

General approach to developer contributions. Question 1a – Approach to Trigger Points

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Gemma Roe		No comment		N/A
Wendy Bannerman	The British Horse Society	No comment		N/A
Ms Halina Pruchnicki		No comment		N/A
Mrs Sara Scott-Rivers		General comment.	If any work is to take place, it must respect the existing community, and follow a strict calendar of works, with clear guidelines as to how local people can communicate with developers, if there are any issues affecting the community.	Comments noted. Details regarding the Council's approach to trigger points and monitoring are set out in the draft SPD.
Mrs Rachel Purchase		General comment.	The concept of trigger points seems sensible, but what is then absolutely necessary is the monitoring of delivery to ensure that 'infrastructure' has actually been delivered at the points required, with penalties built in if these are missed. From a biodiversity point of view the use of the word 'infrastructure' seems to be unfortunate, in that it implies some form of development rather than the protection or enhancing of land or habitats. Is it possible to build in wording to the SPD that would address this concern?	Comments noted. Details regarding the Council's approach to trigger points and monitoring are set out in the draft SPD. The draft SPD includes a section providing guidance on the Council's approach to biodiversity and green infrastructure. 'Infrastructure' is not used in the context of biodiversity.
Ms Jane Kime		General comment.	And we need 1000 more houses? Why? Why so much in Glossopdale? This green and pleasant land is diminishing by the day. I don't mean just Glossopdale, the whole of England is rapidly losing it's open spaces. In 10 years' time, we'll just be an island of concrete.	The draft SPD doesn't propose housing development but provides guidance on the type and extent of developer contributions that the Council may seek to secure from development.
Helen Cattle	Sport England	General comment.	Agree that trigger points need to be clearly specified. The primary consideration should be the point at which the need for the provision or measure arises and any timescale for delivery should align with this as far as this is practical. Paragraph 2.3 refers to 'Infrastructure Providers'. However, suggested trigger points may come from other sources such as Sport England as consultee on a planning application or Local Plan.	Comments noted. The draft SPD sets out how trigger points will be agreed, which includes negotiation between the developer, the Council and any other infrastructure providers or consultees involved in the S106 agreement.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Disagree		Noted.
Emery Planning on behalf of client	Barratt Developments Plc	Disagree	(summary) It is unclear what approach the Council is looking to take in regard to trigger points. Examples are given in Appendix 2 of the Issues and Options Paper which have a fee per trigger point. However, there is no clear guidance as to if the Council is looking to implement this or to what this sum would be, with the paper stating 'the exact amount to charge per obligation trigger is an area of work that is still undergoing further research an engagement with stakeholders'. The monitoring of trigger points and developer contributions should fall within the general duties of the LPA as discussed in more detail under the Monitoring section of this report.	Comments noted. Details regarding trigger points and monitoring fees are set out in the draft SPD. The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where: <ul style="list-style-type: none"> •the sum to be paid fairly and reasonably relates in scale and kind to the development; and •the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted.
	Derbyshire County Council (Economy, Transport and Environment)	Agree		Support noted.
Mr Nicholas Parsons		Agree		Support noted.

Question 1b – Approach to Indexation

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Sara Scott-Rivers		Agree		Support noted.
Rebecca Wyllie	North West Canal & River Trust	Agree	With regard to indexation, we welcome that developer contributions should be index linked to ensure that the real value of developer contributions is maintained given that there can be delays between the granting of planning permission and development/trigger points.	Support noted.
Claire Moore	Adult Social Care & Health (Derbyshire County Council)	Agree		Support noted.
	Derbyshire County Council (Economy, Transport and Environment)	Agree	It is appreciated that there can be a significant time delay between a resolution to grant at committee to the signing of the S106. As such, the use of the committee date as the initial date (rather than the date of the S106) would help to keep contributions as up to date as possible. Agree with the use of CMPI to with regard to indexing contributions towards infrastructure.	Comments noted. The draft SPD includes the use of the committee date as the initial date and clarifies that the CMP Index will be used as it reflects the cost of construction materials and therefore directly relates to development costs.
Mrs Jean Ball		Disagree	RPI & CMPI are not sufficiently accurate and up to date measures, full cost of living measure including environmental costs should be considered.	Comments noted. The draft SPD clarifies that the CMP Index will be used as it reflects the cost of construction materials and therefore directly relates to development costs.
Emery Planning on behalf of client	Barratt Developments Plc	Disagree	(summary) It is noted that the Issues and Options Paper notes that CMPI is more accurate as it reflects the cost of construction materials and therefore directly relates to development costs. Our client (Barratt Homes) considers that RPI is the best measure regarding indexation and this is therefore the preferred option.	Comments noted. The draft SPD clarifies that the CMP Index will be used as it reflects the cost of construction materials and therefore directly relates to development costs.
Mrs Rachel Purchase	High Peak Green Network Group	General Comment	Seems sensible	Comment noted.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Jane Kime		General Comment		N/A
Mr Nicholas Parsons		General Comment	For all developer contributions relating to infrastructure, CMPI would seem to be the appropriate index. For other types of contribution, the most appropriate index should be defined and consistently used.	Comments noted. The draft SPD clarifies that the CMP Index will be used as it reflects the cost of construction materials and therefore directly relates to development costs.
Helen Cattle	Sport England	General Comment	Agree that indexation is needed. Suggest that for certain types of infrastructure there may be more bespoke information about costings that is particularly relevant to a specific project, and that could assist in informing and evidencing changes to costings. For example, Sport England publishes costing for certain types of sports facilities. It may be helpful for the SPD to allow scope for specialist information to be applied for indexation purposes.	Comments noted. It is noted that for certain types of infrastructure there may be more bespoke information about costings that is particularly relevant to a specific project, which could assist in informing and evidencing changes to costings. Guidance is provided in the draft SPD.
Ms Gemma Roe		No comment		N/A
Wendy Bannerman		No comment		N/A
Ms Halina Pruchnicki		No comment		N/A

Question 1c – Approach to Prioritisation

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Wendy Bannerman	The British Horse Society	No comment		N/A
Ms Halina Pruchnicki		No comment		N/A
Mrs Rachel Purchase	High Peak Green Network	Option 1 - at the Council's discretion based on priorities in	Our concerns in respect of prioritisation are: Option 1 - while this seems the most coherent approach to prioritising, the council currently has no Biodiversity Strategy or Green Infrastructure Plan and	Comments noted. Whilst each case needs to be assessed on its own merits the general approach that will

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	Group	the Local Plan, Corporate Plan and other supporting strategies	biodiversity does not feature strongly in the Corporate or current Local Plans. This must be addressed if land and habitats are to be protected in line with the Declared Climate Change Emergency - which references biodiversity. Furthermore, the Council must recognise the inextricable link between Climate Change actions and Biodiversity actions. The Dasgupta Review Feb 2021: the Economics of Biodiversity had the headlines:- The climate crisis is intimately linked to damage to nature. [So] Steps to address the climate crisis must be in tandem with action to help ecosystems recover and become more resilient Para 2.11 gives an example of the current misunderstanding of the importance of biodiversity in relation to residential housing development, in seeing priorities as affordable housing and education and not recognising the need for protecting biodiversity as a major concern. Option 2 table 1 doesn't prioritise biodiversity and refers in the desirable category to a Green Infrastructure Policy that doesn't exist. We would prefer biodiversity to be built into and to inform all of these categories, so that development has sustainability, health and well-being, brought about by enhanced biodiversity, at its core. Option 3 If the Council has strong and up to date Corporate policies and strategies this option should not be necessary.	be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies such as the Council's own emerging Biodiversity Strategy as well as the Local Nature Recovery Strategy for Derbyshire.
A Tickle	CPRE Peak District and South Yorkshire	Option 1 - at the Council's discretion based on priorities in the Local Plan, Corporate Plan and other supporting strategies	On priorities where viability is in doubt, we prefer Option 1; the other options are too tying and complex. Requirements need to take into account particular needs in the locality. We would be concerned about sustainable transport and sustainability generally being a lower priority in some options.	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Claire	Derbyshire	Option 1 - at the	Option 1 provides flexibility, allowing consideration of the Council's	The draft SPD states that there may

