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Introduction

Introduction

1.1 This Statement has been prepared in accordance with Regulation 12 of the Town and Country Planning (Local development) (England) Regulations 2012 in relation to the Developer Contributions Supplementary Planning Document (SPD). Accordingly it details:

1.2 (i) the persons the local planning authority consulted when preparing the supplementary planning document;

1.3 (ii) a summary of the main issues raised by those persons; and

1.4 (iii) how those issues have been addressed in the supplementary planning document

1.5 The Planning and Compulsory Purchase Act 2004 sets out the requirements for preparing SPDs as part of the planning process. SPDs should build upon and provide more detailed advice or guidance on the policies in the Local Plan. The purpose of the Developer Contributions SPD is to set out the Council's approach to seeking Section 106 planning obligations. The adopted Local Plan sets the planning framework with the Developer Contributions SPD providing a further level of detail to guide development proposals.

1.6 Policy CF7 in the adopted High Peak Local Plan identifies the need for a Developer Contributions SPD to provide guidance for affordable housing, open space, education, health and other forms of infrastructure required to address the impact of development and how contributions will be calculated. The SPD will provide the Council with a stronger basis to seek developer contributions and will provide officers, councillors and developers with clear guidance. The SPD will be a material consideration in the determination of planning applications alongside the Local plan and other planning policies.

Consultation process and consultees

1.7 Consultation on the SPD has been undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the High Peak Statement of Community Involvement. This consisted of two consultation stages:

- Issues and Options
- Draft SPD.

Issues and Options Stage

2.1 Published in February 2022 the Issues and Options document followed stakeholder engagement which was carried out with key service areas across the Council and the County Council to gain a more detailed understanding of current processes, key issues and potential opportunities that could be addressed through the SPD.

2.2 The Issues and Options document identified key planning obligations that could be sought to mitigate against the impacts of development and set out a number of options for consideration and inclusion within the SPD, including the recommended approach to be taken where relevant. Where appropriate, a preferred option was also given based on stakeholder engagement/senior officer discussions and desktop research to inform the draft SPD document.

2.3 Consultation was undertaken between 24th February and 7th April 2022 in line with the Council's Statement of Community Interest (SCI) in order to give those with an interest in this specialist area an opportunity to respond to the issues and options identified. Notifications of the consultation were sent by email or letter to relevant contacts on the Council's planning policy consultee database. This included all relevant statutory consultees, local stakeholder organisations, residents and businesses. See Appendix 1 for details. Further publicity in the form of a press release and news on the Council's website was also published to raise awareness of the consultation.

2.4 Twenty-one responses were received to the issues and options consultation which included statutory consultees, developers and members of the public. Some comments were submitted by email or letter and other respondents utilised the questionnaire which was designed for the consultation. A summary of the responses received and how these were taken into account in the draft SPD can be seen in Appendix 2.

Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA)

2.5 Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening statements were undertaken following the Issues and Options stage. The Council consulted with Natural England, the Environment Agency and Historic England who all agreed with the Council's conclusions that:

- An SEA will not be necessary to support the SPD as it is unlikely to lead to any significant environmental effects beyond those already assessed through the environmental assessments (SEA/SA) of the High Peak Local Plan.
- An HRA will not be necessary as the SPD would not result in adverse effects on European designated sites, both alone and in combination with other plans.

Draft Supplementary Planning Document

3.1 The draft Developer Contributions SPD was subject to a six week consultation from January 19th to March 3rd 2023. Individuals and organisations were invited to comment on the SPD and its supporting documents (see Appendix 3).

3.2 The consultation was publicised in a number of ways in accordance with the Council's Statement of Community Involvement:

- Letters and emails with details of the consultation were sent to individuals and organisations who had previously expressed an interest in being involved with the preparation of planning policy documents and those organisations the Council has a duty to consult.
- The availability to view and download the document from the Council's website.
- Hard copies were placed in Borough libraries and Council offices.
- The consultation was promoted via the Council's website, Facebook page and Twitter account.
- There was a press release with details of the consultation.

3.3 Consultees were able to view the document and make comments online or via email. There is free internet access at Council offices and local libraries. Where consultees did not wish to respond to the consultation online a paper response form was available which could be completed and returned by email or post. The response form did not ask specific questions but asked for comments on the document.

3.4 The Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening statements were also included as part of the consultation as supporting documents. A summary of responses to the Issues and Options consultation and how these had been taken into account by the Council was also provided.

3.5 A total of 73 comments were submitted in relation to the SPD (4 from members of the public, 10 from organisations which included a late representation from Network Rail. The main issues raised and changes include:

- Additional clarification relating to the repayment of contributions if these are not spent within the specified timescales.
- Additional eligibility criteria for First Homes which would require a local connection for the first three months of sale.
- Additional clarification in relation to Vacant Building Credit to include a definition and worked example.
- Additional clarification of on site and off site open space provision including that 2023 costs are subject to indexation.
- Reference to the need to update the 2018 Playing Pitch Strategy.
- Additional references to greenways, public transport and sustainable transport modes.
- Reference to the consideration of increased footfall and need for car parking at railway stations.
- Additional reference to include opportunities to benefit the historic environment.
- Several minor miscellaneous amendments requested for clarification purposes.

3.6 No further comments were submitted regarding the SEA or HRA Screening report from either Natural England, Historic England or the Environment Agency or any other organisation. As such it is considered that a SEA or HRA is not required for the SPD.

Draft Supplementary Planning Document



3.7 The consultation comments and the Councils response which includes a number of modifications to the SPD are included in Appendix 4.

3.8 Once adopted, the SPD, the final Consultation Statement and an 'adoption statement' will be published. Interested parties will be notified. Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision within 3 months of the date of adoption.

3.9 The SPD will become a material consideration in the determination of relevant planning applications.

Addendum

4.1 At a meeting of the Council's Executive committee on the 22nd June 2023 it was agreed that Councillors could provide further proposed changes to the document, in consultation with the Planning portfolio holder and the Head of Development Services. The proposed changes related to minor points of clarification which were largely in relation to biodiversity net gain and the climate change sections. The comments were reviewed and changes incorporated into the SPD as proposed for adoption. All the comments received and responses to them are included within Appendix 5 .

Appendix 1 - Issues and Options Stage Consultees



List of Consultees

5.1 Organisations

108 Ventures	Homes England
A.E Planning Consultants	Hope with Aston Parish Council
Accessible Derbyshire	Hornbuckle Mitchell Trustees Ltd
All Things Neighbourhood Planning	Hourigan Connolly
Amos Group Ltd	HOW Planning
Ancient Monuments Society	Ian Baseley Associates
Arcus Renewable Energy Consulting Limited	Indigo Planning
Ashbourne Community Transport	Jones Homes
Auto Cycle Union	Jones Homes (North West) Limited
Barnsley Metropolitan Borough Council	JVH Town Planning Consultants Ltd
Barratt Developments Plc	Ken Wainman Associates
Barton Willmore	Kettleshulme Parish Council
Bellway	King Sterndale Parish Meeting
Beresford Contracting Limited	Kirklees Metropolitan Council
BNP Paribas Real Estate	Kirkwells Town Planning & Sustainable Development Consultants
BNP Paribas Real Estate UK	Knights LLP
British Horse Society (East Midlands)	Knights plc
British Telecom	Lambert Smith Hampton
Building Research Establishment	Level Ltd
Buxton Civic Association	M C Beattie Property Limited
Buxton Community School	M C Northern Limited
Buxton Cyclists	Manchester Airports Group
Buxton Festival	Manchester City Council
Buxton Neighbourhood Forum	Marine Management Organisation
Buxton Opera House	Middlemarch Environmental Ltd
Buxton Town Team	Miller Homes
Campaign to Protect Rural England	Mono Consultants
Canal & River Trust	Mono Consultants Limited
Cass Associates Llp	Mosaic Planning
Castleton Parish Council	MS & HM Eckert Limited
Caulmert Ltd	National Farmers Union

Appendix 1 - Issues and Options Stage Consultees

Chapel-en-le-Frith High School	National Federation of Gypsy Liaison Groups
Chapel-en-le-Frith Parish Council	National Grid Gas - Distribution Network
Charlesworth Parish Council	National Trust
Chelmorton Parish Council	Natural England
Cheshire East Council	Nestle Waters
Chinley Buxworth & Brownside Parish Council	Network Rail
Chisworth Parish Council	New Mills School Business & Enterprise College
Churches in the Peak	New Mills Town Council
Civil Aviation Authority	NHS Derby and Derbyshire Clinical Commissioning Group
CJK Packaging Ltd	NHS England
Connex Community Support	NHS Property Services Ltd
Council for British Archaeology	nineteen47
County Land & Business Association	NJL Consulting
Crossroads Derbyshire	North West Ambulance Service NHS Trust
Crowley Associates	Nottingham Community Housing Association
D2N2 Local Enterprise Partnership	OFCOM
Department for Culture, Media and Sport DCMS	Office of Rail and Road
Department for Transport	Old Glossop Residents Association
Derby & Derbyshire CCG	Oldham Metropolitan Borough Council
Derby University	Omya UK Limited
Derbyshire Advocacy Service	Otter Controls Ltd
Derbyshire Association of Local Councils	Paper Escape
Derbyshire Coalition for Independent Living	Paul Butler Associates
Derbyshire Community Health Services	Peacock and Smith
Derbyshire Constabulary	Peak District Local Nature Partnership
Derbyshire County Council	Peak Forest Parish Council
Derbyshire Dales District Council	Persimmon Homes Yorkshire
Derbyshire Fire and Rescue Service	Plan:8 Town Planning Ltd
Derbyshire Gypsy Liaison Group	Planning and Design Group
Derbyshire Swift Conservation Project	Planning Design Practice Ltd
Derbyshire Wildlife Trust	Planware Ltd
Derbyshire Youth Offenders Team	Ramblers Association
Derbyshire NFU	Rapleys LLP
Derwent & Hope Woodlands Parish Council	Redrow Homes

