

Table of Consultees Reg 14

Date	name	Contact address	response
14/9/19	Derbyshire County Council	planning.policy@derbyshire.gov.uk	Full response received
14/9/19	Mackworth Parish Council	clerk.mackworthpc@gmail.com	Ack. only. No response
14/9/19	Weston Underwood Parish Council	clerk@westonunderwoodpc.org.uk	No response
15/9/19	Brailsford Parish Council	clerk@brailsfordandednastonpc.org.uk	Response- it does not affect this parish
15/9/19	Mercaston Parish Council	richard@wildparkderbyshire.com	Ack By Richard Else 15 Sept. No further response
15/9/19	Dalbury Lees Parish Council	dalburyleesparishcouncil@yahoo.com	Ack 19 Sept Margaret Fox, Clerk
15/9/19	Derby City Council	https://www.derby.gov.uk/environment-and-planning/planning/	Ack 15 Sept. No further response
15/9/19	Derbyshire Dales County Council	planning@derbyshiredales.gov.uk	Ack By Derbyshire Dales Auto reply 15 Sept. No further response
15/9/19	Homes & Communities Agency	Louisa.Henry@hca.gsi.gov.uk	No response
15/9/19	Natural England	consultations@naturalengland.org.uk	Full response received.
15/9/19	Environment Agency	planning.trentside@environment-agency.gov.uk	Full response received.
15/9/19	Historic England	midlands@HistoricEngland.org.uk	Ack. 23 Sept. by Rachel Foy. Full reply received
15/9/19	Highways England	PlanningM@highways.gsi.gov.uk	Full response received
15/9/19	Western power	Westernpower.co.uk	No reply received
15/9/19	Severn Trent Water	Jack.Robinson@severntrent.co.uk GrowthDevelopment@severntrent.co.uk	Full reply received
15/9/19	NHS Derby and Derbyshire CCG	Robert.Hill@southernderbyshireccg.nhs.uk ddccg.enquiries (the first address was supplied by AV planning but not delivered) Robert.hill8@nhs.net	Error message Robert Hill. DS notified New address obtained from AV and sent. Addressee asked whether additional time is needed. No response
20/9/19	BT Openreach	cbyd@openreach.co.uk nnhc@openreach.co.uk (addresses supplied by complaints department by phone)	No reply received
20/9/19	The national Grid	n.grid@amecfw.com n.grid@amec.com	Response received. Refers only to Western Power (see above)
20/9/19	British Telecom	paul.bimson@bt.com	Error-could not be sent. DS Notified 25 Sept. Used BT openreach address (see above)
20/9/19	Amber Valley Planning	Derek Stafford	Ack received. Full reply.

3 Table of consultation responses considered and action taken			
	Name of consultee	Response summary	Action taken
1	Owners of Barn Croft	There is an error in the plan as the walls referred to do not belong to this address, they belong to Langley Hall. (Produces extract from Land Registry to support his claim)	The Historical record checked, confirming the NP is accurate. However it appears the record is incorrect. Decision: add footnote: page 35 (16) <i>“the historical record reference to Barn Croft is incorrect as the listed walls do not form part of the title to this property”</i>
2	Natural England	Agrees with policies HOUS 2, ENV 2,3,and 4 and recommends use of “toolkit” accessed through link.	Checked link, all broad headings which are relevant are covered by the plan. Decision: No amendments required.
3	DWT	proposed rewording for biodiversity policy, but no critique of environment policy. No criticism of countermeasures proposed. Suggests use of map showing key sites	Decision: amend policy and include map and key. Amendments to be made to policy will also incorporate DCC suggestions by merging. General effect is to tighten policy.
4	Several residents	Concerned because AVBC has also resolved to permit additional 33 dwellings (AVA/2018/1006) in addition to the 30 permitted in 2018 (AVA/ which takes beyond total of 54. Also expresses fear that the plan will not be taken account of in planning decisions.	Decision: No action needed. There has already been liaison with AVBC about this matter and wording agreed for policies and justifications.
5	A resident	Concerns relate to access to secondary school, local amenities, traffic speed A52	Decision: strengthen references to amenities especially secondary schools in narrative:- <i>PG 27 “In particular, some residents were worried about secondary school places, particularly at Ecclesbourne School and the increased pressure on local GP facilities. Their concerns also encompassed the recent developments in neighbouring Parishes and the cumulative effect of this increase in the local population.”</i>
6	An affected party	Attended on behalf of cricket club. Pleased to note no significant impact for playing fields. Highlights need for improved relationship between club and village.	Decision: No amendment necessary

