, as Local Planning Authority for those parts of the District that lie within the National Park is reviewing its current Local Plan (Core Strategy (2011) and Development Management Policies (2019)) that, once adopted, will set out the strategic planning policies for use in the determination of planning applications in the National Park. The Local Plan will be the principal document to guide land-use and development in the National Park for the plan period up to 2045.
- 1.2 To date the Peak District National Park Authority, in undertaking the review of the Local Plan have updated their evidence base, undertaken stakeholder workshops and prepared Topic Papers on key issues for the Local Plan. The contents of the Local Plan Review Topic Papers were considered by Community and Environment Committee on 17<sup>th</sup> November 2021.
- 1.3 The Local Plan Review *Issues and Options Consultation* is the first stage of more formal public consultation on the revised Local Plan. The purpose of the consultation is to seek representations on the key matters that the Local Plan should contain and address. The Consultation is supported by a Sustainability Appraisal and Habitats Regulations Screening Report. The *Issues and Options Consultation* and supporting information can be viewed on the Peak District Councils [website](#).
- 1.4 The new Local Plan for the Peak District National Park will set out the vision, spatial strategy and planning policies that will be used to guide decisions on development proposals and planning applications. The Local Plan must be in accordance with the National Planning Policy Framework, Government Guidance and also further the statutory purposes of the National Park which are to conserve and enhance natural beauty, wildlife and cultural heritage; and; to promote opportunities for the understanding and enjoyment of the park's special qualities.
- 1.5 The Local Plan Review *Issues and Options Consultation* contains the following key topics:
  - Spatial Strategy
  - Landscape, Biodiversity and Nature Recovery
  - Cultural Heritage and the Built Environment
  - Climate Change and Sustainable Building
  - Recreation and Tourism
  - Housing
  - Shops, Services and Community Facilities
  - Bakewell Town
  - Business
  - Farming
  - Travel and Transport
  - Utilities
  - Minerals and Waste

1.6 The Local Plan *Issues and Options Consultation* document sets out for each topic the policy objectives, broad issues, challenges for planning policy and delivery of the National Park Management Plan, proposed spatial objectives for the Local Plan to address, options for new policy and/or questions about the policy direction the Local Plan should take.

## 2. Key Issues

2.1 Along with other organisations, consultees and stakeholders the District Council has been invited to respond to the Peak District National Park Local Plan *Issues and Options Consultation* by the deadline of 29<sup>th</sup> November 2024.

2.2 The following section of this report sets out the content of the *Issues and Options Consultation* and provides Officer Comments to the key issues identified; the implications for the District Council and a response to the consultation questions posed therein. The proposed response to all the *Issues and Options Consultation* questions are set out in **Appendix One**.

### 2.3 Spatial Strategy

#### *Issue 1 – Spatial Objectives for Sustainable Development in a National Park*

2.4 This sets out in broad terms what development can happen and where. The consultation document indicates that the challenge is of delivering sustainable development in a way which accords with the purposes and duty of a national park and the Peak District national Park Vision. The proposed spatial objectives focus on ensuring development is managed in a way which reflects the statutory purposes relating to natural beauty, enjoyment, and landscape character.

#### *Issue 2 – Delivering National Park Purposes*

2.5 It is suggested that there would be new policies in the Local Plan that respond to obligations related to the Climate Change and the Environment Act, which includes Biodiversity Net Gain, as well as Peak District Design.

#### *Issue 3 – Defining valued Landscape Character and Special Qualities*

2.6 Under this Issue it is suggested that the Local Plan should better align with the Management Plan, by identifying a new list of Special Quality Key Features.

### 2.7 Issue 4 – Settlement Tiers

2.8 In relation to this issue it is suggested that the purpose of the Local Plan is to deliver National Park purposes and as such all new build housing on greenfield site is limited to that which is required for local need. The consultation document suggests that there are three different options for

setting out a settlement hierarchy across the national park, including the identification of settlement hierarchy that has five tiers, with each tier having a different form and function.