Appendix 1 - Issues and Options Stage Consultees



Disley Parish Council	Renewable UK
DLP Planning Ltd (East Midlands)	Roger Yarwood Planning Consultant Ltd
DPDS Consulting Group	Royal Society for the Protection of Birds
DPP	S L R Consulting Ltd
East Midlands Chambers of Commerce	save roughfields
East Staffordshire Borough Council	Savills
Edale Parish Council	Severn Trent Water
EE	Sheffield City Council
ehBReeves	South Area Tenants Consumer Panel
Electricity North West	South Derbyshire District Council
Emery Planning	Sport England
Emery Planning Partnership	SSA Planning
Entec UK Ltd	St Thomas More Catholic School
Environment Agency	Staffordshire Moorlands District Council
EP Emery Planning Partnership	Stewart Ross Associates
Equality and Human Rights Commission	Stockport M.B.C.
Fairfield Residents Association	Stockport Metropolitan Borough Council
Fairhurst	Tameside and Glossop Clinical Commissioning Group
Farming and Wildlife Advisory Group	Tameside MBC
Fidler Taylor	Tameside Metropolitan Borough Council
Frank Marshall	Taylor Wimpey UK Ltd
Friends of Peak District	Tetlow King Planning
Friends of the Earth	The Church of England
Friends of the Peak District (CPRE)	The Coal Authority
GL Hearn Property Consultants	The Gardens Trust
Gladman	The Planning Inspectorate
Glossop Indoor Market Traders	The Theatres Trust
Glossop Mountain Rescue Team	The Woodland Trust
Good Reit Ltd	Three
Great Places Housing Group	Tintwistle Parish Council
Greater Manchester Combined Authority	Transition Buxton
Harpur Hill Residents Association	Transport for Greater Manchester
Harris Lamb Chartered Surveyors	Turley Associates
Hartington and Upper Quarter Parish Council	United Utilities

Appendix 1 - Issues and Options Stage Consultees

Hartington Middle Quarter Parish Council	United Utilities Water PLC
Hayfield Parish Council	Vision Buxton
Health & Safety Executive	Visit New Mills
Heathcote Design and Development	Vodafone and O2
High Peak Access Group	W A Fairhurst & Partners
High Peak Borough Council	Waltons
High Peak CVS	Waltons Property Services Ltd
High Peak Health Forum	Whaley Bridge Matters
High Peak Partnership	Whaley Bridge Residents Association
High Peak Rail Users Group	Whaley Bridge Town Council
Highways England	Wildgoose Construction
Himor Group	Wood land Trust
Historic England	Wood Plc
Home Builders Federation	Wormhill Parish Council

Appendix 2 - Issues and Options Stage Responses



Summary of responses to Developer Contributions SPD - Issues and Options Consultation. General approach to developer contributions. Question 1a – Approach to Trigger Points

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Roe		No comment		N/A
Ms Bannerman	The British Horse Society	No comment		N/A
Ms Pruchnicki		No comment		N/A
Mrs 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 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 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.
Ms 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.
Mrs Ball		Disagree		Noted.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
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.	<p>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:</p> <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 Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted.
Mr Parsons	Derbyshire County Council (Economy, Transport and Environment)	Agree		Support noted.
		Agree		Support noted.

Question 1b – Approach to Indexation

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Scott-Rivers		Agree		Support noted.
Mrs Wylie	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.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Ms 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 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 Purchase	High Peak Green Network Group	General Comment	Seems sensible	Comment noted.
Ms Kime		General Comment		N/A
Mr 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.
Ms 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 Roe		No comment		N/A



Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Bannerman		No comment		N/A
Ms Pruchnicki		No comment		N/A

Question 1c – Approach to Prioritisation

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Bannerman	The British Horse Society	No comment		N/A
Ms Pruchnicki		No comment		N/A
Mrs Purchase	High Peak Green Network Group	Option 1 - at the Council's discretion based on priorities in the Local Plan, Corporate Plan and other supporting strategies	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 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	Comments noted. 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 such as the Council's own emerging Biodiversity Strategy as well as the Local Nature Recovery Strategy for Derbyshire.

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
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	<p>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.</p> <p>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.</p>	<p>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.</p>
Ms Moore	Derbyshire County Council (Adult Social Care & Health)	Option 1 - at the Council's discretion based on priorities in the Local Plan, Corporate Plan and other supporting strategies	<p>Option 1 provides flexibility, allowing consideration of the Council's priorities depending on circumstances. Derbyshire County Council Adult Social Care strategies for accommodation and support would be other supporting strategies.</p>	<p>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.</p>
	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	<p>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.</p>	<p>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.</p>
Mr Parsons		Option 1 - at the Council's discretion based	<p>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</p>	<p>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</p>

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
		on priorities in the Local Plan, Corporate Plan and other supporting strategies	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 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.	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.
Mrs 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 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 Roe		Option 3 - ranking scale for projects and types; plus Sub-option (add on to any of the		Comments noted.

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
		Options above) based on the value of contribution and effectiveness		
Mrs Wylie	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.
Ms 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 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	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

Appendix 2 - Issues and Options Stage Responses

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

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			<p>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.</p>	
Mrs 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.
Ms 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 Purchase	High Peak Green Network Group	No comment		N/A
Ms Roe		No comment		N/A
Ms Bannerman	The British Horse Society	No comment		N/A
Ms 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.

Appendix 2 - Issues and Options Stage Responses

Question 1e – Approach to Monitoring

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Ball		Agree		Support noted
Mrs Scott-Rivers		Agree		Support noted
Mrs Purchase	High Peak Green Network Group	Agree	Entirely appropriate for developers to bear the full costs of monitoring.	Support noted
Ms Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
Mr 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 Roe		No comment		N/A

Appendix 2 - Issues and Options Stage Responses



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

Appendix 2 - Issues and Options Stage Responses

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
Ms Bannerman	The British Horse Society	No comment		N/A
Mr 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.
Mrs 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 Roe		Option 2 - residual value based		N/A
Ms 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 Scott-Rivers		Other option - please specify	requires more input from the housing department, as mentioned in 3.5	Comments noted.
Mrs 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.

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
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.
Ms 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.

Appendix 2 - Issues and Options Stage Responses

Question 2b – Approach to vacant building credit

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Ball		Agree		Support noted
Mrs Scott-Rivers		Agree		Support noted
Ms Roe		Agree		Support noted
Ms Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
Mr Parsons		Agree		Support noted
Mrs 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 Pruchnicki		General Comment	Vacant building must be used wherever possible.	Comments noted.

Appendix 2 - Issues and Options Stage Responses



Question 2c – Approach to Open Space

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Ball		Agree		N/A
Mrs Scott-Rivers		Agree	Green space (open to everyone) for exercise and recreation is absolutely vital. Footpaths across private land are not enough.	Comments noted.
Ms 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 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 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.	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.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ms Cattle	Sport England	General Comment	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 referred to in the document is no longer in use). Agree that maintenance should be covered and the latest Calculator takes this into account.	Comments noted. The SPD sets out the Council's approach to developer contributions for open space, outdoor sports provision and indoor sports provision.
Mrs Wyllie	North West Canal & River Trust	General Comment	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 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.	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.
	Derbyshire County Council (Economy, Transport and Environment)	General Comment	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	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.

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
			<p>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 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</p>	
Ms Bannerman	The British Horse Society	General Comment	<p>(summary) The British Horse Society is the UK's largest equestrian charity, with over 117,000 members representing the UK's 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.</p> <p>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.</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>
Ms Roe		No comment		N/A
Mr Parsons		No comment		N/A
Ms Pruchnicki		No comment		N/A
Ms Kime			<p>Planning applications are continuing on green space!</p>	<p>The Issues and Options document is a technical paper regarding developer contributions. Comment does not directly relate to the Issues and Options consultation.</p>

Appendix 2 - Issues and Options Stage Responses

Question 2d - Biodiversity

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Ball		Agree		Support noted
Mrs 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 Roe		Agree		Support noted
Ms 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 Parsons		Agree		Support noted
Mrs Purchase	High Peak Green Network Group	General Comment	(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	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.

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Wyllie	North West Canal & River Trust		<p>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>	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	<p>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 EQ 5 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.</p> <p>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.</p>	Comments noted.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
	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 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.	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.
Ms Bannerman	The British Horse Society	General Comment	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.	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.
Ms Pruchnicki		General Comment	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.	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.
Ms 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.

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Question 2e – Climate Change

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Ball		Agree		Support noted.
Mrs 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 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.
Ms Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		N/A
Ms 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 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.	Comments noted. The draft SPD cannot propose development sites, however the Council does keep a self-build register which is kept under review.
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	Comments noted. The draft SPD provides guidance on the type of developer contributions the Council may seek relating to climate change.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
			<p>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.</p>	
	<p>Derbyshire County Council (Economy, Transport and Environment) Derbyshire County Council</p>	<p>General Comment</p>	<p>(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.</p> <p>Mitigation for air quality issues is welcomed however this should be 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</p>	<p>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.</p>

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
			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.	
Ms Bannerman	The British Horse Society	General Comment	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.	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
Ms 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 Parsons		No comment		N/A
Ms 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.

