



The Planning
Inspectorate

Report to Peak District National Park Authority

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO
PEAK DISTRICT NATIONAL PARK CORE STRATEGY
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 17 December 2010

Examination hearings held between 11 April and 21 April 2011

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Abbreviations Used in this Report

AA	Appropriate Assessment
AD	Anaerobic Digestion
BREEAM	Building Research Establishment Environmental Assessment Method
DPD	Development Plan Document
Local Plan	Peak District National Park Local Plan
MPA	Minerals Planning Authority
MPS	Minerals Policy Statement
the Park	Peak District National Park
NPMP	National Park Management Plan
PC	Proposed Change
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
RS	Regional Strategy
RAWP	Regional Aggregates Working Party
S	Proposed Change Necessary for Soundness
SA	Sustainability Appraisal
SCS	Sustainable Community Strategy

Non-Technical Summary

This report concludes that the Peak District National Park Core Strategy Development Plan Document provides an appropriate basis for the planning of the National Park over the next 15 years. The Authority has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

- Add appropriate references to the Regional Strategy;
- Clarify that where there is an irreconcilable conflict between the statutory purposes, the conservation of the Peak District National Park (the Park) will be given priority in accordance with the Sandford Principle;
- Add flexibility to all policies that refer to changes of use of buildings by removing limitation to the re-use of traditional buildings;
- Ensure that all references to the tests for major development are accurately summarised in accordance with national policy;
- Amend policy GSP4 for consistency with national policy;
- Amend policy L3 to make it locally distinctive;
- Remove unnecessary negative statements towards renewable energy generation for consistency with national policy;
- Amend policy CC1 to take account of viability and feasibility considerations;
- Delete policy HC3 and its associated text;
- Amend policy HC4 by the removal of a temporary limit on planning permissions granted;
- Clarify in policy MIN1 and its supporting text that the Authority will work with neighbouring Minerals Planning Authorities to implement a strategic cross-boundary approach towards apportionment figures;
- Add flexibility to the supporting text of MIN3 to permit the exceptional extraction of small-scale building stone and roofing stone for the conservation of nationally important buildings and structures outside the National Park;
- Amend policy MIN4 and Figure 9 to safeguard all known limestone resources within the National Park;
- Restructure and amend policy T1 for clarity;
- Amend policy T2 for clarity, and
- Add an implementation and monitoring strategy for effectiveness.

All of the changes recommended in this report are based on proposals put forward by the Authority in response to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Authority's overall strategy.

Introduction

1. This report contains my assessment of the Peak District National Park Core Strategy Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the DPD is compliant in legal terms and whether it is sound. Planning Policy Statement (PPS) 12 (paragraphs 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Authority has submitted what it considers to be a sound plan. The basis for the examination is the submitted draft core strategy (CS) (December 2010), which is the same as the document published for consultation in September 2010.
3. The Authority has published a schedule of post-submission changes, document [G011], which includes all of its proposed changes (PC) made during the examination process. They encompass a significant number of changes to the supporting text and policies that have been suggested by Representors. However, this report deals specifically with those changes that are needed to make the plan sound and they are identified in bold in the report **(S)** followed by the reference number given in [G011]. They are set out in full in Appendix A to this report. None of these PCs materially alter the substance of the CS and its policies, or undermine the Sustainability Appraisal (SA) and consultation/participatory processes undertaken.
4. The other changes listed in [G011] are factual updates, corrections of minor errors or other minor amendments in the interests of clarity and internal consistency. As these changes do not relate to fundamental elements of soundness they are generally not referred to in this report, although I endorse the Authority's view that they improve the plan. These are shown in Appendix B. I am content for the Authority to make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption.
5. All of the PCs have been subject to discussion at the examination hearings, and to wider public consultation and publication on the Authority's website. I have taken all discussion and consultation responses into account in writing this report.
6. References in this report to documentary sources are provided thus [], quoting the reference number in the examination library.

Assessment of Soundness

Preamble

7. At the time of publication of the CS the Secretary of State had indicated that the Regional Strategy (RS); the East Midlands Regional Plan (2009) [C001] was revoked. Accordingly, most references to the RS were removed or changed to reflect its 'former' status. Prior to submission of the CS, the RS was re-instated. I have examined the CS on the basis that the RS forms part of the development plan for the area. To clarify general conformity of the CS

with the RS, and for soundness, the Authority proposes changes within the range **(S200.1 - S200.17)**, which insert appropriate references to the RS.

8. Prior to the examination hearings, Representors were individually notified and the Authority drew attention, on their website, to the statement on *'Planning for Growth'* made by the Minister of State for Decentralisation on 23 March 2011. This consultation invited representations on the implications of that statement for the CS. I have taken account of both the statement and the representations on it in my consideration of the CS. Neither raises any key matters that necessitate changes to the CS for consistency and soundness.
9. In addition, the implications of the update on 31 March 2011 to PPS10: Sustainable Waste Management, and the Ministerial Statement issued on 13 April 2011 - *'Time for fair play for all on planning'*, informing that a consultation document has been published on a proposed new Planning Policy Statement: Planning for Travelling Showpeople to replace Circular 01/2006: Planning Gypsy and Traveller Caravan Sites and Circular 04/2007, were discussed at the relevant examination hearings.

Main Issues

10. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings eight main issues are identified upon which the soundness of the CS depends. These follow the order of the plan.

Issue 1 – An Overview of the Soundness of the Core Strategy

Whether the Core Strategy is consistent with National park purposes and with national policy, whether it satisfactorily addresses cross-boundary issues and if its Spatial Vision, Objectives, Development Strategy and General Spatial Policies cover a suitable range of issues, are the most appropriate and are effective.

The National and Local Context

11. The spatial planning context for the Park is set out in parts 1-8 of the CS. They seek to demonstrate that it provides an appropriate policy context to achieve the statutory purposes of the Park, as defined in the Environment Act 1995. To clarify the policy implications of its National Park designation the Authority's PC **(S400.13)** is necessary. PCs **(S300.2)**, **(S100.8)** and **(S100.9)** spell out that decisions on planning proposals will be made in accordance with the Sandford Principle [B080], as re-stated in *English National Parks and the Broads - UK Government Vision and Circular 2010* (Circular 2010). This informs that where there is an irreconcilable conflict between the statutory purposes, the conservation of the Park will be given priority.
12. In addition to its special policy context arising from its National Park designation, the Park has a complex local context, as shown in Figure 1 of the CS. Eleven Local Authorities, including 2 Counties, 4 Districts and 5 Unitary Authorities have complementary local government powers and responsibilities, which include housing, highways, waste collection, leisure, education, social services and public transport. The CS Delivery Plan [A002] amplifies the main cross-boundary issues and the collaborative working arrangements between the Authority and these local authorities, and other partners and stakeholders.

However, since the Delivery Plan is not part of the CS and little reference is made in it to cross-boundary considerations, for context, justification and effectiveness the Authority has suggested inclusion of supporting text after paragraph 3.27 in accordance with PC **(S400.3)**.

