

## **Appendix 1 – Derbyshire Dales Local Plan Draft Policies - March 2026**

### **Policies with changes:**

1. Spatial Vision and Strategic Objectives
2. Policy PD1: Design and Place Making
3. Policy PD2: Protecting The Historic Environment
4. Policy PD3: Biodiversity and the Natural Environment
5. Policy PD4: Green Infrastructure
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8. Policy PD7: Climate Change
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10. Policy PD9: Pollution Control and Unstable Land
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12. Policy HC5: Meeting Local Affordable Need (Rural Exception Sites)
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## Spatial Vision

The vision for the Derbyshire Dales is that it will be widely recognised as a distinctive rural area with thriving and sustainable communities made up of vibrant villages and market towns, which reflects the character of the Derbyshire Dales landscape, supported by a prosperous and diversified local economy. The area will complement and not compete with Sheffield and Derby and out-commuting will reflect a sustainable balance of living and working.

Development in the Derbyshire Dales will be managed in a sustainable way that allows for growth [where – summarise spatial strategy once known e.g. new settlement and market towns or growth within our environmental limits based on sustainable extensions to our market towns and tier 2 and 3 settlements....] supported by new and improved infrastructure. Growth will be delivered in a way that supports the transition to net zero and mitigates against, and helps existing and new communities responds to, our changing climate.

The traditional character of the Market Towns and larger villages serving the smaller settlements within their rural hinterland will be maintained with increasing emphasis on the promotion of sustainable and prosperous communities.

The landscape of the Derbyshire Dales is a complex combination of physical and cultural elements, developed over centuries to produce a landscape of particularly high quality which will be protected and enhanced.

New development particularly in Ashbourne, Matlock, and Wirksworth, will seek to satisfy the identified social and economic needs of local residents, which in turn will be supported by the protection and enhancement of areas of open and green space within and around them. Opportunities for the provision of new and improved recreation opportunities will be brought forward.

Market towns will be encouraged to be resilient and respond to pressure from competing centres outside the area in order to further strengthen the Peak District's economy, provide more choice and reduce the need to travel. Proactive measures will be taken to maximise the use of previously developed land whilst recognising that some development will be required on greenfield land.

Darley Dale will continue to provide local facilities and services whilst also contributing towards the provision of housing, social and employment needs of the district. The distinct character of Darley Dale will be preserved by the maintenance of the strategic open spaces along the A6 in order to avoid coalescence with Matlock.

Where required, larger villages will benefit from development with communities able to access an improved range of amenities and facilities including schools and healthcare provision. Areas of countryside and green space around the villages of the plan will act as an important resource for recreational uses.

The sustainability of the villages and countryside will be promoted protecting existing facilities and through appropriate investment, including agricultural diversification, supporting small scale employment and home working opportunities? and affordable homes that will help people remain in, or return to, their local communities.

The character of the Derbyshire Dales will be protected and enhanced with care taken to ensure new development is of the highest design quality, adaptable, sustainably constructed and well integrated with its surroundings. The integrity of our towns and villages will be maintained by ensuring that there is appropriate separation between settlements, in particular between Matlock and Darley Dale along the A6 corridor.

Strengthening the local economy to deliver greater productivity in higher-level skilled eds and wages—better paid jobs will be facilitated through the proactive development of new employment opportunities on key sites in Matlock, Ashbourne and Wirksworth, and continued improvementsd in digital infrastructure.telecommunications connectivity.

The rich legacy of craft and industrial traditions, like textile manufacture, will complement new sectors and provide employment that secures prosperity and the traditions of the Peak District. Where appropriate, redundant quarry sites will be sensitively re-used to deliver new communities and bring economic benefits to the area. The Derwent Valley Mills World Heritage Site will continue grow in significance and increasing visitor numbers will lead to the greater understanding of the Outstanding Universal Value of the site and to the development of new accommodation and attractions in and around the river corridor.

Residents will be happier, healthier and more active and will enjoy an improved quality of life. The promotion of healthy, sustainable and inclusivesustainable communities will meet the needs of our ageing population and improve access to a wider range of local jobs, housing, high quality services and facilities, cultural and leisure opportunities for all.

Opportunities to secure improvements in accessibility to services and facilities throughout the rural area will be seized. There will be an emphasis upon promoting low carbon travel choices and minimising the adverse impacts of traffic, including on the adjoining Peak District National Park together with finding more sustainable ways to reap the benefits of tourism in the towns and villages without increasing the use of the private car.