Appendix 2 - Issues and Options Stage Responses

Question 2f – Retail and Town Centres

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Ball		Agree	All retail or office uses in, or very close to the town centre with access to facilities.	Support noted
Mrs Scott-Rivers		Agree		Support noted
Ms Moore	Derbyshire County Council (Adult Social Care & Health)	Agree		Support noted
Mr Parsons		Agree		Support noted
Mrs Purchase	High Peak Green Network Group	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 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.	The draft SPD provides detail relating to policies in the Local Plan. Policy CF 1 of the Local Plan also notes that developer contributions may be sought to mitigate identified impacts of town centre uses of 200 sqm or more outside of defined centres.
Ms Roe		No comment		N/A
Emery Planning on behalf of client	Barratt Developments Plc	No comment		N/A
Ms Bannerman	The British Horse Society	No comment		N/A
Ms 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.

Appendix 2 - Issues and Options Stage Responses



Question 2g – Health

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Ball		Agree		N/A
Mrs Scott-Rivers		Agree		N/A
Ms 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 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).	Comments noted. The draft SPD refers to community meeting spaces and access points as part of health infrastructure.
Ms 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.
Ms 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.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Ms 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 Purchase	High Peak Green Network Group	No comment		N/A
	Economy, Transport and Environment Derbyshire County Council	No comment		N/A
Mr Parsons		No comment		N/A
Ms 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.

Appendix 2 - Issues and Options Stage Responses



Question 2h - Training

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Ball		Agree		N/A
Mrs Scott-Rivers		Agree		N/A
Ms Moore	Project Officer Adult Social Care & Health	Agree		N/A
Ms 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 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.	Comments noted. The draft SPD sets out details in the section on Training and Employment. The SPD cannot allocate sites for development.
	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.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Ms 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 Purchase	High Peak Green Network Group	No comment		N/A
	Economy, Transport and Environment Derbyshire County Council	No comment		N/A
Mr Parsons		No comment		N/A
Ms Pruchnicki		No comment		N/A

Appendix 2 - Issues and Options Stage Responses



Question 2i - Highways

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Mrs Ball		Agree		N/A
Mrs Scott-Rivers		Agree		N/A
Mr 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 proposed that a proportionate requirement for maintenance is noted.	Comments noted. Reference to greenways and cycling has been included in the draft SPD.
Ms 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.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Ms 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 Purchase	High Peak Green Network Group	No comment		N/A
Ms Roe		No comment		N/A
Ms Moore	Project Officer Adult Social Care & Health	No comment		N/A
	Barratt Developments Plc	No comment		N/A
Ms Kime			Don't even get me started on the congested roads!	Comments noted.

Appendix 2 - Issues and Options Stage Responses



Question 2j - Education

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs 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 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 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	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.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Agree/Disagree/ Other	Consultee Comments	Council Response
Ms Roe		General comment	<p>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.</p> <p>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.</p>	<p>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.</p>
Mrs Ball		No comment		N/A
Ms Moore	Project Officer Adult Social Care & Health	No comment		N/A
Ms Bannerman	The British Horse Society	No comment		N/A
Ms Pruchnicki		No comment		N/A

Appendix 2 - Issues and Options Stage Responses



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 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.	Comments noted. The draft SPD provides guidance on Heritage contributions which may be sought.
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	Comments noted. The draft SPD sets out the Council's approach to securing allotments in the section on Open Space, Sport and Recreation.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>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.</p>	
Ms Lindsley	The Coal Authority	<p>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.</p>	<p>Comments noted.</p>
Ms Bannerman	The British Horse Society	<p>Resources to manage a well-used and growing off-road network are needed. 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.</p>	<p>Comments noted. The draft SPD includes a section on sustainable travel. Derbyshire County Council are the responsible authority for highways.</p>
Ms Roe		<p>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.</p>	<p>Comments noted. The draft SPD provides further guidance on Local Plan policies but cannot introduce new policies or allocate sites.</p>
Ms Rutherford	High Peak Access Group	<p>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</p>	<p>Comments noted. Policy H3 of the adopted 2016 Local Plan includes the Optional Requirement M4(2) of Part M of the building Regulations which superseded this element of the 2005 Residential Design Guide SPD.</p>

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Consultee Comments	Council Response
Mr Jones	National Highways	<p>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) 'visitabile' 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 there is no confusion as to the standard required for new housing.</p> <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. 	Comments noted. The Council will continue to consult with National Highways regarding evidence base documents and planning policy documents including the Local Plan.

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Consultee Comments	Council Response
Mr Robinson	Severn Trent Water	<p>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.</p> <p>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 identification of any mitigation necessary.</p> <p>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.</p>	Comments noted. The draft SPD will be subject to consultation.
Mrs Wyllie	North West Canal & River Trust	<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> <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; 	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.

Appendix 2 - Issues and Options Stage Responses



Consultee Name	Organisation	Consultee Comments	Council Response
		<ul style="list-style-type: none"> 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 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 Parsons		<p>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?</p>	<p>Comment noted. The draft SPD sets out the Council's approach to monitoring S106 contributions.</p>
Environment Agency	Environment Agency	<p>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 a 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</p>	<p>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.</p>

Appendix 2 - Issues and Options Stage Responses

Consultee Name	Organisation	Consultee Comments	Council Response
A Tickle	CPRE (Peak District and South Yorkshire)	<p>benefits. Significant investment is required and there is substantial 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>	Support noted
	Natural England	<p>We strongly support your intention to have a detailed SPD on Developer Contributions and to update your approach to obligations.</p> <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.

Appendix 3 - Draft SPD Consultees



Organisation	Organisation
108 Ventures	Hope with Aston Parish Council
A.E Planning Consultants	Hourigan Connolly
Accessible Derbyshire	HOW Planning
Adult Social Care & Health	Ian Baseley Associates
All Things Neighbourhood Planning	Indigo Planning
Amos Group Ltd	Innovation Forge Limited and Woodford Land Limited
Ancient Monuments Society	Jones Homes (North West) Limited
Arcus Renewable Energy Consulting Limited	JVH Town Planning Consultants Ltd
Ashbourne Community Transport	Ken Wainman Associates
Auto Cycle Union	Kettleshulme Parish Council
Barnsley Metropolitan Borough Council	King Sterndale Parish Meeting
Barratt Homes	Kirklees Metropolitan Council
Barton Willmore	Kirkwells Town Planning & Sustainable Development Consultants
Bellway	Knights LLP
Beresford Contracting Limited	Knights plc
BNP Paribas Real Estate	Lambert Smith Hampton
British Horse Society (East Midlands)	Level Ltd
British Telecom	M C Beattie Property Limited
Building Research Establishment	M C Northern Limited
Buxton Civic Association	Manchester Airports Group
Buxton Community School	Manchester City Council
Buxton Cyclists	Marine Management Organisation
Buxton Festival	Middlemarch Environmental Ltd
Buxton Neighbourhood Forum	Miller Homes
Buxton Opera House	Mono Consultants Limited
Buxton Town Team	MS & HM Eckert Limited
Campaign to Protect Rural England	National Farmers Union
Canal & River Trust	National Federation of Gypsy Liaison Groups
Cass Associates Llp	National Grid Gas - Distribution Network

Appendix 3 - Draft SPD Consultees

Organisation	Organisation
Castleton Parish Council	National Highways
Caulmert Ltd	National Trust
Chapel-en-le-Frith High School	Natural England
Chapel-en-le-Frith Parish Council	Nestle Waters
Charlesworth Parish Council	Nestle Waters UK
Chelmorton Parish Council	Network Rail
Cheshire East Council	New Mills School Business & Enterprise College
Chinley Buxworth & Brownside Parish Council	New Mills Town Council
Chisworth Parish Council	NHS Derby and Derbyshire Clinical Commissioning Group
Churches in the Peak	NHS Derby and Derbyshire Integrated Care Board
Civil Aviation Authority	NHS England
CJK Packaging Ltd	NHS Property Services Ltd
Connex Community Support	nineteen47
Consultee	NJL Consulting
Council for British Archaeology	North West Ambulance Service NHS Trust
County Land & Business Association	Nottingham Community Housing Association
CPRE Peak District and South Yorkshire	OFCOM
Crossroads Derbyshire	Office of Rail and Road
Crowley Associates	Old Glossop Residents Association
CT Planning	Oldham Metropolitan Borough Council
D2N2 Local Enterprise Partnership	Omya UK Limited
Department for Culture, Media and Sport DCMS	Otter Controls Ltd
Department for Transport	Paper Escape
Derby & Derbyshire Integrated Care Board	Paul Butler Associates
Derby University	Peacock and Smith
Derbyshire Association of Local Councils	Peak District Local Nature Partnership
Derbyshire Community Health Services	Peak District National Park Authority
Derbyshire Constabulary	Peak Forest Parish Council
Derbyshire Constabulary	Persimmon Homes Yorkshire
Derbyshire County Council	Plan:8 Town Planning Ltd