The Spatial Vision and Objectives

13. National Park Authorities are not required to produce a sustainable community strategy (SCS), but the National Park Management Plan (NPMP) 2006-2011 [D003], to which the CS must have regard, aligns with the local priorities set out in the SCSs of the complementary authorities. However, the vision for the CS, which reflects that of the current NPMP, has been criticised because it may quickly become outdated by the imminent refreshment of the NPMP vision. Nor is it perceived to clearly reflect national guidance given in Circular 2010, especially regarding the prominence that should be given to climate change considerations and to promoting vibrant communities. Furthermore, because the CS vision precedes the spatial portrait and the desired spatial outcomes, its main drivers are thought to be unclear.
14. In response to these concerns, and for clarity and consistency with national policy, the Authority has suggested PCs **(S400.1)** and **(S400.2)** to replace paragraphs 3.7, 3.8, 3.9 and 5.3. These PCs place the CS vision after the spatial portrait and merge it with the desired spatial outcomes to reflect, in combination, the way in which these statements collectively highlight issues including climate change considerations and promoting vibrant communities. New paragraph 3.7 explains the on-going relationship between the CS and the NPMP, and its successor, in order to ensure an overarching approach to setting a common vision for the Park between these two constituent plans. This will also ensure continued regard to the SCSs of the corresponding local authorities.
15. The spatial portrait describes the main challenges facing the Park. It draws out the key spatial differences and the particular pressures facing the diverse landscapes of the Park, which has three distinct areas; the least populated upland moorland areas (the Dark Peak and Moorland Fringes), the most populated White Peak and Derwent Valley area and the sparsely populated South West Peak area. The spatial portrait generally gives a fair representation of the main issues to be addressed, balanced against the duty placed on all relevant authorities by section 62 of the Environment Act 1995 to have regard to the National Park purposes. However, for consistency with PPS22, the Authority suggests deletion of the last sentence of paragraph 4.4, which refers to minimising new development such as wind turbines and electricity pylons, as detailed in PC **(S400.4)**.

The Spatial Outcomes and Development Strategy

16. The 7 spatial outcomes and the Development Strategy clearly outline the main aims that are sought by 2026 and how they will be achieved. For clarity and effectiveness, the Authority suggests that the first spatial outcome is amended by PC **(S400.5)** to include reference to bio-diversity, geo-diversity and cultural heritage considerations. To highlight the desirability of achieving sustainable, inclusive development, the emphasis of the last spatial outcome is also changed from its transport infrastructure perspective to that of promoting

the improvement of people/technological orientated modes of accessibility, as detailed in PC **(S400.6)**.

17. The spatial objectives set out in Figures 3-6 clarify how the outcomes will be achieved both Park-wide and within each of three main landscape areas. These detailed 'place' objectives are spatial and locally distinctive, and amongst other matters they provide an indication of the scale of new housing development that may be appropriate in each of the landscape character areas. They are founded on substantial and robust evidence, and they have been informed by extensive public consultation, as detailed in the CS Self Assessment of Soundness [G002].
18. Representations were made to the spatial objective which seeks to resist further proposals for the working of minerals for aggregates, limestone and shale for cement manufacture, but in the light of the evidence available and national policy no amendment to this part of the objective is necessary for soundness.
19. The Development Strategy set out in policy DS1 indicates what types of development are acceptable, in principle, in settlements and in the countryside. Its emphasis is on sensitive, managed delivery in order to meet the Park's statutory purposes, which are conservation and enhancement of the environment, and to conserve and enhance it. The Strategy aims to address need; it does not expect to meet all needs at the expense of the environment. This approach was tested and supported at the RS Examination in Public (2007) [G041]. No targets for housing or employment delivery are given in the RS.
20. The Development Strategy is spatially hierarchical, based upon landscape character. It carries forward the approach of the Peak District National Park Local Plan policy LC1 [D002], which has been successful in delivering locally needed development, whilst conserving and enhancing the Park's valued characteristics. However, it is clear from the evidence contained in the Refined Options [D006] and Preferred Approaches [D007] documents that this Strategy has been rigorously tested and consulted upon against feasible alternatives during the CS process. It is also justified by the Sustainability Appraisal (SA) [A003] as being the most appropriate for enabling sustainable new development, where and at a scale that it is needed.
21. Policy DS1 informs that the majority of new development, including 80%-90% of new homes will be directed into Bakewell and the other 62 settlements named in the policy, which are also listed in Appendix 2 of the CS, as updated for necessary clarity by PCs **(S300.14)**, **(S300.44)**, **(S300.45)** and **(S300.46)**.
22. Whilst the policy might appear to encourage dispersal, in practice it concentrates development to a range of settlements, which on the balance of environmental and social considerations are the most sustainable. All of the named settlements in the Park, including Bakewell, are very small and would fall within a 'rural settlements' category of a typical, predominantly rural local authority area. Taking into account also that the scale of development required to address local need is similar across the settlements, the flat settlement hierarchy proposed is the most appropriate. Furthermore, it avoids

the potential pressure for a greater scale of development than could be accommodated in landscape terms, which could be created if some settlements, for example Bakewell, were placed in a higher category than others. In addition, this application of a single policy approach across the settlements provides greater flexibility than would a more structured strategy.

23. Within or on the edge of the named settlements, the policy enables development necessary to maintain and improve the sustainability and vitality of communities across the Park, without causing harm to its valued characteristics. For added flexibility, other than in Bakewell, where additional development criteria and opportunities are identified and where there is more pressure for new development, no settlement boundaries will be drawn.
24. The policy also permits limited development in unnamed settlements and, excluding the Natural Zone, in the countryside, generally in line with PPS4 and PPS7. However, it limits conversions or changes of use to traditional buildings, which is more restrictive than national policy. To remedy this whilst still retaining local distinctiveness, the Authority's PC **(S300.13)** is necessary.