<b>Links between Key Issues and Strategic Objectives</b>		
<b>Issues</b>	<b>Theme</b>	<b>Objectives</b>
<p>KI1 Protecting and Enhancing the Character and Distinctiveness of the Landscape, Towns and Villages in the Plan Area.</p> <p>KI2 Managing the impact of development on the Peak District National Park and its setting and helping to relieve tourism and recreational pressure on the Park.</p> <p>KI3 Addressing the Challenges of Climate Change <b><u>and protecting and enhancing our natural environment.</u></b></p>	<p>Protecting Derbyshire Dales Character</p>	<p>SO1: To protect and enhance the <b><u>areas natural capital, the variety of nationally and internationally protected sites and Green and Blue Infrastructure networks for the inherent benefits they bring.</u></b></p> <p>SO2: To maintain, enhance and conserve the areas distinct landscape characteristics, biodiversity <b><u>net gain</u></b>, and cultural and historic environment <b><u>assets</u></b>.</p> <p>SO3: To ensure that <del>design of</del> new development is <b><u>designed to be adaptable, resource efficient and</u></b> of high quality <b><u>that respects local character and context</u></b>, promotes local distinctiveness and integrates effectively with its setting.</p> <p>SO4: To protect and enhance the <b><u>unique</u></b> character, appearance and setting of the District's towns, <del>and</del> villages <b><u>and settlements, including all sites and features of archaeological, historic or architectural interest and their settings.</u></b></p> <p>SO5: <b><u>To support the transition to a net zero through the efficient use of resources, careful location and sustainable design of new development whilst increasing adaptation and resilience to impacts from climate change</u></b> <del>To address, mitigate and adapt to the effects of climate change on</del> <b><u>for</u></b> people, wildlife and places.</p> <p>SO6: To Protect the setting of the Peak District National Park.</p> <p><b><u>SOX: To protect and enhance our water resources, improve water quality whilst ensuring new development is water efficient and is supported by sustainable drainage infrastructure.</u></b></p>

Issues	Theme	Objectives
<p>KI4 Meeting Housing Needs</p> <p>KI5 Managing Travel Demand and Improving Accessibility</p> <p>KI6 Protecting and Enhancing Community Infrastructure, Connectivity and Local Services</p> <p>KI7 Protecting and Improving Leisure and Recreation Opportunities for Residents and Visitors</p>	<p>Healthy and Sustainable Communities</p>	<p>SO7: To <b><u>ensure a supply of high quality new homes to help</u></b> meet the <del>objectively assessed</del> housing needs of the District.</p> <p>SO8: To ensure that there is an <del>adequate</del> <b><u>appropriate</u></b> mix of housing types, sizes and tenures to meet the needs of all sectors of the community.</p> <p>SO9: To protect and facilitate the <b><u>timely delivery of</u></b> necessary infrastructure, connectivity, services and facilities to support the development of the District <del>and connectivity</del>.</p> <p>SO10: To <b><u>promote</u></b> <del>support</del> developments <b><u>which</u></b> <del>that</del> minimises risks to safety and health <b><u>of residents, businesses and visitors</u></b> as a result of crime (or fear of crime), flooding, pollution and climate change.</p> <p>SO11: To <b><u>promote</u></b> <del>encourage</del> development that creates places that are <del>increases opportunities for healthy lifestyles</del> <b><u>safe, accessible; and actively support health, wellbeing, participation and independence in daily life.</u></b></p> <p>SO12: To promote the efficient use of suitably located previously developed land and buildings whilst minimising the use of greenfield land.</p> <p>SO13: To facilitate low carbon development and <b><u>maximise opportunities to generate and use new and retro-fitted renewable energy technologies</u></b> <del>energy generation from renewable sources</del> of a type, and scale appropriate to its location <b><u>assisting those in fuel poverty or with hard to heat homes.</u></b></p> <p>SO14: To increase <del>the</del> opportunities for <b><u>active and sustainable</u></b> travel <del>using sustainable forms of transport</del> by securing improvements to <del>public transport, walking and cycling infrastructure</del> <b><u>that encourage safe walking, cycling and a use of public transport that reduces reliance on and impact of the private car.</u></b></p>

Issues	Theme	Objectives
<p>KI8 Strengthening the Rural Economy</p> <p>KI9 Maintaining and Strengthening the Vitality and Viability of Town Centres</p> <p>KI10 Enhancing the Value of the Visitor Economy</p>	<p>Strengthening the Economy</p>	<p>SO15: To facilitate development that will support <del>the growth</del> <b><u>and innovation of across</u></b> the District's economy, particularly through improving the quality of local employment <b><u>opportunities and digital connectivity</u></b>.</p> <p>SO16: To support employment development in locations and of a scale appropriate to the plan area.</p> <p>SO17: To <b><u>utilise the unique character of the Dales, its market towns and villages to</u></b> support and develop <del>the District's</del> <b><u>a sustainable</u></b> tourism and cultural offer <b><u>for the District</u></b>.</p> <p>SO18: To strengthen the vitality, <b><u>viability</u></b> and <b><u>resilience</u></b> <del>viability</del> of the District's market towns as places for employment, shopping, services, leisure and tourism.</p>

## POLICY PD1: Design and Place Making

### ADD IN – Design Vision

~~[Latham's text] The District Council will require the layout and design of new development~~  
New development within the Derbyshire Dales will be well designed and respond positively to context to create well designed, socially integrated, high quality successful places, where people enjoy living and working. Innovation, sustainable design and the efficient use of land will be encourage where proposals can demonstrate an enhancement to local character and  
~~All developments should respond positively to both the environment and the challenge of climate change, whilst also contributing to local distinctiveness and~~ sense of place will be delivered.

