

South Derbyshire Draft Local Plan Part 1 Review

2022 - 2039

October 2024



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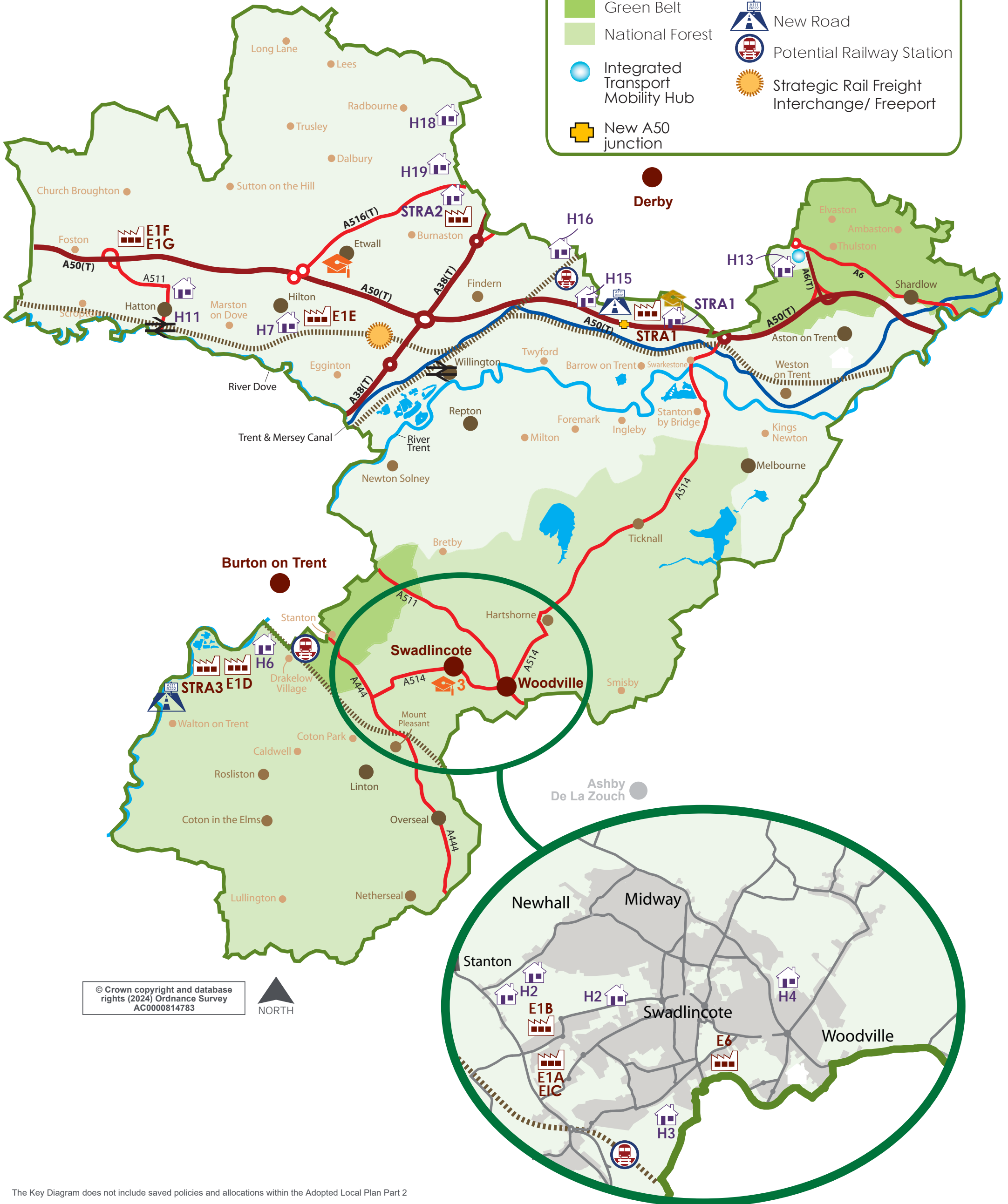
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Figure 1:
KEY DIAGRAM:
SOUTH DERBYSHIRE DISTRICT

KEY

	Trunk Road		Rural
	A Road		Local Service Settlements
	Railway		Key Service Urban
	Railway Station		Housing Site
	River/Lake		Employment Site
	Canal		New Secondary School
	Green Belt		Secondary School
	National Forest		New Road
	Integrated Transport Mobility Hub		Potential Railway Station
	New A50 junction		Strategic Rail Freight Interchange/ Freeport



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Introduction

About this Local Plan

- 1.1 This document is a consultation on a partial update to the adopted Part 1 Local Plan for South Derbyshire. The South Derbyshire Local Plan is the key document that sets out a strategy for future development in South Derbyshire up to 2039. The Local Plan sets out an ambitious vision and objectives, followed by a clear spatial strategy focusing on strategic allocations. These are followed by policies for managing development and infrastructure to meet the identified challenges facing the District until 2039 to help ensure the vision is met. Having a plan in place will ensure that development comes forward in a sustainable plan-led manner.
- 1.2 South Derbyshire is one of the fastest growing areas of the country¹. With its central location in the UK and high quality of life that is set to continue for both current and future residents.
- 1.3 The plan also means addressing as far as is possible the need for new school places, traffic congestion, climate change, flooding and housing that is affordable in choosing areas for development as well as conserving what's special about South Derbyshire's heritage and natural environment. To assist with your comments, we have highlighted key areas of the plan which have been updated as part of this Draft in [Blue](#).

National Policy

- 1.4 The Government's planning policies for England are set out in the National Planning Policy Framework (NPPF) which provide a framework directing local plans to provide sufficient housing, commercial and infrastructure development in a sustainable manner. The planning system has three overarching objectives: economic, social and environmental. These objectives should be delivered through the preparation and implementation of plans and the application of policies in the NPPF which states that, at the heart of the Framework is the presumption in favour of sustainable development – economic, environmental, and social matters.

¹ Office for National Statistics (Census 2021, 2022)

- 1.5 The NPPF says the planning system should be genuinely plan-led. Local Plans should reflect the vision and aspirations of local communities and must be prepared to contribute to the achievement of sustainable development. Local Plans need to be consistent with the principles and policies set out in the NPPF. It is important that whilst Local Plans should be inspirational, they should also be realistic in setting out development opportunities and policies to realise this.

Regulation 18, Draft Plan Stage of the Local Plan Part 1 Review, Overview

- 1.6 This review updates Part 1 of the South Derbyshire Local Plan to deal with the critical issue of meeting unmet housing need arising from the Derby Urban Area. This issue has become a pressing requirement since the adoption of the Part 1 strategic plan in 2016.
- 1.7 The Part 1 Review also increases what developers need to provide in terms of green space and biodiversity net gain
- 1.8 The Part 1 Review updates the existing Part 1 strategic plan to ensure that it is consistent with the latest national government planning policy, which is set out in the National Planning Policy Framework.
- 1.9 The Part 2 South Derbyshire Local Plan adopted in 2017 will be saved in entirety. This means the part 2 Plan will stay in use until the Plan is reviewed as a whole.
- 1.10 The Part 1 Review adds two new strategic sites on the Derby urban fringe, but wholly within South Derbyshire, which will improve South Derbyshire's housing supply.
- 1.11 It also adds boundaries and additional detail regarding two strategic scale employment locations
- 1.12 The Levelling-up and Regeneration Act 2023 requires that, once transitional arrangements end, only comprehensive plans will be able to be submitted under a new planning system. (Plans will no longer be able to be delivered in two parts.) Therefore, where in this document 'the next phase of plan making' is discussed, this means a full review of the Local Plan under the new system.
- 1.13 Until that time, the key issue of planning for sustainable new communities on the Derby urban fringe at Infinity Garden Village and South of Mickleover are the focus of this part 1 review.
- 1.14 The two new communities on the Derby urban fringe within South Derbyshire District will be planned on garden village principles and

provide high quality green spaces and infrastructure. Development in these locations will align with a strategic masterplan, allowing for a better quality of life for residents and a long-term vision for growth.

- 1.15 Each of the strategic allocations will have a detailed set of policy requirements, set out in a strategic allocation policy.
- 1.16 Detailed policy has been set out for the development of former power station land at Drakelow, which was initially allocated for redevelopment in the Part 2 Plan in 2017.
- 1.17 Similarly, development principles and a boundary have been set out to guide the East Midlands Freeport proposal at Eggington Common.
- 1.18 The development of strategic scale employment centres at Infinity Garden Village, Drakelow, and the East Midlands Freeport will attract inward investment of sub regional scale located near the strategic road network, and will provide a range of sizes and types of business premises for local firms to grow.
- 1.19 Because the existing plan was adopted relatively recently between 2016 and 2017 and because of the government's requirement that plan updates must be submitted by June 2025 (which may change as a result of the NPPF consultation); the majority of policies in the plan have been built upon and amended to reflect the latest national policy and the local evidence base, rather than replaced.
- 1.20 The Plan's overall strategy regarding issues such as retail, the settlement hierarchy and the development of Swadlincote have not been amended at this time, as there is no evidence that the hierarchy is in need of amending in so far as Derby being the focus for strategic scale growth. Much of the policy on these issues are part of Part 2 of the plan which is not within the scope of the current review.
- 1.21 The Levelling-up and Regeneration Act 2023 also allows government to publish national development management policies, this will mean some policies which would formally have been in Local Plans will now be determined at a national level.
- 1.22 A full review of retail, settlement hierarchy and Swadlincote's development will be progressed as part of the next phase of plan making when further evidence is available including the retail and leisure study and masterplan for Swadlincote,
- 1.23 This comprehensive review of the Plan as a whole is expected to gather pace following the adoption of the Local Plan Part 1 Review.