The General Spatial Policies

25. The four general spatial policies that follow policy DS1 provide the overarching principles for development in the Park, which relate closely to the delivery of National Park purposes. Policy GSP1 sets out the Sandford Principle and informs how proposals for major development in the Park will be treated. Policy GSP2 concerns the enhancement of the Park's valued characteristics. Policy GSP3 states the main principles for development management and policy GSP4 outlines how developer contributions will be operated to maximise the benefit of development to the Park.
26. Post submission, the Authority has come to the view that it is more logical to move this suite of policies to precede the Development Strategy, and it has suggested a PC to this effect, which is listed in Appendix B to this report. This PC will add clarity, and it is endorsed on that general basis, but it is not essential for soundness.
27. In the supporting text for these policies, paragraphs 8.9 and 8.10 inaccurately précis and extend the scope of national policy given in PPS7, MPS1 and in Circular 2010 with regards to major development in National Parks. However, the Authority's PCs **(S400.8)**, **(S400.9)** and **(S400.11)** correct this for consistency and soundness. PC **(S400.10)** is also necessary to delete unnecessary and outdated information given in paragraphs 8.12 - 8.14 concerning the former Infrastructure Planning Commission.
28. Section 61 of the Environment Act 1965 has effect for the purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area, but this is inaccurately reflected in part B of policy GSP1, which refers only to conservation. This inconsistency with national policy and with other policies in the CS, which also refer to enhancement, is rectified by PC **(S400.22)**.
29. Representations to the wording of part C of policy GSP1 consider that the omission of explicit references to principles of living within environmental limits and to National Parks being exemplars of sustainable development make

the policy inconsistent with paragraph 28 of Circular 2010. Several alternative forms of wording were discussed at the examination hearings, and in response the Authority has suggested PC **(S400.12)**. This PC does not precisely reflect the alternatives suggested, because for soundness it is unnecessary to repeat within the policy specific examples of how sustainable development could be achieved; for example, by living within environmental limits. But to acknowledge other parties' views and for added clarity, the Authority intends to also amend paragraph 8.20 of the supporting text by informing that the Park aims to support exemplary sustainable development. This further change is listed in Appendix B and is endorsed on the general basis of being an improvement. PC **(S100.10)** is necessary to make part D of policy GSP1 consistent with national policy by clarifying that major development should not take place within the Park, other than in exceptional circumstances.

30. The wording of parts B and E of policy GSP2 is unclear and these parts of the policy are not effective. To provide necessary clarity, PC **(S400.15)** amends the beginning of part B to explain that proposals *intended to enhance...*, and PC **(S400.17)** clarifies the intentions of part E of the policy. Although these PCs are not fully supported by Representors they nevertheless reflect and address the objections raised, and make the policy sound.
31. Concern has been expressed that policy GSP3 is not effective because; some of its terms such as 'living conditions' are not clearly explained, the policy is worded negatively and it fails to highlight the implications of land subsidence associated with mining operations. In response, the Authority points out that expressions such as 'living conditions' are commonly used and understood with reference to planning matters. However, it agrees that the second paragraph of the policy should be re-phrased positively and that in view of the widespread mining operations across the Park, reference to land subsidence is of particular relevance in this area. PCs **(S400.19)** and **(S300.18)** respectively address these shortcomings, making policy GSP3 consistent with PPG14 and sound.
32. Turning to policy GSP4, the reference to 'planning benefits' in both the policy title and its text infers that measures may be sought that would exceed the tests of Circular 05/2005 and the Community Infrastructure Regulations 2010. To clarify that this is not the intention, and for consistency with national policy the Authority proposes to change the title of the policy to, '*Planning conditions and legal agreements*', in accordance with PC **(S400.20)**. PC **(S400.94)** clarifies the intention of part A of the policy by replacing the word 'benefit' with the word '*contribution*'. In addition, for transparency and effectiveness, PC **(S300.19)** adds supporting text, which indicates that conditions will be used and legal agreements will be sought to ensure that sustainable development is achieved, where appropriate, through design and/or renewable energy generation.
33. With these changes the CS is consistent with National Park purposes and with national policy, and it satisfactorily addresses cross-boundary issues. Also, its Spatial Vision, Objectives, Development Strategy and General Spatial Policies cover a suitable range of issues, and are justified and effective.

Issue 2 – Landscapes and Conservation, and Recreation and Tourism

Whether the policies of the Core Strategy which seek to conserve and enhance the landscape and valued characteristics of the Park, whilst addressing the key strategic issues for recreation, tourism, environmental education and interpretation are justified, effective and consistent with National Park purposes, and with national policy.

Landscapes and Conservation

34. Policies L1-L3 relate to conservation and enhancement of landscape character, valued characteristics, biodiversity and cultural heritage. Thus they cover the core matters defined under the Environment Act 1995.
35. Policy L1 refers specifically to valued landscape character and the valued characteristics of the Park. The valued characteristics, which are also its special qualities, are listed in preceding supporting text at paragraph 9.15. Representations suggest that the historic landscape character of the Park should be added to that list, but this is unnecessary because this is implicit in the list, which refers to 'thousands of years of human influence which can be traced through the landscape'. Furthermore, paragraph 9.15 refers to the Authority's adopted Landscape Strategy and Action Plan [D019], which is underpinned by knowledge of the historic landscape character.
36. Part A of the policy requires the conservation and enhancement of valued landscape character and the valued characteristics of the Park. This requirement for enhancement could restrict flexibility to permit development for social or economic reasons, but it is justified by Section 62 of the Environment Act 1995, which informs that such development should not take precedence over the need to conserve and enhance landscape and special qualities (Section 61). Furthermore, as outlined in GSP1, there are exceptional circumstances in which social or economic considerations can take precedence. More flexible options were tested in the Refined Options [D006], but they scored less favourably through public consultation.
37. Part B of the policy carries forward the Local Plan concept for a 'Natural Zone' wherein, other than in exceptional circumstances, proposals for development will not be permitted. These exceptions are set out in saved Local Plan policy LC1 [D002]. They will be reviewed together with the precise boundaries of the Natural Zone, which is the practical application of the map required under Section 3 of the Wildlife and Countryside Act 1981, in the forthcoming Development Management Policies DPD and its supporting Proposals Map. Given the special statutory designation that is afforded to these areas of moorland of particular natural beauty that make up the Natural Zone, the very strict presumption against development afforded by policy LC1 is justified. However, since new development essential for agriculture is mainly exempt from the need for planning permission, farming will not be unduly restricted by the designation.
38. Policy L2 refers to sites of biodiversity or geodiversity importance and is consistent with national policy contained in PPS9. However, for necessary effectiveness PCs **(S300.22)** and **(S300.24)** clarify in supporting text that the policy also refers to Regionally Important Geological sites *or their*

equivalent and that it also refers to ecological networks. In addition, **(S300.25)** makes the policy internally consistent by clarifying in parts A and C that it refers, where appropriate, to the settings of sites of biodiversity or geodiversity importance.

39. The Authority considers that the CS should contain a policy that refers to cultural heritage assets. However, it acknowledges that the submitted version of policy L3 is not locally distinctive and does not add to PPS5. In recognition of this it has reached a position of common ground with stakeholders, including English Heritage and the National Trust on an amended version of the policy and its accompanying supporting text. The consequential PCs as detailed in **(S300.26)**, further amended by **(S400.68)**, and in **(S300.27)** are necessary to ensure that the policy remains consistent with PPS5 whilst being locally distinctive and consistent with PPS12.