#### *Issue 5 – Sites for Housing Development*

- 2.9 Exception site development is still seen by the National Park Authority as the most appropriate approach, rather than any allocation of land for development to meet a specified level of need. It is suggested that consideration may need to be given to whether allocate sites in the Local Plan, and which sits alongside the Settlement Hierarchy. Two options are suggested, one of which does include the allocation of land for housing, but only for affordable housing.

#### *Issue 6 – Development Boundaries*

- 2.10 Only Bakewell and Bradwell have an identified boundary in the Local Plan. It is proposed that consideration be given to whether they should remain, whether they should be removed or whether they should be developed for other settlements.

#### *Issue 7 – Protected Open Space and Local Green Space*

- 2.11 This issue indicates that there are locations across the plan area where open space is often valuable to the local community, and which does not yet have any specific protection to it in the Local Plan. Views are sought on whether the identification and protection of additional areas of open space are appropriate.

#### *Issue 8 – Sustainable Travel*

- 2.12 Between 2012-2023 traffic flow in the National Park increased by 16%, against an aim of reducing the need to travel and the encouragement of more sustainable means of transport for the journey that remain. The consultation seeks views on what else can be done to address and deliver a sustainable transport land-use policy.

#### **Officer Comments**

- 2.13 The spatial strategy set out the principles for development across the National Park. This element of the National Park Local should set policies which seek to deliver the aspirations of the National Park Management Plan. In particular it should seek to ensure that it delivers Thriving Communities which are defined as thriving and sustainable places where all generations can live healthy and fulfilled lives. Whilst it is accepted that this needs to be set within the context of the National Park purposes it is considered that the current emphasis of the spatial strategy focuses too much on the conservation aspects of the National Park purposes, rather than the social and economic aspects. A spatial strategy that supports the latter will ensure the delivery of the Management Plan objectives. A continuation of the current approach will not achieve these objectives, the consequence of

which will be to the detriment of the overall sustainability of the National Park.

#### 2.14 Landscape, Biodiversity and Nature Recovery

Issue 9 – Landscape, biodiversity and nature recovery – proposed Local Plan spatial objectives

- 2.15 The emphasis in the proposed spatial objectives focuses on managing and protecting the natural environment, dark skies, and flooding/climate change. It is suggested that the enhancement of biodiversity be undertaken in accordance with the Lawton Principles (more, bigger and better quality).

Issue 10 – Landscape and Nature Recovery

- 2.16 The consultation document suggests that policies need to be updated to take account of the legal framework associated with Biodiversity Net Gain, Nutrient Neutrality, Flood Risk, and the Environment Act. It suggests that the plan may seek to include an approach that sets out expectations for development outside of the remit of mandatory Biodiversity Net Gain e.g. small householder applications.

Issue 11 – Biodiversity Net Gain

- 2.17 It is acknowledged that there is no scope to reduce the requirement below the 10% mandatory requirement, but suggests that there is evidence that increased BNG up to 20% does not adversely affect viability. It is also suggested the introduction of a policy that goes beyond the 10% mandatory requirement and work with partners to derive evidence to justify such an approach.

*Issue 12 – Development in the Natural Zone*

- 2.18 The Natural Zone is the most remote parts of the National Park, and much is covered by statutory nature conservation designations. The proposed approach is one of seeking to maintain that any development in the Natural Zone is justified by ‘exceptional circumstances’ but clarification is sought about what should be defined as ‘exceptional circumstances’.

*Issue 13 – Whole Estate Plans*

- 2.19 Whole Estate Plans (WEPs) are documents prepared by landowners that set out the vision, aims and objectives for an estate. WEPs allow for development on estates to be considered in a transparent, holistic way, and to demonstrate how business growth can deliver ecosystem services such as carbon storage, nature recovery and other public benefits. It is suggested that a policy be included in the Local that seeks to support WEP’s.