- 1.24 As part of the current update, existing policies within part 1 have been significantly strengthened to include further requirements to tackle and mitigate climate change, flood risk, enhance biodiversity and build on the need for green infrastructure in developments and ensure that a wide range of homes are provided for all sections of the community. This includes provision for extra care accommodation and retirement, as well as people with disabilities.
- 1.25 This Part 1 draft review of the local plan has been produced before the changes to the National Planning Policy Framework announced by the 2024 Labour Government have been finalised, and before the introduction of national development management policies (NDMP).
- 1.26 To ensure that plan making continues efficiently and that consultation responses are properly considered, the Council has agreed to publish this plan for consultation, with the expectation that it is likely to need to be amended in some respects by the new Framework and NDMPs.

How will the Local Plan Part 1 be used?

- 1.27 Planning law requires that planning applications are determined in accordance with the development plan.² This Local Plan will set the basis for deciding individual planning applications and will provide some certainty to residents, service providers and investors as to how and where development including infrastructure requirements is likely to take place over the Plan period. It will also set the context for Parish Councils and other local neighbourhood forums in the preparation of Neighbourhood Development Plans.
- 1.28 The Local Plan is in two parts as follows:
- Part 1 – Is the strategic part of the Plan. It contains strategic policies comprising of housing and employment allocations and spatial policies. This is the part that is being reviewed and updated.
- Part 2 – covers non-strategic housing allocations, detailed heritage and conservation policies, detailed retail policies, Rural Area policies and development management policies. This part is being saved and not amended at this time.
- 1.29 The Local Plan should be read as a whole, in conjunction with all other relevant national and local planning policies. All policies will be considered together during decision making, they are the strategic policies that provide context for Neighbourhood Plans and

² This includes local and neighbourhood plans that have been brought into force and any spatial development strategies produced by combined authorities or elected Mayors.

Development Plan Documents. More than one policy may apply to any planning application.

Local Plan Policy Context

- 1.30 The South Derbyshire Local Plan sits alongside national and county planning policies and guidance alongside other Development Plan documents. This includes the Derby and Derbyshire Minerals Local Plan (2022-2038), South Derbyshire Local Green Spaces Plan (2020) and the Adopted Neighbourhood Development Plans.
- 1.31 Together with the Local Plan, these policies and documents set out the framework for how new infrastructure, homes and jobs will be delivered in South Derbyshire across the next several years.
- 1.32 The South Derbyshire Local Plan 2022 – 2039 replaces the previously Adopted Local Plan Part 1 (2011 – 2028) that the District Council has adopted, Appendix 3 can be found containing a schedule of policies have been saved from the previously adopted plan. Existing neighbourhood plans which were made before the publication of this document remain part of the development plan but will require updating if they do not accord with the strategic policies contained within this plan.

Working within a wider Derby Housing Market Area (HMA)

- 1.33 South Derbyshire forms part of the Derby Housing Market Area (HMA³) along with Derby City Council and Amber Valley Borough Council. Both Amber Valley and South Derbyshire are closely linked to Derby City with whom the two authorities share strong associations in terms of housing, employment, transport and other infrastructure. In 2019, the Derby HMA boundary study confirmed that the three authorities were the most appropriate basis for strategic planning in the Derby area in



Figure 2: Map of Derby Housing Market Area

³ A Housing Market Area is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between where people live and work (Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government, 2021)

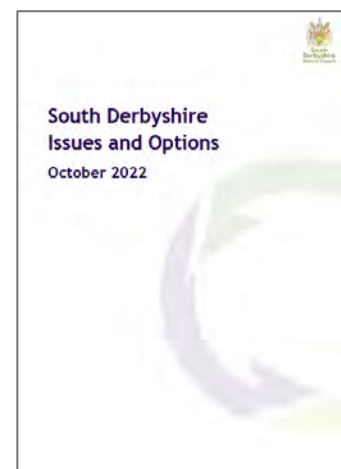
preparation for the next round of plan making to continue.

- 1.34 The HMA started aligned working and collaboration in 2009 with the outcome being in 2016 South Derbyshire was successfully able to adopt its Local Plan, followed by Derby City adopting their Local Plan. The Derby HMA have continued working together since then on cross-boundary issues and joint evidence gathering has successfully taken place this includes the Growth Options Study (2021), the Employment Land Review (2023), the HMA wide Sustainability Appraisal, HMA Boundary Study (2019).
- 1.35 This close working has been essential to ensure that the HMA as a whole is able to meet its housing needs and deliver the required infrastructure.

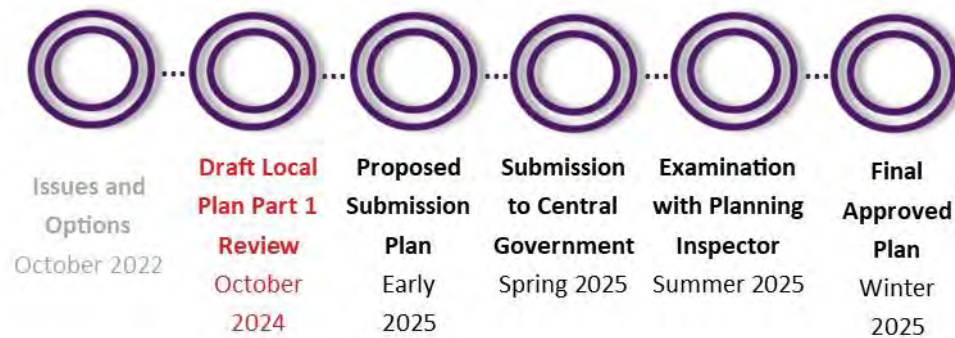
Local Plan Process

- 1.36 The Draft Local Plan Part 1 has been informed by evidence collected and past consultation. Participation has been encouraged from a wide range of consultees including members of the public, interest groups, landowners, developers, infrastructure providers etc. Consultation has been undertaken in accordance with our published Statement of Community Involvement.

- 1.37 The first consultation on the Local Plan Review was the Issues and Options (2022). The consultation asked for people's ideas on various issues including housing, jobs, infrastructure, health, climate change, the environment and the contents and strategy of the emerging plan. Its purpose was to ensure that the Local Plan Review covers the right issues. The comments submitted during the Issues and Options can be found at: <https://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/planning-policy/local-plan/local-plan-review>



1.38 There are a number of stages in drawing up a Local Plan, the current and future stages are summarised below.



The Evidence Base

- 1.39 The Local Plan is supported by a robust and wide-ranging technical evidence base. Specialist and technical assessments have been prepared to inform and justify the policies and proposals within this plan. A list of the main evidence base documents that have been considered in producing this plan can be seen at Appendix 4.
- 1.40 The District Council has undertaken a Sustainability Appraisal (SA), which incorporates the requirements of a Strategic Environmental Assessment (SEA) and is a legal requirement for the Local Plan production process. It ensures that all of the implications of the Local Plan on the environment, the community and economic are fully assessed throughout the plans production and taken into account. For further information please see the SA that accompanies this plan

Review of the Local Development Plan

- 1.41 National Planning Policy Framework requires that Local Plans are regularly reviewed.
- 1.42 Because this is a partial update to the Local Plan Part 1, and because a new planning system has been introduced through the Levelling-up and Regeneration Act 2023, a full review of the plan will be required to begin on adoption of this Part 1 plan update.

Policy REV1: Review of the Local Development Plan

- A** Plan making for a comprehensive South Derbyshire District Local Plan will commence immediately upon adoption of the Part 1 Review Plan.
- B** On adoption of the Part 1 Review Plan, SDDC will publish a new Local Development Scheme to set out the timescales for completion.
- C** The review will be submitted for examination within five years of the adoption of the Part 1 Review Plan.

Explanation

- 1.43 The South Derbyshire District Council Part 1 Review is a focussed update to the adopted plan with the purpose of ensuring the district's plan reflects national planning policy and allocates key strategic sites which will assist with meeting Derby's unmet housing need.
 - 1.44 The adoption of the Part 1 review will allow the strategic allocations (STRA1, STRA2, STRA3) to attract investment, carefully ensure appropriate infrastructure is delivered on site, expedite the development of relevant planning applications and ensure these locations grow as sustainable communities as soon as possible.
 - 1.45 On adoption of the part 1 plan review, the process of undertaking a comprehensive plan review will begin. This will bring together the current part 1 and 2 plans and consider issues such as retail provision and the future development of Swadlincote, service villages and other rural areas in the district.
 - 1.46 The comprehensive review will ensure that the district's planning policy, housing and employment land supply and environmental policies are subject to regular monitoring and improvement. The comprehensive review will be undertaken in accordance with the new planning system set out in the 2023 Levelling-up and Regeneration Act.
- Housing Implementation Strategy and Flexibility
- 1.47 Whilst the South Derbyshire District Council Part 1 review Plan can allocate sites and local authorities can discuss with landowners and developers how best to bring their sites forward; there is always a risk that sites may not come forward as planned during the anticipated timescale.
 - 1.48 Therefore the NPPF states the need for a Housing Implementation Strategy (HIS) which explains what South Derbyshire District Council would do should there be any barriers to delivering development as proposed in the Plan, and how to respond to changing circumstances.