Recreation and Tourism

40. The meaning of supporting text to policy RT1 at paragraph 10.14, which aims to reconcile off-road motorised recreation with quiet enjoyment of the Park by 'positive management' is ambiguous and could be interpreted differently depending on which type of recreational activity the reader supports. To clarify this for effectiveness the Authority suggests PC **(S400.27)**. This amendment recognises that within the Park there is a place for both types of recreational activity, provided that motorised recreation does not occur where it will damage other people's quiet enjoyment of the Park or its valued characteristics. It also highlights the controls that the Authority will employ regarding illegal motor vehicle activity. For consistency, PCs **(S300.7)** and **(S300.28)** amend Figure 3 and paragraph 10.12.
41. Concern has also been raised that policies RT1 and RT2 are more restrictive than PPS4 and PPS7 regarding the re-use of existing buildings in the countryside. However, it is clear that when read in isolation and together with policy DS1, as amended by PC **(S300.13)**, the policies do not prohibit the re-use of other buildings, or the construction of new ones in the case of RT1. As justified by national guidance, particularly in the context of the Park's designation, and the Authority's Peak through time: cultural heritage strategy [D018] the policies indicate a preference for re-using the historic building stock.
42. Policy RT3 concerns caravans and camping. Its supporting text at paragraph 10.26 has been criticised for being inflexible, particularly as this form of tourist accommodation could supplement a perceived shortage of holiday accommodation suitable for use by disabled people and their extended families, by indicating that new static caravan, chalet and lodge accommodation is unlikely to be acceptable. Whilst landscape protection clearly justifies why such development should not be generally encouraged in the Park, the Authority acknowledges that there may be some locations where it would not be harmful to the landscape. Thus for necessary clarity and flexibility the Authority suggests that this paragraph is amended as detailed in PC **(S400.93)**.
43. With the changes referred to above, the policies of the CS, which seek to conserve and enhance the landscape and valued characteristics of the Park,

whilst addressing the key strategic issues for recreation, tourism, environmental education and interpretation are justified, effective and consistent with the National Park purposes, and with national policy.

Issue 3 – Climate Change and Sustainable Building

Whether the policies which seek to address the strategic role of the Park in relation to mitigating and adapting to climate change are justified, effective and consistent with National Park purposes, and with national policy.

Climate Change Mitigation and Renewable Energy Development

44. In addition to national planning policy statements including those in PPS1 and PPS22, which stress the important need for spatial planning to address the implications for climate change, Circular 2010 highlights that National Park Authorities should lead the way in adapting to and mitigating climate change. Policies CC1 – CC5 set out the CS climate change strategy. However, as acknowledged by the Authority at the examination hearings, the preamble to policies CC1 and CC2 do not reflect this imperative in a sufficiently positive or robust manner.
45. In response, the Authority has suggested several changes. PC **(S400.28)** highlights in paragraph 11.5 the role of the Authority to work with local communities as exemplars in renewable energy. PC **(S400.29)** clarifies the balance that should be made between enabling sustainable development and protecting and enhancing the quality and character of the Park. Negative statements made in paragraph 11.9 are deleted by PC **(S400.30)**. PC **(S400.31)** highlights the key role of land management in mitigating climate change, and informs that a detailed land management policy will be contained in the forthcoming Development Management Policies DPD. Associated with this, paragraph 11.27 is amended by PC **(S400.35)** to correctly describe the value/function of the extensive peatlands in the Park as a terrestrial carbon store. In addition, PC **(S400.32)** adds supporting text to precede policy CC1 that informs that it is the overarching CS policy for climate change and has the aim of enabling the Authority to lead the way in adapting to and mitigating climate change. Whilst these PCs may not go as far as some Representors would wish, they are sufficient to bring this part of the CS in line with national policy and to make it sound in this regard.
46. Policy CC1 requires development generally to take account of the energy hierarchy, to comply with PPS25 regarding flood risk and its mitigation, and to achieve the highest possible standards of carbon reduction and water efficiency. It also sets the following thresholds and targets: Part F of the policy requires that proposals for new and replacement housing, other than affordable housing of less than 3 units, achieve the minimum national sustainability standard set for Registered Social Landlords. The Peak sub-Region Climate Change Study [E001], together with analysis of house sales [G034] indicates that this requirement is feasible and viable. Neither this threshold or target have been challenged, but for necessary flexibility and to accord with PPS1 and PPS22, the Authority suggests PCs **(S400.33)** and **(S400.96)**, which add supporting text at paragraph 11.22 and in policy CC1F to clarify that viability and feasibility considerations will be taken into account.

47. However, part G of the policy, which requires non-residential major development above 1,000 square metres floorspace to achieve a Buildings Emissions Rate at least 10% less than the Target Emissions Rate has been criticised, partly because of a perception by some that the threshold has been set too low and also because reference to Building Research Establishment Environmental Assessment Method (BREEAM) as a target to be met is thought to be more appropriate.
48. With reference to the threshold, it was discussed that in practice few developments will exceed 1,000 square metres floorspace. Consequently, the policy will have limited effect. The stated threshold is based on and is justified by evidence contained in the Climate Change Study and it reflects the threshold in the emerging Core Strategies of Derbyshire Dales and High Peak District Councils. Whilst the Authority agrees with Representors that a lower threshold of 200 square metres would apply to more developments and would in this respect be more effective, there is insufficient evidence currently available to justify this lower threshold. Thus it is not proposed to lower it. To take account of viability and feasibility considerations, PC **(S400.34)** is suggested as an amendment to supporting text at paragraph 11.23.
49. Turning now to the target for policy CC1 part G, it is acknowledged that reference to BREEAM standards is supported in the Climate Change Study and in national guidance. However, PPS1 Climate Change Supplement also indicates that a Building Emissions Rate relative to the Target Emissions Rate, as described in the Building Regulations, is a permissible approach. Seeking a Buildings Emissions Rate target also enables a more flexible means of achieving carbon reduction in order to comply with the objectives of the policy by allowing a choice of fabric improvements and/or low or zero carbon technologies, which are easily quantifiable through Building Regulations procedures and which future proof the policy in the light of increasing national standards. Furthermore, it avoids the necessity for expensive BREEAM certification, which in some cases could be prohibitive. For these reasons, together with the associated target of a minimum 10% reduction, which is justified by evidence in the Climate Change Study and by extant and on-going negotiations on new planning permissions, it is sound.
50. Policy CC2 concerns low carbon and renewable energy development, but as with the supporting text to policy CC1, it is too negative. It is common ground between the Authority and Representors that large scale wind farms in or visible from the Park are most unlikely to be acceptable in landscape terms. However, the submitted policy and its preamble are unreasonably and arbitrarily prescriptive towards all wind turbine development.
51. To make the policy sound the Authority suggests PCs **(S400.36)** and **(S400.37)**. These PCs delete prescriptive detail concerning wind turbines and replace the text with more locally distinctive, generic references to renewable energy generation. In addition, PC **(S400.38)** amends policy CC2 to make it justified and effective by providing a strategic, criteria based approach to all types of renewable energy developments specifically in the context of the Park and the sensitivity of its landscape. Whilst this change to the policy text does not propose the exact wording put forward in representations, it nevertheless encapsulates the agreed aims for the policy and makes it sound.