7	A resident	Concerns traffic safety with increased housing -access from A52, Moor Lane	Derbyshire CC highways response to consultation raises no issues. Concerns about traffic are dealt with in the plan. New development will add crossing on A52 Decision: no action.
8	A resident	Concerned about impact on wildlife, which will get worse and once lost is irrecoverable. Raises traffic concerns and danger to villagers. Expresses need to “keep it a village’ and therefore no more building; facilities are stretched	Decision: no action needed. These issues are dealt with in the plan
9	A resident	Wishes to keep our village as a village, not a dormitory	Decision: No action needed
10	A resident	in any forthcoming reviews, please consider possibilities for planting more trees in the Parish and for re-wilding any suitable areas (e.g. parts of the allotments and adjacent fields on Moor Lane).	Decision: See DCC suggestions re tree-planting, which have led to suitable amendments. No action needed re re-wilding suggestion as this is outside the plan remit.
11	Historic England	General advice only, no criticism of the plan	Decision: No specific critique of our plan. All headings already covered. No action needed
12	Highways England	Comments that “From review of the KLNP we do not consider that growth plans across the Parish will result in a material traffic impact on the SRN” (strategic road network).	Decision: No action needed
13	Environment Agency	Comments on Housing, flood risk and biodiversity policies: “Housing We note that housing is proposed within the neighbourhood plan area. Whilst no specific allocations are proposed, 54 houses are deemed acceptable as long as they are within the parameters of policy ‘HOUS2 Location’. Whilst there is no map of development framework for Kirk Langley it is defined as ‘the limits of continuous or contiguous development forming the existing built up area of a settlement’ within the justification. There a flood zones associated with the ordinary watercourse, the Flagshaw Brook, to the north of Kirk Langley, and development should be steered away from these areas where at all possible.	No criticism of the plan or suggestions for improvement Decision: No action needed

		<p>Flood Risk We welcome that flood risk is addressed within ENV5 Flooding and Drainage and if development is proposed in a flood zone then it should not increase flood risk to the site and to others line with the requirements of the NPPF.</p> <p>Biodiversity We welcome the policy ENV3 To protect and enhance biodiversity. The opportunity to require developments to provide net gain for biodiversity is something we welcome within this neighbourhood plan. The mandating of biodiversity net gain has been reinforced within the latest reiterations of the NPPF.</p>	
14	Amber Valley	<p>6 page response Setting out largely cosmetic errors and adding detail such as including planning application numbers as appropriate. Requires detailed plan for Green Space designation. Also wording suggested “Pending the preparation of a new Local Plan, the policies of the Adopted Amber Valley Borough Local Plan 2006 will continue to apply, although the weight to be given to these policies will depend on the extent to which they remain up to date with national policy”</p> <p>Verbal: in relation to the decision to allow an additional 30 homes adjacent to the 33 already permitted (decision September 2019) ensure the plan allows for limited development even if the target figure of 54 is exceeded. Further discussion has led to a slight amendment to HOUS2 Policy to ensure consistency. Wording of the first two housing policies and justification agreed.</p>	<p>Decision: Amend in full. Issue concerning Green Space designation dealt with below.</p> <p>Ensure the plan allows for the development of a small number of additional homes even though the target will be exceeded. Amended accordingly.</p>

15	Severn Trent	<p>Housing generally supportive of housing policies</p> <p>Suggested improvements to policies as follows:</p> <p>Natural Environment Policy ENV5; “Development should not increase the risk of flooding and/or drainage problems. Advise Sustainable Urban Drainage Systems (SUDS) are utilised on all developments to help manage surface water; thus providing flood risk benefits but also improving local water quality, biodiversity and amenity value.</p> <p>Greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. Request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers and encourage you to impose the expectation on developers that properties are built to the optional requirement in Building Regulations of 110 litres of water per person per day.</p>	<p>Decision:</p> <p><i>ADD at 3.4.3.10 (page 45) ‘developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers’.</i></p> <p><i>“the expectation on developers is that properties are built to the optional requirement in Building Regulations of 110 litres of water per person per day”</i></p>
16	A resident	<p>Agree that new housing should be kept to a minimum, as suggested and that it should be as eco-friendly and sustainable as possible: eg solar roof panels, heat pumps, connectivity between gardens to allow hedgehogs to move about, incorporate bird and bat boxes into new builds and ensure there is no net loss of biodiversity when new housing is proposed, etc.</p> <p>4.9 ref to brown hairstreak butterflies is incorrect.</p>	<p>Decision:</p> <p>Amend appendix 10 to remove errors (and see DWT input). Agree editing of lists and add proviso that the list of wildlife is of species seen by members of the committee i.e not complete.</p>