Appendix 3 - Draft SPD Consultees



Organisation	Organisation
Derbyshire Dales District Council	Planning and Design Group
Derbyshire Fire and Rescue Service	Planning Design Practice Ltd
Derbyshire Gypsy Liaison Group	Ramblers Association
Derbyshire Swift Conservation Project	Rapleys LLP
Derbyshire Wildlife Trust	Redrow Homes
Derbyshire Youth Offenders Team	Renewable UK
Derwent & Hope Woodlands Parish Council	Roger Yarwood Planning Consultant Ltd
Disley Parish Council	Royal Society for the Protection of Birds
DLP Planning Ltd (East Midlands)	S L R Consulting Ltd
DPDS Consulting Group	save roughfields
East Midlands Chambers of Commerce	Savills
East Staffordshire Borough Council	Severn Trent Water
Edale Parish Council	Sheffield City Council
EE	South Area Tenants Consumer Panel
ehBReeves	South Derbyshire District Council
Electricity North West	South Pennines Park
Emery Planning	Sport England
Entec UK Ltd	SSA Planning
Environment Agency	St Thomas More Catholic School
EP Emery Planning Partnership	Staffordshire Moorlands District Council
Equality and Human Rights Commission	Stewart Ross Associates
Fairfield Residents Association	Stockport Metropolitan Borough Council
Fidler Taylor	Tameside & Glossop CCG
Friends of the Earth	Tameside MBC
Friends of the Peak District	Taylor Wimpey UK Ltd
Friends of the Peak District (CPRE)	Tetlow King Planning
Gladman	The British Horse Society
Glossop Indoor Market Traders	The Church of England
Glossop Mountain Rescue Team	The Coal Authority
Glossopdale Action for Allotments	The Gardens Trust

Appendix 3 - Draft SPD Consultees

Organisation	Organisation
Good Reit Ltd	The Planning Inspectorate
Great Places Housing Group	The Theatres Trust
Greater Manchester Combined Authority	The Woodland Trust
Harpur Hill Residents Association	Three
Harris Lamb Chartered Surveyors	Tintwistle Parish Council
Hartington and Upper Quarter Parish Council	Transition Buxton
Hartington Middle Quarter Parish Council	Transport for Greater Manchester
Hayfield Parish Council	Turley Associates
Health & Safety Executive	United Utilities
Heathcote Design and Development	United Utilities Property Solutions Ltd
High Peak Access Group	United Utilities Water PLC
High Peak Borough Council	Vision Buxton
High Peak CVS	Visit New Mills
High Peak Green Network Group	Vodafone and O2
High Peak Health Forum	Waltons
High Peak Rail Users Group	Waltons Property Services Ltd
Higham & Co	Western Power Distribution
Highways England	Whaley Bridge Matters
Himor Group	Whaley Bridge Residents Association
Historic England	Whaley Bridge Town Council
Hoffman Quarry Ltd	Wood land Trust
Home Builders Federation	Wood Plc
Homes England	Wormhill Parish Council

Appendix 4 - Draft SPD Responses



Name	Organisation	Section/Paragraph No	Comments	Officer Response
	The Coal Authority	High Peak Draft Developer Contributions Supplementary Planning Document (SPD)	<p>Thank you for your notification received on the 19th January 2023 in respect of the above consultation. The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. 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, surface coal mining and reported surface hazards. These recorded features may 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 Supplementary Planning Document for Developer Contributions. I can confirm that the Planning team at the Coal Authority have no specific comments to make on this consultation document. Please do not hesitate to contact me should you wish to discuss this further.</p>	<p>Comments noted. Recommendation - No change.</p>
Mr Goldsmith	Planning Specialist Environment Agency	High Peak Draft Developer Contributions Supplementary Planning Document (SPD)	<p>Thank you for consulting the Environment Agency on this Developer Contribution supplementary planning document (SPD). I trust the following comments are useful for the authority. Environment Agency comments We are in general agreement with the above mentioned SPD and have no formal comment to make in relation to the content. However our previous comments issued in April 2022 highlighted projects and opportunities we wished to highlight to the authority that may benefit from developer contributions. Our previous responses is detailed below for completeness. 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</p>	<p>Comments noted. Projects and opportunities for BNG are also noted however it is not considered appropriate to include this level of detail in the Developer Contributions SPD. The Council's own Biodiversity Strategy as well as the Local Nature Recovery Strategy for Derbyshire will set out more detail for BNG. Recommendation - No change.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Mr Parsons			<p>information that may benefit from developer contributions in the future. Buxton We have an 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 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>	
Ms Campbell	Wain Hornes North West	High Peak Draft Developer Contributions Supplementary Planning Document (SPD)	<p>I do not wish to make any further comments other than to express my support.</p>	Support noted. Recommendation - No change.
Mr Barton	ROCK	High Peak Draft Developer Contributions Supplementary Planning Document (SPD)	<p>As a general comment, there are some topics that are discussed within the SPD however these would be better covered in separate Supplementary Planning Documents as they are not related to Developer Contributions. These include the following: •Walking, cycling and Public Transport Infrastructure. •Electric Vehicle Charging (although it is noted that this matter is covered by the more stringent Building Regulations that came into force in 2022) •Policy H3.</p> <p>ROCK acknowledges the need for development to make contributions where they are necessary to make the development acceptable, and where they are fairly and reasonably related to the development. Such contributions must of course be viable to ensure that the development remains deliverable. ROCK welcomes that the SPD sets out what is expected by way of contributions and suggests</p>	<p>Comments noted. Where it is considered appropriate guidance has been provided within the SPD. Recommendation - No change.</p> <p>Support noted. Recommendation - No change.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Kime		Local Planning Policy	<p>that the SPD should be updated regularly in order to ensure that the document remains relevant and accurate in terms of the requirements it identifies.</p> <p>Why do you have to have a plan to build on green fields? Once this has gone, it's gone, to be replaced with some sort of building made of concrete. This loses habitats of all sorts of wildlife when numbers of wild life, down to mini beasts, are dwindling. Replacing green spaces with buildings also affects climate change. Something that we've all experienced in the last couple of years. Please be responsible for the world when you are putting your plans in place. We are all care-takers of the world, High Peak no exception, sometimes the little man has to make a stand.</p>	<p>Comments noted. 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 which includes open space, green infrastructure and biodiversity. Recommendation - No change</p>
Mrs Hallam		1.1	<p>Whilst S278 provision exists for road infrastructure, communities mainly hear about S106 payments in planning process consultation for contributions to local amenities. Greater weight and visibility should be given to S278 provision. This could contribute to continued improved provision of local community public transport services, particularly for example at peak travel times where opportunities for improved safety, quality and sustainability of local school journeys and improved multi-user access provision supports improved air quality, health outcomes and environmental improvements.</p>	<p>Comments noted. Section 278 agreements such as provision of junction improvements or traffic calming measures are between the developer or landowner and the highway authority (i.e. Derbyshire County Council) and are out of the scope of this SPD. This is clarified in paragraph 2.4 of the SPD. Recommendation - No change.</p>
Ms Taylorson	Historic England	1.1	<p>Section 1.1 sets out the need for the document to consider the levels and types of contributions that may be required, as a result of new development within the Borough. We are keen to see that the historic environment is also fully considered within this list such as through enhancements to heritage assets, heritage at risk intervention, public realm improvements, green infrastructure that fully considers its role in the historic environment, interpretation and art to better reveal the historic environment etc. There are a wide number of projects that would benefit from inclusion on this list or a broad heading for the historic environment could be included where the historic environment could benefit, as and when appropriate.</p>	<p>Comments noted. Section 1.1. is an introductory paragraph to the SPD which includes broad examples rather than detailed references. It is not considered appropriate to add this level of detail into the text at this point in the document. Paragraph 4.75 provides more detail about the historic environment and where developer contributions will be appropriate. Recommendation - No change.</p>
Mrs Hallam		1.2	<p>I'd like to think all developers and planning bodies would like to invest in the communities in which they are adding development with S106 payments and developer contributions. What are consequences of avoiding the payments?</p>	<p>Developer contributions or S106 agreements are a legal agreement entered into by the developer to mitigate the impacts of proposed new development. The Council monitors S106 agreements and the details are published in the Council's annual Infrastructure Funding Statement.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Mrs Hallam		1.5	Is there a reason why SPDs could not carry more weight in the planning consultation process?	There are mechanisms in place to recover funds in the case of non-payment. Recommendation - No change. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out requirements for producing SPD's. SPD's are documents which add further detail to the policies in a Local Plan. They are capable of being a material consideration in planning decisions and can be used to provide further guidance for development on particular issues, such as developer contributions. Recommendation - No change.
Mrs Hallam		1.7	Will contributing stakeholders be represented in the documentation?	A consultation statement will set out all the responses received to the consultations held on the SPD and how these comments have been taken into account. Recommendation - No change.
Mrs Hallam		2.3	'In-kind' payments for provision of green spaces should be a last resort. The planning process should consider preservation of green spaces first and foremost, before development, and then work round that. Opportunities to bring diverse, characterful empty properties back into use for continued housing supply with typically existing infrastructure already in place should be routinely and actively considered as a contribution towards provision of local housing supply in the community and High Peak Local Plan. I would like to propose that in the first instance, properties empty for more than 10 years are considered for future housing supply to meet local housing requirements. Preservation of green spaces and repurposing empty properties should be low carbon options considered alongside new energy efficient buildings.	Comments noted. The draft SPD doesn't propose development but provides guidance on the type and extent of developer contributions that the Council may seek to secure from development which includes open space, green infrastructure and biodiversity. Recommendation - No change.
Ms Taylorson	Historic England	2.7	Paragraph 2.7 it would be beneficial for this SPD to take consideration of the Local Plan Review process.	Agreed that reference could be made to the Local Plan Review in this section. Recommendation - Add the following sentence to the end of paragraph 2.7: "The SPD will be reviewed when the 2016 Local Plan is superseded by a new Local Plan."
Mrs Hallam		2.8	Communities are looking to environmental improvements as part of a sustainable planning balance moving forwards. We hope Planning decisions support this.	Comments noted. Recommendation - No change.
Mrs Hallam		2.10	Support	Support noted. Recommendation - No change.
Mrs Hallam		3.1	In my view there could be more done around Developer Contributions. In the the High Peak Local Plan - Early	Comments noted. Not all planning permissions are subject to S106 agreements. Often infrastructure improvements