This will be achieved by:

- a) Requiring all development to be of high quality design that respects the character, identity and context of the Derbyshire Dales townscapes and landscapes and reflects the requirements of the Derbyshire Dales Design Code-
- b) Ensuring that new development is designed to be accessible and adaptable, offering flexibility for future needs and uses taking into account demographic and other changes, in line with Policy HC11.
- c) Ensuring that all new development is based on a thorough site appraisal and that 'design quality' is reflected in the development through a clear understanding of site context including reference to any Design Statements, Neighbourhood Plans, and is sensitive to its context as well as contributing to sustainable living.
- d) Requiring that development on the edge of settlements enhances and/or restores landscape character and the setting of the settlement, particularly in relation to the setting and character of the Peak District National Park.
- e) Requiring that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features.
- f) Requiring that development ~~achieves a satisfactory~~ creates a positive relationship to adjacent development creating a high standard of amenity for existing and future users and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.
- g) Requiring that public and private spaces are well-defined ~~signed,~~ designed to be safe, attractive, complement ~~the existing~~ built form ~~and provide for the retention of~~ retain significant landscape features such as mature trees.
- h) Requiring that developments are easy to move through and around, incorporating well integrated, discrete car parking, attractive and accessible pedestrian and cycle routes, ~~and, where appropriate, cycle routes and facilities.~~
- i) Requiring that developments are designed to maximise opportunities for play and interaction and to minimise opportunities for anti-social or criminal behaviour and promote safe living environments.
- j) Requiring the inclusive design of development, including buildings and the surrounding spaces, to ensure development can be accessed and used by everyone, including disabled people.

~~• Ensuring that development takes account of national design guidance and~~

Supplementary Planning Documents.

## **POLICY PD2: Protecting The Historic Environment**

The District Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

Particular protection will be given to designated and non-designated heritage assets and their settings including:

- The Derwent Valley Mills World Heritage Site and its buffer zone;
- Listed Buildings;
- Conservation Areas;
- Scheduled Monuments;
- Archaeological Sites or heritage features;
- Registered Historic Parks and Gardens
- Non-designated heritage assets, including Locally important sites and features on the Derbyshire Historic Environment Record

This will be achieved by:

- a) Requiring ~~that all works~~ avoid or minimise harm to that could impact on a heritage asset ~~or its setting or sites with the potential to include assets, to be informed by a level of historical, architectural and archaeological evidence proportionate to their significance and sufficient to understand the potential impact of a proposal. Where appropriate, the Council may also require historical research and archaeological recording to be undertaken before works to a heritage asset commence.~~
- b) Ensuring that development respects conserves and enhances the Outstanding Universal Value, authenticity and integrity of the Derwent Valley Mills World Heritage Site and is in accordance with the World Heritage Site Management Plan.
- c) The District Council taking proactive action in order to secure the repair and reuse of heritage assets 'at risk'.
- d) Ensuring that development within areas that are likely to affect other known important sites, sites of significant archaeological potential, or those that become known through the development process are accompanied by, an archaeological evaluation. Planning conditions and/or obligations will be agreed to ensure that, wherever possible, archaeological or heritage features are recorded and retained intact/in situ. Where this is impractical, based on compelling and justifiable reasons, such features will be appropriately excavated and recorded prior to removal or relocation.
- e) Requiring proposed developments that affect a heritage asset and/or its setting, including alterations and extensions to existing buildings, to demonstrate how the proposal has taken account of design, form, scale, mass, the use of appropriate materials and detailing, siting and views away from and towards the heritage asset in order to ensure that the design is holistic, sympathetic and minimises harm to the asset and its setting/context.
- f) Requiring development proposals in Conservation Areas to demonstrate how the proposal has taken account of the local distinctive character and setting of the Conservation Area including open spaces and natural features and how this has been reflected in the layout, design, form, scale, mass, use of materials and detailing, in accordance with Character Appraisals where appropriate.
- g) Requiring the retention of shop-fronts of architectural or historical value wherever possible. Proposals for replacement shop-fronts/shop front features, signage and

colour, or alterations to shop- fronts affecting heritage assets should respect the character, appearance, scale, proportion and special interest of the host building and its setting.

- h) Continuing the District Council's programme of Conservation Area Character Appraisals.
- i) Reviewing, updating and introducing where appropriate, Article 4 Directions to control permitted development in Conservation Areas.
- j) Encouraging and where possible, supporting owners or occupiers of historic ~~commercial~~ buildings to improve and enhance their shop-fronts, windows, doors and signage in a traditional and sympathetic manner.
- j)k) Supporting the sensitive low-carbon retrofitting of existing buildings to reduce carbon emissions, where this accords with the requirements of this policy and PD7

### **POLICY PD3: Biodiversity and the Natural Environment**

The District Council will seek to protect, ~~manage,~~ and ~~where possible~~ enhance the natural environment and its biodiversity and geological resources; and its irreplaceable habitats of the Plan Area and its surroundings by seeking to establish coherent and resilient ecological networks across the plan area, ensuring that development proposals ~~do~~ not result in harm to biodiversity or geodiversity interests and securing net gains for biodiversity by taking full account of the following hierarchy of protected sites:

Protection will be given, to the following hierarchy of protected sites, commensurate with their statutory status:

- internationally important sites including existing, candidate or proposed Special Protection Areas and Special Areas of Conservation;
- nationally important sites including Sites of Special Scientific Interest and National Nature Reserves;
- locally important sites including Local Wildlife and Geological Sites, Local Nature Reserves, Ancient Woodlands, County Geological Sites, and Priority Habitats identified in the Derbyshire Biodiversity Action Plan;
- the network of ecological networks that link biodiversity areas, including areas identified for habitat restoration and creation; and
- encouraging the protection and recovery of priority species linked to national and local targets.

