

Ashover Neighbourhood Plan

Pre-Submission Consultation Results

| No. | Policy No. | Respondent | Comment | Response | Amendment |
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| 1 | General | Natural England | Natural England generally welcomes the draft neighbourhood plan which sets out development management policies which will guide the future sustainable development of Ashover. | The general support for the Plan is welcomed. | None |
| 2 | General | Peak National Park | The Authority has no comments on the draft neighbourhood plan but wishes the community every success in taking it through to adoption | Noted. | None |
| 3 | General | | Firstly would like to send our thanks to the whole team involved in putting together this document and would like to acknowledge the large amount of work that has surely gone into this. | Thanks to the team is noted and welcomed. | None |
| 4 | General | | As I've already said publicly, I think the Draft Neighbourhood Plan has been very well put together and is in good shape and I for one am very appreciative of all the time and effort that you and your team have dedicated to it. It seems rapidly to be getting to the point where it can play a significant part in shaping the development of the village in the way that a significant majority of the villagers would wish and that must be very gratifying. I am more than happy to support the Plan as it stands, however having gone through it pretty thoroughly I'm listing below | The general support for the Plan is welcomed. | None |

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| | | | those points which come to mind for your consideration as you think fit. If my comments are not self explanatory I'm happy to discuss them further with you if need be | | |
| 5 | General | | In general the terms of the plan is good however there are parts that actually contradict the bulk of the statements and spirit of the plan. | Noted | None. |
| 6 | General | | I THINK IT IS IMPORTANT TO SAY THAT I FULLY SUPPORT THE PARISH COUNCIL AND THE PRINCIPLE OF THE DRAFT NEIGHBOURHOOD PLAN (NP) WITHIN THE FRAMEWORK OF THE NPPF AND THE NEDDC LOCAL PLAN. THE DRAFT NP OBJECTIVES DO CORRECTLY RECOGNISE THE NEED FOR SOME SMALL SCALE MINOR DEVELOPMENT TO MEET THE ASSUMED NEDDC TARGETS OF 78 DWELLINGS IN THE PARISH OVER THE PLAN PERIOD TO 2031 – POLICY AP4. AS A PARISH WE MUST SUPPORT THIS PLAN. | The general support for the Plan is welcomed. | None |
| 7 | General | Beeley Parish Council | Beeley Parish Council noted it at their meeting on 29th February and have no comments to make. | Noted | None. |
| 8 | General | | P 8 Ch 6 6th para. Second sentence has been truncated, ie "Village Hall and a range." | Agreed, and the Plan will be amended accordingly. | The text will be amended to reflect this typographical error. |
| 9 | General | | <u>Page 8</u> The population figures ought to read ... (3.6 persons per hectare) and (4.1 persons per hectare) | Agreed, and the Plan will be amended accordingly. | The text to be amended accordingly |

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| 10 | AP1: Presumption in Favour of Sustainable Development | | <p>A presumption in favour of sustainable development is only triggered if a Planning Authority has no valid Plan or policies in place or if the Planning Authority is unable to demonstrate a five year supply of housing land. In all other circumstances decision makers are legally obliged to respect the Council's current planning policies. The way Policy AP1 is written gives an overwhelming impression that a presumption in favour of development is over-riding, however that is not correct. I believe it would be better (and more correct) to add the following words to the end of that policy: contained in relevant national and district-wide plans and policies, <u>unless those policies direct otherwise</u></p> | It is agreed that this will strengthen this Policy. | The Policy will be amended to reflect the proposed revised wording. |
| 11 | AP 2: Development Within Limits to Development | | <p>The only comment we have about the new Proposed Settlement Development Limits as shown on the maps is the area now included in the SDL behind Grove Park and between Pudding Bag Lane and Hill Road. There is quite an amount of talk of low density in the document and in Policy AP 2 m) about the impact on parking and traffic, however if this large area is to be included in the SDL there is a danger that Grove Park could be developed now or in the future by a large ruthless Retirement Village Developer along</p> | The proposed Settlement Development Limits were developed following consultation and based on a robust methodology. We consider that proposed boundary effectively delineates the built up part of the settlement of Ashover. Any development that takes place within the Settlement Development Limit will be strictly controlled through criteria based policy. | None. |