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Moore	County Council (Adult Social Care & Health)	Council's discretion based on priorities in the Local Plan, Corporate Plan and other supporting strategies	priorities depending on circumstances. Derbyshire County Council Adult Social Care strategies for accommodation and support would be other supporting strategies.	be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
	Derbyshire County Council (Economy, Transport and Environment)	Option 1 - at the Council's discretion based on priorities in the Local Plan, Corporate Plan and other supporting strategies	Option 1 appears to be the most appropriate with priorities being assessed on a case by case basis. If the broad categories of contribution type are included in the IDP this would be acceptable, however if the IDP requires the identification of actual projects/schools this would not be helpful. For example, school pupil projections may change, or where windfall sites occur, the impact on infrastructure could not have been predicted and due to the application site's location or the timing of the IDP review, these infrastructure needs may be unrecorded. This could therefore be used as evidence to show that there is no requirement to provide mitigation, but the need to mitigate the impact of the development however remains. The use of the IDP to identify project priorities may not therefore be practicable. In the event where viability does not allow for the full suite of contributions, the County Council would wish to work with High Peak Borough Council to agree a solution on a case by case basis.	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Mr Nicholas Parsons		Option 1 - at the Council's discretion based on priorities in the Local Plan, Corporate Plan and other supporting	Planning obligations are defined as a contribution to assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. If the required planning obligations cannot be met because the development would be unviable, is not the development by definition unacceptable and unsustainable? Is the Council intending to approve so many such unsustainable	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own

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		strategies	developments that a procedure is needed to define how the inadequate contributions should be prioritised? The existence of such a prioritisation procedure is to have conceded with developers that identified planning obligations are discretionary before negotiations have even started. Each instance where the Council decides to wave planning obligations should be monitored and reported.	merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Mrs Sara Scott-Rivers		Option 2 - sub priority groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan		The draft SPD sets out the approach to prioritisation of contributions where there are viability issues. Whilst each case needs to be assessed on its own merits the SPD outlines a priority list.
Mrs Jean Ball		Option 2 - sub priority groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan; plus Sub-option (add on to any of the Options above) based on the value of contribution and effectiveness	Pedestrian, cycling and public transport infrastructure are critical to all developments, as is access to green space.	The draft SPD sets out the approach to prioritisation of contributions where there are viability issues. Whilst each case needs to be assessed on its own merits the SPD outlines a priority list. It also gives further consideration to assessing contributions according to their value to maximise the overall contribution.
Ms Gemma Roe		Option 3 - ranking scale for projects and types; plus Sub-option (add on to any of the Options above) based on the value of contribution and		Comments noted.

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		effectiveness		
Rebecca Wyllie	North West Canal & River Trust	Other option - please specify	We make no comment on the options presented for prioritisation of contributions but would seek to highlight the diverse roles of our waterways and ensure that appropriate contributions can be sought to mitigate the direct impact of development on our waterways and maximise the opportunities they present to delivering council objectives and benefits to the wider community.	Comments noted. The draft SPD refers to waterways and the canal network.
	Historic England	Other option - please specify	When considering the prioritisation of contributions from paragraph 2.7 onwards, when would a situation occur where contributions for desirable infrastructure, such as public realm, are sought? Is it not likely that monies would always be spent on infrastructure from the higher priority levels?	The draft SPD sets out the approach to prioritisation of contributions where there are viability issues. Whilst each case needs to be assessed on its own merits the SPD outlines a priority list. It also gives further consideration to assessing contributions according to their value to maximise the overall contribution.
Emery Planning on behalf of client	Barratt Developments Plc	Other option - please specify	(Summary) There appears to be some overlap between the proposed options, with all of them relying upon the Infrastructure Delivery Plan being updated regularly. By choosing proposed option 2 or 3, the Council would be limiting how the developer contributions are spent, as what is 'critical' for one development, may not even be desirable for another. Whilst it is the aim that the IDP will be frequently updated, The Developer Contributions SPD will not have regular updates and what is 'critical' when first drafted may not be needed in years to come. Our client (Barratt Homes) would like to be consulted again once the Council can provide further information on the preferred method and how this will be monitored. We believe that the best option for the prioritisation of contributions is for each case to be considered under its own merits. Also more detail is required on the sub-option and how this would interact with the main option. Our client (Barratt Homes) reserves their position on this matter.	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Helen Cattle	Sport England	Other option - please specify	The prioritisation of a contribution should be considered based on the specific circumstances of each case and take account of a blend of factors. There should not be any overriding category or categories that	The draft SPD states that there may be circumstances where the benefits of development are considered by

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			are prioritised in all cases. Notwithstanding the above, the 2014 IDP (referenced in option 2) has sports related contribution types spread across 3 priority sub-categories (spanning critical and desirable) which is confusing and there is a lack of clarity about what would sit under each. Rather than rankings, it may be better to set out a list of considerations to be applied, to guide an assessment and to which weight can be afforded according to their relevance in a particular case. This would ensure a consistent methodology without being too prescriptive.	the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies. It also gives further consideration to assessing contributions according to their value to maximise the overall contribution.

Question 1d – Approach to Viability

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Sara Scott-Rivers		Agree		Support noted
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
	Derbyshire County Council (Economy, Transport and Environment)	Agree		Support noted

Mr Nicholas Parsons		Agree	To substantiate a claim the Council will require a full financial appraisal through an informed and independent assessment of viability signed by an appropriately qualified and independent valuer or financial professional. Is it possible to be more specific here to ensure that the applicant's viability assessment is carried out by an independent and qualified person (e.g. specify RICS) for otherwise, where viability is at issue, the Council will continually have to fund its own assessment using a RICS surveyor.	Comments noted. The draft SPD requires the applicant to appoint an independent assessor agreed by the Council to conduct a financial appraisal with costs paid for by the developer.
Emery Planning on behalf of client	Barratt Developments Plc	Disagree	(Summary) The High Peak Local Plan Viability Study was utilised as a viability and deliverability assessment of the sites to be allocated within the Local Plan. It was found in the study that many of the sites were not viable, which has resulted in few development sites being brought forward in the High Peak 5 Year Housing Land Supply. The SPD should ensure that the proposed options for planning obligations are viable and ensure that development that is required to meet local needs can take place. It is therefore critical that the Council does not pursue contributions through the SPD and Section 106 obligations which are out of step with the level of contributions tested at the Local Plan stage. It is noted that the Council do not intend to utilise CIL to secure Developer Contributions. Further clarification as to why the developer contributions cannot be provided through CIL and need to be dealt with separately. This would be an appropriate forum for viability to be properly considered at a plan wide level, if the Council considers that development can support contributions at a higher level than accounted for in the Local Plan viability work. The other logical alternative would be to review the Local Plan, as the Council should be doing anyway given that the adopted plan is now 5 years old.	Comments noted. The draft SPD sets out the approach to prioritisation of contributions where there are viability issues. CIL might be replaced by a new single infrastructure levy proposed as part of national planning reforms. The Council has agreed a new Local Development Scheme that sets out the timetable for an updated Local Plan.
Mrs Jean Ball		General Comment	The Developer should only be allowed to submit viability argument in rare exceptional cases, not used as an escape route.	Comments noted. The draft SPD makes it clear that as developer contributions are considered necessary in order to make the development acceptable in planning terms, the Council may then decide to refuse the application and in these circumstances viability is not considered a valid justification.

Helen Cattle	Sport England	General Comment	Viability issues may mean in some cases the development under consideration is not acceptable in planning terms. Any measures around viability should ensure that this is recognised. There should also be scope to revise contributions upwards if a viability position improves over time.	Comments noted. The draft SPD makes it clear that as developer contributions are considered necessary in order to make the development acceptable in planning terms, the Council may then decide to refuse the application and in these circumstances viability is not considered a valid justification.
Mrs Rachel Purchase	High Peak Green Network Group	No comment		N/A
Ms Gemma Roe		No comment		N/A
Wendy Bannerman	The British Horse Society	No comment		N/A
Ms Halina Pruchnicki		No comment		N/A
A Tickle	CPRE Peak District and South Yorkshire		On priorities where viability is in doubt, we prefer Option 1; the other options are too tying and complex.	Comments noted.