This will be achieved by ensuring that:

a) Development proposals which seek to conserve and enhance biodiversity and geological resources; integrate biodiversity net gains into development and sensitively enhance access to the natural environment,

b) Development proposals that, either individually or cumulatively, would adversely affect, directly or indirectly, Conserving and enhancing sites of internationally (SAC's, SPAs) and nationally important sites (SSSIs) or species and/or their habitats and European importance. The District Council will not permit any development proposals that have an adverse effect on the integrity of a European site (or wildlife site given the same protection as European sites under the NPPF) are not permitted either alone or in combination with other plans or projects.

a)c)

velopment proposals that would adversely affect, directly or indirectly, irreplaceable habitats will not be permitted unless the public benefit of the proposals outweigh the loss and there is a suitable compensation strategy,

b)d)

velopment proposals which would directly or indirectly (either individually or in combination with other developments) have an adverse effect on a Site of Special Scientific Interest will not be permitted, unless the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the SSSI or the wider network of SSSIs. Conserving and enhancing any Sites of Special Scientific Interest. The District Council will not normally permit any development proposal which would directly or indirectly (either individually or in combination with other developments) have an adverse effect on a Site of Special Scientific Interest.

c)e)

onserving and enhancing rRegionally and locally designated sites are conserved, restored and enhanced in line with Local Nature Recovery Strategy and protected

from harmful development proposals unless the tests in paragraph (f) are met.

~~d)f) Not permitting any d~~Development proposals which would directly or indirectly result in significant harm to geological and biodiversity conservation interests, will not be granted unless it can be demonstrated that:

- i. there is no appropriate alternative site available;
  - ii. all statutory and regulatory requirements relating to any such proposal have been satisfied; and
  - iii. appropriate conservation and mitigation measures can be secured ~~are provided, such mitigation measures should ensure as a minimum no net loss and wherever possible net gain for biodiversity; or if it is demonstrated that this is not possible, the need for, and benefit of, the development is or as a last resort sufficient demonstrated to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site and~~ compensatory measures are implemented.
- ~~Encouraging development to include measures to contribute positively to the overall biodiversity of the Plan Area to ensure there is a net overall gain to biodiversity.~~

~~f)g)~~Working with partners including the Peak District Local Nature Partnership and the Lowland Derbyshire and Nottinghamshire Local Nature Partnership to help meet the objectives and targets in the Peak District Biodiversity Action Plan, or its successor plan.

~~g)h)~~

orking with partners to protect and enhance watercourses.

~~h)i)~~Identifying local ecological networks and supporting their establishment and protection preferentially creating biodiversity sites where they have the potential to develop corridors between habitats (both terrestrial and freshwater).

~~i)j)~~ Working with partners in the public, private and voluntary sectors to develop and secure the implementation of projects to enhance the landscape and create or restore habitats of nature conservation value, and to secure the more effective management of land in the Plan Area and its surroundings in line with the LNRS.

#### **POLICY PD4: Green and Blue Infrastructure**

The District Council will through partnership working, develop, protect, enhance and secure the long term management of green and blue infrastructure networks.

This will be achieved by:

- a) Requiring that development will not have a detrimental effect on the amount or function of existing green infrastructure unless replacement provision is made that is considered to be of equal or greater value than that lost through development; taking particular account of appropriate levels of mitigation where development would result in habitat fragmentation or reduce the connectivity between the wider green and blue infrastructure network.
- b) Requiring that any green infrastructure development project that could result in adverse effects to a European protected site is subject to project-level HRA and appropriate mitigation put in place.
- c) Requiring that development proposals, ~~where appropriate~~, make appropriate provision for the creation of new or enhancement of existing green and blue infrastructure, including public and private open space, recreation areas, parks and formal outdoor sports facilities, local nature reserves, wildlife sites, woodlands, allotments, bridleways, cycle ways and local green spaces in line with Policies S10 and HC14.
- d) Requiring that through its layout and design, new development responds to the location of existing green infrastructure and ecological networks, supporting their appropriate uses and functions and helping create new and well connected spaces.
- e) Where appropriate, ensuring that green infrastructure helps mitigate the effects of climate change including through nature-based approaches to flood risk management ~~of flood risk~~.
- f) The protection and extension of existing long distance trails and the improvement of access linkages to the Peak District National Park.
- g) Identifying and protecting key wildlife corridors and stepping stones that connect sites of importance for biodiversity, including creating or restoring habitats of nature conservation value.
- h) Seeking opportunities for the creation of habitats that allow for the mitigation of the effects of climate change on species, including the enhancement of opportunities for species to migrate, establishing links between habitats and preventing habitat losses in line with Local Nature Recovery Strategy and Biodiversity Action Plans.

## **POLICY PD5: Landscape Character**

The District Council will seek to protect, enhance and restore the landscape character of the Plan Area recognising its intrinsic beauty and its contribution to the economic, environmental and social well-being of the Plan Area.

This will be achieved by:

- a) Requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers or other topographical features.
- b) Requiring that development proposals are designed in a way that is informed by, and ~~are~~ sympathetic to the sites landscape setting and to the distinctive landscape character areas as identified in 'The Landscape Character of Derbyshire' ~~and 'Landscape Character of the Derbyshire Dales' assessments~~ and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures.
- c) Requiring that development proposals recognise the intrinsic character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park and can be accommodated without unacceptable impact.
- d) Resisting development which would either individually or cumulatively harm or be detrimental to the character of the local and wider landscape or the setting of a settlement.
- e) Using development opportunities to reduce or remove existing landscape detractors and secure beneficial improvements to the landscape.