The HIS will be part of the work leading up to the Regulation 19 consultation on this Part 1 Plan review.

- 1.49 Delivering the strategy will also require a wide range of private, public sector and voluntary bodies working together. In preparing the strategy, South Derbyshire has worked with infrastructure providers and landowners / developers to establish that the allocated strategic sites are deliverable.
- 1.50 If circumstances change, South Derbyshire District Council will implement the measures set out in this paragraph to ensure that required housing and employment needs will still be met during the plan period:
- Working with developers and infrastructure providers to remove obstacles to the delivery of sites;
 - Seeking alternative sources of funding if problems with infrastructure provision is delaying development of key strategic sites;
 - Identifying alternative site(s) in general accordance with the spatial strategy and hierarchy of settlement
 - Working with other authorities under the duty to cooperate to address any unmet needs. This will include continued cross boundary working with Derby City Council and Amber Valley Borough Council.
- 1.51 These options will be facilitated by the comprehensive review policy
REV1

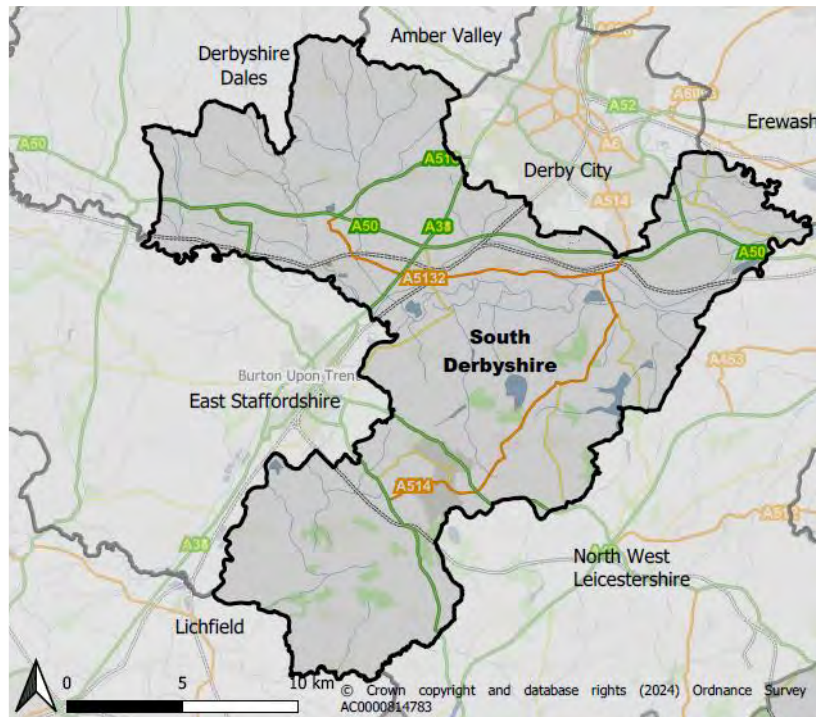


Figure 3: Map of South Derbyshire and surrounding Authorities

- 2.1 South Derbyshire is a rural district in central England covering an area of over 112 square miles. It adjoins and is heavily influenced by the City of Derby to the north, Burton upon Trent to the west and Ashby-de-la-Zouch to the east. The town of Swadlincote, in the south of the District, is the main urban centre with a population of around 41,800⁴.
- 2.2 For many years the District has been the fastest growing in Derbyshire and is currently one of the fastest growing areas in England. [Official forecasts anticipate the population increasing from the current 107,200⁵ to over 132,208 by 2039⁶](#). The population is also becoming older and more diverse with implications for the types of housing, facilities and support services that will be needed in the future.
- 2.3 The District benefits from its central location in the UK and good road, rail and air connections. The south of the District is less well served than the north in this respect, although the Woodville to Swadlincote

⁴ [2021 Census Population Data](#)

⁵ [2021 Census Population data.](#)

⁶ [Office for National Statistics Population Projections](#)

Regeneration Route has helped, as will the Walton-on-Trent bypass, which will improve connections to the A38. Work continues on the expansion and enhancement of the Key and Local Cycle networks across South Derbyshire.

- 2.4 Transport links between the north and south of the District remain relatively poor, and the Council will seek to take advantage of any opportunities to address this, including through the enhancement of public transport, as they arise.
- 2.5 The right amount and types of housing will need to be provided in the future to meet people's needs. House prices remain unaffordable for many in the District and recent house price rises are likely to increase the number of people unable to afford to buy or rent a home in the District.
- 2.6 South Derbyshire as a whole enjoys relative prosperity, with high levels of economic activity and annual earnings and low levels of unemployment and deprivation. However, pockets of deprivation do exist. There are high-levels of out-commuting, although the latter partially reflects the extent of population growth on the fringes of Derby and Burton-on-Trent.
- 2.7 Successful long term regeneration initiatives over recent years have included the Tetron Point employment area, Dove Valley Business Park, the National Forest, the Pipeworks retail and leisure development, the commencement of the Drakelow Park mixed use development and the completion of the Woodville to Swadlincote Regeneration Route, which will unlock new housing and employment opportunities.
- 2.8 Where there is deprivation in the District, it is often linked to education, skills, training and social mobility. Local workforce qualification levels have improved over the last decade but remain below average. The presence of Further and Higher Education institutions in Derby, Burton, Coalville and Swadlincote present an opportunity to address this.
- 2.9 Employment in manufacturing is around three times the national average. Major inward investors and re-investors include global businesses engaged in the production of transport equipment, food & drink, and construction products. Examples include Futaba, IVC Brunel Healthcare, JCB, Keystone, MEG, Nestlé and Toyota. In recent years Dove Valley Park at Foston and Tetron Point in Swadlincote have seen high levels of inward investment.
- 2.10 A small number of large businesses employ a significant proportion of the workforce and are vital to the local economy. Some are growing rapidly with demands for expansion land and utility provision. These

businesses rely on good highway links for the movement of materials, and good public transport services for their employees, including out of hours provision for shift workers.

- 2.11 Much employment growth over the plan period is expected to take place outside of the area's traditional sectors, for example in health & social care and the visitor economy, along with emerging significant new sectors such as digital and low carbon. Logistics is another significant growth area, particularly given the potential East Midlands Freeport strategic rail freight interchange at Egginton Common. These growth sectors will enable the area to offer a more diverse range of employment opportunities.
- 2.12 Some 90% of South Derbyshire businesses employ less than ten people and there is a need to facilitate the formation and growth of small businesses on sites throughout the District, from workshops and shared offices to farm diversification schemes. Digital connectivity, in terms of both mobile coverage and access to high speed broadband, continues to grow in importance, especially in rural areas.
- 2.13 Whilst significant shopping and leisure development has been attracted to Swadlincote town centre, the High Street is characterised by traditional small shop units which may not be ideally placed to attract conventional national retail chains. There is a need to increase footfall to achieve a more vibrant town centre, in the face of growing online shopping, particularly following the COVID pandemic. The role of the town centre is evolving and, as part of this, the Council is seeking to improve the public realm. Greater provision of overnight accommodation would strengthen the town's role as a service centre for the growing number of visitors to the National Forest.
- 2.14 The remainder of the District is predominantly rural with many villages of varying sizes. Considerable efforts have been made to conserve their character and some, such as Repton, Ticknall and Melbourne are of particular historic value. The villages and rural areas are attractive places to live and important for tourism, but a key challenge for the Local Plan will be to ensure their sustainability by promoting the right amounts and types of development.
- 2.15 Also in the rural area, the former Drakelow and Willington Power Station sites have been largely cleared. Renewable energy generation is taking the forefront for power generation within the District, with major renewable energy power generation facilities including waste to energy and solar power generation proposals being approved.
- 2.16 Local heritage is an important part of the unique character of the area with 22 Conservation Areas, over 700 listed buildings, 20 Scheduled

Ancient Monuments and five historic parks and gardens. These are safeguarded through a combination of careful design and grant schemes. There are threats, however, through new development and, in the case of the Scheduled Swarkestone Causeway, through regular damage from traffic.