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| | | | quite a massive scale. This would cause huge problems of parking, traffic, noise and light pollution among a residential area where the density is already quite great. We strongly feel that this area should not be included in the new SDL due to the very real threat of over development in this area by a business. | | |
| 12 | AP 2: Development Within Limits to Development | | p11 AP2 comma required after Ashover | Agreed. | The text will be amended to reflect this typographical error. |
| 13 | AP 2: Development Within Limits to Development | Environment Agency | We also note that part of the 'Settlement Development Limit' area at Fallgate is also within the Flood Zones generated by the River Amber. We again suggest that the boundary is amended to remove those parts falling in the Flood Zone. | It is agreed that it is sensible to remove that part of Fallgate in the Flood Zone from the Settlement Development Limit. | The Plan and accompany proposals map will be amended to remove those parts of Fallgate that are within the Flood Zone from the Settlement Development Limit. |
| 14 | AP2: Development Within Limits to Development | Natural England | We support the retention of existing important natural boundaries such as trees, hedges and streams as detailed within Policy AP 2. As well as potentially being listed as priority habitat as detailed in Lowland Derbyshire Biodiversity Action Plan these can also act as vital wildlife corridors which enables species connectivity between different locations within Ashover. | The support for Policy AP 2 is welcomed. | None. |
| 15 | AP2: Development Within Limits to | | I note that the Bourne, its outbuilding The Coach House (which has planning consent for its conversions | The proposed Settlement Development Limits were developed following | None. |

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| | Development | | <p>into a separate dwelling, planning ref 06/00042/FL) and its curtilage have not been included in the proposed Limits of Development of Ashover. This is an anomaly for which I can see no justification, particularly when ribbon development to the south of Butts Road and Hockley Lane is now proposed for inclusion within the Limits of Development in the draft Plan. On behalf of my clients I would ask that the Bourne, the Coach House and its curtilage be included within the Limits to Development.</p> | <p>consultation and based on a robust methodology. The boundaries are drawn around the existing built form. We do not consider that the inclusion of the Bourne, its outbuilding and curtilage would reflect the existing built form even taking into account the planning permission for the conversion of the outbuilding into a separate dwelling.</p> | |
| 16 | AP 2: Development Within Limits to Development | | <p>The only comment we have about the new Proposed Settlement Development Limits as shown on the maps is the area now included in the SDL behind Grove Park and between Pudding Bag Lane and Hill Road. There is quite an amount of talk of low density in the document and in Policy AP 2 m) about the impact on parking and traffic, however if this large area is to be included in the SDL there is a danger that Grove Park could be developed now or in the future by a large ruthless Retirement Village Developer along quite a massive scale. This would cause huge problems of parking, traffic, noise and light pollution among a residential area where the density is already quite great. We strongly feel that this area should not be included in the new SDL due to</p> | <p>The proposed Settlement Development Limits were developed following consultation and based on a robust methodology. We consider that proposed boundary effectively delineates the built up part of the settlement of Ashover. Any development that takes place within the Settlement Development Limit will be strictly controlled through criteria based policy.</p> | None. |

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| | | | the very real threat of over development in this area by a business. | | |
| 17 | AP 4: New Housing Provision | | I note the assertion that 98 dwellings is a sufficient allocation for the parish up to the year 2031. This appears to be based on pursuing a 14% increase in the number of dwellings in line with the council's own overall target. However, this number is far lower than the total figure of 190 dwellings proposed in the emerging North East Derbyshire Local Plan 2011-2031 for the whole of the Ashover Parish (Ashover – 115; Littlemoor (including Alton) – 20; Fallgate – 30; and Kelstedge – 25). In this regard I do not consider that the plan has been positively prepared or properly justified. The emerging Local Plan, for example, has earmarked Ashover village for a 40% increase in housing numbers and provides clear and specific reasons for this. | The Local Plan for North East Derbyshire, including any housing targets it contained, has effectively been withdrawn. Without the provision of an up-to-date housing target for Ashover in an adopted Local Plan, the Steering Group has worked hard to develop a housing target that is robust and reflects housing needs. It considers that a target based on the district average for housing growth is suitable and sustainable. The absence of any significant objections to the amount of development proposed indicates general support for the target. | None. |
| 18 | AP 4: New Housing Provision | | <u>Page 10</u> Half way down the page the draft reads “That said, the consultation shows that the community is generally comfortable with the modest scale of development suggested by the hierarchy and proposed in the district wide growth strategy ...” That is not my perception of local feeling which seems to me to be generally pretty indignant about the fact that the | There are contradictory statements with regard to the extent to which the District Council has undertaken an objective assessment of the need for additional housing in the Rural West of the District. It is considered that it would not be appropriate to state that there has been no | None. |