Question 1e – Approach to Monitoring

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		Support noted
Mrs Sara Scott-Rivers		Agree		Support noted
Mrs Rachel Purchase	High Peak Green Network Group	Agree	Entirely appropriate for developers to bear the full costs of monitoring.	Support noted

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
Mr Nicholas Parsons		Agree		Support noted
Emery Planning on behalf of client	Barratt Developments Plc	Disagree	(Summary) The monitoring of developer contributions should be classified as the general duties of the LPA. The payment of a monitoring or administration fee is not necessary to make the development acceptable in planning terms and therefore should not be included in the SPD. This is supported by a High Court judgement of Oxfordshire County Council v Secretary of State for Communities and Local Government and others (2015) EWHC 186 (Admin). An appeal inspector ruled that several payments in a section 106 agreement were not necessary to make the development acceptable in planning terms. One of the payment obligations that was struck out was the obligation to pay a sum to Oxfordshire County Council for its costs of administering and monitoring the S106 agreement. This decision was then challenged by the County Council, but the High Court upheld the decision on the grounds that it was part of the Council's functions as a LPA to administer, monitor and enforce planning obligations in S106 agreements. A standardised approach to monitoring fees is not appropriate for all development, as found within the High Court judgement. Monitoring fees may only be appropriate for very large scale developments and the LPA should therefore assess each case on an individual basis rather than applying a standard approach to monitoring.	The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where: <ul style="list-style-type: none"> • the sum to be paid fairly and reasonably relates in scale and kind to the development; and • the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.
Ms Gemma Roe		No comment		N/A

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
	Derbyshire County Council (Economy, Transport and Environment Derbyshire County Council)	No comment		N/A
Wendy Bannerman	The British Horse Society	No comment		N/A
Ms Halina Pruchnicki		No comment		N/A

Question 2a – Approach to Commuted Sum

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
	Derbyshire County Council (Economy, Transport and Environment)	No comment		N/A
Wendy Bannerman	The British Horse Society	No comment		N/A
Mr Nicholas Parsons		Option 1 - cost based	High Peak shares services with Staffordshire Moorlands who is using a cost based approach for commuted sums. It should be straightforward to assess from Staffordshire Moorlands if this approach is working and whether there are any drawbacks. It appears to be a simple formulaic approach and therefore would help developers to take potential contribution costs of a proposed development into account at the earliest opportunity.	The draft SPD sets out how a commuted sum in lieu of on-site provision will be calculated so that this can be taken into account by developers at the earliest opportunity.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Option 2 - residual value based	The Council's Net Zero policy should factor into all planning decisions ensuring that all new development is to high energy efficiency and environmental standards. The High Peak and Buxton in particular is underserved for affordable and smaller unit size housing - the proportion should be the majority of all developments, not the other way around.	Policies in the High Peak Local Plan refer to a housing mix that makes a positive contribution taking into account the stock in the local area (Policy H3) and that new homes should meet environmental performance standards in accordance with Policy EQ1. The draft SPD includes further clarification relating to affordable housing tenure and space standards.
Ms Gemma Roe		Option 2 - residual value based		N/A
Claire Moore	Derbyshire County Council (Social Care & Health)	Option 3 - gross development value (GDV) based	Derbyshire County Council Adult Social Care supports the provision of affordable housing, as this contributes to diverse communities, including local workforce who may contribute to the provision of health and social care services. We would also encourage thinking of accessible and/or age-appropriate housing within affordable housing provision.	Comments noted. The draft SPD includes further clarification relating to the breakdown of affordable housing tenure and the expected space standards. Local Plan Policy H3 requires that affordable housing should meet the requirements and future needs of a wide range of people including for the elderly and people with specialist housing needs.
Mrs Sara Scott-Rivers		Other option - please specify	requires more input from the housing department, as mentioned in 3.5	Comments noted.
Mrs Rachel Purchase	High Peak Green Network Group	Other option - please specify	The Council needs to take the strongest possible stance in relation to the delivery of affordable housing.	Comments noted.
Emery Planning on behalf of client	Barratt Developments Plc	Other option - please specify	(summary) As it is unclear how the Council wish to proceed with affordable housing contributions, our client will reserve their position on this matter until options and costs are brought forward.	Comments noted.

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Ms Halina Pruchnicki		Other option - please specify	We need SOCIAL housing not affordable housing. It is also impossible to find what the definition is for affordable housing. I have asked different councillors for their answers and never received a clear reply. Also you need to stop the practice of Developers who start of giving a number for affordable houses only to then say they have to reduce the number as they can't afford to build them.	Local Plan Policy H4 and supporting text provides detail regarding the different types of affordable housing. The draft SPD includes further clarification relating to the breakdown of affordable housing tenure and viability issues.

Question 2b – Approach to vacant building credit

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		Support noted
Mrs Sara Scott-Rivers		Agree		Support noted
Ms Gemma Roe		Agree		Support noted
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
Mr Nicholas Parsons		Agree		Support noted
Mrs Rachel Purchase	High Peak Green Network Group	General Comment	We believe that the Council needs a thorough rethink on its approach to 'brownfield' land and how it is allocated or not for development in the Local Plan. Many brownfield sites, e.g. Hogshaw in Buxton, are now biodiversity rich and therefore far more valuable and harder to replace, than much monoculture farm or green-belt land that has not been developed previously.	The draft SPD does not allocate sites for development but provides guidance on the type and extent of developer contributions that the Council may seek to secure from development.
Ms Halina Pruchnicki		General Comment	Vacant building must be used wherever possible.	Comments noted.

Question 2c – Approach to Open Space

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		N/A
Mrs Sara Scott-Rivers		Agree	Green space (open to everyone) for exercise and recreation is absolutely vital. Footpaths across private land are not enough.	Comments noted.
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		N/A
Emery Planning on behalf of client	Barratt Developments Plc	Disagree	(Summary) If developer contributions are to be sought for the maintenance of open spaces, this would need to be justified as the Council is already required to ensure the upkeep of these spaces. There may be some situations where this is more relevant than others and therefore a standardised approach should not be utilised for this. Further information should be provided by the Council once they have looked at the potential options in more detail as it is currently unclear how this will be applied.	Comments noted. The draft SPD states that obligations for open space and recreation will be based on a tailored approach relevant for each development site. It also sets out the Council's approach to management and maintenance of open spaces.
Mrs Rachel Purchase	High Peak Green Network Group	General Comment	From a biodiversity perspective this section of the SPD is problematic. Neither 3.7 or 3.8 (ref to Policy CF4) has any reference to biodiversity, even though they reference a network of high quality open spaces and opportunities for sport and activity in supporting healthy lifestyles and the fact that 'new residential development will be required to provide or contribute towards public open space'. Furthermore Table 6, in its breakdown of Open Space, refers to quantity rather than quality standards. Our view would be that any reference to and definition of public or open space should have at its heart qualitative measures which are designed to both protect and enhance biodiversity, recognising the huge public health benefits that this brings about, particularly if compared to biodiversity-poor open space. The links to BNG, NRSs and ELMS are pertinent here, but also the need for the Council to	Comments noted. The draft SPD sets out the Council's approach to biodiversity and green infrastructure as well as open space and recreation. The draft SPD references new evidence such as the Local Nature Recovery Strategy and the Council's emerging Biodiversity Strategy.

