

Presentation to Ashover Parish Council by David Thompson, Assistant Director of Planning, NEDDC.

At the July Parish Council meeting we had presentations from two members of NEDDC's Planning team – David Thompson, Assistant Director of Planning and his colleague, David Cunningham NEDDC's Arboriculturist.

Each presentation was very informative and we took notes which we used to prepare two articles for publication. The first of these articles, based on the presentation by David Cunningham, was posted on 27 July and the following covers our discussion with David Thompson.

Introduction

About a year ago, the Parish Council set out a list of a wide range of questions, ahead of a visit from Nigel Barker, Leader of NEDDC. Unfortunately, Nigel was unable to go ahead with his visit but following discussion with colleagues across NEDDC he provided written answers which the Parish Council shared as a News article in March this year.

Most of these questions were Planning related so we invited David Thompson, as Head of Planning to join our meeting where we could revisit some of these questions in more detail, as well as touching on Biodiversity which also falls within David's remit. Set out below are the questions along with David's response during the meeting.

1. Are you proposing to add any Biodiversity / carbon footprint conditions on planning applications and will this be reflected in a revision to the Local Plan?

Answer: Some of the NED Local Plan evidence base originates from 2017 and is in the early stages of review. This will align with the National Planning Policy Framework and Environment Act 2021, harmonising Biodiversity and Climate Change requirements, including flood risk and emphasis on sustainable construction. Meanwhile, the recently legislated 10% Biodiversity net gain requirement is being applied to new planning applications. The new Government is expected to drive more change particularly around renewable energy.

2. Are there any plans to charge Community Infrastructure Levy (CIL) on new builds?

Answer: CIL has a broad context and can present viability challenges. NEDDC takes a site-specific approach using Section 106 agreements (often referred to as 'Developer Contributions').

Replacement of Section 106 Agreements with a national Levy structure is something that the previous government mooted. We await the position of the current government on this issue.

3. Do you look at planning applications in isolation or do you consider all other applications within that locality which could have an impact on water, sewerage, public transport links, road congestion, schools, health centres etc. and if so, do you pursue a consultee who has not responded to your request for information. If you still fail get a response, then who makes the decision about the relevant item which has not been responded too and on what information do they then base that decision on?

Answer: Individual applications are assessed on their own merits and the likely impacts local to that site. Larger housing developments do trigger an assessment of the cumulative impact including capacity at Doctors' surgeries, Schools etc. and the cumulative impact on the infrastructure will also be taken into account, especially developments of 10 or more dwellings.

Note: water authorities are required, by law, to accept housing increases then mitigate the impact in their infrastructure planning – Planning authorities have no right of challenge. Applications for major development are, however, specifically obliged to be accompanied by flood risk assessments/drainage strategies.

4. What is the latest on the proposed roundabout/traffic lights at the A61 junction with Mill Lane?

Answer: A feasibility study has been commissioned. Initial findings are that the roundabout proposal is not a viable option due to land ownership and cost. Traffic Lights at Mill Lane leading onto the A61 are under consideration.

5. Developers have a reputation for backing out of affordable housing commitments, on viability grounds. To what extent does NEDDC have in-house/external expertise to challenge this?

Answer: We seek third party expert assessment if all viability assessments presented as part of planning applications where the full policy compliance mitigation measures, including affordable housing, are not being proposed. Where that assessment results in the need to challenge the offer a developer is making, we will do that.

6. The Derbyshire Wildlife Trust has mapped designated Wildlife Sites. Are these sites taken into account by NEDDC when considering planning applications?

Answer: NEDDC currently working with Derbyshire Wildlife Trust on a Biodiversity Action Plan. Ashover Parish Council has signed up to the communication strategy which is being rolled out over the next few months.

7. It looks like Net Gain legislation will have developers engaging experts to minimize their obligations. How well resourced is NEDDC to challenge such postures?

Answer: The 10% biodiversity net gain is a legal requirement and Planning departments and developers must be geared up for their obligations. NEDDC has a Service Level Agreement with Derbyshire Wildlife Trust, who provide us with expert advice on planning applications where ecology and BNG are material considerations.

8. What practical steps, from a biodiversity perspective, can parish councils take to play their part when reviewing applications?

Answer: Parish Councils have local knowledge and should share their perspective with Planning officers when relevant to applications received. NEDDC will be seeking to work with Parish Councils on Biodiversity Net Gain – land availability for offsetting etc.

9. Are there any plans for Social Housing in Ashover?

Answer: NEDDC has nothing in the system at the moment. It is anticipated that the assessment results of the recent 'Housing Needs Survey' would underpin the Local Plan Review. There will likely be a 'call for sites' as part of the process of the Local Plan Review and all Parish Councils will be notified in advance of that process commencing.