Waste Management

52. The Authority is a Waste Planning Authority, but the waste disposal function for the majority of the Park falls under the remit of Derbyshire County Council. The Derbyshire Joint Municipal Waste Strategy [E042] and the RS acknowledge that the environmental sensitivity of the Park make it inappropriate and unsustainable for it to make provision for capacity equal to the amount of waste generated, or to make a significant contribution to the sub-region's waste management infrastructure. Consequently, no targets for waste management have been set for the Park in the RS.
53. The overarching CS waste management policy CC3 was reviewed in the light of recent amendments to PPS10, but no change is necessary for soundness.
54. Policy CC4 is locally distinctive to the Park and concerns on-farm anaerobic digestion (AD) of agricultural manure and slurry. The policy informs that the AD facilities permitted by this policy should serve farms mainly within the Park or in close proximity to it, and should not serve a mixed waste stream. On the basis of detailed research carried out by a local group, representations have been made that these policy criteria are too restrictive, could make some schemes unviable and fail to take proper account of the potential for renewable energy production from AD facilities.
55. However, other studies; [G037], [G038] and [G039] indicate that farm based AD facilities fuelled solely by agricultural manure and slurry can be viable. Furthermore, it is not the intention of the policy to contribute towards meeting waste or energy targets; it enables agricultural waste to be dealt with by a preferred sustainable method. Community based AD facilities or those reliant upon a mixed waste stream would be considered under policy CC3. However, to avoid repetition of part B of the policy, which informs that only agricultural manure and slurry arising on the planning unit and crops grown for the purpose on the unit may be used, and any potential confusion that AD schemes involving mixed waste streams may fall within the remit of policy CC4 the Authority suggests PC **(S400.47)**, which deletes its criterion C.

Flood Risk and Water Conservation

56. The last in this group of policies, policy CC5, refers to flood risk and water conservation. The policy sets out locally distinctive criteria that are consistent with PPS25. No changes are required that go to the heart of soundness.
57. With the changes referred to above the CS policies which seek to address the strategic role of the Park in relation to mitigating and adapting to climate change are justified, effective and consistent with National Park purposes, and with national policy.

Issue 4 – Homes, Shops and Community Facilities

Whether the policies which seek to address the social needs of communities in the Park are justified, effective and consistent with its purposes, and with national policy.

New Housing

58. The SCSs of the constituent authorities emphasise the importance of balanced and safe communities, with priority placed on the provision of locally needed affordable housing. The housing policies of the CS aim to address their aspirations whilst conserving and enhancing the Park. They do not seek to meet a target or set a limit, nor do they make provision for allocation of land for housing. Their emphasis is on enabling the delivery of affordable housing through discussion with local communities when need and resources result in opportunities that do not compromise the purposes of the Park. Thus it is not the aim of the CS to meet all identified housing need, irrespective of potential harm to the Park's purposes. Nor does it enable significant new open market housing.
59. This strategy is consistent with national policy for National Parks, and carries forward from the RS a locally established approach, wherein there is no 'hope' value attached to land. This strategy has proved to be satisfactory in terms of delivery. As part of the CS process, alternative forms of the strategy were considered [D007]. But these did not include an option which would permit significantly more open market housing, which was previously debated and rejected in the RS Examination in Public [G041], because given the national policy context this is not a feasible alternative. The submitted policies merge the preferred elements of the alternatives consulted upon and are supported by the SA [A003].
60. Between 1991 and 2009 around 1,664 new homes were provided in the Park, mostly through the re-use of existing buildings. The Peak sub-Region Housing Market Assessment (HMA) [E006] estimates a backlog of unmet need for about 660 affordable homes throughout the Park, with approximately half arising within the Derbyshire Dales District Council administrative area. In addition, it is anticipated that there is a newly arising need for around 41 homes annually [E009] and [A002].
61. From information contained in the Strategic Housing Land Availability Assessment (SHLAA) [E007] and [E008], and in the Delivery Plan [A002], an anticipated new housing capacity range is identified in the outcomes for each of the three spatial areas within the Park. Considering anticipated need together with potential capacity, the evidence indicates that in the Dark Peak and Moorland Fringes (High Peak Borough Council) overall indicative capacity is sufficient to meet almost 90% of the estimated need for affordable housing. In the White Peak and Derwent Valley (Derbyshire Dales District Council) overall indicative capacity comfortably exceeds estimated need, but in the South West Peak (Staffordshire Moorlands District Council) overall indicative capacity is sufficient to meet around half the estimated need for affordable housing. Thus there is a reasonable match between need and capacity both spatially and particularly Park-wide.
62. Policy HC1 considers the categories of circumstances in which new housing will exceptionally be permitted; A for addressing identified local needs for affordable housing and provision for aged persons, B for provision for key workers or C, justified to enable conservation or enhancement schemes. In this last category the expectation remains that the housing development permitted will address affordable local needs unless it relates to; a conversion

resulting in a single dwelling, a scheme that would be made financially unviable or it would provide more affordable housing than is needed in the locality, in which case a financial contribution will be sought for provision of affordable housing elsewhere in the Park.

63. There is significant general support for the policy and its supporting text, but there are objections to the detail of some wording. These relate mainly to its effectiveness in terms of consistency with other CS policies, clarity, transparency of its implementation mechanisms, flexibility to take account of the impact of possible diminishing public subsidy and the justification for seeking financial contributions in lieu of on-site affordable housing provision.
64. In order to ensure internal consistency with other CS policies and to provide clarity necessary for soundness the Authority suggests PCs **(S400.56)**, **(S400.54)**, **(S400.55)** and **(S400.58)**. In addition, PC **(S400.97)** clarifies in paragraph 12.20 that viability and feasibility considerations will be taken into account concerning the requirement in that supporting text for housing to achieve 'lifetime home' standard.
65. The concern regarding transparency is associated with absence of definitions in the CS of 'local need' and 'local occupancy' criteria. For clarity, PC **(S400.52)** defines 'local need' in this context. However, it is not essential for the CS to contain precise details 'local occupancy' criteria; it is intended that this will be provided in and will be subject to public consultation and examination as part of the forthcoming Development Management Policies DPD process. Nevertheless, the Authority intends to add supporting text to follow paragraph 12.8 and in the Glossary to summarise the current criteria needed to satisfy this eligibility, as set out in saved Local Plan policy LH2, for clarity until such time as they are reviewed. Since this information is not necessary for soundness it is provided in Appendix B.
66. The outlook for government housing subsidy is uncertain. Whilst it seems unlikely that it will be so freely available as in the last decade or so, the outcome of the process in the context of the eight Single Conversation Investment Plans that are taking place across the Park is presently unknown. It is possible that as housing providers become more familiar with the new financial mechanisms being promoted by the Homes and Community Agency future bids may become even more successful. In this context of uncertain public subsidy it is therefore important that policy HC1 is sufficiently flexible to enable delivery of affordable homes. It is argued by Derbyshire Dales District Council that this should include greater opportunity for open market housing to cross subsidise affordable housing.
67. However, working in a climate of restricted public subsidy for rural affordable housing is not new to the Authority and policy HC1 affords necessary flexibility in various ways; by enabling developers to bring forward larger schemes justified primarily by conservation and enhancement considerations and by not requiring the involvement of a social housing provider for affordable housing delivery. Lifting restrictions on open market housing could provide short term gains, but in the long term it could also result in an eventual reduction in the number of affordable homes provided in the Park, taking into account the significant capacity constraints imposed by the landscape and the National Park purposes. Nevertheless, the Authority suggests PC **(S400.53)**, which

would insert supporting text to precede policy HC1 that is necessary to clarify intended delivery and contingency mechanisms.