		<p>Annex 6 -is incomplete and contains errors (explained). Remove the categories 'game', 'predators' etc. Butterflies: many more species are recorded in the parish. Would have liked to see more emphasise being put on how to improve the parish's environment and biodiversity. There is mention of this already (eg more hedges) but some sort of quantitative approach might help: Eg. x trees to be planted by 2030, y kms of new hedge to be planted, z ponds to be reinstated/managed for wildlife, verges not to be mown more than absolutely necessary for road safety, churchyard (rich in some quite rare fungi) not to be mown at the time of year when they appear (October) or the areas where they grow to be left while the rest is mown, farmers to be encouraged not to cut/flail hedges every year, etc. Parishioners encouraged to send reports of wildlife to DWT to build a better knowledge of what exists in the parish, etc.</p>	<p>Some of the comments are not planning issues but can be referred to the Parish Council as part of its Biodiversity/ecology duty.</p>
17	Derbyshire County Council	<p>22 page response- summary of key issues: 1. make the set out of policy and justification clearer 2. No “built framework” plan (Scaled OS) (and see point 7) 2A. Conservation Area plan does not identify boundaries 3. Suggest numbering all paragraphs 4. replace pg 27; 3.2.3.2 “however the Flagshaw lane development if completed will fund 15 new school places at the local primary school” 5. Title missing “Plan”. 3.2.3.1: “odd” wording of policy 6. HOUS 1 (Housing number) Housing assessment not robust as it includes completions in determining 6 further dwellings are required 7. HOUS 2, (Location) 3.2.3.3 should have settlement boundary and plan 8. HOUS 3 (Impact) 3.2.3.5 wording not consistent. Differentiation between both settlements can only be</p>	<p>Decision: Reword Plan first in accordance with AV submission, then: 1. amend to clarify, particularly in relation to policy/justification. “POLICY” heading added in each case above text in blue. 2. insert a plan of both settlements (LC and KL) and relationship with each other. However, we do not agree that settlement boundary is required. This follows discussions and agreement of wording with D. Stafford AV planning. All our target housing now covered by planning consents and resolutions. It is not compulsory to have a settlement boundary and the committee considered the pros and cons very carefully some time ago. This also deals with point 7.</p>

	<p>inferred. Also refers to lack of restriction on building in permitted areas which could be detrimental</p> <p>9. HOUS5 design: suggests strengthen policy by adding “high quality design” and requirement for a detailed design and access statement which identifies how the proposal would make a positive contribution to the locality. The appendices are cited incorrectly.</p> <p>10. Design principle, add: “they use permeable parking surfaces such as permeable paving, as part of the development’s wider use of Sustainable Drainage Systems (SuDS) to reduce the risk of flooding”</p> <p>11. HER1 maintaining ID of settlements; strongly suggests settlement boundary and changing wording to “towards LC or towards the A52 will not be permitted”</p> <p>12 ENV 2 -3.4.3.4 clarity around policy and justification and submission of a “landscape strategy”</p> <p>13. ENV3 Alternative wording suggested for ENV 3 to strengthen, by reference to development having a positive contribution towards locally important features and tightening existing wording.</p> <p>14. ENV4 -land use requires identification of built area</p> <p>15. ENV 5 tighten by requirement of permeable surfaces and use of SuDS where space permits</p> <p>16. BUS 1 suggests a plan would help showing distribution of businesses</p> <p>17. remove BUS2 and 3 and amend BUS 4 to include: “Further development of existing businesses on land already in commercial or agricultural use and proposals for new business development will be supported where it can be shown...”</p> <p>18 suggestions for improvement of justification for green spaces/energy efficiency/renewable energy/EV charging infrastructure/walking and cycle routes/</p>	<p>2A. The CA report has appendix 2 with maps, which was missed from original report. Amend plan to refer to this CA plan on page 34. If possible replace.</p> <p>3. we will retain the same numbering system. No other respondent has suggested this alteration</p> <p>4. agree change of wording</p> <p>5. reword as suggested</p> <p>6. This is incorrect. Email sent to D Dale (DCC) and D Stafford (AV) spoken to. Completions relate to those registered by AV after April 2019 wording on Annex 9 checked and policy amended to remove any possible ambiguity about this.</p> <p>7. For reasons set out at point 2; this is not agreed.</p> <p>8. plan states development is subject to all constraints in all policies. Reword title only to “Built environmental impact” for policy HOUS3 and refer to KL and LC spatial plan (new) at 3.2.3.2.</p> <p>9. HOUS5 reworded as suggested and appendices cited correctly</p> <p>10. Agree reword</p> <p>11. HER2 amendment agreed but not settlement boundary as above (point 2)</p> <p>12. Policy/justification distinguished and reworded to remove ambiguity</p> <p>13. Agreed to reword ENV3 together with DWT suggestion by merging the two.</p> <p>14. This is not agreed-see comment re settlement boundary</p> <p>15. agree rewording</p> <p>16. This is not agreed. It will not add value to the plan.</p> <p>17 Agree rewording to merge policies and add broadband connectivity and green energy.</p>
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18	A Landowner	Designation of Community Orchard as a Green Space may affect land value	Reconsidered designation of community orchard. Decision: Not appropriate to continue because:

			<ul style="list-style-type: none">● No existing right of way across the land-legal effect unclear● No historic usage● Fairness to landowner-worried about impact● Could withdraw permissions?● No other public comment about it either for or against.
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