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			<p>build biodiversity into its key policies and strategies. Para 3.13 Says 'it may be possible to expand the scope of developer contributions' but does not mention along with other strategies a Biodiversity Strategy, a NRS or a Green Infrastructure Strategy all of which should be pertinent here, nor the importance of either quality or biodiversity. Para 3.14 gives reasonable options, but we would like to see quality, biodiversity and management costs embedded here.</p>	
Helen Cattle	Sport England	General Comment	<p>Recognition of the importance of this category of infrastructure is welcomed. Some of the evidence base documents, tools and approaches referenced are out of date or no longer applicable. Other documents are still emerging. Sport England would be happy to engage with you to consider potential approach(es) to developer contributions, the evidence available to underpin requirements and the current tools that are available including Sport England's Calculator tool for certain sports. (Please note the Sport England Toolkit rereferred to in the document is no longer in use). Agree that maintenance should be covered and the latest Calculator takes this into account.</p>	<p>Comments noted. The SPD sets out the Council's approach to developer contributions for open space, outdoor sports provision and indoor sports provision.</p>

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Rebecca Wyllie	North West Canal & River Trust	General Comment	<p>In line with the policy provisions of Paragraph 98 of the NPPF, and Policy CF4 of High Peak Local Plan, our waterways contribute to providing a high-quality network of open space and recreational provision, supporting healthy lifestyles and well-being of local communities. We note the focus in the accompanying Open Space Standards Paper on enhancing the 'quality and accessibility' of open space to ensure that the demand for future developments is not detrimental to existing provision. The role that our green infrastructure can provide for enabling outdoor recreation and social interaction should be supported by maintaining, and where possible enhancing, the existing provision e.g. improving accessibility through safe, maintained routes. The increased use and footfall generated by development near waterways can lead to the need for towpath surface improvements and enhanced access provision and we would highlight the importance of being able to secure developer contributions for such improvements. This in in line with the tests for if planning obligations can be sought, as outlined in the CIL regulations 2010 and Paragraph 57 of the NPPF, when an obligation is necessary to make a development acceptable in planning terms; directly related to a development; and fairly and reasonably related in scale and kind to the development.</p>	<p>Comments noted. The draft SPD provides guidance on developer contributions for green infrastructure and informal recreation. Developer contributions may also be secured where new development impacts on canal infrastructure.</p>
	Derbyshire County Council (Economy, Transport and Environment)	General Comment	<p>The Open Space Standards Paper that is referenced in the Issues & Options paper includes natural & semi natural spaces as a classification of open space. The current method for requesting developer contributions addressed in the Issues & Options paper however omits this classification. It also focuses on quantity of provision and overlooks quality. Policy EQ8 also references the creation of new or enhancement of existing green 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. It should be recognised that Derbyshire County Council (DCC) Countryside Service sites can also contribute to open space, sport & recreation beyond borough operated sites. The Countryside Service</p>	<p>Comments noted. The draft SPD provides guidance on developer contributions for informal recreation and contributions may also be secured where new development impacts on green infrastructure.</p>

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			has its own sites assessment criteria that measures site quality, and which can be used to inform where contributions could be directed. Please note the County Council are not proposing that additional funds are sought over and above those sought by the borough towards public open space, merely that a DCC countryside site may be more directly related to a development, and it should be recognised that any Open space, sport and recreation contributions could be delivered on these sites .	
Wendy Bannerman	The British Horse Society	General Comment	(summary) The British Horse Society is the UK's largest equestrian Charity, with over 117,000 members representing the UKs 3 million horse riders but are limited to just 22% of the rights of way network and are increasingly forced to use busy roads to access them. A high number of road incidents involving horses have been reported and it is therefore reflects the importance of protecting, improving and extending safe off-road provision will help to prevent these numbers from increasing in the future. There is a high number of horses in the immediate postcode areas within the High Peak district and each horse owned contributes £5,548 to the economy. New development provides opportunities to improve and extend the network for the shared enjoyment of equestrians, cyclists and pedestrians. Important that equestrians are recognised as vulnerable road users.	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
Ms Gemma Roe		No comment		N/A
Mr Nicholas Parsons		No comment		N/A
Ms Halina Pruchnicki		No comment		N/A
Ms Jane Kime			Planning applications are continuing on green space!	The Issues and Options document is a technical paper regarding developer contributions. Comment does not directly relate to the Issues and Options consultation.

Question 2d - Biodiversity

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		Support noted
Mrs Sara Scott-Rivers		Agree	It is important to retain a habitat for existing wildlife, especially if the area in question is not suitable for redevelopment.	Comments noted.
Ms Gemma Roe		Agree		Support noted
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
Emery Planning on behalf of client	Barratt Developments Plc		(Summary) The Council does not currently include any planning obligations under biodiversity and climate change but with the support of an updated IDP the Council aims to achieve at least 10% net gain in biodiversity when this cannot be secured via planning conditions. It is noted that the SPD could encourage these measures in advance of them becoming a statutory requirement in 2023 however there is no current policy basis in the adopted development plan to justify this being added to the SPD. Furthermore, the Environment Act mandates Biodiversity Net Gain and therefore there is no requirement for this to be added into the SPD. As this will require a deemed planning condition, the requirement for this to be added as a planning obligation in the SPD is unclear. We are unclear on the justification behind this approach as the Local Plan does not include this policy and therefore cannot be applied prior to 2023 when it becomes a statutory requirement through the Environment Act. An update to the Local Plan would be required in order for this approach to be brought forward.	The draft SPD outlines the requirements of the Environment Act which are mandatory in winter 2023 however explains that the Council will work with developers to proactively encourage that appropriate contributions are sought for biodiversity net gain in advance of the 2023 date.
Mr Nicholas Parsons		Agree		Support noted

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Rachel Purchase	High Peak Green Network Group	General Comment	<p>(summary) Consider that biodiversity should be embedded across this SPD and into the Council's thinking and decision-making at all levels, especially in relation to planning. It is a key priority for the Council. The issue of BNG is complicated. We agree that the Council should be doing as much as possible to protect and enhance biodiversity ahead of the national requirement to do so. But the concept of biodiversity net gain requires a level of sophistication about how land and habitats are assessed and valued and whether any new, replacement areas will ever be as biodiversity-rich. Need for a reappraisal of land currently allocated in the Local Plan. Policy EQ 8 requires that development proposals as far as possible, contribute towards the creation of new or enhancement of existing green 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. It is important to set out how this will be monitored and enforced. We would contend that it would be preferable to include biodiversity requirements within planning conditions, that an IDP should include a Green Infrastructure Plan at its heart and that the SPD should (not could) encourage BNG+10% ahead of national requirement to do so.</p>	<p>The draft SPD outlines the requirements of the Environment Act which are mandatory in winter 2023 however explains that the Council will work with developers to proactively encourage that appropriate contributions are sought for biodiversity net gain in advance of the 2023 date. Discussions will be informed by the Council's own emerging Biodiversity Strategy as well as the Local Nature Recovery Strategy for Derbyshire.</p>

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Rebecca Wyllie	North West Canal & River Trust	General Comment	The Trust would highlight the opportunities that our canal network can provide to retain and strengthen ecological networks. In accordance with paragraph 174 of the NPPF, the Trust support planning policies and decisions that minimise impacts on and provide net gains for biodiversity, and establish coherent ecological networks. Equally, in line with Local Plan Policies EQ5 and EQ 8, inland waterways can help promote the conservation and enhancement of priority habitats and ecological networks and contribute towards the creation of new or enhancement of existing green infrastructure. The consultation document outlines how the Environment Act 2021 refers to a future requirement for development proposals to deliver at least 10% improvement to biodiversity (grants of planning permission are to be accompanied by a condition stipulating biodiversity gain which is to be managed for at least 30 years). The Trust recognise the importance of engaging with stakeholders to identify and outline key requirements to contribute to and strengthen ecological networks. The Trust also continue to recognise the importance of the IDP in identifying and linking objectives, to strengthen ecological networks and create corridors of biodiversity value, and would like the opportunity to consistently contribute to formulation of this document to enable canal corridors to positively contribute to biodiversity gain.	Comments noted. The draft SPD outlines the requirements of the Environment Act which are mandatory in winter 2023 however explains that the Council will work with developers to proactively encourage that appropriate contributions are sought for biodiversity net gain in advance of the 2023 date. Discussions will be informed by the Council's own emerging Biodiversity Strategy as well as the Local Nature Recovery Strategy for Derbyshire.
A Tickle	CPRE Peak District and South Yorkshire	General Comment	We support the broader base proposed for matters to be included such as biodiversity especially as the Local Plan is a little outdated in this respect.	Comments noted.
	Derbyshire County Council (Economy, Transport and Environment)	General Comment	(summary) DCC Countryside Service manage a range of green infrastructure sites which are important for the protection and enhancement of biodiversity, outdoor recreation and cultural heritage. Linked together by corridors including river valleys, long distance trails and canals to form a network of green areas for the benefit of wildlife as well as the health and well-being of local communities. New development that is directly adjacent to or linked to existing sites adds additional users requiring additional resources	Comments noted. The draft SPD provides guidance on developer contributions for informal recreation and contributions may also be secured where new development impacts on green infrastructure.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			<p>to manage. Off-site mitigation and enhancement measures for both direct and indirect impacts of a development would be a welcome addition to the SPD and necessary to ensure negative impacts are not felt by established sites. Developer contributions should recognise the maintenance need of established sites to manage increased pressures from development additional to any net gains made by the development. NPPF para174 (d) states that planning policies and decisions should contribute to and enhance the natural and local environment by:....minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Similarly this is also reflected in para 180 (d) with specific regard to determining planning applications.</p>	
Wendy Bannerman	The British Horse Society	General Comment	<p>The Rights of Way Improvement Plan (DCC, 2013) makes a commitment to upgrading footpaths where possible which would be inclusive of a wider range of vulnerable road users.</p>	<p>Comment noted. The draft SPD includes a section on sustainable travel. Derbyshire County Council are the responsible authority for highways and the Rights of Way Improvement Plan.</p>
Ms Halina Pruchnicki		General Comment	<p>This needs to be top priority and scope needs to be made to improve and utilise our green spaces rather than building on them in one part and the offsetting the loss in another. Also we need to be assessing these spaces correctly. Grasslands for example provide a great deal of shelter and food for what might be known as common specimens. Many creatures now on the danger list started off as common so we cannot discard the everyday as being replaceable. Why build on open green spaces that are already well established e.g. Roughfields when you already have a proper level of biodiversity there and plenty of scope to increase these levels. We could be using these spaces to far better, allotments, orchards, spaces for children and young people to gather.</p>	<p>The draft SPD does not allocate sites for development but provides guidance on the type and extent of developer contributions that the Council may seek to secure from development. The draft SPD outlines the requirements of the Environment Act which are mandatory in winter 2023 however explains that the Council will work with developers to proactively ensure that appropriate contributions are sought for biodiversity net gain in advance of the 2023 date.</p>