Appendix 4 - Draft SPD Responses



Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Campbell	Wain Homes North West	3.1	<p>Engagement document, £815,000 from developers has been received to address impact of proposals and improve infrastructure. Personally I note this is the approx. equivalent of 2 x 4-bed homes. This seems little when 2149 new homes have been added to supply since 2016.</p> <p>States that other infrastructure requirements not identified in the SPD may be considered necessary to mitigate the development. It would be useful if there was a list provided of examples. It should state that any contributions requested need to be compliant with the tests set out in the Community Infrastructure Levy (CIL) Regulations (as per Paragraph 2.2).</p>	<p>are provided directly by the developer on site rather than a financial contribution secured and Registered Providers support the delivery of affordable housing. Recommendation - No change.</p> <p>Comments noted. The SPD includes details for the most common types of infrastructure however it is not possible to be specific about other infrastructure considered necessary in certain circumstances. Paragraph 2.2 states that any contributions requested need to be compliant with the tests set out in the CIL Regulations. Recommendation - No change.</p>
Mrs Hallam		3.2	<p>Are there minimum requirements for energy efficient design and are these sufficiently robust and laid out so that planning authorities, developers and communities are clear and full evaluation can be made for environmental improvements moving forwards?</p>	<p>Building Regulations Part L covers the conservation of fuel and power in the building of new homes in England and establishes how energy-efficient new and existing homes should be. Recommendation - No change.</p>
Ms Campbell	Wain Homes North West	3.2	<p>There should be a commitment that the Council will provide details of likely Section 106 Agreement contributions at the pre-application stage (rather than just once an application has been submitted as per Paragraph 3.5). Whilst in many cases it is understood that this will necessitate liaison between HPBC and DCC (as the authority responsible for County matters such as education provision) such an approach would help applicant's plan for likely contributions and ensure that such matters are adequately factored into contract negotiations with land owners where possible.</p>	<p>Paragraph 3.2 sets out that developers should engage as early as possible at pre-application stage to discuss contributions. Recommendation - No change</p>
Ms Richards	Policy and Monitoring Derbyshire County Council	3.5	<p>Para 3.5 'Once a planning application has been submitted, the Council will liaise with the County Council (for major developments of 10 or more dwellings)' – suggest removing the reference to 10 or more dwellings reference as major development is also classed by site size not solely number of dwellings.</p>	<p>Agreed. Recommendation - Amend paragraph 3.5 as follows: "Once a planning application has been submitted, the Council will liaise with the County Council (for major developments of 10 or more dwellings) and other relevant stakeholders...."</p>
Ms Campbell	Wain Homes North West	3.7	<p>We welcome that the Council will aim to ensure that trigger points are viable with regard to the specific stage of the development. It is vital that trigger points are flexible as developments usually require parts of the development to be completed before substantial contributions are made in order to generate cash flow.</p>	<p>Support noted. Recommendation - No change.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Campbell	Wain Homes North West	3.8	The 3% penalty on late payments should only apply if the Council has written to the applicant requesting the payment and the applicant has not responded within a specified timeframe. We suggest that the words "unless otherwise agreed with the Council" should be added here.	If contributions have not been paid within the agreed time period as requested by the Council, then late payment interest will be charged at rate of 3% above the Bank of England standard base rate. Recommendation - No change.
Ms Campbell	Wain Homes North West	3.9	Needs updating. The Department for Business Innovation and Skills (BIS) changed to the Department for Business, Energy and Industrial Strategy (BEIS). In February 2023 the Government announced further changes creating the new Department for Business and Trade.	Agreed. Recommendation - Amend the following text in paragraph 3.9 as follows: "The preferred index that will be used is the latest Construction Materials Price Index (CMP Index), which is published by the Department of Business Innovation and Skills (BIS) " Department for Business and Trade."
Ms Campbell	Wain Homes North West	Triggers / Payment of Contributions	Repayment - the SPD contains no repayment provisions in the event that contributions paid are not used for their designated purpose within the timescales set out within the Section 106 Agreement. Monies paid to either the Borough or County Council through a Section 106 Agreement should be subject to such provisions with the monies returned to the party that has paid the contribution (plus interest) in the event that such monies are not used for their designated purpose within the timescales set out in the Section 106 Agreement.	Agree that this should be clarified in the SPD. Recommendation - Add the following text to paragraph 3.8 Once paid contributions must be spent within agreed timescales, and if not, details regarding repayment will be set out in the S106 agreement.
Mrs Purchase		3.12	Good to see biodiversity included in this list.	Support noted. Recommendation - No change.
Ms Taylorson	Historic England	3.12	We would welcome the inclusion of the historic environment within the list included in Paragraph 3.12.	Agree that reference could be made. Recommendation - add the following text to the last bullet of paragraph 3.12 to read 'such as mitigation of a heritage asset'.
Ms Campbell	Wain Homes North West	3.12	No comments on the Council's list of priorities but any requests must be CIL Regulations compliant.	Comments noted. Paragraph 2.2 of the SPD refers to the CIL Regulations. Recommendation - No change.
Mr Barton	ROCK	3.12	ROCK particularly welcomes the inclusion of paragraph 3.12 which states: "It may however be the case that some developments are not able to viably make contributions towards all of the infrastructure that is required but that the benefits of development are considered by the Council to outweigh the failure to provide policy compliant obligations. In such cases, where there are viability issues, contributions may be prioritised by the Council, who will seek to achieve a well-balanced package of contributions to best address mitigation. Whilst each case needs to be assessed on its own merits, the general approach that will be taken to prioritise contributions as outlined below: - Critical on and off-site infrastructure needed to achieve the development	Comments noted. Recommendation - No change.

Appendix 4 - Draft SPD Responses



Name	Organisation	Section/Paragraph No	Comments	Officer Response
			<p>of the site (e.g. highways, open space, sewer/drainage, nutrient mitigation) - On-site affordable housing</p> <p>- Contributions for education provision - Biodiversity and other green infrastructure, playing pitches /leisure facilities, sustainable transport provision directly serving the site. - Off-site affordable housing -Other infrastructure not specifically required by the Local Plan but reasonably requested by an infrastructure provider/consultee. ROCK fully supports this, in that viability will be carefully considered and, where necessary, obligations will be prioritised as identified above. ROCK reserves the right to make further submissions in relation to viability and obligations during the progression of the Local Plan Review.</p>	
Mrs Purchase		3.14	<p>This raises the question of how value is estimated and it is therefore extremely important that the Council has a reliable method of evaluating habitat, brownfield sites etc in relation to biodiversity. Recent felling of mature trees on the new A6 roundabout at Fairfield, for example, did not seem to take into account that 20 new trees by no means replace the habitats found on one mature tree.</p>	<p>Comments noted. It is expected that biodiversity and green infrastructure enhancements will generally be secured through planning conditions attached to a planning permission. Recommendation - No change.</p>
Mrs Hallam		3.15	<p>Climate change resilience, mitigation, adaptation and community engagement should play greater emphasis in sustainable planning as part of NPPF. Associated infrastructure should continue to enhance safety, quality and sustainability of local school journeys, improved access to public transport and multi-user access to footpaths, cycleways and bridleways for improved air quality, health outcomes and access to medical services when 23% of High Peak residents are living daily with limiting long term illness, bad health and very bad health. This will also support the initiative by High Peak Borough Council for action in AQMA zones at Tintwistle and Dinting.</p>	<p>Comments noted. Recommendation - No change.</p>
Ms Campbell	Wain Homes North West	3.16	<p>There should be a commitment that the Council will agree a timeframe with the applicant for a response from the viability assessor to avoid unnecessary delays in progressing a planning application.</p>	<p>Paragraph 3.16 allows for this. It states 'With instructions to be agreed by the Council', which means that a timeframe could be set based on the individual circumstances. Recommendation - No change.</p>
Ms Campbell	Wain Homes North West	3.18	<p>Refers to fees for monitoring planning obligations and states "the sum to be paid fairly and reasonably relates in scale and kind to the development." There should be a similar commitment to any requests for the Council's legal fees in drafting the Section 106 Agreement. Again, these costs need to be fair and reasonable.</p>	<p>In-house legal fees for negotiating and drafting 106 agreements are charged at an hourly rate per the Government's Solicitors' guideline hourly rates for that appropriate band. On occasion the Council uses external solicitors in which case costs directly reflect the time charged on an hourly rate. This is considered to be fair and reasonable. Recommendation - No change.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Mrs Hallam		Affordable Housing	Based on estimates in the High Peak Local Plan - Early Engagement document, approx 1/3 homes should be 1- and 2-bed homes and thereby contribute to affordable housing. The reality of provision of 432 affordable homes out of a new housing supply of 2149 does not meet this goal of 1/3 homes being in the affordable sector. What more can be done?	Comments noted. Local Plan Policy H4 states that the Council will seek to maximise the delivery of affordable housing across the plan area and sets out how this will be achieved on qualifying sites. The SPD provides additional detail regarding types of affordable housing tenure, commuted sums and rural exceptions sites. Recommendation - No change.
Mrs Hall		4.3	Would be useful to include clarification that on schemes which are considered to fall within Use Class C2 does not generate a requirement for affordable housing.	Agree that clarification on Use Class C2 should be added to the SPD. Recommendation - Add the following sentence to the end of paragraph 4.3: "If a proposed scheme is considered to fall within Use Class C2 (residential institutions) there will not be a requirement for affordable housing."
Mrs Hallam		4.3	Please also remember adaptation of homes for independent living and the benefits of enhanced indoor environments for physical and mental wellbeing - everyone can recall the impact of extensive levels of mould indoors on the life of a young child.	Comments not directly relevant to the SPD which is to provide detailed guidance on the type and extent of developer contributions that the Council may seek from development. Recommendation - No change.
Mrs Hall		4.4	First Homes Guidance published Dec 2021 states that local authorities can apply eligibility criteria in addition to the national criteria. The adoption of the SPD would be a good opportunity to set out the councils stance in relation to this. Based on the recent finding of the HELNA it is important to ensure that the current demand for affordable housing firstly meets the needs of the local population. Local eligibility criteria could include: Being a current resident of the borough Being in full time employment within the borough Needing to move to take up employment within the borough Needing to move to provide care and /or support to a close family member residing in the borough. Consideration should also be given, to giving priority to key workers, and how the LA would define key workers?	Agree that criteria would be helpful in this respect. Recommendation - Add the following text to the section on First Homes. "Government guidance allows local authorities to set local eligibility criteria to enable First Homes to work effectively in the area, although these only apply for a maximum of three months of marketing. To align with our existing approach to affordable housing, we will therefore require purchasers (at least one person within the household) of First Homes to have a local connection to the Borough (including priority for defined key workers*) in line with the following criteria: - Being a current resident of the Borough; - Permanently employed within the Borough; or - Needing to move to take up employment within the Borough. *as defined by ONS"
Mrs Hall		4.6	Under policy H4 it would be useful to provide clarification on councils policy of rounding up or down if affordable housing contribution is not a whole number. Up to 0.4 will be rounded down, whilst 0.5 and above will be rounded up to the nearest whole number.	Agree that clarification would be helpful in this respect. Recommendation - Amend paragraph 4.6 as follows: "Percentages will be rounded to the nearest whole unit. If the affordable housing contribution is not a whole number; up to 0.49 will be rounded down, whilst 0.5 and above will be rounded up to the nearest whole number. with the table below providing a guide to the affordable housing requirements for sites of different sizes".