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| | | | <p>Council has made no <u>objective assessment</u> of the need for additional housing in the Rural West of the District (as they are required to do by law), notwithstanding which they have allocated growth targets for Ashover parish overall which are twice those set for the district as a whole</p> | <p>objective assessment. The issue that the draft Local Plan set housing targets for the settlement of Ashover more than twice the District average is addressed in the Plan.</p> | |
| 19 | AP 4: New Housing Provision | | <p><u>Page 12 Para 8.1</u> The Chapter opens “The Parish is a very popular place to live. It is easily accessible from major towns and cities” This statement is potentially misleading in certain respects and can create problems when we try to resist inappropriate large scale development in the parish. I think it might be better to say ... “It is <u>reasonably accessible to those with private transport</u> from major towns</p> | <p>The text will be amended accordingly.</p> | <p>The text will be amended to make it clearer that the Parish is reasonably accessible by car.</p> |
| 20 | AP 4: New Housing Provision | | <p>The paragraph continues by stating that “This means there is a high demand for housing as reflected in above average house prices, as well as pressure to build more homes in the Parish”. In order to resist inappropriate development I think it might be better to say “The quality of life in the community is reflected in above average house prices, however there currently appears to be a surplus of housing for sale and it is only turning over very slowly</p> | <p>The text will be amended to reflect the first suggestion i.e. that the quality of life is reflected in above average house prices. With regard to the issue of whether there currently appears to be a surplus of housing for sale in the Parish, it is recognised that there is some evidence to support this. There are however, mixed views for the main reason (s) for this including that the prices</p> | <p>The text will be amended to reflect that “The good quality of life in the community is reflected in above average house prices”.</p> |

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| | | | | being sought for some properties is not competitive rather than there not being sufficient demand. | |
| 21 | AP 4: New Housing Provision | | <p><u>Page 13 2nd paragraph</u> The para reads “In the absence of an agreed District-Wide methodology for proportioning the overall 6,755 new dwellings target across the District,” In fact, Paragraph 14 of the NPPF requires Authorities to base housing growth targets on “Objectively assessed needs”. Accordingly, I think the following words would strengthen the opening of this paragraph. “Until such time as the LPA (Local Planning Authority) have objectively assessed the housing needs of the Rural West of the District as required by the NPPF, and recognising the need to progress the Neighbourhood Plan during ..”</p> | As mentioned earlier, there are contradictory statements with regard to the extent which the District Council has undertaken an objective assessment of the need for additional housing in the Rural West of the District. It is considered that it would not be appropriate to state that there has been no objective assessment. | None. |
| 22 | AP 4: New Housing Provision | | <p>Analysis of Planning Approvals for Ashover Parish for the period from the start of the current planning period in 2011 up to November 2015, shows that 67 new dwellings have already been provided for. The statement that says 20 extra dwellings were approved by November 2014 significantly underplays progress against the target. In the light of the above statistics, a residue of 78 new dwellings still needed seems to</p> | Since the draft was published, more up to date housing completion figures have become available. | The Plan is to be amended to reflect more up to date housing completions/approvals. |

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| | | | grossly overstate the case. | | |
| 23 | AP 4: New Housing Provision | Highways Agency | We note that the Neighborhood Plan sets out a target of 98 dwellings to be built by 2031 of which 20 have been built or have planning permission. In the absence of a District wide Plan to influence the Neighbourhood Plan, this target has been set using the settlement hierarchy and principles developed by North East Derbyshire. We do not consider that this scale of proposed development will impact upon the operation of the strategic road network. | Noted especially that the scale of proposed development will not impact upon the operation of the strategic road network. | None |
| 24 | AP 4: New Housing Provision | | IN ORDER TO MEET THIS ASSUMED DEMAND OF 78 IN POLICY AP4, WHICH IS CLEARLY LOWER THAN NEDDC MIGHT EVENTUALLY IMPOSE, THE DRAFT NP IS PROPOSING TO ACHIEVE THIS DEMAND VIA 2 POLICIES - AP5 AND AP6. | Comment noted. | None. |
| 25 | AP 5: New Housing Allocations | | Land to the south of Moor Road, Ashover - With my comments about the overall housing target in mind, I would like to draw your attention to the land to the side and to the rear of The Bourne (indicated in red on the submitted Site Location Plan). It consists of rough pasture land. Its frontage onto Moor Road is approximately 55m in width and as it extends down the hill in a southwesterly direction it widens to approximately 95m. The overall site area is approximately 1.8 hectares. | The Group did consider the site for housing, but viewed it as inappropriate. There are more suitable sites for housing, which the Plan puts forward. The Plan makes sufficient provision to meet its minimum housing needs. | None |