- 2.17 Several major watercourses cross the District including the Rivers Trent, Dove, Mease and Derwent and the Trent and Mersey Canal, with approximately one fifth of the land area is within areas at risk of flooding
- 2.18 South Derbyshire also contains numerous areas which are important for wildlife including the River Mease, a Special Area of Conservation (SAC) – and a number of nationally recognised Sites of Special Scientific Interest (SSSIs), together with many sites of value for biodiversity: ecosystem services, natural capital, and green infrastructure which are of high value. On the 14th September 2023 South Derbyshire declared an ecology emergency in response to the ongoing threat to wildlife ecosystems. Ecological considerations are now a strategic priority within the Councils Corporate Plan. The Government's 25 Year Environment Plan intends to create and enhance 500,000ha of habitats within England outside of protected sites by 2030, which aligns with the nature recovery strategy which seeks to ensure our nature recovery needs to be 'bigger, better and more connected'.
- 2.19 In 2023 Cadley Park opened in Swadlincote, which provides a high-quality green space.
- 2.20 The southern part of the District lies within The National Forest – one of the country's most ambitious environmental initiatives, including the nationally renowned Rosliston Forestry Centre which was the National Forest's first visitor attraction. In addition to opportunities for further leisure and recreation, the Forest has potential for the creation of woodland-based industries as well as a high quality environment for all types of new development.

South Derbyshire Key Issues

3.1 Taking account the content of local strategies, our emerging evidence base and the outcome of consultation we have undertaken, a number of key issues have been identified:

- South Derbyshire has the fastest growing population in Derbyshire and market needs suggest that a considerable number of additional homes will be needed by 2039.
- The District's population is growing, ageing and diverse in its needs.
- The cost of housing is unaffordable for many and the longer term trend is a growing gap between average earnings and house prices.
- The District will need a more diverse economic base.
- The causes and effects of climate change will need to be addressed through energy and water management.
- As many residents work outside the District we need to ensure there are opportunities to both live and work in the District.
- Levels of deprivation and skills vary through the District with particular pockets within the Swadlincote urban area.
- There is increasing pressure on existing employment sites to be developed for housing.
- Three quarters of the District is in agricultural use, but farmers and those in related businesses are facing increasing pressure to consider diversification.
- New development will need to be accompanied by a wide range of infrastructure, services and facilities to address future and existing deficiencies.
- Swadlincote has a growing retail, leisure and commercial role but needs to attract inward investment to remain vibrant.

- Public transport provision in some parts of the District, particularly in villages in and rural communities, is poor.
- Local shops and services are becoming under increasing pressure in many rural communities.
- The District has many historic, cultural, landscape and archaeological qualities which require protection and enhancement.
- Much of the District lies within areas known to be at significant flood risk.

Vision

3.2 The below sets out the vision for South Derbyshire over the period from 2022 up to 2039:

*The vision for South Derbyshire is one of sustainable growth, renewal and opportunity. By 2039, the economy will have grown with more jobs in a more diverse business environment supported by a more **skilled, diverse workforce**. **Local communities will be healthy and inclusive and will have access to a range of jobs, housing, education, health, shops, services, facilities and green space by a choice of travel** options including sustainable travel options such as public transport and other non-car modes.*

*The Council has declared an Ecological Emergency and a Climate Emergency and made a commitment to work to achieve carbon neutrality before the Government target of 2050. **The challenges around climate change and the associated targets need to be met, which will mean supporting** residents and businesses to make efficient use of **resources and cope with the effects of climate change which are already anticipated, including through mitigation and adaption - such as reduced water availability and increased flooding**.*

*The strategy for growth will have delivered at least 14483 new homes between 2022 and 2039 and ensured the District's housing stock is better aligned to the needs of – and available to - everyone, irrespective of their stage of life, income, health or circumstances. This will help to meet the needs of present and future generations housing requirements. The countryside, rivers, green spaces and networks which connect them, together with the **District's** cultural and heritage assets will have been protected and enhanced and the quality and diversity of the **District's wildlife habitats will have been improved. New development will reflect and reinforce the District's many distinct landscapes and will** protect the integrity of our most sensitive wildlife sites, landscapes **and heritage assets**. **South Derbyshire will have continued to be a** major ingredient in the success of*

the National Forest and the District will have become an increasingly important tourist destination in the region.

To accommodate growth, brownfield land and disused buildings will **be brought back into beneficial use and major sustainable urban extensions to Derby will have been developed, providing a wide range of accommodation to meet the expanding housing needs of** the City of Derby and South Derbyshire. The growth potential of Derby and these new urban extensions in particular, will have been unlocked through transport and other key infrastructure improvements.

Similarly, as South **Derbyshire's** principal settlement, Swadlincote will have developed its town centre offer to cater for the needs of South **Derbyshire's** growing population and cementing the economic **and commercial role of the town. The design of all major residential urban extensions will have been shaped by local people, through the development plan, informed by a design review and** comprehensively designed to provide the highest possible quality living environments being sustainable, prosperous, safe, clean and **energy efficient. A culture of good design will also have become** established for all developments in the District.

Swadlincote will have become firmly established as a vibrant town in **a high-quality retail, residential, commercial, leisure and shopping** environment. This will have been achieved through inward investment in the **town and improved connections to the wider** road network. In particular, substantial investment in leisure **will have been developed to support the town's enhanced role as a major shopping and recreation destination. These developments will have complemented successful actions for encouraging investment into, and better management of Swadlincote Town Centre. – guided by** master planning, **dedicated vision and strategy. Such measures will have included the completion of public** realm improvements, supporting business development, further development of **leisure and recreation areas and hosting major events.**

Major urban renewal will also have taken place in the wider Swadlincote urban area with the reclamation and re-development of underused and derelict brownfield land south of Woodville. This will create new employment land and leisure area, significantly enhancing the **environment and job opportunities in the area.**

The vitality and viability of Melbourne and the villages of the Trent Valley will be **sustained through a combination of careful control over land uses in the core shopping areas and more widely through enhanced leisure and cultural facilities.**

Meanwhile, sustainable living and working environments throughout the remainder of the villages and other rural parts of the District will **have been maintained through local scale development in keeping** with their size, role and character. In tandem, the rich heritage, historic assets and distinctive

character of our towns, villages and **hamlets will continue to be respected and enhanced.**

Agricultural employment and diversification will continue to play a significant role throughout the rural areas of the District, with the high level of productivity and associated business that this brings with it across the district. Employment growth will also continue across the District with the development of the East Midlands Freeport within the District.

Local Plan Strategic Objectives

3.3 The Local Plan objectives set out below were identified following the Issues and Options Consultation during the plan preparation of the adopted Local Plan Part 1 and were amended to reflect the findings of the Sustainability Appraisal and further consultations that took place prior to adoption of the existing adopted Local Plan. Given the partial nature of this Local Plan review they remain relevant and therefore a firm basis for this amended Local Plan 1.

- 1 To ensure future development is locally distinctive and environmentally, socially and economically sustainable through the achievement of design excellence, addressing the causes and effects of climate change and reducing waste and pollution.**
- 2 To ensure the needs of an ageing population, and a higher than average proportion of younger people, are recognised in shaping all aspects of our communities.**
- 3 To enable, support and promote a robust and diverse economy, resistant to downturns and providing a strong base for sustainable growth which respects environmental limits and safeguards natural resources.**
- 4 To ensure the District's housing stock is decent, suitable and affordable, there is provision for all, it meets community need and is balanced with access to employment opportunities.**
- 5 To ensure our communities are safe, clean, vibrant, active and healthy.**
- 6 To ensure sustainable living and working in urban and rural communities.**
- 7 To reduce the need to travel and to encourage necessary travel to be by sustainable modes of transport, providing access to jobs, shopping, leisure, services and facilities from all parts of the District.**
- 8 To ensure the social, physical and green infrastructure needed to support strong growth levels is provided at an appropriate time and made accessible to our communities.**
- 9 To respect and enhance the varied character, landscape, cultural, heritage and natural environment of our fast-growing District.**

- 10 To make the most of the economic, social and environmental opportunities presented by the District's central location within the National Forest and promote the continued growth of local tourism and leisure offer across the whole of the District.**
- 11 To make optimum use of previously developed and under-used land and bring empty and derelict buildings into reuse subject to wider sustainability considerations.**
- 12 To enhance and develop the role of Swadlincote town centre and its wider urban area as a focus for living, working, shopping and leisure.**
- 13 To ensure growth in South Derbyshire is co-ordinated with development in adjoining areas both within and outside the Derby HMA.**

4

Spatial Strategy - A plan for Growth

Introduction

- 4.1 This chapter sets out the spatial policies that will help achieve the Strategic Objectives and ultimately the Vision for South Derbyshire.
- 4.2 The Spatial Strategy involves harnessing the opportunities of sustainable growth to secure benefits for the District's residents and employers. This includes using development as a means of delivering not just much needed homes and business accommodation, but also other important community benefits such as reclaiming derelict land, supporting local shops and services, improving the local environment, providing required infrastructure and addressing the implications of climate change.
- 4.3 At the heart of the policies are decisions over the amount and locations for accommodating future large-scale development for both housing and employment. The decisions are based on careful consideration of wide-ranging technical evidence and the views of local people, employers, the development industry, statutory consultees and service providers.