68. Regarding concerns about the approach towards developer contributions for affordable housing, given that there is clearly an unmet need for affordable housing Park-wide, the tests of Circular 05/2005 and Section 122 of the Community Infrastructure Regulations 2010 are partly met. However, PCs **(S100.29)** and **(S400.50)** are necessary to clarify how the spatial links of relevance are satisfied, and to inform that the mechanics of determining the scale of contributions will be set out in the Development Management Policies DPD.

Key Workers Housing

69. Policy HC2 expands on part B of policy HC1 and PPS7 by setting out locally distinctive criteria for provision of housing for key workers in agriculture, forestry or other rural enterprises which are justified by the specific context of the Park. No changes to this policy are necessary for soundness.

Buying Existing Homes for Affordable Housing Provision

70. Policy HC3 is intended to be a locally distinctive enabling policy that aims to encourage social housing providers to buy existing open market housing and to add it to the affordable housing stock in perpetuity. But as acknowledged by the Authority at the examination hearings it is not sound, because it is not supported by robust evidence concerning deliverability. Furthermore, as suggested in representations, it may be ineffective and counter productive in the long term because it could remove smaller, less expensive housing from the open market stock, thus reducing opportunity for local first time buyers to get onto the open market housing ladder. In addition, since planning permission is not required by social housing providers to buy existing housing for affordable housing provision, the policy does not serve a planning function. Consequently, the Authority has suggested its deletion, together with its supporting text at paragraphs 12.23 -12.25, as detailed in PCs **(S400.61)** and **(S400.62)**.

Gypsies, Travellers and Travelling Showpeople

71. The Derbyshire Gypsy and Traveller Accommodation Assessment 2008 [E010] did not identify any need for pitches in the Park. However, policy HC4 exceptionally permits temporary, seasonal accommodation for these groups of people, including travelling showpeople, to meet a proven need. However, the wording of the submitted policy is ambiguous and effectively prevents appropriate site provision. In addition, the blanket intention to grant only temporary permission is contrary to Circular 11/1995 and to the intentions of government to reduce bureaucracy in the planning system.
72. Consequently, for soundness the Authority suggests PC **(S400.64)**, which deletes reference to seasonal occupancy from the policy. Also, PC **(S400.65)**, which amends paragraph 12.26 by deleting reference to temporary accommodation and by cross referencing it to policy GSP3, which sets out the development management principles that apply to all development proposals. These PCs will treat these groups on the same basis as others in need of housing, and will bring the policy in line with the Ministerial Statement on 13

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Community Services, Facilities, Shops and Related Activities

73. No changes going to the heart of soundness are necessary to policy HC5, which aims to enable or retain various forms of community-focused services.
74. Policy HC6, which sets out the CS approach to Class A uses in the settlements named in policy DS1 and in the countryside has been criticised because of perceptions that it does not address the particular circumstances of the Park, the findings of the Peak sub-Region Retail and Town Centre Study [E012] or PPS4 with regards to defining a hierarchy of centres and the sequential approach towards the location of retail development.
75. However, when the precise details of the retail study are considered specifically in the context of the settlement profile of the Park it is clear that the policy does clearly reflect the findings and recommendations of the retail study regarding the retail hierarchy, and that it is generally consistent with PPS4.
76. The two tier retail hierarchy reflects and is justified by similar reasons as those for the 'flat' settlement hierarchy of DS1, which takes into account the size, function and capacity of settlements. This is not in conflict with PPS4 or RS, neither of which prescribe a hierarchy of centres. Although the retail study suggests a sub-regional hierarchy, in which Bakewell is the only second tier small town, it also advises that individual authorities should finalise their own hierarchies. Thus the policy's hierarchy appropriately reflects the local context within the framework of national and regional policy, and is supported by robust evidence.
77. Supporting text at paragraph 12.45 of the CS refers to the sequential approach of PPS4 and it informs that impacts on towns or villages which must be tested will be defined in the forthcoming Development Management Policies DPD. It goes on to summarise that in the case of Bakewell, the retail study indicates that development outside its town centre would harm its vitality and viability and for this reason proposals for edge- or out-of-centre retail development would be unlikely to satisfy the impact test. It is reasonable to provide this guidance in the CS and it should not be construed as meaning that the national sequential approach has been disregarded and that all proposals at such locations will automatically be refused for being contrary to policy HC6, which at part B informs that significant out-of-centre retail developments will not be permitted. This is an appropriate and justified application of the national sequential approach to the specific context of the Park. However, to rectify an omission that could indicate inconsistency with PPS4 that is not clearly justified by the retail study the Authority's suggested PC **(S400.98)** is necessary. This inserts the words '*or on the edge of named settlements*' after the reference to Bakewell Shopping Area in part A1 of policy HC6.
78. With the changes referred to above, the policies which seek to address the social needs of communities in the Park are justified, effective and consistent with its purposes, and with national policy.

Issue 5 – Supporting Economic Development

Whether the policies aimed at achieving a diverse and prosperous local economy are justified, effective and consistent with National Park purposes and with national policy.

79. In line with government policy which increasingly stresses the need for a positive approach to economic development in rural areas, policies E1 and E2 provide a framework which encourages businesses to establish and grow. They also allow flexibility in terms of location and type of enterprise, whilst balancing National Park purposes and duty.
80. In the context of there being no target set for economic development by RS and a surplus capacity in existing employment sites, as identified in the Peak sub-region Employment Land Review [E013], no new provision for employment sites is made in the CS. Nevertheless, policy E1 gives significant flexibility for sustainably located development by permitting; new employment sites within or on the edge of all the settlements named in policy DS1, encouraging home working and by aiming to safeguard high quality, suitably located existing employment land and buildings.
81. However, the first sentence of part A of policy E2 states that new businesses in the unnamed settlements, farmsteads and within groups of buildings must be located in existing traditional buildings of historic or vernacular merit. This is inconsistent with national policy, which does not impose such stringent restrictions, it is also inconsistent with other policies in the CS which state a preference for such re-use, and it is internally inconsistent with the remainder of that paragraph and supporting text. The Authority suggests PC **(S300.39)** to rectify these inconsistencies. For clarity and flexibility PC **(S400.67)** is also necessary in the context of part C of the policy, which refers to proposals for business use in the open countryside.
82. With the changes referred to above the policies aimed at achieving a diverse and prosperous local economy are justified, effective and consistent with National Park purposes and with national policy.