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| | | | <p>My client would like to put the site forward for development. We have commissioned a highways report which identifies a suitable means of access to the east of The Bourne. There are a number of mature trees located along the periphery of the site; a site layout can be designed to ensure that they are not adversely affected by development. There are no significant specimens in the area of the site frontage with Moor Road which would preclude the creation of a suitable vehicular access at this point. We would propose to incorporate some specialist housing for older and less mobile people into the scheme. The site allows this as the slope is not too severe and there is a clearly identified need for this type of housing in the parish. We would be happy to work with the steering group to agree what proportion of the homes will be 'accessible and adaptable' dwellings designed to comply with the Building Regulations (Part M – Category 2) with the remaining dwellings designed as wheelchair user dwellings designed to comply with Building Regulations (Part M – Category 3). I consider that development of the site will not have a detrimental effect on the visual amenity, character and function of the Special Landscape Area subject</p> | | |
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| | | | to the sensitive layout of any residential development, the retention of important trees and hedgerows on the periphery of the site and the use of suitably designed buildings that respect the scale and architectural features of the village and use sympathetic materials such as local gritstones and sandstones. | | |
| 26 | AP 5: New Housing Allocations | Environment Agency | The Ashover Neighbourhood Plan allocates land for housing in a number of settlements within the Neighbourhood Plan Area. Our records indicate that part of a proposed housing allocation site at Fallgate lies within Flood Zone 3 and 2 of the River Amber. This is land classed as having a high probability of flooding. For information, we're aware that a planning application (Reference 15/01302/OL) has been submitted for the proposed housing land allocation for which the application (red line) boundary will be amended to avoid land falling into the Flood Zones. You may wish to amend the housing land allocation boundary similarly. | It is agreed that is not appropriate to include that part of the Fallgate housing site, that is within the Flood Zone, in the housing allocation. | The Plan and the Proposals Map will be amended so that the concerned housing land allocation which forms part of the Fallgate Site avoids falling within the Flood Zone. |
| 27 | AP5: New Housing Allocations | | Two major developments adjacent to each other in Kelstedge does not constitute small scale development. And far exceeds Local need. | It is considered that the two sites (each with the potential to accommodate 5 to 9 dwellings) are small scale both individually and collectively. They were selected following investigation, consultation | None |

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| | | | | and after assessing housing needs. The policies in the Plan (as well as emerging district wide ones) direct development towards the main settlements in the Parish including Kelstedge which it is considered is a suitable and sustainable location for small scale strictly controlled housing development. | |
| 28 | AP5: New Housing Allocations | | Before I am branded as a NIMBY I would add that a maximum of 12 small (2/3 bed) properties spread over the total development area and sensibly placed to avoid loss of amenity to current residents would not be untoward and would meet village needs. However, it is unlikely this low a number would appease the developers. | It would not be appropriate for the Plan to place a maximum limit on the number of properties that could be built on a site or a combination of sites. The Plan does support and encourage the provision of smaller properties as you suggest. | Noted. |
| 29 | AP5: New Housing Allocations | | THIS POLICY HAS IDENTIFIED 5 MINOR EXCEPTIONAL SITES FOR DEVELOPMENT WITHIN THE PARISH. QUOTE "EACH CAN ACCOMMODATE AT LEAST FIVE DWELLINGS" FURTHERMORE THE NEDDC DEFINITION OF A MINOR DEVELOPMENT IS NINE OR LESS DWELLINGS THEREFORE POLICY AP5 CLEARLY INDICATES THESE FIVE SITES COULD EACH ACCOMMODATE BETWEEN FIVE AND NINE DWELLINGS. A FULL READING OF POLICY AP5 WOULD | This is noted, and the text will be amended accordingly to make this point clearer. | The text will be amended to make it clearer that each site can accommodate between five and nine dwellings. |