Background, evidence base and joint working

- 4.4 [History of plan making in the Derby HMA](#)
In preparing the evidence to underpin the policies to be contained in the most recent local plans of the three HMA authorities (SDDC Local Plan part 1 adopted in 2016), it was recognised that Derby offered insufficient capacity to meet its own housing needs. In response it was determined that the other HMA authorities should contribute toward meeting those needs, with 2375 of Derby's homes redistributed to Amber Valley and 3013 to South Derbyshire. Whilst South Derbyshire's contribution was later enshrined in the 2016 Local Plan Part 1 when it was adopted, Amber Valley was unable to progress its own plan to that stage. Nevertheless, Amber Valley is of the view that it has contributed toward meeting Derby's need through subsequent planning permissions granted and their housing delivery has broadly kept pace in recent years with the uplift described above.

Standard method of calculating housing need

- 4.5 The Standard Method calculation represents the baseline for the determination of local housing need, regardless of housing delivery to date among the three HMA authorities, in a way that takes account of any past under supply. It is based upon the Government's average annual household growth projections over the proceeding ten years, with a factor included to take account of housing affordability in the area. The figure for South Derbyshire, as referred to in the Local Housing Needs Assessment (LHNA), is 522 (8,874 over the plan period). However, this changes annually with the rolling forward of average household growth projections and the review of housing affordability data, the current figure being 507. The current SDDC supply (with no new allocations is 10,541 new homes). It is understood that the annual requirement figure for the adopted Local Plan will be fixed at that which is current at the time that the Plan is submitted to the Secretary of State, currently anticipated to be June 2025.
- 4.6 Derby City annual requirement was 1266 (21,522 over the plan period) in the LHNA and currently stands at 1244. Derby's figure includes a 35% uplift on the standard method calculation which is applied to the twenty most populous settlements in the country, as set out in National Planning Practice Guidance. Amber Valley's annual requirement figure was 364 last year and is currently 351.

Duty to cooperate

- 4.7 The legal duty to cooperate set out in the Localism Act 2011 currently remains in place.
- 4.8 Advice in the National Planning Practice Guidance (NPPG) is that Strategic policy-making authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters. This includes those policies contained in local plans (including minerals and waste plans), spatial development strategies, and marine plans.
- 4.9 The National Planning Policy Framework sets out that these authorities should produce, maintain, and update one or more statement(s) of common ground, throughout the plan-making process. Local planning authorities are also bound by the statutory duty to cooperate.
- 4.10 Paragraph 26 of the NPPF (which was last updated in December 2023) states that:

‘Effective and ongoing joint working between strategic policy making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.’

- 4.11 The NPPF review is likely to reinforce the need for cooperation between relevant bodies with a renewed focus of strategic planning.

Statement of Common Ground

- 4.12 The NPPF, para 27, states that ‘in order to demonstrate effective and on-going joint working, strategic policy making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.’ Accordingly, the three HMA authorities and Derbyshire County Council have prepared a Statement of Common Ground (March 2020). It explains the geographical area to be covered, the intended approach to local plan making, joint working towards identifying strategic planning issues to be addressed and the governance arrangements for undertaking this work. This statement of common ground will be expanded over the coming months to explain the approach to Derby unmet need and the evidence to support the distribution of this throughout the HMA.

HMA Study

- 4.13 The Derby Housing Market Area has been confirmed as robust and appropriate for plan making through a study undertaken by Opinion Research Services on behalf of the Derby HMA authorities and published in May 2019.

AECOM (Growth Options Study)

- 4.14 The Derby HMA authorities jointly commissioned town planning, infrastructure and environment consultants AECOM to identify and assess strategic opportunities for housing-led sustainable new growth within the Derby HMA (the Growth Options Study, published August 2021). The study identifies potential locations for future growth in the HMA; and considers, at a strategic level, their pros and cons. The study specifically excludes any assessment of capacity within the Derby City Council area, to be addressed in a separate evidence base report, the Derby Capacity Study.
- 4.15 Stage 1 of the study identifies and analyses broad assessment areas, leading to the establishment of broad areas of search and assesses the suitability of existing settlements to accommodate strategic growth in terms of their position in the settlement hierarchy and the extent to

which they provide sustainable access to services. Stage 2 assesses the broad areas of search identified under stage 1 to define more refined locations that are potentially suitable for strategic growth, to be interrogated further through the plan-making stages to follow. It also highlights what mitigating measures would be likely to be required to enable development.

- 4.16 Both stages are built around the analysis of technical experts against a range of criteria, including environmental constraints; geo-environmental considerations; transport and accessibility; infrastructure capacity and potential; landscape and topography; heritage considerations; housing demand; regeneration and economic development potential spatial constraints and opportunities.
- 4.17 The study defines strategic growth locations as being capable of accommodating a minimum of approximately 1,000 homes at a reasonable net density of 35-40 dwellings per hectare, translated to a gross (site-wide) density of 17-20 dwellings per hectare. This represents the typical minimum size of development that would accommodate a primary school and social infrastructure, such as a GP surgery.
- 4.18 The study is 'policy off' with regards to Green Belt designation. This is to say that being in the Green Belt per se does not render a location unsuitable for strategic development. However, the Green Belt purposes in paragraph 138 of the NPPF, such as to prevent neighbouring towns merging into one another and to assist in safeguarding the countryside from encroachment, are built into the wider assessment criteria. It should be noted that the study is one part of the Local Plan evidence base on suitable, available and achievable land for development, but an important component of the evidence as it is prepared HMA wide to a consistent methodology and has been prepared by independent experts at AECOM.
- 4.19 In stage 2 of the study broad areas of search are categorised using a 'red, amber, green' or 'RAG' system, red being 'Unsuitable Areas for Strategic Growth', amber being 'Potential Areas for Strategic Growth' and green being 'Suitable Areas for Strategic Growth'.
- 4.20 Within South Derbyshire the following broad areas were identified as falling within the 'green' category:
- Land to the West of Derby urban area
 - Hilton northern expansion
 - Derby A50 corridor South Extension
 - North-East of Swadlincote

- 4.21 The first of these sites, Land to the West of Derby Urban Area, extended across the South Derbyshire and Amber Valley administrative boundary, indicating potential for growth within both local authority areas at this location. Besides this no other areas were identified as falling within the 'green' category within Amber Valley Borough.

Derby Capacity Study

- 4.22 For much of 2022 and 2023 Derby were in dialogue with Partners in the HMA over a comprehensive capacity study for the city of Derby. Workshops were held including with consultants at AECOM who concluded that the final capacity of Derby at 12,500 homes was robust figure albeit that this relied on some favourable assumptions with regard to housing delivery. This was an uplift of the initial figure put forward by Derby.
- 4.23 On 27 July 2023, Derby wrote to SDDC setting out its final position on capacity, stating that it had concluded that the city offered capacity for 12,500 homes. Given the standard method requirement of 21,522, this results in an unmet need of 9,022 dwellings.

Employment Land Review

- 4.24 An independent Employment Land Review, published October 2023, has been jointly commissioned by Derby City Council and South Derbyshire District Council. It forecasts local employment land needs for the Local Plan review period, assesses the suitability of the current stock of employment land and premises and considers options for how any shortfall in provision, in both quantitative and qualitative terms, can be met.
- 4.25 Quantitative need forecasts are calculated using three different methodologies, the preferred one being based upon the projection of past annual employment land take up. On this basis, in the Local Plan review base year of 2022 there was found to be a surplus of supply for South Derbyshire of 10.23ha. Thus, it was concluded that South Derbyshire already had a sufficient quantity of land to meet its own needs.
- 4.26 In qualitative terms however, the study recommended that the Local Plan should be supportive of employment development to meet the accommodation needs of smaller businesses requiring premises of less than 1000sqm and for office uses in appropriate locations. It also recommended that policy should continue to allow established businesses to expand on their current sites; to encourage rural

economic diversification in appropriate locations and to protect existing employment areas from redevelopment for non-employment uses.

- 4.27 For South Derbyshire the study also recommended that consideration be given to the identification of new strategic scale sites at Egginton Common (the Freeport site), the southwestern part of the former Drakelow Power Station and at Infinity Garden Village. These sites are recommended for inclusion in the Local Plan.

Evidence

- 4.28 Through the Joint Advisory Board, the Derby HMA local authorities have jointly commissioned an independent HMA-wide Sustainability Appraisal (SA) of options for housing growth, taking account of the limited housing capacity within Derby City and the need to accommodate the resultant shortfall within the remainder of the HMA. The SA will provide baseline information on the environmental, social and economic characteristics of the plan areas and set out a proposed framework for the assessment of the options. It will assist the HMA authorities in identifying the best locations for housing development and at what scale.
- 4.29 The absence of a recorded strategy, indicating how the distribution of Derby's unmet need between the remaining HMA authorities had been determined, was a point of criticism from the Inspector who heard evidence at the adopted 2016 Local Plan Part 1 examination. The current commission is intended to help address this evidence requirement for the purposes of local plan reviews.
- 4.30 The HMA authorities have identified three alternative scale options:
- Scale 1: Standard method in full (including 35%); 36,584 dwellings;
 - Scale 2: Standard method (no 35% uplift); 31,008 dwellings; and
 - Scale 3: Standard method (no 35% uplift) + 10%; 34,109 dwellings.
- 4.31 Within each of these scale options the SA considers different apportionment options between the three local authority areas, including distribution between site adjoining Derby (the Derby Urban Area, or 'DUA'), towns and key villages.
- 4.32 The assessment is informed by the HMA Growth Options Study (GOS - see above). Within the SA, the Broad Areas of Search identified in the GOS have been compared to the sites submitted to the Strategic Housing and Economic Land Availability Assessment (SHELAA) for Amber Valley

and South Derbyshire in order to provide an indication of site capacity for residential development.