Development will only be permitted if all the following criteria are met:

- i. The location, materials, scale and use are sympathetic and complement the landscape character.
- ii. Natural features including trees, hedgerows and water features that contribute to the landscape character and setting of the development should be both retained and managed appropriately in the future.
- iii. Opportunities for appropriate landscaping will be sought alongside all new development, such that landscape type key characteristics are strengthened.

### **POLICY PD6: Trees, Hedgerows and Woodlands**

Development should seek where appropriate to retain, enhance and expand the District's tree and woodland resource. Streets in new developments should be tree lined.

Planning permission will be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and public benefits of, the development in that location clearly outweigh the loss and a suitable compensation strategy can be secured.

Trees, hedgerows, orchards or woodland of value should be retained and integrated within development wherever possible. Where their loss is justified replacement provision will be required utilising native and naturalised indigenous tree species and hedgerows that are in sympathy with the locality and the site and, as a minimum, of equivalent value to the trees and hedgerows to be lost.

## **POLICY PD7: Climate Change**

~~In addressing~~ To Support the move to a low carbon future for the Derbyshire Dales, the District Council will promote a development strategy that seeks to mitigate global warming, adapts to climate change and respects our environmental limits.

This will be achieved by:

### **Strategic**

- a) Supporting a pattern of development that directs development to accessible and sustainable locations across the plan area, by reducing the need to travel and facilitating the use of sustainable modes of transport.
- b) Minimising energy demand, by supporting development which produces renewable and low carbon energy generation and maximises energy efficiency.
- c) Encouraging all new developments to maximise water efficiency and managing water in a more sustainable way.
- d) Providing new and linking existing areas of green and blue infrastructure to help mitigate the effects of climate change and ensure climate change adaptation and resilience.
- ~~a)~~

### **Site Specific**

- e) Requiring the design and appearance of all new development to ~~be designed to~~ contribute to achieving national ~~targets to reduce~~ greenhouse gas emissions ~~reduction targets~~ by using land-form, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and increase resilience to extreme weather events. ~~increased temperatures.~~
- f) Supporting sustainable waste management by provision of space for recycling and composting.
- g) Incorporating Sustainable Urban Drainage Systems

### **Building Design & Materials**

- h) Supporting the re-use of buildings and materials wherever possible to reduce the impact of embodied carbon emission from development.
- i) Promoting the use of sustainable design and construction techniques (including where appropriate flood resistance/resilient measures).
- j) Requiring the use of low embodied carbon, energy efficient and/or locally sourced materials that are recyclable.
- k) Securing energy efficiency through building design –
  - i. By achieving the highest energy efficiency standards in force through the Building Regulations in residential development; and
  - ii. requiring commercial developments over 1000m<sup>2</sup> to be designed to achieve Building Research Establishment Environmental Assessment Method (BREEAM) very good standard as a minimum, unless it can be demonstrated that it would not be technically feasible or financially viable.

l) Supporting the appropriate low-carbon retrofitting of existing buildings to reduce carbon emissions.

m) Supporting development that promotes water efficiency measures and incorporates water conservation techniques, including rainwater harvesting, and grey water recycling–

- i. For residential development this means meeting the higher Building Regulations optional requirement (currently 110 litres/person/day) or successor standard.
- ~~• Supporting the generation of energy from renewable or low-carbon sources provided that the installation would not have significant adverse impact (either alone or cumulatively).~~
  - ~~• Ensuring that renewable energy installations minimise any adverse impact on the landscape and landscape setting of the Peak District National Park and that any wind turbine developments demonstrate that they will not have any adverse effect on the integrity of any European sites (including project-level HRA where appropriate), wildlife sites, protected species or habitats.~~
  - ~~• Promoting the use of sustainable design and construction techniques (including flood resistance/resilient measures).~~
  - ~~• Ensuring that renewable/low carbon energy generation developments and associated infrastructure are supported by requiring Design Statements to include an assessment of how any impacts on the environment and heritage assets, including cumulative landscape, noise and visual impacts, can be avoided and/or mitigated through careful consideration of location, scale, design and other measures.~~
  - ~~• Securing energy efficiency through building design.~~
  - ~~• Unless it can be demonstrated that it would not be technically feasible or financially viable, requiring commercial developments over 1000m<sup>2</sup> to be designed to achieve Building Research Establishment Environmental Assessment Method (BREEAM) very good standard as a minimum. Pre-assessment (design stage) certificates will be required to be submitted accordingly.~~
  - ~~• Supporting a pattern of development that facilitates the use of sustainable modes of transport.~~
  - ~~• Promoting energy and water efficiency and the use of renewable / low carbon energy in new development and through retro-fitting or refurbishment of existing buildings.~~
  - ~~• Supporting sustainable waste management by provision of space for recycling and composting.~~
  - Supporting the re-use of buildings wherever possible and desirable to do so.
  - Supporting the use of sustainable design and construction techniques including the re-use of buildings, use of recycled materials in construction, including where appropriate the local or on-site sourcing of these building materials.
  - Encouraging the use of green infrastructure to help mitigate the effects of climate change and ensure climate change adaptation and resilience.
  - Supporting development that promotes water efficiency measures and incorporates water conservation techniques, including rainwater harvesting and grey water recycling.