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| | | | HAVE RESULTED IN DIFFERENT COMMENTS FROM THE PC. CLEARLY POLICY AP5 NEEDS TO BE FOLLOWED AND SUPPORTED BY THE PC. I WOULD SUGGEST CLARIFYING AP5 AS FOLLOWS, THESE FIVE EXCEPTIONAL MINOR SITES CAN “EACH ACCOMMODATE AT LEAST FIVE DWELLINGS BUT NO MORE THAN NINE DWELLINGS”. THIS WOULD GIVE CLARITY TO ALL THE STAKEHOLDERS INVOLVED IN THIS PROCESS. | | |
| 30 | AP6: Small Infill and Redevelopment Sites | | These sites often comprise redundant or underutilised buildings, including former farm buildings, or a small gap within an existing frontage of buildings” Whilst I agree that windfall sites are an important part of the potential for providing extra housing in the parish, my own view is that small gaps within an existing frontage create an open feel to the built environment which is an important part of the character of the village and we ought not to be encouraging the loss of that feature. My preference would be to omit the words “or a small gap within an existing frontage of buildings”. | Agreed. The Plan will be amended to remove reference to a small gap within an existing frontage of buildings. | The Plan will be amended to remove reference to a small gap within an existing frontage of buildings. |
| 31 | AP6: Small Infill and Redevelopment Sites | | POLICY AP6 RECOGNISES THAT QUOTE “IN ADDITION TO THE LARGER SITES ALLOCATED IN POLICY AP5 THERE WILL BE OPPORTUNITIES FOR FURTHER | Your concerns are noted. The Local Plan for North East Derbyshire, including any targets it contained, has been effectively withdrawn. | None |

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| | | <p>SMALL SCALE SITES OF LESS THAN FIVE DWELLINGS FOR SMALL WINDFALL SITES NOT YET IDENTIFIED THAT ARE IN LINE WITH ALL OTHER POLICIES IN THE DRAFT NP". POLICY AP6 AND AP5 IN REQUIRING COMPLIANCE WITH ALL OTHER POLICIES IN THE DRAFT NP ARE TOO PRESCRIPTIVE AND DO NEED TO CONSIDER THE PLANNING BALANCE THEREBY GIVING THE PC AND EVENTUALLY NEDDC THE SCOPE TO CONSIDER EACH SITE IDENTIFIED IN AP5 AND AP6 INDIVIDUALLY AND ON THE BALANCE OF ITS OWN MERITS EVEN IF IT DOES NOT COMPLY WITH ALL THE POLICIES IN THE DRAFT NP. THE ONLY SCOPE IDENTIFIED SO FAR BEING QUOTE "SUBJECT TO ANY PROPOSAL GENERALLY BEING WITHIN THE DEFINED LIMITS TO DEVELOPMENT ". FAILURE TO ALLOW SOME FLEXIBILITY & BALANCE COULD LEAD TO A FAILURE TO BE ABLE TO DELIVER THE NUMBERS REQUIRED BY BOTH THE NPPF AND NEDDC. THIS COULD POTENTIALLY BRING THE DRAFT NP IN TO QUESTION BY NEDDC AND THEN BY ANY LARGER DEVELOPERS DURING ANY FORMAL PLANNING</p> | <p>Without the provision of an up-to-date housing target for Ashover in an adopted Local Plan, the Steering Group has worked hard to develop a housing target that is robust and reflects housing needs. It considers that a minimum target based on the district average for housing growth is suitable and sustainable. The absence of any significant objections to the amount of development proposed indicates general support for the target. The Plan has also built in some flexibility by basing its calculations on the 6755 district wide housing target, which includes a 12% over provision.</p> | |
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| | | | PROCESS. | | |
| 32 | AP8: Affordable Housing | | Is it possible to have written into the conditions of any Affordable housing provided that this must not be used for second homes, holiday cottages etc. Could this also be a condition on new groups of market housing in order to try to prevent Ashover becoming a village of holiday lets. | To date, second homes has not been raised as a major issue. It also appears that there is little scope in planning policy on the issue of second homes or restricting market homes for local use only. | None. |
| 33 | AP9: Existing Employment Uses | | It states that "The Parish has avibrant economy" – is this really true with 2 pubs closed? | The loss of the 2 pubs is noted. Notwithstanding this, evidence from the Census and other sources supports that the Parish has a relatively vibrant economy e.g. numbers of people self-employed. | None. |
| 34 | AP13: Assets of Community Value | | I suggest Ashover Show is included in the list of asset community value, as well as the land on which it stands. | This is noted. The regulations do not allow a Neighbourhood Plan to designate an 'Asset of Community Value'. There is a separate process to do this. Your views have been conveyed to the Parish Council. The Plan protects the concerned land through its designation as a Local Green Space in accordance with Policy AP 19 | None. |
| 35 | AP15: Listed Buildings | Historic England | Your Neighbourhood Plan has within its boundary the Ashover Village, North East Derbyshire Conservation Area and includes a number of designated heritage assets including | This is noted, and the Plan includes policies that safeguard important heritage assets. We have worked with officers in | None. |

