



Improving life for local people

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Our Ref: PM/DD/Repton Neighbourhood
Development Plan
Your Ref:
Date: 12 August 2016

For the Attention of Nicola Sworowski

Dear Mr Batchelor

Localism Act 2011 – Strategic Planning Comments

Repton Parish Neighbourhood Development Plan 2016-2028: Pre-Submission Consultation Draft

I am writing in relation to the above Pre-Submission Consultation Draft of the Parish of Repton Neighbourhood Development Plan (RNDP). The comments below are – Derbyshire County Council's (DCC) Member and Officer technical comments with regard to the strategic planning policy, education and transport aspects of the Plan.

Local Member Comments

Councillor Martyn Ford, Local County Council Member for Etwall and Repton Electoral Division, has discussed the RNDP with DCC's Officers, particularly in respect of the Plan's proposals for the redevelopment / re-use of the Dales Home for Older People (HOP). Councillor Ford is supportive of the redevelopment / re-use of the Dales HOP site for housing suitable for older people.

Officer Comments

Strategic Planning Policy Issues

General

The National Planning Policy Framework (NPPF) (paragraph 16) states that neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; and



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- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

The RNDP should therefore be in conformity with and support the strategic development needs set out in the Adopted South Derbyshire Local Plan Part 1 (SDLPP1) (June 2016) and plan positively to support local development in the Parish of Repton. However, it is considered that, contrary to the legislative framework above, the wording of some of the policies in the RNDP places too much emphasis on resisting development until perceived problems have been addressed. In addition, the reasons for seeking to resist development until mitigation takes place seem to be based upon perception rather than empirical evidence. Various measures for mitigation set out in the Plan also appear to be contrary to the planning obligation tests in Paragraphs 203 to 206 of the NPPF (see below).

Housing

It is of concern that the housing policies appear to be overly restrictive for housing development in the Parish of Repton rather than encouraging it, particularly in relation to Policies H2, H5 and H6. The RNDP has to be prepared and be in conformity with the SDLPP1 but it is considered that Policies H2, H5 and H6 are not wholly in conformity with the Local Plan.

In this context, Policy H1 of the SDLPP1 identifies Repton as a Key Service Village where development of all sizes within the settlement boundaries will be considered appropriate and sites adjacent to settlement boundaries as an exceptions or cross subsidy site as long as not greater than 25 dwellings. This approach is followed through into the Draft South Derbyshire Local Plan Part 2 (SDLPP2) (June 2016), which proposes to allocate two sites in Repton – Milton Road for 40 dwellings and Mount Pleasant Road for 24 dwellings.

Policy H2 of the RNDP, however, sets out a requirement that all development sites in Repton should be limited to less than 10 dwellings. This is clearly not in conformity with Policy H1 of the SDLPP1, which is permissive of housing development of all scales within the confines of the settlement. It is a fundamental concern, therefore, that this Neighbourhood Plan policy is not in conformity with Policy H1 of the SDLPP1.

Policy H5 of the RNDP states that The Dales HOP should be re-developed for 40 units of accommodation for elderly people, consistent with previous plans. However, the HOP incorporated only 20 single bedrooms when it was operational which did not meet the latest space standards. The site is not big enough to construct a new home of this type, even for 20 people.

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Policy H6 goes on to state that the Fisher Close area should be retained for sheltered accommodation for the elderly. There is a reasonable justification set out in the Appendix that there is a clear need for elderly persons accommodation in Repton due to the ageing nature of the population and that there is strong support from the local community that the Dales site should be re-developed for elderly care housing, and Fisher Close generally being used for sheltered accommodation. This policy has some merit as the SDLPP2 is already proposing two sites within Repton at Milton Road and Mount Pleasant Road for a total of 64 open market housing units, which will meet some of the local market housing need.