Issue 6 – Minerals and Aggregates

Whether the policies for minerals and aggregates extraction, restoration and safeguarding are justified, effective and consistent with National Park purposes, and with national policy.

83. Minerals and aggregates extraction is one of the most contentious activities within the Park because it fundamentally conflicts with statutory National Park purposes and because there are significant and extensive reserves of aggregates and minerals, particularly limestone and fluorspar, throughout the Park. Associated with limestone and shale extraction there is also a major cement manufacturing works located in Hope Valley, with other cement works lying adjacent to the Park boundary. Furthermore, there are long term extant planning permissions for both quarrying of cement-making materials and cement manufacture, resulting in a concentration of these activities in and around the Park, which is the opposite of the long term outcome sought by the Authority, to progressively reduce the proportion and amounts of aggregates and other minerals extracted. These factors have given rise to considerable tension that is exacerbated by the fluctuating status of regional policy and

uncertain apportionment contexts.

84. National policy in MPS1 and PPS7 does not allow major mineral development in National Parks other than in exceptional circumstances. Although it is not explicitly stated in national policy, the Authority argues that the logical outcome of such policy is the progressive reduction in mineral extraction. This interpretation is explicitly supported by RS policy 37, which at its Figure 1 sets the regional aggregates apportionment figure for the Park for 2001-2016 at 66.9 million tonnes, all from crushed rock. The principle of this reduction is also built into the latest 2005 to 2020 figures produced by the Regional Aggregates Working Party (RAWP).
85. When the RS was temporarily revoked (Ministerial Statement 27 May 2010) and in response to the Chief Planning Officer's letter dated 6 July 2010, the Authority re-assessed RS policy 37. It concluded that it remains the most appropriate for the Park and is consistent with national policy. Thus it is re-stated in submitted CS policy MIN1.
86. This interpretation of national policy is challenged in representations. But having regard to the purposes of the Park, and taking into account that RS policy 37 has been subject to SA and public scrutiny, and that there have been no major changes to national minerals policy since its publication in 2009, it is reasonable to conclude that this is an appropriate interpretation of national policy in this specific local context. It is also justified by the SA undertaken for the CS [A003], which supports this policy element as having positive environmental outcomes, although the SA identifies uncertain economic effects, because whilst this approach could lead to long term job loss it could also have positive impacts on the tourism industry.
87. However, the issue is further complicated by uncertainty over the apportionment figure up until the end of the plan period in 2026, which in turn gives rise to uncertainty over the long term implications of the policy, because the overall scale of the intended reduction is unknown. Furthermore, paragraph 14.21 of the CS implies that the Authority intends to apply a reduced figure, independent of a regional joint approach.
88. The apportionment figures stated in RS policy 37 have been updated at a national level for the period 2005 to 2020 and at the regional level, technical work was undertaken to determine the subdivision of the new regional figure to each Minerals Planning Authority (MPA). These revised apportionment figures, which proposed a reduced figure of 65.0 million tonnes for the Park, were due to be consulted upon in the review of the RS that was abandoned following the government's abolition of the Regional Planning Bodies. This has left the MPAs in the position of having extant apportionment figures in the RS to which the issue of general conformity applies, whilst needing to acknowledge that although revised figures have undergone the current technical methodology and have been published, they have not been incorporated into any relevant Regional Plan policy. This uncertainty continues given the government's consultation process about the potential options to replace the current RAWP process as a result of the Localism Bill and the issue of the duty to co-operate. Nevertheless, the Authority confirmed at the examination hearings its commitment to work with its neighbouring MPAs to achieve a transition in apportionment from the Park to the surrounding areas.

89. Thus whilst it is not possible to indicate in the CS what the apportionment figure is up to the end of the plan period, for transparency and clarity, and to demonstrate that the Authority does not intend to work to its own unilateral figures, it suggests that paragraphs 14.21 and 14.22 are amended as detailed in PC **(S400.69)** and that part A of policy MIN1 is amended in accordance with PC **(S400.71)**. This latter PC also avoids duplication of RS policy 37 and brings the policy clearly in line with national policy.
90. The preamble to policy MIN1 contains considerable detail on the impacts and long term outcomes for the Hope Valley cement works, which is phrased in a manner that could pre-empt favourable consideration of any planning applications to extend the future of the works. The Authority acknowledges that this detail exceeds that necessary for a core strategy. Also, that for clarity, such commentary should be located under the sub-heading of 'cement' rather than 'minerals development', because although it is logical and sustainable for the cement making works to be located adjacent to its associated minerals reserves, it is not essential; there may be scope for the two operations to be separated. The planning implications of realising this would need to be considered fully at the appropriate time, so as not to prejudice future decision making on this issue. Thus for clarity and accuracy, the wording of suggested PC **(S400.70)** is phrased more neutrally. Whilst this PC does not give long term support for the continuation of the cement works beyond the plan period, it importantly does not pre-judge possible future options.
91. No changes to policy MIN2: Fluorspar proposals are necessary for soundness.
92. Policy MIN3, which sets out the approach towards proposals for small-scale extraction of building and roofing stone seeks to balance the tension between environmental and heritage considerations. Having regard to the purposes of the Park it weighs in favour of the former by only permitting proposals that meet a demonstrable need within the Park which cannot be met by existing permissions inside or outside the area, and which will be confined to local use on buildings and structures within the Park.
93. Policy MIN3 has been criticised for being unreasonably restrictive, inflexible, unjustified and inconsistent with national policy in MPS1 and PPS5. However, the environmental and heritage considerations on this issue are very finely balanced and other National Park Authorities have adopted differing policy positions to reflect the nuances of their local contexts.
94. Representors, including English Heritage, argue that the policy unreasonably precludes proposals for materials necessary to conserve buildings of heritage value outside the Park, or for use, for example, in conservation areas immediately adjacent to the Park, from where building stone and particularly roofing slates have been traditionally sourced. There are other concerns that the policy is unreasonable because it does not reflect the economic reality of modern extraction costs. But no evidence has been submitted to support that economic argument. Nor is there robust published evidence to indicate a demonstrable need for such materials to justify the heritage argument, although the Authority accepts that if and when such evidence becomes available the policy may potentially require review.