~~Where renewable/low carbon energy development accords with any of the principles listed above, proposals should demonstrate:~~

- ~~a) the impact of the scheme, together with any cumulative impact (including associated~~

~~transmission lines, buildings and access roads), on landscape character, visual amenity, water quality and flood risk, the historic environment and heritage assets as well as their setting and biodiversity;~~

- ~~b) evidence that the scheme has been designed and sited to minimise any adverse impact on the surrounding area for its effective operation;~~
- ~~c) the nature and extent of any adverse impact on users and residents of the local area, including shadow flicker, air quality and noise;~~
- ~~d) the direct benefits to the area and local community.~~

~~Where appropriate, provision should be made for the removal of the facilities and reinstatement of the site should it cease to be operational.~~

~~In all cases development will need to demonstrate how any significant adverse impacts on acknowledged biodiversity interests (and the habitats that support them) will be adequately mitigated.~~

~~The Council will encourage the provision of small scale renewable energy developments utilising technology such as hydro installations, solar panels, biomass and wood fuel heating, small scale wind turbines and photovoltaic cells.~~

~~Community renewable energy schemes will be particularly welcomed where they comply with this policy.~~

## **POLICY PD8: Flood Risk Management and Water Quality**

~~The District Council will seek to manage the risk and impacts, both individual and cumulative, of flooding in all forms by - The District Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere, where this is viable and compatible with other policies aimed at achieving a sustainable pattern of development.~~

- ~~• Directing development to locations with the lowest risk of flooding~~
- ~~• Ensuring development proposals avoid areas of current or future flood risk and effectively manage of all sources of flood risk~~
- ~~• Ensuring that development does not increase the risk of flooding elsewhere: and~~
- ~~• Expecting development proposals to demonstrate they would not result in a deterioration in ecological status in line with the Water Framework Directive, either directly through pollution or surface or groundwater or indirectly through pollution of surface or groundwater or indirectly through overloading of the sewerage system and Wastewater Treatment Works.~~

~~When considering planning applications, the District Council will have regard to the 'Humber Flood Risk Management Plan', the 'Humber River Basin Management Plan' and the Local Flood Risk Management Strategy, all relevant Catchment Flood Management Plans and the Local Flood Risk Management Strategy.~~

~~Development will be supported where it is demonstrated that there is no deterioration in ecological status in line with the Water Framework Directive, either directly through pollution of surface or groundwater or indirectly through pollution of surface or groundwater or indirectly through overloading of the sewerage system and Wastewater Treatment Works.~~

Management of flood risk will be achieved by only permitting development within areas at risk from flooding as defined by the Environment Agency if:

- a sequential test as set out in the 'National Planning Practice Guidance' to the NPPF and in accordance with the updated 'Derbyshire Dales Strategic Flood Risk Assessment' demonstrates that this is the only site where the development can be located;
- the development is on a site which has passed the sequential test but where flood risk still exists, ~~the sequential approach that layout and individual building design measures have~~ has been used to locate the most vulnerable parts of the development in the areas of lowest flood risk and increase building resilience;
- where necessary an 'Exception Test' as set out in the 'National Planning Practice Guidance' to the NPPF demonstrates that the proposed development can be accommodated with an acceptable degree of safety;
- a site specific flood risk assessment shows that the site is protected adequately from flooding, or the scheme includes adequate flood defences or flood risk management measures and takes account of the predicted impact of climate change;
- Development it does not damage or inhibit access to watercourses and for development in close proximity to watercourses includes an undeveloped buffer strip setting development back from the waters edge to allow for maintenance of ~~fr~~ existing flood defence and flood risk management structures or measures, flood flow conveyance, future watercourse improvement, and to preserve wildlife habitat; and

- f) it will not cause or worsen flooding on the site or elsewhere, and will reduce flood risk elsewhere where possible.

Managing Flood Risk, Resistance and Resilience through Design

~~New developments shall incorporate appropriate~~ Sustainable Drainage Measures (SuDs) should be incorporated into all new development in accordance with National Standards for Sustainable Drainage Systems.

~~This~~~~The design and layout of SuDs measures~~ should be informed by site specific catchment and ground characteristics, and predicted changes due to climate changes. Development proposals incorporating SuDs will be expected to include details of proposed infiltration techniques and how SuDs will seek to protect ground water quality. Details of future management and maintenance regimes will also require to be provided as part of development proposals. ~~and will require the early consideration of a wide range of issues relating to the management, long term adoption and maintenance of SuDs. In considering SuDs solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed.~~ SuDS schemes will require the approval of the SuDS approval body for the area, where one exists.

Wherever possible SuDS will be expected to contribute towards wider sustainability considerations, including amenity, recreation, conservation of and creation of new habitat, biodiversity net gain and landscape character, making use of the role that trees, woodland and other green infrastructure can play in nature-based approaches to managing flood alleviation-risk and water quality control.

For developments ~~in areas with known identified in the SFRA or by the Environment Agency as being at risk of~~ surface water flooding issues, appropriate mitigation and construction methods will be required that help increase flood resistance and resilience. Applications and proposals which relate specifically to reducing the risk of flooding (e.g. defence / alleviation work, retro-fitting of existing development, off site detention /retention basins for catchment wide interventions) will be encouraged.