- 4.33 The conclusions of the SA is that meeting the unmet need arising from Derby as close as possible to the City amounts to sustainable development.

Local Housing Needs Assessment

- 4.34 An independent Local Housing Needs Assessment, published December 2023, has been jointly commissioned by Derby City Council and South Derbyshire District Council. It aims to analyse the housing markets and requirements within each local authority area and determine the overall housing need, including for different groups, within each area.
- 4.35 The study confirms that there are no exceptional circumstances that would justify deviating from the Standard Method of calculating housing needs (specific to South Derbyshire), which identify an overall annual requirement of 522 for South Derbyshire (see above). In terms of affordable housing, it identifies an annual need for 214 additional affordable homes to rent. The need for affordable home ownership products is far lower, although difficult to precisely quantify. All such provision will be subject to viability. It analyses housing needs in terms of bedroom numbers, identifying a particular requirement for two- and three-bedroom market homes and one- and two-bedroom affordable homes.
- 4.36 In terms of provision for older and disabled people, it includes a suggestion that the Council should consider requiring 5% of new market homes to meet M4(3)A wheelchair adaptable user standards with a higher percentage (perhaps 10%) for M4(3)B wheelchair accessible homes in the affordable sector, subject to viability. The study also estimates needs for different types of specialist accommodation for older and disabled people over the plan period, comprising housing with support (1013); housing with care (548) and residential and nursing care (573).

Overview, as of the Draft Local Plan consultation

- 4.37 The adopted South Derbyshire District Council 2016 Local Plan Part 1 remains an effective and well performing plan which has continued to meet its objectives and assist with delivery of high-quality sites within the district. As of 2023, 9,336 homes have been built against a requirement of 8,904⁷ over the course of the adopted plan period.

⁷ [Monitoring | South Derbyshire District Council](#)

- 4.38 The spatial strategy is set out in the adopted plan in chapter 4 and policy S1.
- 4.39 In reviewing this policy, the Council has undertaken consultation as part of the Issues and Options Consultation which took place in late 2022, and ongoing duty to cooperate meetings and evidence development with the other authorities (Derby City and Amber Valley Borough Council) in the Derby Housing Market Area (HMA). A detailed Local Housing Needs Assessment has also been undertaken.⁸
- 4.40 Using the adopted plan, the Council can currently demonstrate a five-year housing land supply based on South Derbyshire's annual requirement calculated using the standard method. It is intended that housing allocations from the 2016 Local Plan which are incomplete or have not yet begun to deliver, but which are likely to come forward in the plan period should be rolled forward as part of the Local Plan review. This will continue to contribute toward meeting district supply needs.
- 4.41 However, since the publication of the 2016 plan there has been increasing evidence of unmet housing need arising from Derby City, which due to the growth of the City can't be met within its boundaries. The HMA's ongoing work has concluded that the City is only able to provide 12,500 dwellings over the plan period. Even after increasing densities and building on underused brownfield land is taken into account.
- 4.42 Work has been undertaken by South Derbyshire District Council, Derby City and Amber Valley Borough Council to consider options to meet this unmet need, as described in the evidence base section earlier on in this chapter. The Growth Options Study 2021 investigated these options and gave recommendations as to which may be likely to be the most practical and sustainable.⁹
- 4.43 Underpinned by the Derby Urban Capacity Study, Derby City Council wrote to South Derbyshire District Council and Amber Valley District Council (The HMA authorities) in late 2023 to set out the City's unmet housing need, after taking account of how much new development

⁸ Derby and South Derbyshire Local Housing Needs Assessment 2023
<https://www.southderbyshire.gov.uk/assets/attach/12054/Derby-and-South-Derbyshire-Local-Housing-Needs-Assessment-December-2023.pdf>

⁹ Derby HMA Growth Study <https://www.southderbyshire.gov.uk/assets/attach/10803/AECOM-Derby-HMA-Growth-Options-Study-August-2021-v2-LOW-RES.pdf>

could be accommodated with the City boundaries. Based on current estimates, this is likely to be around 9,000 homes.¹⁰

- 4.44 Whilst therefore South Derbyshire's housing needs are being met at present, the district's long-term need for growth up to 2039, and the unmet housing need arising from Derby City are not able to be met by the existing plan.
- 4.45 If this emerging need were not addressed through strategic plan making it would be likely to lead to piecemeal growth, especially in the North of the District and at the Derby Urban Fringe. This carries the risk of 'planning by appeal' as the unmet housing need on the Derby Urban Fringe is very significant, which would be an influencing factor in planning decisions and appeals .
- 4.46 Such growth would not be masterplan led and would be unlikely to maximise opportunities for high quality places to live, which include making best use of the land and developer contributions to maximise green spaces, community infrastructure and unlock funding opportunities from outside the District.
- 4.47 The council has been led by sustainability appraisal both at the housing market area and local authority levels, which indicate that it would be most sustainable to deliver unmet housing need arising from Derby City as close as possible to the City; to utilise existing infrastructure and reduce travel distances.
- 4.48 In determining how to plan for this strategic scale need, a garden village approach was developed. The council considered several areas which could be suitable for growth, assisted by the Growth Options Study. Then, through the sustainability appraisal, identified two draft strategic allocations to add to those allocations already in the current plan, which are not yet built out.
- 4.49 This work took into account land which was closest to the Derby Urban Fringe, and had good potential for transport linkages and sustainable travel through and across the sites. Based on a detailed strategic housing and employment land availability assessment and a call for sites, it sieved sites according to whether they would contribute well to the urban form of both the District and City, their utilisation of existing infrastructure and their deliverability.
- 4.50 A further consideration within South Derbyshire is the two areas of Green Belt that fall within the District's boundary; a part of the

¹⁰ Derby City 2023 Winter Newsletter

<https://letstalk.derby.gov.uk/15391/widgets/85759/documents/52533>

Nottingham – Derby Green Belt and the majority of the Burton – Swadlincote Green Belt. The NPPF makes clear that Green Belt should be protected from development unless exceptional circumstances exist.

- 4.51 It was determined through the plan's site selection process that the authority did not need to allocate land within the Green Belt for housing or employment needs as development needs could be met on land which was not designated. Therefore exceptional circumstances do not exist to change the Green Belt Boundaries in the District as part of this review.
- 4.52 The HMA authorities have sought to work together, through both criteria based policy and proposed and existing allocations to ensure that the optimum possible use is made of derelict and other previously developed sites and premises. This is to ensure opportunities for brownfield regeneration are taken. This will reduce the need for the loss of greenfield land particularly on the edge of Derby City, although to achieve the planned growth across the HMA will mean the unavoidable loss of some greenfield land.
- 4.53 As well as building new homes, it is important that new development should boost the economy and create accessible jobs. In order to address this the Derby City and South Derbyshire have also considered the amount of new employment land that is needed as part of the 2023 Employment Land Review¹¹
- 4.54 As described in the evidence base section earlier in Chapter 4, this study forecasts local employment land needs for the Local Plan review period, and assesses the suitability of the current stock of employment land and premises and considers options for how any shortfall in provision, in both quantitative and qualitative terms, can be met.
- 4.55 The study recommended that the Local Plan should be supportive of employment development to meet the accommodation needs of smaller businesses requiring premises of less than 1000sqm and for office uses in appropriate locations. It also recommended that policy should continue to allow established businesses to expand on their current sites; to encourage rural economic diversification in appropriate locations and to protect existing employment areas from redevelopment for non-employment uses.

¹¹ Derby and South Derbyshire Employment Land Review
<https://www.southderbyshire.gov.uk/assets/attach/11692/Derby-and-South-Derbyshire-ELR-Final-with-ALL-Appendices-1-.pdf>

- 4.56 For South Derbyshire the study also recommended that consideration be given to the identification of new strategic scale sites at Egginton Common (the Freeport site), the southwestern part of the former Drakelow Power Station and at Infinity Garden Village. These sites are recommended for inclusion in the Local Plan
- 4.57 The Council also wants to ensure that with all the new development that is to take place across the District that the environmental performance of the new buildings is as sustainable as possible.
- 4.58 The new development across the District will bring with it additional traffic which in some places in the District already is an issue. Mitigation measures will be put in place where possible to reduce the impact of the new development. The use of non-car modes of travel will always be encouraged and incorporated into developments where appropriate.
- 4.59 Retail development is limited in South Derbyshire due to its location between larger City centres of Derby and Nottingham and also a wider choice in Burton Upon Trent. However, retail development in Swadlincote will be encouraged to continue the upward change that has occurred over the last few years and recover after the pandemic. A town centre study is currently underway, with the intention to lead to the development of a Swadlincote Masterplan. A full review of Retail Policy in the Local Plan will be undertaken as part of the next phase of plan making.
- 4.60 The Sustainability Appraisal of the Draft Plan identifies that the principles of the sustainable growth strategy set out in the adopted 2016 plan and subject to Sustainability Appraisal¹² are still relevant. Therefore the reviewed version of policy S1 in this draft follows the principles of the adopted plan, and the part 2 policy SDT1 (adopted 2017) is saved in full until the next phase of plan making. The strategic allocations proposed by this review have been added to the existing sustainable growth strategy's housing numbers.
- 4.61 The following policy offers an overall strategy for guiding development in the district to 2039 in a way that most closely supports sustainable development, along with regeneration and increased prosperity in each of its settlements.