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Campbell	Wain Homes North West	4.8	Need some clarity on the affordable housing commuted sums. It states that commuted sums will be calculated at a rate of 50-60% OMV for affordable rent. It should give a minimum percentage i.e. 50% or it is too open.	Agree that a minimum percentage of 50% OMV for affordable rent could be included. Recommendation – Amend paragraph 4.8 as follows. "On this basis, commuted sums will normally be calculated at a minimum rate of 50 -60 % OMV for affordable rent and 30% for shared ownership, which relates to a notional affordable unit in order to reflect the 'developer subsidy' element of affordable housing provision."
Ms Campbell	Wain Homes North West	4.10	We would question the relevance of including this paragraph within a Developer Contributions SPD – the information might be more appropriately presented in an explanatory note to Policy H3.	Comments noted. Where it is considered appropriate guidance has been provided within the SPD. Recommendation - No change.
Ms Campbell	Wain Homes North West	4.11	We would question the legitimacy of the requirement in Paragraph 4.11 as Registered Providers are not always selected during the planning application process and furthermore they are not needed to manage First Homes. Adequate safeguards can be incorporated into the Section 106 Agreement.	Paragraph 4.11 does not state that Registered Providers should be selected during the planning application process rather it says that Registered Providers should be identified 'as soon as possible in the development process'. Recommendation - No change.
Mrs Hallam		4.12	This seems a positive initiative and should be continued to be funded and expanded. Expanding beyond social housing to private rented and commercial sectors . This will help to bring scale, continue to develop education and skills and continue to help to address skills shortage in retrofit. The main barrier to progress is the determination of land registry and legal ownership for properties. Improved access to appropriate legal services to assist determination of vacant properties to bring back to use will greatly assist. New energy efficiency standards can be achieved in new homes, however considering alongside this the wider aims for decarbonisation, 1-3% national housing stock is empty and can make a valuable contribution towards a lower carbon footprint. Repurposing existing buildings contributes 10x less in terms of CO2e compared to building new, for Empty Properties has received cross party support and community support in High Peak.	Comments are noted however they are considered to relate to matters outside the scope of this consultation. Recommendation - No change.
Mrs Hall		4.14	Possible typo. NPPG states VBC only applies where building have not been abandoned.	Agreed. Recommendation - amend the second sentence in paragraph 4.14 as follows: "VBC will only apply when in the Council's opinion the building has not been abandoned, the assessment for which will take into consideration the following factors...."

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Campbell	Wain Homes North West	4.14	<p>We believe that the word "not" is missing from the paragraph as the PPG (Paragraph: 028 Reference ID: 23b-028-20190315) notes that "The vacant building credit applies where the building has not been abandoned". Furthermore inclusion of the words: "including attempts to sell the property" in the fourth bullet point is not consistent with the PPG (reference as above) which does not require evidence be submitted about a potential sale.</p>	<p>Agreed that 'not' should be included in the text. Consider that the fourth bullet point requesting any other evidence is not unreasonable and should be retained. Recommendation - amend the second sentence in paragraph 4.14 as follows: "VBC will only apply when in the Council's opinion the building has not been abandoned, the assessment for which will take into consideration the following factors...."</p>
Mrs Hall		4.15	<p>In addition to guidance within the NPPF and PPG it would be beneficial to consider implementing a criteria on which applications could be assessed and defining how the council will define 'vacant'. Other LA have used reverse definition of 'in use' i.e building that is currently vacant and has not been in continuous use for any 6 months period within the preceding 3 years from the day the planning application is validated. Other LA's have defined vacant as a building that has been vacant for a continuous period of at least 5 years before application was submitted. It would also be useful to include a worked example of the calculation which would enable developers to provide the correct information to officers. Example of vacant building credit calculation Proposal Housing development of 50 dwellings Affordable Housing requirement 30% The Proposed Gross Internal Floor Area (GIA): 5,000sqm The existing Gross Internal Floor Area (GIFA): 1,000sqm Step 1 Calculate the affordable housing contribution based on the total number of eligible dwellings and the affordable housing percentage (30%) required by the council's planning policy Affordable housing contribution 50 units x 30% = 15 units Step 2 Calculate the amount of existing floorspace, if any, as a proportion of the floorspace provided by the development: E/P x 100 (where E = existing floorspace and P = proposed floorspace) 1,000 sqm / 5,000 sqm x 100 = 20% Step 3 Calculate the amount of AH credit: Step 1 AH units x Step 2 percentage 15 units x 20% = 3 units Step 4 Deduct the AH credit from the policy compliant affordable housing contribution, Step 1 AH number - Step 3 AH credit 15 units - 3 units = 12 units (12 affordable dwellings to be delivered on-site)</p>	<p>Agree that a definition of 'vacant' could be added to the SPD to provide clarity. The PPG does not provide a definition of "vacant building" so the Council will apply the CIL definition, which is 'a building that has not been in continuous use for any 6 month period during the last 3 years'. Consider that the example of vacant building credit calculation can be included in an appendix to the SPD. Recommendation - Add the following text to the end of paragraph 4.12. A vacant building is considered to be a building that has not been in continuous use for any 6 month period during the last 3 years. This means the whole building must have been vacant, not just a single planning unit or part of the building. The building must be vacant at the time the application is validated for the VBC to be applied. Add the vacant building credit worked example as Appendix 1.</p>
Ms Campbell	Wain Homes North West	4.15	<p>The point made about planning history is noted but the Council should explain the relevance of planning history in the application of VBC.</p>	<p>Consider that further explanation in this instance is not necessary "Relevant planning history will also be assessed to ensure that the building isn't covered by extant or recently expired permission for the same or similar development." Recommendation - No change.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Mrs Purchase		4.18	These all seem to apply to 'managed' space. It is clear that well-being is tied to natural spaces and wider environments where people can get away from the provisions of land that is ear-marked for specific recreational purposes. It would be good if HPBC assured that wider land and habitats were developed and protected.	The SPD also includes sections in Informal Recreation (para 4.28) and Biodiversity and Green Infrastructure (paras 4.29 - 4.33). Recommendation - No change.
Mrs Purchase		Table 2	Please see comment under 4.18.	Noted. Recommendation - No change.
Mrs Hallam		Built Facilities	Leisure is only mentioned in reference to Buxton - as an equally designated principal centre I hope Glossop receives similar strategic consideration of support to improve leisure facilities.	The section on 'Built Facilities' doesn't refer to specific locations however paragraph 4.27 states that S106 contributions will be assessed on a case-by-case basis in consultation with the Service Commissioning team. Recommendation - No change.
Ms Campbell	Wain Homes North West	4.21	Table 2 needs to be clarified to confirm that where on site provision is made an off-site contribution will also not be sought for equipped children's play or allotments.	Agree that this should be made clearer in Table 2. Clarify that the costs specified in the table are dated Jan 2023 and will be subject to indexation. Recommendation - Amend Table 2 as follows: Equipped children's play - a To be provided on site by the developer or b off-site contribution. Allotments - a To be provided on site by the developer or b off-site contribution. Cost per m2 * Contribution per dwelling * *costs are dated Jan 2023 and are subject to indexation.
Mrs Purchase		4.22	Good to see this. Would also be good to have positive Council policies which help people use these growing spaces. And also would be good if the Council discouraged paving over of such spaces in existing housing.	Support noted. Recommendation - No change.
Mrs Purchase		4.23	While 25 years sounds great, what is in place to ensure that suitable and appropriate input will be continued over this period? This is notoriously difficult to police and ensure and will also be a key question with BNG.	Comments noted. Before the commencement of development, the developer will be asked to confirm the details of maintenance responsibility with the Council. Recommendation - No change.
Ms Wilkinson	Sport England	4.24	Recognition of the importance of this category of infrastructure is welcomed. It is important for the long-term viability and sustainability of community sporting infrastructure that sufficient resources are provided for long-term management, maintenance and for a sink fund so that communities have continued access to facilities that provides them the opportunities to be, and remain, physically active.	Support noted. Recommendation - No change.
Ms Wilkinson	Sport England	4.24	A robust evidence base/audit for sporting and recreation provision is required. Paragraph 98 of the NPPF states that: "Access to a network of high-quality open spaces and	Comments regarding an up to date Playing Pitch Strategy (PPS) are noted. The Council is due to undertake an update of the PPS and reference to this should be made in the