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Jane Kime			Building planning continuing on green fields.	The Issues and Options document is a technical paper regarding developer contributions. Comments do not directly relate to the Issues and Options Consultation.

Question 2e – Climate Change

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		Support noted.
Mrs Sara Scott-Rivers		Agree	Climate change is actually a Climate EMERGENCY, we have very little time to try and salvage our planet and its resources.	Support noted.
Mrs Rachel Purchase	High Peak Green Network Group	Agree	Para 3.28 says that the SPD should refer to the Council's Climate Change Strategy. We would suggest that in this context clear reference to a Biodiversity Strategy would also be imperative given the inextricable link between climate change and biodiversity. Proposed Options p19 reference sustainable design and construction which we support, but would also suggest the inclusion of design criteria for new developments as set out in the Wildlife Trusts 'Homes for People and Wildlife'.	The draft SPD refers to the Council's Climate Change Action Plan, emerging Biodiversity Strategy as well as the Local Nature Recovery Strategy for Derbyshire. There is also a section which covers sustainable design and construction.
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		N/A
Ms Gemma Roe		Disagree	Policy EQ 1 considers the measures necessary for the Council to move to a low carbon future for the Borough, including renewable, low carbon and decentralised energy, sustainable locations for development, waste and water management and sustainable design and construction. Local Plan must be amended to provide land for community land trusts and co-operative housing developments who wish to assist the High Peak with the Net Zero Carbon Target . The	Comments noted. The draft SPD cannot propose development sites, however the Council does keep a self-build register which is kept under review.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			High Peak does not have an allocation of land for an off-grid, fully net zero carbon development and there are community groups who wish to create a fully sustainable eco-village. Land must be allocated not only for biodiversity net gain but for a pilot project which can be initiated by a Community Land Trust or a Sustainable Housing Co-Operative. Land must also be provided for those on the self-build register. This has not been addressed in the Local Plan.	
Emery Planning of behalf of client	Barratt Developments Plc	Disagree	(Summary) The Issues and Options paper states that although there is no direct reference to developer contributions within the Local Plan policy, there is an opportunity to underpin the policy requirements with additional detail and specific comments that can be provided within a S106 agreement. The viability of providing the wide range of proposed options would need to be assessed to ensure that development can still come forward despite the additional contributions. Our client (Barratt Homes) would like to be consulted again on this matter once a clearer approach is outlined. There is no reference to developer contributions for climate change within Local Plan policy and therefore no basis for these planning obligations to be secured. The Local Plan needs to be updated in order for this approach to be taken forward.	Comments noted. The draft SPD provides guidance on the type of developer contributions the Council may seek relating to climate change.
	Derbyshire County Council (Economy, Transport and Environment) Derbyshire County Council	General Comment	(Summary) High Peak Borough Council's Aiming Low: The Way to Net Zero 2021-2030, states that it will support the County Council to deliver measures for tackling climate change within their Local Transport Plan. This includes encouraging sustainable travel including improving pedestrian and cycle routes and where developments generate significant demand for travel, providing features such as cycle path links and cycle storage facilities. The increased use of existing cycleways by developments which directly link to existing cycle infrastructure place additional management and operational obligations on the managing authority. Where a development directly links to the Key Cycle Network and Local Cycle Network it is proposed that a proportionate requirement for maintenance is noted. Mitigation for air quality issues is welcomed however this should be	Comments noted. The draft SPD provides guidance on the topics raised including: sustainable travel and the cycle network; air quality; electric vehicle charging and water quality and efficiency.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			<p>more strongly worded and reference other sustainable transport options. Air quality where a site has a particular impact on or exposure to potential air quality issues, measures to ensure appropriate monitoring and/or delivery of specific mitigation may will be required via S106 and may include walking and cycling and public transport improvements . Larger developments may be required to submit an Air Quality Neutral (AQN) assessment. Developers must fully mitigate the air quality impacts of the new development by providing mitigation measures or offset the additional emissions by making a financial contribution. If a financial or in-kind contribution is deemed necessary, on a case-by case basis a project or sum will be identified and agreed to mitigate the effect on air quality from development.</p> <p>EV charging points - recommends that Part S of the Building Regulations (December 2021), which requires the installation of EV charge points in a variety of scenarios, is reviewed. Is the SPD suggesting a greater degree of installation than the building regulations requires?</p> <p>Water quality Sewage treatment systems - Severn Trent Water has a general duty under section 94 of the Water Industry Act for the responsibility of sewerage systems as well as sewage treatment works. To this end if either a) additional capacity or b) improvement (commonly referred to as quality obligation) is required at a WWTW these must be funded by Severn Trent Water.</p>	
Wendy Bannerman	The British Horse Society	General Comment	<p>In relation to sustainable travel it should be noted that Horse riding is included in the Active Travel definition. Jesse Norman MP, Parliamentary Under “Secretary of State for Transport in a House of Commons debate on Road Safety, 5 November 2018 (1) stated: We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders. Horse riders are vulnerable road users ”there is no doubt about that, and there never has been” and they have been included in the work we are doing.</p>	<p>Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.</p>

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Halina Pruchnicki		General Comment	We are in a Climate Emergency and HPBC has acknowledged this yet does not see to be doing much about it. Council should be shining the light on this issue via schools and public buildings.	The Council declared a Climate Emergency in 2019 and has produced a Climate Change Action Strategy which outlines the key targets to reach its Net Zero aim by 2030. The draft SPD refers to this in the section on Climate Change.
Mr Nicholas Parsons		No comment		N/A
Ms Jane Kime			A concrete town is not helping the environment- is it?	The Issues and Options document is a technical paper regarding developer contributions. Comment does not directly relate to the Issues and Options consultation.

Question 2f – Retail and Town Centres

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree	All retail or office uses in, or very close to the town centre with access to facilities.	Support noted
Mrs Sara Scott-Rivers		Agree		Support noted
Claire Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
Mr Nicholas Parsons		Agree		Support noted
Mrs Rachel Purchase	High Peak Green Network	Disagree	The options set out give the impression that the Council has to accept out of town development and that mitigation is the only way of reducing the impact of this. If there is to be effective protection and	The draft SPD provides detail relating to policies in the Local Plan. Policy CF 1 of the Local Plan also notes that developer

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
	Group		enhancement of biodiversity, this would suggest that there needs to be an assumption against out of town development, that this must be reflected in a revised local plan and land allocation and that any development that is allowed outside of towns needs to be the subject of massive penalties in the form of developer contributions.	contributions may be sought to mitigate identified impacts of town centre uses of 200 sqm or more outside of defined centres.
Ms Gemma Roe		No comment		N/A
Emery Planning on behalf of client	Barratt Developments Plc	No comment		N/A
Wendy Bannerman	The British Horse Society	No comment		N/A
Ms Jane Kime			How many restaurants does one town need?	The Issues and Options document is a technical paper regarding developer contributions. Comment does not directly relate to the Issues and Options consultation.