¹² 2016 Local Plan Part 1 Sustainability Appraisal [Local Plan Part 1 evidence base | South Derbyshire District Council](#)

Policy S1: Sustainable Growth Strategy

South Derbyshire will promote sustainable growth to meet its objectively assessed housing and commercial needs in the plan period **2022-2039**.

This strategy will be developed through this part of the Local Plan – Part 1 with development allocations, alongside development management policies which are within Part 2 of the Local Plan.

The two parts of the Local Plan will ensure that the economic, social and environmental objectives set out in this Plan are fully addressed:

- i) Over the plan period **(2022 – 2039) at least 14483 dwellings** will be built within South Derbyshire. **This comprises 8874 homes to meet South Derbyshire's own needs and 5609 to help meet Derby City's unmet need.** The housing sites required will be met on a mixture of brownfield and greenfield sites with encouragement given to the re-use of previously developed land.
- ii) Retaining, promoting and regenerating employment development on sites in urban areas and other locations which already are, or could be in the future, well served by infrastructure, including public transport.
- iii) Provide new infrastructure to support the growth across the District. This will include new transport and education provision, and other services and facilities. This will be undertaken through obtaining appropriate planning obligations from future development and working alongside key stakeholders to ensure that existing and future requirements are considered.
- iv) Supporting and encouraging tourism within the District which makes an important contribution to the local economy. The District Council support The National Forest objectives including the increase of woodland cover. There will also be encouragement for healthy lifestyles through leisure pursuits, open space and greater accessibility for residents.
- v) It is essential that the District's heritage assets, landscape and rural character are protected, conserved and enhanced.

In bringing forward new development the Council will seek to ensure that the schemes respond to and address environmental and social issues including the need to tackle climate change, improve the quality of the built and natural environment, minimise resource use and improve access to services and facilities.

~~Policy S2: Presumption in Favour of Sustainable Development~~

In this review of the Part 1 Plan we have retained the policy headings from the adopted plan and indicated where we have deleted policies that are no longer relevant. This is to ensure that the plan, when adopted doesn't cause policy numbering conflicts with the adopted part 2 plan or other documents such as supplementary planning documents.

Since the presumption in favour of sustainable development is contained in the National Planning Policy Framework and is subject to regular updates, we have removed this policy from the local plan, instead referring to national policy.

Environmental Performance

- 4.62 The environmental performance of the built environment is central to ensuring the achievement of sustainable development. In the past several years, the Government has reviewed such requirements and standards for development.
- 4.63 Changes to the Building Regulation¹³ requirements came into effect in June 2022. Part L of the Building Regulations set out requirements for energy efficiency standards of new and existing buildings and Part O (Overheating) covers the overheating mitigation requirements for new residential dwellings. It is not intended that local plan policy will repeat the requirements set out in Building Regulations¹⁴.
- 4.64 The environmental performance of new buildings is not determined solely by the technical specification of the building itself. Other factors such as site wide infrastructure delivery (such as the integration of sustainable drainage systems), or the delivery of biodiversity net gain on site could make a meaningful contribution to improving the quality and environmental performance of individual buildings. The Plan as a whole seeks to ensure that development delivers sustainable development at the building and site scale to ensure the delivery of homes fit for the future.

Policy S3: Environmental Performance

The Council will support developers in bringing forward more sustainable homes and commercial properties by supporting the Government's drive towards improved housing standards including in respect of access, space standards, security, water and external waste storage where specific

¹³ [The Building etc. \(Amendment\) \(England\) Regulations 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

¹⁴ [Local plans should not set energy efficiency targets that are stricter than building regulations, minister announces | Planning Resource](#)

justification exists for seeking higher standards locally than set out in Building Regulations.

The Council will work collaboratively with developers, and other organisations wishing to bring their own environmental or social sustainability standards to market for utilisation on a voluntary basis.

Explanation

- 4.65 The National Planning Policy Framework (NPPF) states that the planning system should support the transition to a low-carbon future. It places an emphasis on delivering sustainable development and taking a proactive approach to mitigating and adapting to climate change.
- 4.66 The Council declared a Climate Emergency in June 2019, and in 2020 adopted ambitious targets to achieve a Net Zero Carbon Council by 2030 and a Net Zero Carbon district by 2050.
- 4.67 To meet targets set both nationally and locally, greenhouse gas emissions will need to be reduced as much as possible.
- 4.68 To reduce carbon emissions in new residential developments, the government has introduced the Future Homes Standard (FHS) and Future Buildings Standard which come into effect in 2025¹⁵. In advance of this, an interim uplift was introduced to Part L of the Building Regulations in June 2022 to reduce carbon emissions by 31% in residential dwellings and 27% in other buildings compared to the previous Building Regulation requirements. Part F (ventilation) of the Building Regulations has also been amended and introduced two new Building Regulation requirements regarding overheating (Part O) and infrastructure for charging electric vehicles (Part S). The Local Plan does not address these matters as they are addressed through Building Regulations.
- 4.69 Due to the recent and planned amendments to Building regulations and introduction of the Future Homes Standard, the Local Plan does not require energy-efficiency standards that go above the Building Regulation requirements.

South Derbyshire Housing Growth 2022-2039

- 4.70 The Localism Act and the NPPF introduce a requirement for local authorities to plan on a larger than local scale under the statutory Duty to Co-operate. This means that adjoining councils should work together

¹⁵ [The Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings)

to meet the development needs collectively of the area, particularly where these needs cannot be wholly met within the local authority area. As part of the Derby HMA South Derbyshire has worked in an aligned manner with Derby City and Amber Valley Borough Council since 2009.

Policy S4: Housing Strategy

Provision will be made in the Local Plan Part 1 for at least 13347 additional dwellings on allocated sites over the plan period, comprising dwellings to be provided as part of two new housing –led strategic sites (as set out in Policies STRA1 and STRA2) plus those remaining to be completed on allocations included in the adopted 2016 Local Plan Part 1, which have been carried forward.

In addition 285 dwellings will be provided in the form of dwellings remaining to be completed on saved allocated sites in the adopted 2017 Local Plan Part 2.

The balance of provision needed to meet the overall requirement of 14483 homes, as identified under Policy S1, will be provided through windfall development comprising a minimum of 851 dwellings.

The Council will maintain a five-year rolling land supply of specific deliverable sites with additional buffers in accordance with the NPPF.

Explanation

- 4.71 In 2022 the Council conducted an Issues and Options consultation to consider what would be included in the review of the Part 1 Plan. After evaluating the responses to the consultation, it became clear that a significant strategic issue in the Derby Housing Market Area will be to accommodate some of the unmet need arising from Derby City. For more detail on the overall plan strategy and this ongoing co-operation between authorities please see the introduction to policy S1.
- 4.72 In order to proactively address this requirement and to create well balanced communities based on Garden Village principles two strategic scale allocations are being proposed within the South Derbyshire administrative boundary, within the Derby Urban Area.
- 4.73 Housing provision for the plan period is set out in the table below. The number of dwellings remaining represents the position at the Local Plan base date, 1 April 2022:

Strategic Site allocations	No of dwelling
STRA 1: Infinity Garden Village	2000
STRA 2: Land South of Mickleover	2500
2016 Local Plan Part 1 allocations	Remaining dwellings carried forward
H2 Land at William Nadin Way, Swadlincote	343
H3 Land at Church Street, Church Gresley	306
H4 Land at Broomy Farm, Woodville	486
H6 Drakelow Park	2046
H7 Hilton Depot, The Mease, Hilton	95
H11 Land North East of Hatton	291
H12 Highfields Farm	33
H13 Boulton Moor	1121
H14 Chellaston Fields	53
H15 Wragley Way	1944
H16 Primula Way, Sunnyhill	500
H17 Holmleigh Way, Chellaston	9
H18 Hackwood Farm, Mickleover	290
H19 Land West of Mickleover	1030
E6 Woodville Regeneration Area	300
Total (STRA1, STRA2, H2-H19, E6)	13347
2017 Local Plan Part 2 allocations	Remaining dwellings carried forward
H23B Jacksons Lane, Etwall	50
H23 C Derby Road, Hilton	9
H23D Station Road, Melbourne	46
H23 I Kingfisher Way, Willington	50
H23 J Oak Close, Castle Gresley	70
H23 L Land North of Scropton Road, Scropton	10
H23 N Stenson Fields	50
Total (H23B-H23N)	285

- 4.74 Over the period since the adoption of the 2016 Local Plan Part 1 an average of 87 dwellings per annum have been completed on windfall sites of fewer than ten dwellings. For the equivalent period an average of 43 dwellings per annum have been completed on windfall sites of ten dwellings or more that were granted planning permission since the Local Plan Part 1 was adopted.
- 4.75 Over the same period an average of 12 existing dwellings per annum have been lost.
- 4.76 Extrapolated over the new Local Plan Part 1 plan period of 17 years, these rates of windfall development and losses could potentially deliver up to a net 2006 additional dwellings.
- 4.77 This means that the Local Plan Part 1 Review will meet the District's full housing requirement, including making significant provision towards Derby's unmet housing needs and will contain the required flexibility to allow for choice and some late or limited under delivery.