#### **Officer Comments**

- 2.20 Many of the issues identified in this section of the consultation document seek to address matters which have emerged since the adoption of the National Park Core Strategy and Development Management Policies. As

such it is wholly appropriate that the new Local Plan seeks to address these. However aspirations for levels of Biodiversity Net Gain above the 10% mandatory requirement should be considered very carefully, firstly because the National Park already has significant opportunities for Biodiversity and secondly going beyond 10% may exacerbate development costs to the point where viability of essential development might be threatened.

## 2.21 Cultural heritage and the Built Environment

### *Issue 14 – Spatial Objectives for Cultural Heritage and the Built Environment*

- 2.22 These seek to protect and manage heritage and non-heritage assets including conservation areas, listed buildings, historic farmsteads and their setting.

### *Issue 15 – Heritage Assets*

- 2.23 It is suggested that the Local Plan will set out the methodology for deciding whether a building is a non-designated heritage asset, and the significance of that asset.

### *Issue 16 – Local List of Heritage Assets*

- 2.24 It is proposed that there be a local list of heritage assets, with the Local Plan setting out the methodology for designation, and policy approach for dealing with such features. It is suggested that some additional features may be identified at a late date.

### *Issues 17 – Conversion of Isolated Traditional Buildings*

- 2.25 There are many isolated buildings across the plan area, which are increasingly being sought out for conversion. There is concern that this will diminish the quality of the National Park landscape. As such consideration is being given to what is the best approach for such proposals such that they do not have an adverse impact upon the landscape quality.

## **Officer Comments**

- 2.26 The National Park has significant numbers of cultural and heritage assets which contribute to its overall identity. As such these need to be given the appropriate level of protection across the National Park. It is however considered that the use of the Local Plan for setting the methodology for non-designated heritage assets and local lists is not the appropriate mechanism. This can be done outside of the Local Plan process. What, however, is more relevant is the use of the emerging Local Plan to ensure that such heritage assets identified through the development of such a methodology are given the appropriate weight and policy protection.

## 2.27 Climate Change and Sustainable Building

### *Issue 18 – Spatial Objectives for Climate Change and Sustainable Building*

- 2.28 These seek to ensure that the landscape of the National Park is managed in way which to its distinct character and support proposals that mitigate

against climate change. This includes seeking to address retrofitting to existing properties, nature recovery, carbon sequestration and flood prevention.

#### *Issue 19 – Replacement Dwellings*

- 2.29 This proposed revision to the policies in the Local Plan would seek to ensure that embodied carbon and the benefits of retaining smaller non-traditional dwellings would be taken into account.

#### *Issue 20 – Avoiding Carbon Emissions in Development*

- 2.30 This issue seeks to consider whether there is an opportunity to strengthen policies and optimise the potential for carbon reduction, as a means of achieving the national Park Management Plan objective of the National Park being net-zero by 2040.

#### *Issue 21 – Low Carbon and Renewable Energy Development*

- 2.31 This seeks to address the desire/necessity for increased renewable energy against the impact that it might have upon the landscape and cultural heritage of the National Park. It suggests that that the current approach is appropriate, but wonders if more can be done in relation to identifying locations where renewable development may be acceptable.

#### *Issue 22 – Carbon Capture and Storage*

- 2.32 This speculates that Carbon Capture and Storage is an issue that might need to be addressed during the light time of the plan, and sets out that a new local plan policy should be put in place accordingly to address the possibility that it might arise over the plan period.

#### **Officer Comments**

- 2.33 Aim One of the National Park Management Plan envisages the Peak District National Park is more resilient and net-zero by 2040 through its exemplary response to climate change. It sets out three objectives that seek to deliver this aim. These relate to lowering greenhouse gases, sequestering and storing more carbon whilst enhancing nature recovery and reversing the damage done to nature and biodiversity by climate change.
- 2.34 It is important that the policies in the Local Plan seek to contribute towards meeting these objectives, and that they do not place any unreasonable impediments in place to securing better climate change mitigation, including the retrofitting of measures to existing properties.
- 2.35 Policies relating to carbon capture and storage should only be included within the Local Plan if the National Park Authority are certain that such facilities will be brought forward by the end of the Plan Period.