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| | | | <p>the Grade I listed Church of All Saints and the Scheduled Monument Stone Edge smelt mill at Moss Farm, as well as multip Grad II listed buildings. It will be important that the strategy you put together for this area safeguards those elements which contribute to the importance of those historic assets. This will assist in ensuring they can be enjoyed by future generations of the area and make sure it is in line with national planning policy. The conservation officer at North East Derbyshire District Council is the best placed person to assist you in the development of your Neighbourhood Plan They can help you to consider how the strategy might address the area's heritage assets. At this point we don't consider there is a need for Historic England to be involved in the development of the strategy for your area.</p> | <p>NEDDC in developing the Plan.</p> | |
| 36 | AP 18: Special Landscape Area | | <p>The text of the draft policy reads “...Within Special Landscape Areas as defined on the Proposal Maps, development will be permitted where:” I strongly believe that this needs to read, “development will <u>only</u> be permitted where:” This may seem trivial but I have seen a number of Appeal cases which have failed for want of that one word. Without the word “only”, the policy does not exclude approval of</p> | <p>Noted. The Policy referred to is an existing agreed policy of NEDDC. It is considered inappropriate for the Plan to amend it.</p> | <p>Noted.</p> |

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| | | | applications which do not satisfy the conditions laid out in policy AP 18 as I believe is intended | | |
| 37 | AP19: Designation of Local Green Spaces | Natural England | We support Policy AP 19: Important Local Green Spaces which looks to protect open green spaces from undue development | This support is welcomed. | Noted |
| 38 | AP19: Designation of Local Green Spaces | | Should this "Tennis Court of Malthouse Lane, Ashover;" read "off Malthouse Lane." | Agreed, and the Plan will be amended accordingly. | The text will be amended to correct this typographical error. |
| 39 | AP20: Ecology and Biodiversity | Natural England | We welcome the desire within Chapter 12 to ensure local wildlife, habitat and the wider landscape character to be supported both for their intrinsic value, and for the benefit this will bring for residents and visitors to Ashover. | This support is welcomed. | None. |
| 40 | AP20: Ecology and Biodiversity | Natural England | We welcome Section 12.3 Biodiversity and Nature Conservation which details the habitats and species to be found within Ashover including the Nationally designated site of Fall Hill Quarry SSSI and that the Neighbourhood Plan will seek to protect and enhance these sites. | This support is welcomed. | None. |
| 41 | AP20: Ecology and Biodiversity | Natural England | We welcome the intention of Policy AP 20: Ecology and Biodiversity but recommend the wording be amended to ensure that locally and national identified sites are identified as statutorily designated sites and specifically naming those sites which could be potentially affected including Fall Hill Quarry SSSI. This will ensure that developers can | This support is welcomed, and it is agreed to specifically mention Fall Hill Quarry SSSI. | The text to be amended to specifically mention Fall Hill Quarry SSSI. |

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| | | | provide suitable mitigation proposals as required. | | |
| 42 | AP20: Ecology and Biodiversity | Natural England | We also recommend that this policy should make reference to protected species and that suitable surveys should be undertaken prior to development under the guidance of Natural England Standing Advice. | Agreed, and the Plan will be amended accordingly. | The text will be amended to make reference to protected species and suitable surveys |
| 43 | AP20: Ecology and Biodiversity | Environment Agency | We're concerned that, as submitted, Policy AP 20 on Ecology and Biodiversity is not clear. In particular, we do not understand the opening sentence to the policy which appears to suggest that development that will lead to a loss of biodiversity should protect and enhance biodiversity. We recommend that the policy is amended to read as follows: "Development proposals that conserve or enhance biodiversity, and incorporate biodiversity in and around them should be permitted. Development proposals should promote preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species populations where applicable. Development proposals that cannot avoid (through locating an alternative site with less harmful impacts), adequately mitigate, or, as a last resort, compensate for the loss of a locally or nationally identified site of biodiversity value should be refused." We recommend that Policy | It should be noted that Natural England were generally supportive of the existing policy, but also made a few suggested amendments to its wording. We have developed a revised policy based around the suggested wording from the Environment Agency together with comments received from Natural England. | The wording of Policy AP 20 to be amended based on the suggested wording from the Environment Agency. |