However, Policy H1 of the SDLPP1 does not seek to restrict sites within the District's settlement frameworks to specific types of housing. Indeed, Policy H20 of the SDLPP1: Housing Balance, sets out the District Council's aim to seek to provide for a balance of housing that includes a mix of dwellings types, tenures, size and density. Importantly, the Policy also indicates that the viability of a development will be considered through determining a scheme's housing mix.

These are important considerations for the Dales HOP site. DCC's Property Division has indicated that the Dales HOP was closed a few years ago because it was not viable to continue to keep operational. DCC's Development Company (DCCDC) is currently looking at potentially suitable alternative residential uses for the site and will be investigating the viability of various residential uses including re-development of the site for elderly person's accommodation (at least in part). In any such development, DCCDC would provide housing of a quality consistent with other housing in the vicinity of the site, and the design would be sympathetic to local requirements.

In the context of the SDLPP1 and DCC's ongoing evaluation of potential re-uses of the site, it is a concern that Policies H5 and H6 are too restrictive as currently written and do not take proper account of the requirements in Policy H20 of the SDLPP1 relating to the need to take viability considerations into account in determining a scheme's housing mix. Policies H5 and H6 should be re-drafted therefore to provide more flexibility, and re-worded as follows:

H5: The former Dales Home for Older People provides a significant redevelopment opportunity, particularly for the provision of elderly persons accommodation to meet identified local needs. Any redevelopment scheme will need to take into consideration the financial viability of developing the site in determining the overall scale and mix of residential accommodation types on the site, which may include market housing.

H6: The Fisher Close area will be retained generally for sheltered accommodation for the elderly. Any redevelopment opportunities will need to take into consideration the financial viability of developing the site in determining the

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overall scale and mix of residential accommodation types on the site, which may include market housing.

Amenities/Services

Education

Paragraph 2.2.3 and Policy AS2

The school admits 44% of its current Number on Roll (NOR) from outside of its normal area. The comment in paragraph 2.2.3 that the school admits significant numbers from outside of Repton is accurate. The reality of the new housing is that the normal area pupils will have priority over out-of-area applications, and there will be more appeals for places which may or may not be successful.

The school site is 11,724m². Repton Primary School has two Published Admission Numbers (PANs) – 30 for Key Stage 1 and an additional 15 for Key Stage 2 (KS2) and this reflects the issues expressed in the Plan about pressure for places and overcrowded KS2 classes. Newton Solney Church of England (Voluntary Aided) Infant School is within the Repton Primary normal area and so pupils transfer at KS2.

The Department for Education (DfE)/Education Funding Agency publication 'Area guidelines for mainstream schools' Building Bulletin 103 (June 2014) suggests that the site area for 270 pupils is 13,740m², but this is a maximum and for guidance only; it is not a prescriptive requirement. The current NOR is 250, which is projected to fall to 210 over the next five years, and so the site issue is not a major difficulty. The site area for 250 pupils is 12,900m² and for 210 pupils is 10,000m².

To have a detached playing area as suggested in the RNDP would increase difficulty for the school in terms of supervision, maintenance and accessibility. Anecdotal evidence suggests that schools do not utilise detached playing fields or only in a very limited way. Any issue about site area could be addressed by investing Town and Country Planning Act 1990 Section 106 education contributions in providing a Multi-Use Games Area (MUGA). The DfE and Sport England count this as double in their site analysis (e.g. if a MUGA is 500m², it counts as 1000m² for site area calculation).

The comments in the RNDP should not necessarily be challenged, but the above paragraphs provide an alternative perspective and interpretation of the position.

Travel and Transport

Policy T1 seems to require all development whether in Repton or elsewhere 'to make 'significant' contribution to assisting schemes that help reduce congestion

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in the Parish of Repton'. This seems to have no regard to the proportion of the traffic impact from the development concerned, whether the additional traffic results in severe harm to the network, or what constitutes 'congestion'. Developments outside the settlement should not be asked to address pre-existing problems within the settlement itself. This aspiration would appear to fail to meet the planning tests in paragraphs 203 to 206 of the NPPF, particularly paragraph 204 which states that:

'Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development'.