~~New development in areas with known ground and surface water flooding issues will seek to provide betterment in flood storage and to remove obstructions to flood flow routes where appropriate.~~

All new development should not have a detrimental impact upon existing and planned flood risk management schemes. Land that is required for current and future flood management will be safeguarded from development.

### **POLICY PD9: Pollution Control and Unstable Land**

The District Council will protect people and the environment from unsafe, unhealthy and polluted environments whilst promoting the use of appropriately located brownfield land. This will be achieved by only permitting developments if the potential adverse effects (individually and cumulatively) are mitigated to an acceptable level by other environmental controls or by measures included in the proposals.

This includes:

- air pollution (including odours or particulate emissions);
- pollution of watercourses (rivers, canals reservoirs, streams, ditches, ponds and wetland areas) or groundwater;
- noise or vibration;
- light intrusion;
- land contamination including soil pollution and disturbance; or
- other nuisance, environmental pollution or harm to amenity, health or safety.

The District Council will ensure that sites are suitable for their proposed use taking account of ground conditions and land instability, including from natural hazards such as radon gas, former activities such as mining, or pollution arising from previous uses.

Planning permission will only be granted for development on land potentially affected by land contamination provided effective and sustainable measures are taken to assess, treat, contain or control the contamination so as to ensure that it does not:

- a) expose the environment or occupiers of the development and neighbouring land uses to any unacceptable risk;
- b) lead to or allow the contamination of any watercourse (rivers, canals, reservoirs, streams, ditches, ponds or wetlands) or groundwater;
- c) cause or allow the contamination of adjoining land.

The District Council will impose conditions relating to the assessment of remediation and verification processes where appropriate.

Revised Policy – no changes are proposed to the wording of the policy.

#### **POLICY HC4: Affordable Housing**

The District Council will seek to maximise the delivery of affordable housing across the plan area by working in partnership with the Homes and Community Agency, Registered Providers, Developers and Local Communities.

In order to address the significant need for affordable housing across the plan area, all affordable housing should be delivered as part of new residential developments, as follows-

- In the Market Towns of Ashbourne, Matlock, and Wirksworth along with the Local Service Centre of Darley Dale major development consisting of 104 dwellings or more or with a combined floorspace of more than 1000 square metres should provide 30% of the net dwellings proposed as affordable housing.
- In all other locations, developments consisting of 5 dwellings or more or with a combined floorspace of more than 1,000 square metres should provide 30% of the net dwellings proposed as affordable housing.

The affordable housing provision should be in the form of 80% social and affordable rented accommodation with the balance being provided as intermediate housing or discount starter homes. These proportions may be varied in light of individual site circumstances and local considerations with the agreement of the District Council.

Where the proposed provision of affordable housing is below the requirements set out above, the District Council will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision.

Affordable housing provision should normally be provided in the form of completed dwellings, designed as an integral part of the development site itself and in perpetuity. In exceptional cases, the Council may allow provision of affordable housing off-site or by means of a financial contribution of equivalent value or through the provision of serviced land or a combination thereof.

#### **POLICY HC5: Meeting Local Affordable Housing Need (Rural Exception Sites)**

In exceptional circumstances, planning permission will be granted for affordable housing on sites that would not normally be released for housing development subject to the following:

- a) the Council is satisfied that the development is of a size, type and tenure which can be justified by evidence of local housing need ~~from a local housing needs survey~~ which cannot be readily met elsewhere in the locality, for the number and type of housing proposed;
- b) the scale is in keeping with the settlement's setting and its role in the settlement hierarchy;
- c) the site is considered to be the most suitable to meet the identified need;
- d) the site is accessible to a range of local facilities and services;
- e) it is not subject to any other over-riding environmental or other material planning constraints;
- f) ~~unless the housing consists of discounted starter homes,~~ appropriate legal agreements are secured in order to ensure that such dwellings will remain available as affordable housing for local need, in perpetuity with the necessary management arrangements;
- ~~g) the gross internal floor area of these dwellings shall comply with the latest recommended standards used by the Homes and Communities Agency (or any successor organisation).~~

In exceptional circumstances, planning permission will be granted for mixed affordable and open market housing as part of an exception site where it can be demonstrated that the provision of open market housing is required to viable facilitate the delivery of the local needs affordable housing.

The amount of open market housing for which planning permission will be granted will be limited to that which is the minimum required to facilitate the delivery of the local needs affordable housing provided that:

- ~~h)g)~~ g) all the requirements set out in the clauses (a) to (~~gf~~) above are met;
- ~~i)h)~~ h) the number of open market dwellings included in the scheme shall be no more than that required to provide the necessary number of local needs affordable dwellings at low cost and shall not be more than 50% of the total number in the scheme;
- ~~j)i)~~ i) it can be ensured that the development profits from the open market housing element of the scheme above a reasonable developer return (having regard to appropriate land values and margin on building costs) are employed in subsidising the local needs element;
- ~~k)j)~~ j) the affordable housing element of the scheme is delivered in accordance with a programme agreed beforehand with the Local Planning Authority.