Question 2g – Health

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		N/A
Mrs Sara Scott-Rivers		Agree		N/A
Claire Moore	Project Officer Adult Social Care & Health	Agree	It is important to recognise that 'health provision' is more than just GP surgeries / primary healthcare. It is important that community meeting spaces and access points are included because they contribute towards prevention of ill health by providing spaces for	Comments noted. The draft SPD refers to community meeting spaces and access points as part of health infrastructure.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			exercise, falls prevention classes or other social activities which engender a sense of community / help avoid loneliness. Access to provision regarded as social care is also important, including personal care and support for individuals, such as home-based care or access to facilities within communities for those needing additional care and support (e.g. older adults, those living with dementia, working age adults with disabilities).	
Ms Gemma Roe		General Comment		N/A
Emery Planning on behalf of client	Barratt Developments Plc	General Comment	Presently, the Council have no set policy for negotiating developer contributions towards health, but the NHS / Clinical Commissioning Group (CCG) are consulted during the planning application stage. The SPD is to include a section on the provision of health to refine this process and the Council will continue to work collaboratively with the NHS/CCG to support the use of developer contributions. Our client (Barratt Homes) reserves their position on this matter until further details are provided in relation to options and costs.	Comments noted. Policy CF3–Local Infrastructure Provision outlines the requirement to provide for health and social care facilities. The draft SPD includes a section on health and set out the Council’s approach to developer contributions.
Wendy Bannerman	The British Horse Society	General Comment	(summary) Much of the research relating to active travel acknowledges that walking and cycling are beneficial leisure activities, not primarily commuting methods. Equestrian leisure activity also has health benefits. According to BETA two-thirds of equestrians are women and 37% of women who are horse riders are over 45 years of age and over a third would pursue no other physical activity. The therapeutic and physical benefits of horse riding and carriage driving have been proven for people with disabilities.	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
Ms Halina Pruchnicki		General Comment	The health and wellbeing of residents has to be a priority and having access to amenity green spaces is a vital part of keeping people well.	Comments noted. The draft SPD provides guidance on green infrastructure and open space.
Mrs Rachel Purchase	High Peak Green Network Group	No comment		N/A
	Economy, Transport and	No comment		N/A

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
	Environment Derbyshire County Council			
Mr Nicholas Parsons		No comment		N/A
Ms Jane Kime			All these planning applications is not doing my mental health any good!	The Issues and Options document is a technical paper regarding developer contributions. Comment does not directly relate to the Issues and Options consultation.

Question 2h - Training

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		N/A
Mrs Sara Scott-Rivers		Agree		N/A
Claire Moore	Project Officer Adult Social Care & Health	Agree		N/A
Ms Gemma Roe		Disagree	In compliance with the above, policy is supportive of the inclusion of requirements within the SPD to help increase opportunities for local employment and training. Proposed options Training and employment opportunities - Major developments over a certain threshold may be required to provide direct provision of employment and training initiatives. This provision would be for local people living within the Borough and directly relate to the employment needs of the development with the aim to maximise opportunities to develop local skills , business performance and expand employment provision. This could be managed through a Training and Employment Management	Comments noted. The draft SPD sets out details in the section on Training and Employment. The SPD cannot allocate sites for development.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			Plan that would promote training and employment opportunities at all stages of the development to meet specific needs identified locally. In line with Policy EQ 1- Land allocated for Community Land Trust or Co-Operative Housing must in-still a requirement for a sustainable development training facility on the development to enable residents to learn skills required to build their own off-grid, low-impact homes. Building skills such as Thatching, Energy efficiency, Carpentry, Cob rendering, Permaculture and low impact living initiatives.	
	Barratt Developments Plc	Disagree	(Summary) This will involve meeting specific needs identified locally which would be managed through a Training and Employment Management Plan. However, it should be noted that this could cause some harm to the viability of achieving development in some locations. If there aren't the required skills in certain areas, this will lead to a delay in development which could have a positive impact on the surrounding local area. Furthermore, there is no policy basis to enable the request of developer contributions for training and employment. The Local Plan needs to be updated for this approach to be carried forward.	The draft SPD sets out details in the section on Training and Employment. Policy E1 of the adopted Local Plan states that the Council will, where appropriate seek to enter into agreements with developers to contribute towards training programmes, employment support and employment access schemes.
Wendy Bannerman	The British Horse Society	General Comment	The equine industry, which generates £4.7 billion per annum nationally, requires a diverse range of skills and resources, providing employment opportunities where equestrian activity thrives. This positively impacts rural industry such as vets, farriers, coaches, equine land managers, feed merchants, etc. Also, equestrian tourism is increasingly popular for both novice riders and for those wishing to take their horse on holiday. Making High Peak an accessible place for equestrians through improving the connectivity of the off-road network is key.	Comments noted
Mrs Rachel Purchase	High Peak Green Network Group	No comment		N/A
	Economy, Transport and Environment	No comment		N/A

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
	Derbyshire County Council			
Mr Nicholas Parsons		No comment		N/A
Ms Halina Pruchnicki		No comment		N/A

Question 2i - Highways

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Jean Ball		Agree		N/A
Mrs Sara Scott-Rivers		Agree		N/A
Mr Nicholas Parsons		Agree		N/A
	Economy, Transport and Environment Derbyshire County Council	General Comment	Greenways which constitute the Key Cycle network and Local Cycle Network are included in the County Council's Developer Contributions Protocol. New development should safeguard existing routes, but also provide an opportunity to improve Greenway connectivity to encourage the use of healthier and more sustainable travel options. Where opportunities arise, the County Council will seek to secure on-site provision within new developments to: provide new sections of the Greenways network, upgrade existing routes to adoptable standards, provide links from the development to an existing Greenway Where the asset is adopted, commuted sums will be sought towards their maintenance. Increased use of cycleways by developments that directly link to existing cycle infrastructure place additional management and operational obligations on the managing authority. Where a development directly links to KCN and LCN it is	Comments noted. Reference to greenways and cycling has been included in the draft SPD.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			proposed that a proportionate requirement for maintenance is noted.	
Wendy Bannerman	The British Horse Society	General Comment	(summary) Sustainable and active travel is not limited to walking and cycling. Horse riding is included in the Active Travel definition. The cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders. Developers should reduce reliance on increasingly busy roads by improving and extending the off road network of bridleways, byways and multi-user routes and providing for safe connectivity through Pegasus crossings (light controlled crossings accessible to equestrians, pedestrians, cyclists, wheelchair users and mobility scooter users), under and overpasses.	Comments noted. The draft SPD contains a section providing guidance on transport infrastructure and sustainable travel.
Ms Halina Pruchnicki		General Comment	There just isn't the capacity for more roads. We need to be looking at public transport . The population keeps increasing in Glossopdale without the commensurate levels of infrastructure to maintain a good standard of living. Children are having to be bussed out of area because they can't get a place at their local schools. How ridiculous a situation and it creates problems for young people who already feel unsupported and alienated from society. Doctors surgeries and dentists are at overflow with people unable to find a local NHS dentist. You cannot build anymore houses without working out how to solve these problems.	Developer contributions or S106 agreements are formal commitments entered into by the developer to mitigate the impacts of proposed new development. The draft SPD provides guidance on the type and extent of developer contributions that the Council will seek to secure from development.
Mrs Rachel Purchase	High Peak Green Network Group	No comment		N/A
Ms Gemma Roe		No comment		N/A
Claire Moore	Project Officer Adult Social Care & Health	No comment		N/A
	Barratt Developments Plc	No comment		N/A
Ms Jane			Don't even get me started on the congested roads!	Comments noted.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Kime				