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
			<p>opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate." Some of the evidence base documents, tools and approaches referenced by the Council are out of date in particular the Playing Pitch Strategy (PPS) which was produced in 2018. The production of a new PPS should be a priority for the Council in order to identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the High Peak area. Sport England has guidance on the production of Playing Pitch Strategies and other indoor and outdoor sport facilities studies, and they can be viewed on this links: http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/ http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/assessing-needs-and-opportunities-guidance/ When used with an up-to-date PPS the Playing Pitch Calculator is an important planning tool for assessing the demand and requirement for additional on site and/or off site provision and/or potential cost contributions arising from any development.</p>	<p>SPD. Paragraph 4.26 specifies use of the Playing Pitch Calculator for assessing the demand and requirement for additional on site and/or off site provision and/or potential cost contributions arising from any development. Recommendation - Add the following sentence to the end of paragraph 4.24: "The Council is due to review the 2018 Playing Pitch Strategy to ensure that demand and requirements for provision continues to be up to date".</p>
Ms Wilkinson	Sport England	4.27	<p>Sport England welcomes the use of the Sport Facility Calculator as a planning tool to help estimate the amount of demand for key community sports facilities that would be created by a new development. There is a need for the most up-to-date Facility Costs to be used.</p>	<p>Support noted. Recommendation - No change.</p>
Mrs Purchase		Table 3	<p>What are the accompanying HPBC policies to ensure that football is fully accessible to everyone ie inclusive and not just male-dominated?</p>	<p>Comments are noted however they are considered to relate to matters outside the scope of this consultation. The Council has produced other documents that deal with sport and recreation in more detail such as the Sports and Physical Activity strategy. Recommendation - No change.</p>
Mrs Purchase		4.28	<p>It would be good to see this section beefed up considerably. Green spaces do not need to be seen as only useful if they have an allocated purpose. The purpose can be to create havens and habitat for wildlife without a 'recreational' purpose for residents.</p>	<p>Comments noted. The draft SPD provides further guidance on Local Plan policies. The Council's own Biodiversity Strategy as well as the Local Nature Recovery Strategy for Derbyshire will set out more detail. Recommendation - No change.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Richards	Policy and Monitoring Derbyshire County Council	4.28	Para 4.28 although this paragraph notes the importance of Greenways it does not include the need for increased maintenance. As such it is the following expansion of the text is suggested to capture this issue: The Greenways and canal network are important recreational facilities that support healthier and more active lifestyles. Increased use and footfall generated by residential development near Greenways and waterways can often lead to increased liabilities for the County Council and Canal and Rivers Trust respectively . It is important to be able to secure developer contributions to help maintain Greenways and the canal infrastructure when it is impacted by development, to enhance quality and ease of access.	Agreed that the suggested amendments provide clarification. Recommendation - Amend paragraph 4.28 as follows: "The Greenways and canal network are important recreational facilities that support healthier and more active lifestyles. Increased use and footfall generated by residential development near greenways and waterways can often lead to increased liabilities for the County Council and Canal and Rivers Trust respectively . It is important to be able to secure developer contributions to help maintain Greenways and the canal infrastructure when it is impacted by development, to enhance quality and ease of access."
Mrs Purchase	Consultation Hub Natural England	4.29	Natural England welcomes the SPD on Developer Contributions particularly the section on Biodiversity & Green Infrastructure.	Support noted. Recommendation - No change.
		4.31	This is a section which on the surface sounds positive and sensible, but the devil will be in the detail. There is little expertise or knowledge around biodiversity within the Council, either at officer or member level and current practice, eg around housing developments does not inspire confidence. It would be good to see this section being much more specific about what the Council intends to do, rather than just listing the requirements that will apply, in part from the EA 2021, BNG and the 30 years commitment to maintaining/enhancing sites is also problematic if there is not long-term overarching policy/strategy that sets out how the Council will achieve this. There is also no Biodiversity Strategy in the offing and the Plan for Nature won't even be written until this summer, so there is a lot of work still to be done to ensure that biodiversity does not continue to be disregarded by HPBC.	Comments noted. The Council's emerging Plan for Nature document will become the Council's biodiversity strategy. Recommendation - No change.
	Consultation Hub Natural England	4.31	We note that the Derbyshire Local Nature Recovery Strategy is mentioned in paragraph 4.31 which will plan, map, and help drive more coordinated, practical, focussed action and investment in nature recovery, to collectively feed into the national Nature Recovery Network. We suggest that you may want to make reference to the new Green Infrastructure Framework Standards & Principles which has recently been launched (Green Infrastructure Home (naturalengland.org.uk) . The new Framework will better support planning for good quality GI. It includes a set of principles and standards, design guidance and a mapping tool which will help identify priorities for GI enhancement	Comment noted. Agree that reference to the new Green Infrastructure Framework could be included in para 4.31. Recommendation - Add the following text and web link as a footnote to paragraph 4.31: " The Green Infrastructure Framework launched in February 2023 by Natural England includes a set of principles and standards, design guidance and a mapping tool which will help identify priorities for GI enhancement and creation, and to address inequalities in access to green space." https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Campbell	Wain Homes North West	4.31	In relation to biodiversity we support the comment "The habitat should be delivered on-site, however, where this is not possible offsite contributions or statutory biodiversity credits may be applied."	Support noted, Recommendation - No change.
Mrs Purchase		4.32	To date the Council's ability to engage with stakeholders with a knowledge of biodiversity has been poor to non-existent. The HP Green Network Biodiversity Group would welcome further engagement.	Comments noted. The Council's emerging Plan for Nature/biodiversity strategy is a separate document to the SPD and therefore it's content is outside the scope of this consultation. Recommendation - No change.
Mrs Purchase		4.33	It would be great to see HPBC adopt some enlightened policies about the design and development of new housing. See the Wildlife Trusts Homes for People and Wildlife. Why not adopt something like that and move ahead of the game? https://www.wildlifetrusts.org/sites/default/files/2018-05/homes_for_people_and_wildlife_lr_-_spreads.pdf	Supplementary Planning Documents are documents which add further detail to the policies in an adopted Local Plan, they cannot introduce new policies. Recommendations - No change.
Ms Campbell	Wain Homes North West	4.37	Many of the measures mentioned in relation to air quality could be secured by way of condition rather than needing to be the subject of a Section 106 Agreement.	Comments noted. Developer contributions should only be used where it is not possible to address the unacceptable impacts of development through planning conditions or other statutory controls. Consider that these should be included within the SPD to ensure that they are secured by either planning condition, statutory controls or S106. Recommendation - No change.
Mrs Hallam		Air Quality	Improving safety, quality and sustainability of local school journeys at peak travel times along with more connected footpaths, cycleways and bridleways and improved multi-user access for active travel all year round will help reduce traffic congestion, improve health outcomes and reduce air pollution. This is something the small community interest group from Derbyshire and Tameside Sharefirst My Journey to School has pushed for. We look forward to constructive, concerted action in the area towards improving air quality.	Comments noted. Recommendation - No change.
Ms Campbell	Wain Homes North West	4.42	Any contributions towards health need to be CIL Regulations compliant. If contributions are generally requested for schemes over 50 dwellings then there needs to be a clear justification for this. For example, stakeholders will need to demonstrate that there is no capacity in existing facilities within the catchment of the site and this information should be made available to the applicant so that it can be	Agree that contributions towards health will need to be CIL Regulations compliant. Consider some wording could be added to make this clear. Recommendation - That the following text is added to the last sentence in paragraph 4.42: "Generally, the ICS will ask that financial developer contributions are made from schemes of 50 dwellings or more towards improving healthcare where it can be demonstrated that these would meet the CIL Regulations."

