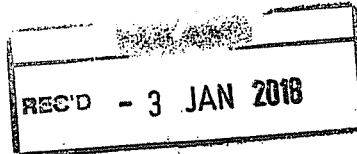


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Date: 19 December 2018



Dear Madam/Sir

Localism Act 2011 - Strategic Planning Comments

High Peak Borough Council Statement of Community Involvement: Consultation Draft November 2018

Thank you for consulting Derbyshire County Council (DCC) on the High Peak Borough Council (HPBC) Draft Statement of Community Involvement (SCI). The comments below are DCC's Member and Officers' technical comments with regard to the Duty to Co-operate, Community Infrastructure Levy, General Data Protection Regulation, and Review aspects of the SCI.

Local Member Comments

All County Council Members for High Peak have been consulted. Beth Atkins, the Local Member for New Mills Electoral Division, has commented as follows:

'Before passing any plans, serious consideration should be given to the long term impact on the community and the various Councils and ratepayers of passing the plans.

The passing of plans which then result in other Councils having to spend rate payers money on remedying defects in the building thereof - or in having to spend community money on deficiencies discovered which future home owners expect councils to resolve. Persimmon Homes.

Recently I objected to an application e.g. Building on a marsh and the houses and gardens in the next field then sitting in 6 inches of water - and the residents asking the County to sort the problem out.

In this case the problem remains to be resolved I believe.

A planning application for 92 houses was recently passed for the adjoining field - a Marsh.

Despite objections.

The costs of access to a small site need considering:

e.g. I am about to ask for 4 way lights to be installed at the Union Road/Albion /Church Roads junction in New Mills.

The site has required pile driving. It was a cinder dump for local mills. Not only is there possible pollution but as there is constant traffic there will probably be air pollution.

Persimmon Homes - (I have one of those estates) - most of the early faults the County has had to remedy, if my memory is correct - however, I am now getting complaints about 'weeds growing in the road and will the county spray them?' Weeds do not grow through the road and pavement tarmac on other local housing estates. The quality of build needs to be part of the equation - as does long-term remedial action. It is costing the County too much money'.

Officer Comments

General

In general, the proposed revised SCI is a comprehensive document that would ensure that the Borough would meet all its requirements in terms of community engagement. It is also consistent with Statements of Community Involvement produced by other authorities, both within Derbyshire and elsewhere.

In relation to the overall style and content of the document, and High Peak Borough Council's chosen approach towards community engagement/involvement, DCC does not consider that there are any omissions.

3 Background

Duty to Co-operate

Paragraph 3.34

Under the Duty to Cooperate, DCC is satisfied that appropriate reference is made to the need for High Peak Borough Council to cooperate with relevant neighbouring authorities on cross boundary strategic planning matters. A number of examples are given including housing, employment and road links. However, it would be helpful if reference were also to be made to Green Belt, school place planning provision, Green Infrastructure, and public health, which are also key cross boundary issues on which the County Council would be expected to cooperate with HPBC.

Community Infrastructure Levy (CIL) Charging Schedule

Paragraphs 3.51 to 3.53 of the SCI indicate that the Borough Council has yet to decide whether to adopt a CIL for the Borough, and set out appropriate stages of consultation regarding the production of the CIL Charging Schedule if CIL were to be taken forward.

The County Council has had some engagement with HPBC over the last two years regarding the possible adoption of a CIL, particularly in relation to school place planning provision and whether or not CIL should be used to finance new primary or secondary school place provision through the expansion of existing

schools or the need for new schools. Although this does not need to be referenced in the SCI, it would be a good opportunity to re-emphasise, as recommended by Planning Practice Guidance, the need for HPBC to continue to engage with the County Council on an ongoing basis on this issue. This would be particularly pertinent if the decision were to be made by HPBC to take forward proposals for introduction of a CIL, to ensure that appropriate discussion and agreement takes place between the County Council and HPBC as to which, if any, elements of new school place provision should be funded through CIL, and for setting the priorities as to how the levy should be spent in a two tier area.

4 How can you get involved in influencing the Content of Planning Policy Documents?

DCC has also reviewed the document for any references to the General Data Protection Regulation 2018 and this appears to be appropriately covered in the table on page 22, setting out the six key data protection principles.

7 Review

In relation to paragraph 7.1, which states: *'Further reviews of this document will be undertaken if the Council considers that an update would be beneficial'*, DCC would wish to bring the requirements of Regulation 10A (1)(b) of The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 to the attention of High Peak Borough Council. These Regulations, which amend The Town and Country Planning (Local Planning) (England) Regulations 2012, introduced the requirement to review the SCI every five years following the date of its adoption. DCC would therefore recommend that paragraph 7.1 should be revised to better reflect the requirements of the regulations.

Landscape Architecture, Climate Change and Sustainability

Derbyshire County Council's Landscape Architect and its Climate Change and Sustainability Officer have no comments to make on the HPBCSCI.

Please contact me if you wish to discuss the comments further.

Yours faithfully

Policy and Monitoring and LA lead: CLIP: Planning Sub-group