Question 2j - Education

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Sara Scott-Rivers		Agree		Support noted.
	Derbyshire County Council (Economy, Transport and Environment)	Agree	The reference to the Developer Contributions Protocol is welcomed and will enable the SPD to remain up to date as indexation is applied to the sums on an annual basis, and the DCP is reviewed every 3 years or earlier should there be a change in legislation.	Support noted.
Mr Nicholas Parsons		Agree		Support noted.
Emery Planning on behalf of client	Barratt Developments Plc	Disagree	(Summary) Noted that the SPD will not set out the County Council's Education infrastructure contributions policy but instead applicants will be sign-posted where to refer to this separately. Object to the DCC Protocol's approach to education contributions and the assessment of the normal school area which is contrary to existing HPBC guidance which refers to an assessment of all local schools. It has been found in previous applications that there is significant space capacity in surrounding local schools where there is a more limited capacity in the normal area school. Assessing the capacity of the normal area school without due consideration as to how many pupils are admitted from outside of the normal area does not provide a complete picture of need. Planning appeals are provided as examples. Not aware of any appeal decisions which support DCC's method of only assessing the normal school area in isolation, without any due regard for the wider local area. There is no legal requirement for primary schools to take pupils from their normal area irrespective of capacity and this is made clear in DCC's own admissions rules. These	Derbyshire County Council (DCC) is the Local Education Authority (LEA) and has the statutory duty for the provision of education. The DCC Protocol sets out the County Council's education infrastructure contributions policy. The draft SPD will supersede the previous Planning Obligations SPD 2005 and refer directly to the DCC Protocol which will remove any ambiguity regarding assessments of local schools.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			points were set out in the Planning Statement for planning application HPK/2016/0648 (Land North of Dinting Road). Following the response from DCC regarding a contribution towards the provision of 7 primary places at the relevant normal school, HPBC agreed that the DCC Protocol approach was not justified and planning obligations for education were not sought. The SPD should not rely solely upon the DCC Protocol as this has been overturned by both the Council and planning inspectors in previous decisions. We have concerns in relation to how contributions are calculated under the Protocol. The costs per pupil place have increased significantly. We do not consider that the updated figures are justified and they appear to be much higher than the figures being applied in other local authority areas. It is also not clear how this sits with the viability work which underpins the adopted Local Plan.	
Ms Gemma Roe		General comment	The NPPF notes the importance of having a sufficient choice of school places available to meet the needs of existing and new communities. Paragraph 95 states that local planning authorities should: a) Give great weight to the need to create , expand or alter schools through the preparation of plans and decisions on applications; and b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted. Land in the Local Plan must be allocated for the creation of Free Schools for independent Trusts and Charities who wish to create an alternative model to support the residents of new developments.	The Borough Council works with Derbyshire County Council (DCC) to plan for new school places. The DCC Protocol sets out the County Council's education infrastructure contributions policy. The SPD cannot allocate sites for development including Free Schools.
Mrs Jean Ball		No comment		N/A
Claire Moore	Project Officer Adult Social Care & Health	No comment		N/A
Wendy Bannerman	The British Horse Society	No comment		N/A
Ms Halina Pruchnicki		No comment		N/A

Question 3 – Other Areas

Consultee Name	Organisation	Consultee Comments	Council Response
Emery Planning on behalf of client	Barratt Developments Plc	(summary) Barratt Homes welcome the preparation of the SPD to provide clarity on how planning obligations will be sought and how contributions will be utilised. However, - Would like further clarification as to why many of the matters are not being dealt with through CIL Regulations. - Not possible to comment on many of the matters addressed within the Issues and Options paper until further details of costs and options are brought forward. - Wish to be consulted throughout the drafting of the SPD when issues surrounding the lack of clarity and connections to the policy basis have been clarified.	Comments noted. CIL might be replaced by a new single infrastructure levy proposed as part of national planning reforms. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place.
	NHS Derby & Derbyshire CCG	I'm pleased to see that the SPD recognises the health estate as a critical priority, however, the CCG isn't routinely consulted on planning applications, the majority of LPAs write to us with a weekly list of planning applications and will notify us individually for major housing applications, we will consider all applications but routinely request a contribution for development of 50 dwellings or more. We would appreciate proactive consultation from High Peak and have a system in place to ensure we respond. We would also appreciate being consulted on S106 agreements terms before they are signed off, although we can certainly include something around this in our requests also if that would be helpful, for example, S106 agreements which offer land to build a GP practice create an expectation from homeowners that there will be a GP practice on a development, even where there's the option for an alternative capital payment, we would appreciate S106 agreements that are for capital payments only unless this has been agreed with us in advance.	The CCG will be consulted on all major residential planning applications. This will enable engagement within the CCG regarding S106 agreements going forward.
	Historic England	Many thanks for consulting Historic England on the above consultation. We have limited comments to raise on this consultation and we look forward to working with the Council as they develop their Local Plan documents. We would request the inclusion of heritage as a form of infrastructure that could benefit from planning obligations, including but not exhaustive to, opportunities to better reveal the significance of heritage assets through public realm works, public art and interpretation, improved walking and	Comments noted. The draft SPD provides guidance on Heritage contributions which may be sought.

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		cycleways which create better access and appreciation of heritage, improvement works in conservation areas, heritage at risk works etc. This could link to your Local Plan Spatial Objective 2 which seeks enhancement opportunities for the historic environment and Local Plan Policy EQ7 Built and Historic Environment. We are happy to liaise with you to discuss appropriate wording. If you have any questions on how Historic England can engage in the preparation of local plan documents, please contact us.	
Glossopdale Action for Allotments		On behalf of Glossopdale Action for Allotments (GAFA) I would like to remind HPBC that more land needs to be considered for Allotment gardening in the Glossopdale area. Glossopdale was leased land from HPBC for approximately 125 new half plot sized allotments in 2016 which are now all full and thriving. With a growing number of housing developments bringing an increasing population to the area, the demand for allotments has increased. We currently have 84 people on the waiting list for GAFA managed plots and many more on the other allotments sites. Allotments contribute towards individuals health and well-being, reduce food transport miles, the reduction in pesticide use and contribute towards environmental diversity. Please consider allocating more land to allotments in our area.	Comments noted. The draft SPD sets out the Council's approach to securing allotments in the section on Open Space, Sport and Recreation.
Melanie Lindsley	The Coal Authority	Our records indicate that within the High Peak area there are recorded coal mining features present at surface and shallow depth including; mine entries, shallow coal workings and reported surface hazards. These features pose a potential risk to surface stability and public safety. The Coal Authority's records also indicate that surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource. It is noted that this current consultation relates to a Developer Contributions SPD (Issues and Options) and I can confirm that the Planning team at the Coal Authority have no specific comments to make on this document.	Comments noted.
Wendy	The British Horse	Resources to manage a well-used and growing off-road network are needed.	Comments noted. The draft SPD includes a

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Bannerman	Society	The Rights of Way and Definitive Map services within Derbyshire are limited which could lead to delays in maintenance, enforcement and determination of routes and off-road provision which is not recorded on the Definitive Map such as greenways and multi-user routes will require resources additionally.	section on sustainable travel. Derbyshire County Council are the responsible authority for highways.
Ms Gemma Roe		Sustainability and Transition to a Net Zero . A percentage of Future Housing and School development sites need to be safeguarded and allocated as purely off-grid and Net Zero to further support the activities of future generations. Development sites must be identified to ensure a reasonable ratio of Net Zero developments. Sites which otherwise would be swallowed up by unsustainable development. Several sites must be ringfenced for the purpose of Net Zero and Land Trust initiatives only thereby protecting and ensuring the success of such developments from the outset.	Comments noted. The draft SPD provides further guidance on Local Plan policies but cannot introduce new policies or allocate sites.
Ms Joan Rutherford	High Peak Access Group	Thank you for including High Peak Access in this consultation. There are policies in the Adopted High Peak Local Plan and the High Peak Design Guide that should assist in the creation of a more inclusive environment for everyone, including for disabled people. High Peak Access has had no experience of developer contributions. As long as the inclusive design requirements in the Local Plan and Design Guide are promoted and met, High Peak Access can think of no circumstances that would require SPD for developer contributions towards improving disabled access. However, we notice that the Residential Design SPD (adopted in 2005) has been overtaken by events. This SPD requires (Chapter 8: Living Places: Accessible Places to live) that all new housing should be to Building Regulation M4(1) 'visitable' standard, which is the national minimum. At the Local Plan Public Inquiry High Peak Access successfully advocated for the Local Plan (approved 2016) to include the more generous standard of M4(2) 'accessible / adaptable' for new housing. This policy is included in the Adopted High Peak Local plan as H3 e) Supporting dwellings designed to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. High Peak Access would be extremely grateful if you would amend the Residential Design SPD at the earliest opportunity so that	Comments noted. Policy H3 of the adopted 2016 Local Plan includes the Optional Requirement M4(2) of Part M of the building Regulations which supersedes this element of the 2005 Residential Design Guide SPD.