## 2.36 Recreation and Tourism

### *Issue 23 – Spatial Objectives for Recreation and Tourism*

- 2.37 These spatial objectives seek to ensure that the right facilities are the right time, so that everyone who visits can enjoy the National Park. It seeks to direct recreation towards sustainable settlements, and the use of traditional building for visitor accommodation.

### *Issue 24 – Recreation Attractions and Hubs*

- 2.38 According to the consultation document stakeholders want the National Park to be clearer about the type of development that is acceptable or otherwise. It indicates that this needs to be addressed alongside the policy approach to visitor car parking.

### *Issue 25 – Temporary Camp Sites*

- 2.39 Temporary camp sites for tents, caravans and campervans can provide income to farm businesses. It indicates that they will support the development of small sites and will continue to do so in the new local plan. However permitted development rights have made it easier for landowners to offer temporary camping facilities e.g. as part of a farm diversification, leading to an increase in presence on the landscape. It is suggested that an Article 4 Direction be brought into effect to address this.

### *Issue 26 – Touring Camping & Caravan Sites*

- 2.40 Similarly with touring camping and caravan sites whilst being supportive towards them, the National Park are concerned about the increased impact they have on the landscape. The consultation seeks views on whether occupancy restrictions should be imposed all year round.

### *Issue 27 – Static Caravans, Lodges and Other Permanent Structures*

- 2.41 The revised policy will seek to retain a restrictive approach to all types of permanent structures used as holiday accommodation. However, the National Park are considering whether there should be allowances for exceptions to the policy which would widen the potential impact upon the landscape of the National Park.

## **Officer Comments**

- 2.42 Recreation and Tourism is a sector within the local economy and it is important that the policies in the emerging Local Plan support developments that contribute to achieving improvements to the local economy. Whilst new tourism and recreation facilities should be situated in sustainable locations, if 'tourism' hubs are introduced then these should be appropriately defined and also be capable of being implemented over the lifetime of the plan.
- 2.43 The introduction of an Article 4 Direction to limit temporary campsites is a matter that the National Park Authority should, if considered an appropriate

course of, seek to introduce through the relevant General Development Order procedures and not the Local Plan process.

#### 2.44 Housing

##### *Issue 28 – Spatial Objectives for Housing*

- 2.45 National Park surveys have suggested that residents wish to see 'safe, energy efficient homes in a mixture of tenures so that a diverse population can be sustained, those with local roots can remain or return, and family groups across the generations can stay together'. The preface indicates that National Parks do not have to have housing targets or allocations. The document sets out proposed uplifts to housing capacity across the plan area, but does not suggest definitively that these will be taken into account as part of revision to the Plan. Nor does it seem to take account of proposed changes to the NPPF housing needs, which were subject to consultation earlier in 2024.

##### *Issue 29 – Holiday Homes and Permanent Homes*

- 2.46 This suggests the possibility of the introduction of an Article 4 direction to limit any change of use into holiday homes because of the impact it will have upon the exiting stock. It is suggested that any new residential properties be subject to an new permanent principle residence condition.

##### *Issue 30 – Affordable Housing Eligibility*

- 2.47 This seeks views on what is considered to be the most appropriate approach to the eligibility for affordable housing. A number of suggestions are made which may widen the demand for affordable housing across the National Park but at the same time result in more housing and more impact upon the landscape character of the National Park.

##### *Issue 31 – Affordable Housing Local Connection*

- 2.48 In parallel to Issue 30 this issue seeks to consider the extent to which a potential occupier of an affordable home has to have a local connection. The consultation document considers whether for example a 10-year residency in the National Park remains appropriate local connection.

##### *Issue 32 – Affordable Housing; House Size*

- 2.49 Current policy restricts the size of affordable homes because this is one way of making them more affordable in the long term. The national park should decide whether this principle should be retained in the new local plan, and if so, what thresholds should apply. It is suggested that a different approach is needed for local people building their own home.