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| | | | AP 20 is amended to include the following reference to the Water Framework Directive (WFD) "Development proposals should support the delivery of the Water Management Framework and its objectives as set out in the Humber River Basin Framework Plan". | | |
| 44 | AP21: Important Trees, Hedges and Woodlands | Natural England | We welcome AP 21: Important Trees, hedges and Woodlands but recommend that this policy makes specific reference to the protection of Ancient Woodlands. | This support is welcomed, and it is agreed to specifically mention Ancient Woodlands. | The Policy and text to be amended to mention Ancient Woodlands. |
| 45 | AP22: Renewable Energy and Low Carbon Technologies | | Is it possible to write in anything to protect the Parish from fracking as it appears we are in the area where this could happen, especially as we are just outside the Peak District where there are going to be much stricter controls? | Fracking has not been highlighted as an issue. It may also be outside of a NP to deal with this issue. | None |
| 46 | AP23: Noisy Sports | | <u>Page 27 Section 12.6</u> The text refers to "noise sensitive development". It is not at all clear what is meant by "noise sensitive development" so it's difficult to see how decision makers applying this policy should interpret that requirement Item d) reads "incorporates a plan to show how the site will be managed, ..." I believe this would be stronger if it read "incorporates and commits to the implementation of a plan to show how the site will be managed, ..." | Agreed, and the Plan will be amended accordingly. | Text to be amended to include more examples of noise sensitive development, and to include the revised wording as suggested. |
| 47 | AP24: Traffic | | I would also add that before any development takes place on Ashover Road in Kelstedge the speed limit | Noted. The Plan includes policies that will ensure that development proposals do | None. |

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| | | | needs to be reduced to 30mph from the main road to Ashover village and, the Marsh Green Lane footpath has to be made passable in all weathers to all users, not just the booted and fit few, or the footpath along Ashover Road to be extended to cover the area where it crosses Marsh Brook to allow safe and easy pedestrian access to the Main village facilities. | not result in a severe or cumulative impact on congestion or road safety. | |
| 48 | AP24: Traffic | | The text reads "Development proposals must demonstrate that the traffic generation and parking impact created by the proposal does not result in a severe direct or cumulative impact on congestion, or road and pedestrian safety." In dealing with some of the current applications in the village we have struggled in the face of a view which tries to argue that if a traffic situation is already unacceptable, it should not be allowed to affect future applications. This is clearly a nonsense and accordingly AP 24 would be stronger if it read "Development proposals must demonstrate that the traffic generation and parking impact created by the proposal does not result in a severe direct or cumulative impact on congestion, or road and pedestrian safety, <u>or add to an already unacceptable situation.</u> " | The policy seeks to address both the direct and cumulative impact of a development proposal. The inclusion of the "or add to an already unacceptable situation" may also be odds with national planning policy. | None. |
| 49 | AP27: Protection and enhancement | | The text of the policy reads "Development proposals that result in the loss of, or have significant | It is agreed that this could be made more strongly restrictive though the use of | The text to be amended to read "will not be permitted" rather |

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| | of footpaths, footways and bridleways | | adverse effect on, the existing network of footpaths, bridle ways and cycle ways will not be supported.” This needs to be more strongly restrictive and instead of “will not be supported” the policy should read “will be refused.” | “will be refused” is perhaps too restrictive and not in accordance with national planning policy. | than "will not be supported". |
| 50 | AP28: Protection and enhancement of footpaths, footways and bridleways | Natural England | We welcome Policy AP 28 Footpaths, cycleways and bridleways whereby - The Parish Council will actively seek to work with the County Council, District Council and other relevant agencies to encourage opportunities to secure improvements in the present network of footpaths, cycleways and bridleways, including through developer contributions. This policy reflects the benefits of Green Infrastructure and enabling the connectivity of green space for benefits not only for residents but for visitors to Ashover District. | This support is welcomed. | None |
| 51 | AP28: Protection and enhancement of footpaths, footways and bridleways | Ashover Footpaths Group | The Draft NP should include ‘horseriders’? | The text makes references to bridle paths, but agreed this could be made more specific. | That the text be strengthened in respect of horseriders. |