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Richards	Policy and Monitoring Derbyshire County Council	4.47	<p>assessed. Ideally this should all be dealt with at the pre-application stage.</p> <p>Para 4.47 given the importance of Policy CF6 which includes encouraging and promoting improvements to public transport networks, please include the elements underlined in the following sentence. 'This mechanism can also allow the Highway Authority to seek contributions towards Travel Planning, Public Transport services including bus stops, real time information and bus services , sustainable travel and pedestrian and cycle infrastructure, provided that the NPPF planning tests are met. (summary)</p>	<p>Comments noted. Agree that the suggested text would provide clarification. Recommendation - Add the following text to the final sentence of paragraph 4.47: " This mechanism can also allow the Highway Authority to seek contributions towards Travel Planning, Public Transport services including bus stops, real time information and bus services , sustainable travel and pedestrian and cycle infrastructure, provided that the NPPF planning tests are met."</p>
Ms Richards	Policy and Monitoring Derbyshire County Council	4.48	<p>Para 4.48 – the inclusion of the text as shown is suggested, again to note that where the County Council takes on further maintenance liabilities through the adoption of additional assets this is reflected. It is requested that the wording to the last sentence is amended to make it clear that a commuted sum may be requested towards the additional wear and tear on an existing asset. Amended sentence to read 'Where a development directly links to an existing KCN or LCN route a proportionate requirement for maintenance of the existing asset may be sought to account for the additional usage arising as a result of a development.' (summary)</p>	<p>Agreed that clarification would be helpful. Recommendation - Amend the final sentence in paragraph 4.48 as follows "Where a development directly links to an existing KCN and or LCN route a it is proposed that a proportionate requirement for maintenance is noted of the existing asset may be sought to account for the additional usage arising as a result of a development."</p>
Ms Richards	Policy and Monitoring Derbyshire County Council	4.59	<p>Para 4.59 It is suggested that to encourage cycle use, an additional sentence is included to encourage as follows: 'All new developments should include appropriate cycle storage to facilitate and encourage this mode of travel. All new dwellings should be provided with secure and accessible storage, and new commercial development should be provided with storage for staff and visitors, in line with LTN 1/20.'</p>	<p>Agreed that the suggested text and reference to LTN 1/20 as a footnote could be added to paragraph 4.59. Recommendation - Add the following text to the end of paragraph 4.59: " All new developments should include appropriate cycle storage to facilitate and encourage this mode of travel. All new dwellings should be provided with secure and accessible storage, and new commercial development should be provided with storage for staff and visitors, in line with LTN 1/20 Cycle Infrastructure Design ". Add footnote link to LTN 1/20 https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120</p>
Ms Taylorson	Historic England	4.75	<p>We support paragraph 4.75 and consider that there may be further opportunities for developer contributions to benefit the historic environment through works to public realm improvements, town centre improvements, green infrastructure and open spaces for example and it would be useful if the document could reference this.</p>	<p>Support noted. Agreed that these examples could be added. Recommendation - Add the following sentence to the end of paragraph 4.75: " There may be further opportunities to benefit the historic environment through works to public realm improvements, town centre improvements, green infrastructure and open spaces."</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
Ms Clarke	Town Planning Technician Network Rail	Transport Infrastructure	<p>LATE RESPONSE Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order). Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests will need to be carefully considered.</p>	<p>Comments noted. Recommendation - No change.</p>
Ms Clarke	Town Planning Technician Network Rail	Transport Infrastructure	<p>LATE RESPONSE Railway Station - Consideration should be given in Transport Assessments to the potential for increased footfall at Railway Stations as a result of proposals for residential development / employment areas within the neighbourhood area. Location of the proposal, accessibility and density of the development, trip generation data should be considered in relation to the station. Where proposals are likely to increase footfall and the need for car parking, the council should include developer contributions (either via CIL, S106) to provide funding for enhancements as part of planning decisions.</p>	<p>Add new paragraph after paragraph 4.48 as follows: Transport Assessments (TAs) should consider the potential for increased footfall at railway stations as a result of proposals for residential or commercial development. Where proposals are likely to increase footfall and the need for car parking, developer contributions should be sought, provided the NPPF planning tests are met. Contributions may also be sought where proposals impact on level crossings to mitigate the impacts of those developments</p>
Ms Clarke	Town Planning Technician Network Rail	Transport Infrastructure	<p>LATE RESPONSE Level Crossings - Developments within the neighbourhood area should be accompanied by a TS/TA which includes consideration of the impact of proposals upon any level crossings with mitigation implemented as required. We would encourage the Council to adopt specific policy wording to ensure that the impact of proposed new development (including cumulative impact) on the risk at existing level crossings is assessed by the developer(s), and suitable mitigation incorporated within the development proposals and funded by the developer(s). TS/TAs should be undertaken in conjunction with the local highways authority with advice from Network Rail. Contributions will be sought where proposals impact on level crossings to mitigate the impacts of those developments. Where level crossing closure is the only option, the applicant is advised that closure would be via s257 of the T&CPA, and that</p>	<p>See above response.</p>

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Name	Organisation	Section/Paragraph No	Comments	Officer Response
			closure would be required before the occupation of any dwellings.	

Appendix 5 - Proposed Changes following Executive Committee

Paragraph Number	Comments	Officer Response
3.12	Last line before bottom bullet: "is" not "as" .	Agreed.
4.3	Penultimate sentence: "when off-site of commuted sums" should this be "off -site OR commuted sums", "off-site by means of commuted sums"?	Agreed. Text should read "off-site commuted sums"
4.11	Insert "in" before "the Technical Housing Standards requirements"	Agreed.
4.13	Penultimate sentence: "must have been vacant" to "must be vacant"	Agreed.
4.24	Last line: delete "of a"; change "will" to "to"	Agreed.
4.29	This asks for developer contributions for maintaining greenways and canal infrastructure. Are contributions also needed to maintain the other land types mentioned i.e. "woodlands and wildlife sites"?	This is dealt with in the following section 'Biodiversity and Green Infrastructure' paragraph 4.34.
4.31	This paragraph mentioned 10% improvement in biodiversity but might be clearer if it specifically used the standard phrase "Biodiversity Net Gain (BNG)". I would add "The requirements of the Environment Act for BNG are expected to be mandatory from winter 2023."The section might also be clearer if policies in the current LP are stated separately from the BNG requirement, which I believe will take precedence since the LP has been in place for several years now.	Agreed that "Biodiversity Net Gain (BNG)" and the mandatory requirements of the Environment Act could be added into this paragraph.
4.32	EQ5 seeks to deliver net gains" but hasn't this been superseded by national BNG requirements? If the SPD won't come into force until October, there are only a couple of months before BNG is expected to come into force so the SPD should reflect that. I would rewrite this paragraph as follows: "It is expected that biodiversity and green infrastructure enhancements will generally be secured through planning conditions; however, there may be some circumstances when it will be necessary to ask for specific mitigation or compensation to make a development proposal compliant with national legislation. By engaging with stakeholders to outline key requirements for 10% Biodiversity Net Gain for the development (in accordance with the Environment Act and EQ5), the IDP can help link objectives, strengthen ecological networks and create corridors to ensure environmentally-responsible land management and biodiversity value. [I am not sure what IDP is so this sentence might need changing.] Improved habitat should be delivered on-site; however, where this is not possible, off-site contributions or statutory biodiversity credits may be applied. In accordance with the Environment Act, the developer is required to maintain enhancements [???to the site???] for at least 30 years after completion of the works. Whether the net gain is delivered onsite or off-site will depend on how far onsite delivery can contribute to ecological networks. Then LAST TWO SENTENCES UNCHANGED	Comments noted. The IDP is the 'Infrastructure Delivery Plan' which lists the various types of infrastructure needed to support the implementation of the Local Plan, how it will be delivered and the timescales involved. Consider that it is still prudent to retain reference to 'proactively encourage' before the mandatory date in case there is a delay to implementation of the Act but accept changes to the text to improve clarity.

Appendix 5 - Proposed Changes following Executive Committee

Paragraph Number	Comments	Officer Response
	[Comment re on-site contributions: In some cases, eg where a small patch of land would be surrounded by houses, roads etc, and where any green space might be better used for recreation or residents' growing spaces, BNG would be better achieved off site, eg contributing to nature corridors.]	
4.34	The last two sentences seem to be general statements which might be better with the separate paragraph on BNG suggested above in the comment on 4.31.	These sentences could be merged with paragraph 4.30 which refers to the NPPF. Move the remaining sentence to paragraph 4.32.
4.37	Run the first two sentences together, and begin with "In the case of large developments that...."	Agreed.
4.47	"unsustainable modes of transport" be defined ie "unsustainable modes of transport such as diesel and petrol cars"	Agreed that this could be defined and recommend change "such as diesel and petrol vehicles".
4.50	I'd change "and the need for car parking" to "and the need for access" since mention of car parking seems to be at odds with the themes of active travel provision and public transport.	Agreed.
4.54	Council has developed the Climate Change strategy so "Since declaring the Climate Emergency the Council began work to prepare the Climate Change Strategy" should perhaps be "...the Council has produced its Climate Change Strategy"... Is the Strategy different from the Climate Change Plan?	Agreed. Refer to the Climate Change Action plan that the Council has produced.
4.55	Should 'good growth' be 'sustainable' or 'environmentally-sound'.	Agreed. Amend 'good growth' to 'sustainable growth'.
4.59	Could add that carbon off setting should preferably be within High Peak. Given that the SPD says "Cutting emissions should be the first priority...", perhaps this paragraph would be better after 4.63, after the suggestions for cutting emissions.	Agreed that paragraph 4.59 could be moved to after paragraph 4.63.
4.61 - 4.63	Could there be an additional paragraph giving further examples of how emissions can be cut eg: better insulation than required by building regs, solar panels and battery storage, air source heat pumps.	Local Plan Policy EQ1 – Climate Change sets out strategies to mitigate and adapt to climate change and the SPD provides additional guidance regarding this. The SPD also provides a link to the Council's Climate Change Action Plan. Reference could be made to these examples in paragraph 4.54.