#### **Officer Comments**

- 2.50 The consultation documents makes reference to evidence that the National Park Authority had commissioned in regards to the potential size of housing growth required over the plan period. This suggested that across the whole

of the National Park area there was a need for in the region of 100 dwellings per annum. This data, however, preceded the current Government proposals to modify the Standard Methodology to one that is stock based, rather than population based. The consequence of the Government proposals is that a significant uplift in the amount of residential development is likely to be required across the whole of the National Park Authority area.

- 2.51 Whilst it is acknowledged that the current national policy for National Parks seeks to 'restrict' development within National Parks, it is less than clear whether there will be any significant changes to the national policy approach towards National Parks. It is considered that whatever the outcome of the Government consultation there is likely to be a need for the Peak District National Park Authority to reconsider its position on housing need.
- 2.52 Again the introduction of additional restrictions on holiday homes via an Article 4 Direction is one that should be undertaken separately to the Local Plan process.
- 2.53 In respect of affordable housing there remains considerable need for such products across the National Park. However, the current practice of restricting the size and availability of affordable homes to those with long standing local connections of 10 years plus and not being able to cascade potential occupancy down to local communities until three months of marketing has taken place is likely to make the National Park a less attractive area for investment from Registered Providers. The disadvantage of which is that it does little to help the development of thriving and sustainable communities. As such policies and practice are required to ensure that the National Park delivers more affordable housing than it has previously achieved.

2.54 Shops, Services and Community Facilities

*Issue 33 – Spatial Objectives for Shops, Services and Community Facilities*

- 2.55 The consultation document identifies 2 Management Plan objectives as pointers towards the Local Plan having to take a positive approach to sustain thriving communities. It is suggested this would support businesses and the provision and retention of community services and facilities in locations that support thriving and sustainable communities, reduce the need to travel and enable travel by sustainable means (low carbon, public transport and active travel.)

*Issue 34 – Retention of Shops, Services, Community Facilities and Businesses*

- 2.56 This develops the spatial objectives in Issue 33 into specific policy proposals, which seek to extend the list of protected community services and facilities which are important to local communities.

### **Officer Comments**

2.57 It is important that the framework contained within the Local Plan provides support for the retention of shops and community services, as these are at the heart of maintaining thriving and sustainable communities. However it also important that the Local Plan incorporates support for new development that is vital to maintaining the viability of such shops and services. Without an appropriate level of new development it is considered that such existing shops and services will not be able to maintain viability.

2.58 Bakewell

#### *Issue 35 – Protection of Bakewell’s Special Character and Setting*

2.59 Bakewell is the Peak District National Park's only town. It is a service centre and agricultural market for the surrounding villages and farms. The town is a significant tourist destination and home to around three and a half thousand people. The consultation seeks views on whether there should be a specific policy relating to Bakewell and its landscape setting or should development proposals be dealt with by more generic park wide policies.

### **Officer Comments**

2.60 Bakewell is the largest and most sustainable settlement in the Peak District National Park. It has a comparable range of services and facilities, as well as employment opportunities to Matlock, Ashbourne and Wirksworth. Whilst it is acknowledged that the character and appearance of the town is reflective of its landscape setting and its distinct architecture, without new development it is considered that the sustainability of the town is not likely to be maintained.

2.61 The approach being advocated in the consultation does not give a clear sense of what approach the National Park Authority favours. However one that favours protection of the status quo and limits new development will not be beneficial to the town or the National Park as a whole.

2.62 Business

#### *Issue 36 – Spatial Objectives for the Rural Economy*

2.63 The proposed spatial objectives indicates overall support for proposals that would provide benefits to the local economy, but only seeks to apply in limited circumstances such as conversion of farm buildings and supporting business in Bakewell.

#### *Issue 37 – Extensions to Existing Businesses*

2.64 Piecemeal business development in the open countryside can harm the National Park's landscape and special qualities. The consultation sets out that there is a need to decide whether policy should set clearer limits to piecemeal business development, especially in the open countryside, and if so how best to do this.