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		there is no confusion as to the standard required for new housing.	
Simon Jones	National Highways	<p>(Summary) National Highways control a limited amount of the network under the control of the Sec of State for Transport within the High Peak boundary. The extent of the strategic road network (SRN) within the boundary of the National Park consists of approximately 21.5km of the A628 and A616 between Tintwistle and Langsett.</p> <ul style="list-style-type: none"> • In terms of committed schemes on the SRN - the Road Investment Strategy (RIS) 2, does not include any committed capacity enhancement schemes within the National Park boundary. However, there are current maintenance and technology schemes within the National Park, as well as a capacity enhancement scheme outside of the National Park boundary. • Since October 2020, new technology infrastructure has been installed along the A628 and A616 to allow for future variable message signs to be installed, improving journey time reliability and providing drivers with real time information. • We are undertaking an ongoing maintenance and improvement programme worth £5m on the A628. Improvements include resurfacing, drainage, retaining wall repairs and electrical work. The purpose of the maintenance and technology schemes on the A628 discussed here are not to facilitate future development through increased capacity but to address existing issues and constraints, and maintain the continued safe operation of the SRN. • In review and development of all Local Plans, the Department for Transport Circular 02/2013: The strategic road network and the delivery of sustainable development should be considered. • Planning for the future Planning Practice Guidance National Highways is keen to engage in the Local Plan process to reduce the potential for creating congestion on the SRN and to help deliver sustainable growth. This will include assessing the cumulative and individual impacts of the Local Plan proposals. We will work with you and other stakeholders to ensure that a robust transport evidence base for the Plan can be developed by third parties, and any such assessments on the SRN should be carried out in discussion with us. The assessment should include the 	Comments noted. The Council will continue to consult with National Highways regarding evidence base documents and planning policy documents including the Local Plan.

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		<p>identification of any mitigation necessary.</p> <ul style="list-style-type: none"> Any capacity enhancements and infrastructure required to deliver strategic growth should be identified at the Local Plan stage and should not normally be considered as new proposals at the planning application stage. 	
Mr Jack Robinson	Severn Trent Water	<p>(summary) Thank you for the opportunity to comment on your consultation, we do not currently have any specific comments to make on your plan. Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice. (Summary) A position statement states that where more detail is provided on site allocations Severn Trent will provide specific comments. Some general guidelines and relevant policy wording is provided for the following: Wastewater Strategy Surface Water Sustainable Drainage Systems (SuDS) Blue Green Infrastructure Water Quality and Resources Water Quality; and Developer Enquiries</p>	Comments noted. The draft SPD will be subject to consultation.
Rebecca Wyllie	North West Canal & River Trust	<p>(Summary) The Canal and River Trust (the Trust) own and manage Peak Forest Canal, Toddbrook Reservoir and Combs Reservoir, which includes Whaley Bridge Canal Basin and Bugsworth Basin. The Trust recognises and values the important role of planning policy and SPDs in protecting its network of inland waterways and reservoirs from inappropriate development, but also in unlocking the potential of inland waterways to bring multiple benefits to local communities. Our multifunctional infrastructure has the potential to deliver a wide range of benefits including:</p> <ul style="list-style-type: none"> Access to open space for recreational opportunities, and health/well-being benefits; Opportunities to create/maintain ecological habitats & green corridors to support biodiversity; Infrastructure performing multiple functions e.g. land drainage, utilities infrastructure, and a water resource; and Supporting climate change, carbon reduction and environmental sustainability e.g. Alternative travel routes (walking, cycling) and urban cooling. <p>The Trust therefore broadly encourages policies which seek to: protect the environmental and recreational value of waterways and to safeguard them</p>	Comments noted. The draft SPD includes sections on biodiversity, green infrastructure and informal recreation and that developer contributions may be secured where new development impacts on canal infrastructure. The draft SPD will be subject to consultation.

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		<p>against inappropriate development; support their ability to deliver economic, social and environmental benefits to local communities and the nation as a whole; and secure the long-term sustainability of the inland waterway network, their corridors and adjoining communities.</p> <p>The Trust recognise the value of the Infrastructure Delivery Plan (IDP) as an evolving document and evidence base to inform infrastructure requirements and would be happy to provide information with regard to the access and condition of any relevant waterway network to support the formulation of this document.</p> <p>Welcome an updated SPD that will enable contributions to be sought to support access to and maintenance of the quality of our inland waterways, and protect and enhance our green infrastructure and ecological networks, when impacted by development, to contribute to the health and well-being of communities through benefits such as biodiversity, conservation, and recreation opportunities. We would like to be kept informed of the progress of this document and be included on future consultations for this SPD as the document evolves.</p>	
Mr Nicholas Parsons		The Government's PPG on Planning Obligations dedicates a number of paragraphs to guidance on monitoring and reporting of developer contributions (paragraphs 029 thru 037). Could the Council please give these matters further consideration as they do not seem to have been adequately covered in the current SPD issues and options paper?	Comment noted. The draft SPD sets out the Council's approach to monitoring S106 contributions.
Environment Agency	Environment Agency	We note that the document highlights the opportunity to provide contributions for flood risk infrastructure as well as potentially supporting the opportunities around providing biodiversity net gain (BNG). Whilst the document is talking generally about the types of infrastructure that might benefit from developer contributions in the future we wish to highlight the following projects and opportunities for your information that may benefit from developer contributions in the future. Buxton - We have an Natural Flood Management (NFM) project on the Hogshaw Brook above the Lightwood road area of Buxton working with catchment partners. There is also work going on looking at restoration on Coombs Moss and moors to the west of Buxton to reduce flood risk in the town and provide multiple benefits. Significant investment is required and there is substantial	Comments noted. The draft SPD sets out the Council's approach to biodiversity and green infrastructure. It states that the Council will continue to work with key stakeholders to strengthen ecological networks and corridors of biodiversity value. New evidence such as the Local Nature Recovery Strategy and the Council's emerging Biodiversity Strategy will also inform biodiversity net gain.

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		<p>opportunity for BNG in the form of Moorland restoration. We hold NFM opportunity mapping and peatland gully blocking opportunity mapping for this area which could be used to target areas of NFM and BNG. A review is required of the condition of the culverts through Buxton to understand whether investment in this infrastructure will be required. Proposals of what this would entail and the costs are yet to be worked up. Costs for peatland restoration and NFM above Buxton have been worked up in more detail and can be provided on request. Wider catchment - There are opportunities for NFM and peatland restoration across the wider catchment and within the High Peak & PDNPA area. These include tree planting in the River Noe catchment and peatland restoration upstream of Ladybower.</p>	
A Tickle	CPRE (Peak District and South Yorkshire)	<p>We strongly support your intention to have a detailed SPD on Developer Contributions and to update your approach to obligations.</p>	Support noted
	Natural England	<p>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment. Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again. Strategic Environmental Assessment/Habitats Regulations Assessment A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	<p>Comments noted. The Council has undertaken a SEA screening assessment which concludes that significant effects on the environment are unlikely to occur and therefore further assessment is not required. The Council has also undertaken an HRA screening assessment which concludes that the draft SPD is not likely to have a significant effect on any European site either alone or in combination and therefore no further assessment work is required. Natural England as one of the SEA bodies has been consulted and agrees with the Council's assessments.</p>
	Peak District National Park Authority	<p>Thank you for consulting the PDNPA regarding the above SPD. I am emailing to confirm we have no comments to make.</p>	Comments noted.