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### **POLICY HC9: Residential Sub-Division of Dwellings**

In considering proposals for the sub-division of existing dwellings into two or more self-contained residential units the Council will have regard to:

- a) the provision of adequate vehicular access, car parking, amenity space and facilities for recycling and refuse storage;
- b) the adequacy of the internal accommodation in terms of privacy, natural light and outlook relative to the intensity of occupation envisaged;
- c) the likely impact on the amenity, character and appearance of the immediate neighbourhood of the design, scale, form and footprint of any proposed extension or alteration;
- ~~d) no significant new extension should be made to any dwelling located outside defined settlement development limits: minor extension may be permitted only where essential in order for the new units to achieve basic living standards;~~
- ~~e) the sustainability of the new development based around the site location and its relationship to the Plan's settlement hierarchy, including accessibility to shops, services and facilities;~~
- f)d) the need to minimise built form through the conversion of any existing outbuildings.

**POLICY EC9: ~~Holiday Chalets~~Lodges, Caravan, Glamping and Campsite Developments**

Development proposals for new or extensions to existing short stay holiday lodge accommodation~~chalets~~, touring caravan/motorhomes, glamping and camp site developments will be permitted provided that:

- a) the development is sensitively sited to ensure that there are no adverse impacts on visual amenity, sensitive to wildlife species and habitats and ~~would not have a prominent and adverse impact on~~ the character and appearance of the immediate or wider landscape;
- b) any visual impact would be well screened by existing landscape features from areas outside the site to which the public has access for the whole of its proposed operating season;
- c) any on-site facilities are of a scale appropriate to the location and to the site itself;
- d) the site is in a sustainable location within, or in close proximity to an existing settlement with good connections to the main highway network, public transport services and the public rights of way network and/or cycleways, ~~and is either served by public transport or within a safe attractive ten minute walk of regular public transport services;~~
- e) the development would not adversely affect the amenity, tranquillity or public enjoyment of any adjacent area.

### **POLICY EC10: Farm Enterprises and Diversification**

Development which forms part of a farm diversification scheme will be permitted where the proposal can demonstrate the viability of farming through helping to complement and support, rather than replace or prejudice, farming activities on the rest of the farm.

In addition, the following criteria must be complied with:

- a) the proposed development will stimulate economic activity and contribute to maintaining the financial viability of the existing business with a use compatible ~~to~~with its location; ~~which maintains the relative sustainability of a rural area;~~ ~~any new buildings are appropriate in scale, form, impact, character and siting to their rural location;~~
- b) wherever possible the proposed development makes ~~full and~~ effective use of existing buildings, hardstanding and highway access points in preference to the construction of new buildings.
- c) wherever possible new or replacement buildings should be located within or adjoining an existing group of buildings and any new buildings are appropriate in scale, form, impact, character and siting to their location;
- d) the proposed development provides a safe and secure highways access and the levels of traffic generated would not be detrimental to the quality of the rural environment or highway safety ~~the proposed development will not generate traffic of a type or amount inappropriate for the rural roads affected by the proposal, or require improvements or alterations to these roads which could be detrimental to their character;~~

### **Policy PDX: Renewable and Low Carbon Energy**

The District Council encourages the use and supply of renewable and low carbon energy provided any adverse impacts (either alone or cumulatively) can be satisfactorily mitigated.

Proposals for development which will generate renewable, or low carbon, energy will be permitted provided that:

- a. the impact of the proposals in terms of their scale, siting, layout, design and colour of development (including associated infrastructure, buildings and access roads) would not adversely affect landscape character, including the landscape setting of the Peak District National Park, water quality, flood risk or visual amenity;
- b. proposals can clearly demonstrate that they will not have any adverse effect on biodiversity, geology or the integrity of any international or nationally designated sites (including), wildlife sites, protected species or habitats. Where effects are identified a project-level HRA will be required;
- c. development would not harmfully interfere with radar, telecommunications, air traffic, railways, or highway safety;
- d. development would not cause significant harm to local amenity due to its scale, position, noise, vibration, glare, overshadowing, flicker (associated with wind turbines), or other emissions;
- e. development would not harm the significance and setting of any heritage assets;
- f. details of suitable mitigation measures, decommissioning and a site restoration plan are submitted as part of a planning application; and

Community renewable energy schemes will be particularly welcomed where they comply with this policy

## POLICY SXX Developer Contributions

- a) Developer contributions will be sought to make sure that the necessary physical, social, public realm, economic and green infrastructure is in place to deliver development. Contributions will be used to mitigate the adverse impacts of development (including cumulative impacts). Such contributions will help facilitate the infrastructure needed to support sustainable development.
- b) Development proposals will be expected to provide a contribution towards the cost of infrastructure, as set out in Appendix XX. Subject to statutory processes and regulations, contributions may be collected towards:
- c) Initial costs, e.g. design and development work and pump priming of projects or programmes:
- d) Capital costs;
- e) Ongoing revenue such as the management and maintenance of services and facilities (monitoring fees?)
- f) Any other infrastructure related costs permitted by law and identified as a local need;
- g) Contributions will be collected through Section 106 agreements. Where the proposed provision of developer contributions is below the requirements set out in Appendix X due to viability constraints, the District Council will require applicants to provide evidence by way of a financial appraisal to justify any reduction in provision.
- h) Where a reduced level of developer contributions is justified on the grounds of viability, following independent assessment of the submitted financial appraisal, the Council will prioritise securing contributions in the following order:
- i) Site specific requirements (new school on site, highway mitigations, public transport etc)
- j) Affordable housing
- k) Broadband
- l) Contributions towards local services provisions (e.g. primary healthcare, school places etc.)