## **Officer Comments**

2.65 The suggested approach within the consultation document would appear to support and encourage economic development. However the approach that is taken to the delivery of new economic development proposals should ensure that they can be brought forward viably. Policies and decisions that impact upon economic growth, for example by increasing development costs, by way of enhanced design and materials requirement should be limited to proposals where it is considered absolutely necessary.

### 2.66 Farming

#### *Issue 38 – Conversion of Whole Farmsteads to New Uses*

2.67 Traditional farmsteads make a significant and valued contribution to the Peak District's rich and distinctive heritage. Many are wanting to diversify and come forward for alternative uses. The consultation suggests conversion should only be allowed in specific circumstances where they can contribute towards sustainable development, and elsewhere they should only be suitable for low intensity uses such as holiday accommodation.

#### *Issue 39 – Primary Business*

2.68 This seeks views on whether existing landowners should be required to maintain ownership of redundant farm buildings when they are converted for business use.

## **Officer Comments**

2.69 It is important that the National Park Authority take a flexible approach to the conversion of buildings which are suitable to beneficial uses, be that for example for residential, economic development or tourism related. By taking a flexible approach it will allow for the continued life of the building and the sustainability of the Park as a whole. It is considered that this can take place regardless of whom the property owner is.

### 2.70 Travel and Transport

#### *Issue 40 – Spatial Objectives for travel and Transport*

2.71 The consultation sets out that as local planning authority the National Park Authority does not have control over travel and transport but identifies a number of key issues such as traffic flows, the impact of the Hope Cement works as well as leisure cycling. It set out that the national park need to respond to demand and enable the infrastructure that supports this transition to be delivered in a way that aligns with national park purposes.

#### *Issue 41 – Visitor Car Parking*

2.72 The stated ambition is to maintain a stable net level of visitor parking, where the development of new is offset by the removal for example of on street provision.

- 2.73 It is suggested that new planning policy will continue to require that there is a demonstrable need for new car parking, and that its provision should not adversely affect the special qualities of the National Park. It does however provide three options which suggest that the existing policy approach is retained which require a deliverable benefit to be provided, or a more restrictive policy approach is taken or a less restrictive policy is adopted.

*Issue 42 – Safeguarding and Protecting Multi Use Trails on Former Railway Routes*

- 2.74 There have been repeated calls for the reopening of the Matlock to Buxton Railway since its closure in 1968. Peak Rail operates a heritage railway along part of the route between Matlock and Rowsley and has a longstanding ambition to reinstate the line further. The Manchester and East Midlands Rail Action Partnership (MEMRAP) was formed in 2018 to seek the reinstatement of the Matlock to Buxton Railway as part of the National Rail Network. Since this time, supporters of MEMRAP have established the *Peaks and Dales Railway Limited* to pursue this aim. MEMRAP have put forward two unsuccessful bids to the Department for Transport's 'Restoring your Railway' fund. All of these would impact upon trails through the National Park which have been developed on the back of rail closures.
- 2.75 The consultation asks whether trails should be protected from development that conflicts with their current purpose or where appropriate on the Monsal and Longdendale Trail be safeguarded for future re-instatement.

*Issue 43 – Road Building Schemes*

- 2.76 Whilst the overall approach is to support road building where it needed for business or housing elsewhere it will be resisted where it facilitates cross park travel. The consultation seeks views on whether any road building should be limited to a primary purpose of enhancing local capacity.

*Issue 44 – Overnight Parking for Campervans*

- 2.77 Increased number of visitors to the National Park are using campervans and mobile homes, and using public car parks as overnight stops. The consultation seeks views on whether the Local Plan should include a policy to support the use of certain car parks for overnight stays.

*Issue 45 – Air Transport*

- 2.78 There are many airborne activities that take place within the National Park that are lawful in relation to the Planning legislation e.g. Helicopter rides from farmers field, and gliding from established sites. However there are increasing disturbance being caused by model aircraft and drones, and there is considered to be the potential for commercial drone activity over the plan period. The consultation suggests either the restriction of take and landing sites or by exception for commercial drones and stand-by site for helicopters.