95. However, to provide necessary flexibility and clear consistency with national policy to enable conservation of nationally significant buildings and structures the Authority suggests PC **(S400.91)**, which adds supporting text to paragraph 14.45 to acknowledge that there may be exceptional conservation circumstances that may outweigh the policy. In addition, PCs **(S100.3)** and **(S300.40)** are necessary to make Figure 3 and the second spatial outcome referred to in paragraph 14.16 consistent with policy MIN3.
96. Policy MIN4 seeks to safeguard only fluorspar and very high purity limestone of 98% calcium carbonate, because of their rarity and economic importance, and evidence that they are proven resources. Knowledge of the resource base for building and roofing stone is incomplete, but appropriate evidence is being obtained and this issue will be considered in the forthcoming Development Management Policies DPD. The limited remaining coal deposits are not considered to be viable for surface extraction in the future. Nor are fireclay, silica, chert, mudstone and sandstone resources likely to be viable, or of future economic interest.
97. Taking into account the extent of the very high purity limestone already identified for safeguarding in Figure 9, submitted policy MIN4 does not intend to safeguard the remaining limestone resource, because it was thought by the Authority that its safeguarding may be of only limited value in the Park, where very little surface development is anticipated that would sterilise the resource. The Minerals Background Paper [D044] and the BGS Guide to Mineral Safeguarding in England [E064] step 3 of the methodology, which indicates that the MPA should decide how the physical extent of the resource areas to be safeguarded should be determined, are the main sources of evidence that were relied upon to support this selective safeguarding approach.
98. Notwithstanding these considerations, the selective approach of safeguarding some known limestone resources, but not others, is not clearly consistent with MPS1. In acknowledgement of this the Authority has suggested PC **(S400.72)**, which amends part A1 of policy MIN4 to safeguard the known limestone reserves within the Park in their entirety, subject to the caveat to be added to part B of the policy that in and immediately adjacent to existing settlements prior extraction of the safeguarded limestone resource is not required when considering proposals for major surface development. In addition, the PC clarifies in paragraph 14.48 that safeguarding of the resource does not imply that it will actually be worked. It also amends Figure 9 to include these additional safeguarded areas.
99. With the changes referred to above the policies for minerals and aggregates extraction, restoration and safeguarding are justified, effective and consistent with National Park purposes, and with national policy.

Issue 7 – Accessibility, Travel and Traffic

Whether the policies will achieve a sustainable approach to transportation that is justified, effective and consistent with National Park purposes, and with national policy.

100. The Authority is not a Highways or Transport Authority, so it has no highway powers and is not responsible for the operation or maintenance of roads and

public transport. Nevertheless, it aims to maintain a proactive position through influencing and negotiating with those authorities that do have the power to affect transport in the Park. The 7 transport policies of the CS are an important tool in this partnership approach. Collectively, they aim to improve the quality of life for transport and non-transport users, promote a healthy natural environment and to address climate change by reducing the general need to travel and to encourage sustainable transport.

101. Policy T1 intends to set out this overarching strategy. However, as submitted it is poorly structured and many of its objectives are not clearly phrased. Consequently it is not effective or sound. Representations have suggested alternative wording, which has been taken into account by the Authority in its suggested re-drafting of the policy, as detailed in PC **(S400.85)**. In addition, PC **(S400.83)** makes necessary associated changes to the preceding supporting text at paragraph 15.16.
102. Policy T2, which seeks to reduce the amount of cross-Park traffic, also lacks effectiveness due to the ambiguous wording of its parts B and C. To make part B of the policy and its associated supporting text effective and sound the Authority suggest PC **(S400.76)**, which highlights in paragraph 15.6 that the tests for major development apply to all major transport infrastructure proposals, and PC **(S400.86)** clarifies the intentions of this part of the policy.
103. Part C of the policy infers that the Authority will refuse permission for all new road and improvement schemes, but as it is neither a Highways nor Transport Authority this would be beyond its powers. To make this part of the policy effective the Authority suggests PC **(S400.87)**, which clarifies that it will strongly resist those road schemes that fall outside its jurisdiction, except in exceptional circumstances. To clarify how the road hierarchy referred to in part D of policy T2 will be established, PC **(S400.84)** adds supporting text at paragraph 15.20 to inform that it will be in partnership with constituent authorities and that further detail will be brought forward in the Development Management Policies DPD and the Proposals Map.
104. No changes are necessary to Policies T3 – T7 for soundness.
105. With these changes the CS policies will achieve a sustainable approach to transportation that is justified, effective and consistent with National Park purposes, and with national policy.

Issue 8 – Delivery, Implementation and Monitoring

Whether the delivery and monitoring strategy effectively demonstrates; what, where, when and by whom the policies of the CS will be delivered.

106. The CS makes scant reference to delivery and monitoring. Delivery is set out in a separate Delivery Plan [A002] and monitoring is reported in the Annual Monitoring Reports (AMR). It is clear from the Delivery Plan that there are no significant infrastructure requirements, since the CS is essentially an enabling tool and the AMRs provide indicators and targets for some of the policies. However, these documents do not form part of the CS and thus it does not have an effective delivery and monitoring strategy. In this regard it is unsound.

107. The Authority recognises this omission and to remedy it proposes PC **(S400.92)**, which adds text after paragraph 3.27 to inform that to be effective a CS needs to show how its vision, objectives and strategy will be delivered, and that the partners essential to its process have been engaged. The PC also adds a new Appendix 1 to the CS which describes the Park's context for partnership working on delivery, monitoring and review. It summarises actions and outcomes for each policy, and the research and monitoring arrangements to ensure that the CS is effective.

108. With this change the CS will have a sound delivery and monitoring strategy.

Legal Requirements

109. Examination of the compliance of the CS with the legal requirements is summarised in the table below. The CS meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The CS is identified within the approved LDS Third Revision October 2009 – July 2013 [G001] which sets out an expected adoption date of September 2011. The CS's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2006 [A008] and consultation has been compliant with the requirements therein, including the consultation on the post-submission PCs.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (April 2009) concludes that a Stage 2 Appropriate Assessment was necessary for the Preferred Approaches. This was undertaken (October 2009) and was finalised into a full Habitats Report Assessment for the pre-submission consultation on the published Core Strategy (August 2010) [A004]. It concludes that it should be entirely possible to avoid and mitigate any adverse impacts on N2K sites as a result of the CS, either alone or in combination with other plans or projects
National Policy	The CS complies with national policy except where indicated and changes are recommended.
Regional Strategy (RS)	The CS is in general conformity with the RS [C001].
Sustainable Community Strategy (SCS)	The Authority is not required to prepare a SCS for its area, but it is clear that the CS has paid full regard to the SCSs of the 11 constituent Local Planning Authorities.
2004 Act and Regulations (as amended)	The CS complies with the Act and the Regulations. However, PC (S400.24) is necessary to clarify that the Appendix 1 column 3 heading refers to 'saved Local Plan policies to be replaced by the Core Strategy'.

Overall Conclusion and Recommendation

110. I conclude that with the changes proposed by the Authority, set out in Appendix A, the Peak District National Park Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. For the avoidance of doubt, I also endorse the Authority's proposed minor changes, set out in Appendix B.

Shelagh Bussey

Inspector

This report is accompanied by:

Appendix A (separate document) Authority Changes that go to soundness

Appendix B (separate document) Authority's Minor Changes