Policy T2. Refusal of applications on the grounds suggested would fail to meet the planning tests. Failing to take account of traffic impact is not in itself a reason for refusal (assuming sufficient supporting material accompanied the application) unless the local planning authority has evidence to prove that impact would be material and severe harm would be caused.

Policy T3 provides for the introduction of a 20 mph speed limit within the settlement boundaries of Repton and Milton. It may indeed be that a significant number of survey respondents cite speeding and dangerous driving as an issue. However, whilst there may be support for a lower speed limit to control this situation, it needs to be made clear that the Highway Authority may not necessarily be in a position to implement the proposal or Derbyshire Police to enforce it. DCC has recently updated its policy on the introduction of 20 mph speed limits as follows (agenda item 6):

http://www.derbyshire.gov.uk/council/meetings_decisions/meetings/cabinet/352016_cabinet.asp

Policy T4. It is not for new development to address pre-existing parking issues only to meet its own demands. Over-provision of car parking is likely to encourage vehicle trips to development, generating more traffic which the community appears to consider a problem.

Policy T5. It is assumed that this policy seeks to provide additional public off-street parking which is not necessarily associated with any particular development. Evidence should be provided of a current shortfall in public off-street parking, and that it would make a contribution to sustainable travel. Furthermore, it would need to meet the planning tests.

The policy also seeks to increase the enforcement of existing on-street parking restrictions and expand the scope of current Traffic Regulation Orders. It is

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considered that this may be an inappropriate aspiration for a Neighbourhood Plan, which has no jurisdiction over this activity, and does not relate to the facilitation of new development.

Policy T6. This would have to relate to the impact of specific development or be part of a wider planning policy for cumulative use of Section 106 or Community Infrastructure Levy (CIL). An evidence base would be required to justify the level of contribution to enhance or increase bus services (and its viability) and such contribution would normally only relate to pump priming a service for a limited number of years. In a time where public subsidy of bus services is rapidly contracting this potentially results in the removal of the service when the contribution runs out.

Policy T7 must meet the planning tests and provide meaningful and viable connectivity.

Policy T8 states that 'As part of the overall Transport Strategy for Derbyshire, and before strategic developments (for example the proposed railhead at Etwall) are granted planning permission, a scheme to alleviate the traffic problems generated by the growth of South Derbyshire, both from a housing and business perspective should be implemented'. It goes on to add that 'Into this category comes a bypass for Repton and or additional Trent River crossing'. However, it should be pointed out that any application for the rail freight terminal would require a Development Consent Order (DCO) and that if the Parish Council feels that a bypass or new river crossing is an essential pre-requisite for the DCO to be made, it will need to make its representation to the Planning Inspectorate at the appropriate time.

Whilst a (A514) Swarkestone Bypass is identified in Derbyshire's third Local Transport Plan (LTP) as a long-term project with potential for appraisal as a County Council sponsored scheme, funding is highly unlikely, and construction of a new river crossing remains a very remote prospect indeed.

The Neighbourhood Plan appears to be suggesting that no strategic development should take place within South Derbyshire District until a Repton By-Pass or a new Trent River Crossing is designed and built. This is a strategic matter which is outside the scope of the Neighbourhood Plan.

Overall and on the basis of the comments above, DCC's Officers consider that the RNDP will have to embrace a far more positive approach to development to meet the requirements of the NPPF.

I hope the above comments are helpful. As discussed, I should be grateful if you would pass them on to the Repton Neighbourhood Plan Steering Committee so that they can be taken into account in the Submitted version of the Plan. Please

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contact my officer, David Dale, on 01629 539810 if you wish to discuss the comments further.

Yours sincerely



RB Mike Ashworth
Strategic Director – Economy, Transport and Communities

Copies:

Councillor Martyn Ford, c/o Corporate Resources
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