## **Officer Comments**

- 2.79 The majority of transport related issues within the National Park are connected to either tourism or commercial traffic that traverses the Park, which are rightly identified as resulting in high level of CO2 emissions. The key to minimising use of the private car by residents is to ensure that the policy approach in the Local Plan seeks to support the delivery of sustainable communities where the potential to access services and employment opportunities close to where residents live. Complementing this is a wide range of public transport services. It is therefore imperative that the pattern of new development reflects the relative sustainability of settlements across the National Park.
- 2.80 In relation to tourism related traffic and cross park traffic, providing alternative means of transport is key to minimising levels of CO2. However some of these opportunities are likely to sit outside the remit of the Local Plan.
- 2.81 With regards to the reinstatement of former railway lines, the District Council in March 2021 resolved to note the concerns raised by the National Park Authority and Derbyshire County Council in relation to the Monsall Trail, because it forms an important part of the County's strategic cycling network.
- 2.82 The use of car parks for overnight stays, although it would allow for an increased range of facilities it is for the landowners to determine whether this is acceptable practice. It is considered that this sits outside of the planning regime, and as such does not need to be included in the Local Plan.
- 2.83 The temporary use of land for take off and landing by drones, is covered by permitted development rights, and no fly zones would be covered by Regulations related to drones. As such it is considered that these elements do not need to be contained within the Local Plan.

### 2.84 Utilities

#### *Issue 46 – Spatial Objectives for Utilities*

- 2.85 The challenge in the National Park is to protect the environmental quality of the area and at the same time ensure that the infrastructure is there to support communities, including access to modern technologies. The consultation suggests that due weight needs to be given to the national purposes in the planning and development of infrastructure.

#### *Issue 47 – New or Expanded Reservoirs*

- 2.86 There is currently no policy relating to the development of large scale reservoirs. It is considered that there may be proposals that emerge for new reservoirs over the plan period, which would be considered to be contrary to park purposes. It is suggested that a new policy on reservoirs may need to be included in the plan, although a fall back position might be to rely upon national policy in the event of such a development coming forward.

## **Officer Comments**

2.87 Services and Utility improvements are necessary to ensure the continued sustainability of the communities across the National Park. It is however acknowledged that the provision of these will need to be implemented in such a way that balances their impact upon the environmental quality of the National Park. The Local Plan, should however consider the inclusion of an approach that allows for the environmental impacts to be given less weight when the provision of infrastructure has significant importance to the National Park.

### 2.88 Minerals and Waste

#### *Issue 48 – Spatial Objectives for Minerals and Waste*

2.89 The overall approach is suggested to resist new mineral extraction, unless in exceptional circumstances, and where necessary to require site restoration which result in long term landscape improvements. The approach suggested would resist large scale waste facilities but support smaller scale facilities that serve local communities.

#### *Issue 49 – Limestone Quarries – Extending Beyond ‘End Date’*

2.90 All quarries have an ‘end date’ either by virtue of their planning permission or by statute. The current policy does not support extensions of mineral extraction unless there are exceptional circumstances. The proposed approach would in principle be to continue the existing one, unless there are justifiable reasons such as being in the national interest.

#### *Issue 50 – Limestone Industrial Uses*

2.91 The evidence would suggest that there is sufficient limestone reserves outside the National Park to meet future industrial and chemical purposes. As such consideration is being given to an approach which is set out in policy to resist any future applications for limestone extraction.

#### *Issue 51 – Future of Hope Cement Works*

2.92 Hope Cement Works has a valid permission to 2042, and is considered to be incompatible with the purposes of the National Park. The proposal is to work on the development of proposals for the restoration of the site once it closes.

#### *Issue 52 – Stone for Building and Roofing*

2.93 Current policy for building stone only applies to small-scale sites where end-use of the product is restricted. Unlike the approach to the provision of construction aggregates, there is currently no agreement with other Mineral Planning Authorities to provide building stone. It is therefore considered necessary to decide whether this approach remains valid. Four options are suggested, one which retains the current approach and a second which would not have any specific policy, thereby relying upon the more general policies in



the plan. Option 3 would be the introduction of a new policy and Option 4 would limit the area of search for new building stone.

#### *Issue 53 – Ancillary Minerals Development*

- 2.94 The current approach is to confine mineral processing to active mineral extraction sites. However, some sites are unsuitable for processing, and those with on site provision are generally restricted to processing what they extract from site. This has issues in relation to transportation of minerals across and the National Park. Consideration is being given to whether active quarries should be able to import materials for processing.

#### *Issue 54 – Restoration and Aftercare*

- 2.95 Restoration schemes are legally required for all new minerals proposals, or where existing sites have or are subject to review. The current policy approach requires restoration to enhance landscape, wildlife and recreation. Consideration is being given to whether the policy approach should have a stronger focus on nature recovery, and whether more than 10% BNG should be achieved where there is potential; to achieve greater outcomes.

#### **Officer Comments**

- 2.96 The mineral extraction industry is one of the largest sectors in the Peak District National Park, and has significant potential, unchecked, to have a detrimental impact upon the character and appearance of the area. However, as this is a matter over which the District Council has any expertise no comments are specifically set out here.

### **3. Options Considered and Recommended Proposal**

- 3.1 This report sets out the Local Plan Review *'Issues and Options' Consultation* by the Peak District National Park Authority and recommends a proposed District Council response to be submitted to the Park Authority.
- 3.2 An alternative approach would be for the District Council to not engage or provide a response to the consultation, this however would limit the ability of the District Council to influence the future development strategy and policies that will be used to determine planning applications within the Peak District National Park. Not participating in the debate at this stage would weaken the District Councils ability to guide the final policy approach taken in the National Park.

### **4. Consultation**

- 4.1 The Peak District National Park Local Plan Review *Issues and Options Consultation* runs from 7<sup>th</sup> October until 29<sup>th</sup> November 2024. Public consultation on the development of Local Plans is a legal requirement under Regulation 18 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, it is envisaged that further periods of public consultation on the revised Local Plan for the Peak District National Park will be undertaken in the future.

## **5. Timetable for Implementation**

- 5.1 Consultation on the Peak District National Park Local Plan Review Issues and Options runs until 29<sup>th</sup> November 2024. The Peak District National Park Authority have indicated that the next stage will be to collate the representations received and then undertake further rounds of public consultation on Plan preparation prior to submission of a revised Plan to the Secretary of State for examination by 2026.

## **6. Policy Implications**

- 6.1 There are no direct policy implications for the District Council at this time. As the National Park Local Plan emerges the District Council will need to take account of relevant sections, most notably the strategic development and housing policies as they will have implications for the emerging Derbyshire Dales Local Plan.

## **7. Legal Advice and Implications**

- 7.1 This is a consultation by the Peak District National Park Authority in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.2 Any risks associated with compliance with the required statutory consultation rests with the National Park Authority.
- 7.3 There is one decision recommended to be taken as set out at the beginning of this report, if a decision is taken in line with the recommendation the legal risk of challenge has been assessed as low.

## **8. Financial Implications**

- 8.3 As this is consultation by the National Park Authority it is considered that the financial risk of this report's recommendations to the District Council is low.

## **9. Equalities Implications**

- 9.1 The National Park Authority have a statutory duty to meet the Public Sector Equality Duty. The responsibility for meeting the Equalities Duty rests with the National Park Authority.

## **10. Climate Change Implications**

- 10.1 Any climate change mitigation measures will need to be addressed by the National Park Authority during the development of policies in the emerging Local Plan.

## **11. Risk Management**

- 11.1 As this is a consultation being undertaken by the Peak District National Park the risk to the District Council is low.

## Report Authorisation

Approvals obtained from Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Paul Wilson	11/11/2024
Financial Services Manager	Gemma Hadfield	11/11/2024
Legal Services Manager	Kerry France	13/11/2024