Delivering Economic Growth

- 4.78 South Derbyshire has been through a process of regeneration in recent decades, characterised by high levels of inward investment, the growth of key local employers and the rapid development of The National Forest. Much of the physical legacy of the coalfield era and past industries has been superseded by new business and redevelopment on brownfield sites.
- 4.79 Pockets of deprivation persist both in urban and rural parts of the District. The population of the southern parishes generally has lower levels of educational achievement and skills than that of the northern parishes. However, the presence of the National Forest in the south of the District has assisted greatly in the improvement of the local environment and thus the attraction of investment and expansion of the visitor economy. Likewise recent [developments such as the completion of the Woodville to Swadlincote Regeneration Route \(Hepworth Road/Kiln Way\)](#) and continued investment at the Tetron Point business park have helped support the local economy.
- 4.80 Due to its location, the District will always be strongly influenced by the fortunes of adjacent settlements, in particular Derby, Burton-on-Trent and Ashby, as well as major [employment locations](#) such as East Midlands Airport, [East Midlands Gateway](#) and Rolls Royce, all of which provide employment for South Derbyshire residents. Nevertheless, new businesses will need to be established within the District and existing businesses assisted in diversifying into new products and technologies. This will require the raising of skills levels amongst the local workforce.

The presence of the Burton and South Derbyshire College campuses in Swadlincote and Burton-on-Trent and the University of Derby will assist in addressing this.

- 4.81 The District will also need to be able to offer the sites, premises and associated infrastructure to attract inward investment in the form of strategic development sites and an accommodating policy stance on economic development in the remainder of the District.
- 4.82 Infinity Park at Sinfin Moor in Derby will focus on advanced manufacturing sectors with new employment development planned to extend southwards into South Derbyshire as part of the emerging Infinity Garden Village strategic mixed use development, identified under Policy STRA1.
- 4.83 The former Drakelow Power Station site has been identified as a strategic employment site, under policy STRA3. This will provide the opportunity to bring previously developed land into employment use, bringing new jobs in the south of the District, with the planned Walton Bypass offering much improved access to the A38.
- 4.84 At Egginton Common, land is safeguarded for a Strategic Rail Freight Interchange, planned as one of three main sites in the Sub Region that will collectively form the East Midlands Freeport. As a nationally Important Strategic Infrastructure Project any application for such development will be determined by the Secretary of State.
- 4.85 Greater employment in, for example, managerial and professional jobs will be necessary to create a stronger, more diversified economy. Encouragement will be needed for sectors offering growth potential, such as the visitor and woodland economies and the digital and low carbon sectors.
- 4.86 To allow communities to gain maximum benefit from investment, public transport links, which have been adversely affected by the pandemic, between areas of need and training and employment opportunities will need to be enhanced. The quality of mobile phone coverage and broadband speeds is equally important.
- 4.87 The recently established East Midlands Combined County Authority will have new economic development powers, integrating the functions previously held by the D2N2 Local Enterprise Partnership. These functions include business growth, innovation, regeneration and skills improvement, the latter identified as a priority area.
- 4.88 The economic vision for the District, set out in the District Council's South Derbyshire Economic Development and Growth Strategy 2023-27 is: "To

promote greater sustainable economic development and growth in South Derbyshire, in order that it becomes a more prosperous place to live with better jobs and prospects for its residents and businesses.”

- 4.89 This will be achieved through the pursuit of the following key themes, expressed as “ambitions”:
- Business Support and Productivity;
 - Low Carbon / Clean Growth and
 - Connectivity and Inclusion.
- 4.90 These reflect the need for the joint commitment of the public, private and voluntary/community sector organisations operating in South Derbyshire and, in some instances, the availability of external funding.
- 4.91 Some of the actions envisaged are core activities of the District Council, but the majority will be undertaken in partnership with other organisations, with the key delivery vehicle being through the South Derbyshire Partnership and in particular its Sustainable Development Group.
- 4.92 The South Derbyshire Partnership represents the key vehicle for addressing local economic development issues. The Partnership brings together representatives from the public and third sectors involved in economic development, with representative bodies and individual businesses from the private sector. The Partnership's South Derbyshire Sustainable Community Strategy draws attention to the need to ensure that the workforce has the right skills to gain access to employment opportunities and to maximise the potential of the National Forest to improve the environment and attract visitors.
- 4.93 The District Council will contribute to the objectives set out for tourism in The National Forest Strategy and the National Forest Tourism Growth Plan.

Policy S5: Employment Land Need

Provision across a range of sites, including allocations, will be made for the development of land for industrial and business development (Use Classes E(g), B2 and B8) in support of the Economic Strategies of South Derbyshire District Council and the East Midlands Combined County Authority.

Explanation

- 4.94 Since the beginning of the adopted Local Plan Part 1 period, 1 April 2011, 61.39ha of land has been developed for new development in Use Classes (E(g), B2 and B8 as at 31 March 2024. Development has taken place mainly on allocated sites such as Tetron Point, Swadlincote and Dove Valley Park, Foston, but has also included the expansion of existing business premises, such as the Nestlé factory at Hatton, plus small rural economic diversification schemes.
- 4.95 Over the same period there have also been losses of established employment land, measuring 24.84ha in total, mainly comprising redevelopment of older premises for housing. The partial redevelopment of the former Hilton Ministry of Defence Depot, which was being used for warehousing and storage at the Local Plan base date, represents the largest element by far, although employment densities at that site were very low.
- 4.96 The Derby and South Derbyshire Employment Land Review (ELR) identified a need for 35.86ha of employment land over the plan period, but found that employment land supply, measuring 46.09ha, exceeded this. Therefore, in quantitative terms, there was an oversupply of 10.23ha, however the development of additional land may potentially still be justified for a number of reasons:
- to enhance the sustainability of housing-led mixed-use developments by providing for an element of employment development on site;
 - to enable the expansion of premises occupied by established businesses, allowing them to continue to grow and prosper within the District;
 - to provide for particular types of business accommodation for which there is an identified unmet demand within the District, such as small and grow-on units;
 - to allow for employment development beyond settlement boundaries to help diversify the rural economy;
 - to meet the locational requirements of particular economic sectors;
 - to provide for regional and sub-regional business accommodation needs;
 - to allow flexibility in responding to currently unanticipated needs;

- to balance any loss of established employment sites.

4.97 These needs will be addressed through a range of sites allocated through Policy E1 and through the development management policies E2, E3, E6 and E7.

Sustainable Access

4.98 Accessibility is essential to meeting economic, educational, social and leisure needs. Measures to maximise accessibility must seek to minimise detrimental impacts on the environment, amenity, safety and the efficient operation of transport infrastructure and services whilst encouraging healthy lifestyles through active travel.

4.99 The NPPF indicates that in plan-making the potential impacts of development on transport networks should be addressed; that opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, should be realised; that opportunities to promote walking, cycling and public transport use should be identified and pursued; that the environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account; and that patterns of movement, streets, parking and other transport considerations should be integral to the design of schemes, and contribute to making high quality places.

4.100 The goals of the Derbyshire Local Transport Plan are to support a resilient local economy, tackle climate change, contribute to better safety, security and health, promote equality of opportunity, improve quality of life and promote a healthy natural environment. Key priorities include efficient transport network management, improved local accessibility and healthier travel habits, better safety and security and the provision of new infrastructure. Policy S6 will assist in the achievement of these goals within South Derbyshire.

Policy S6: Sustainable Access

A The Council will seek to:

- i) **minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;**
- ii) **make the most efficient use of transport infrastructure, technology and services;**

- iii) encourage modal shift away from the private car and road based freight toward walking, cycling, public transport and rail freight; and
- iv) support transport measures that address accessibility, safety, amenity, health, social, environmental, and economic needs, both current and forecast.

B This will be achieved by seeking:

- i) scales, locations and densities of development with appropriate mixes of uses, that enable travelling distances to be minimised and that make best use of existing transport infrastructure, technology and services;
- ii) the provision of new or enhanced walking, cycling, public transport and rail freight services and infrastructure and, where needs cannot be met by the aforementioned means, highway and car/lorry parking infrastructure; and
- iii) the use of promotional measures, technology, and improved communication to encourage sustainable travel.

Explanation

4.101 Accessibility is critical for social, economic and leisure activities. Measures to maximise accessibility should minimise detrimental impacts on the environment, amenity and safety, facilitating the efficient operation of transport infrastructure and services whilst encouraging active travel and wellbeing.

4.102 Legislation requires documents such as a Local Plan to include policies that secure development which contributes to the mitigation of, and adaptation to, climate change. This approach has been reiterated in the government's National Planning Policy Framework, most recently amended in December 2023¹⁶.

4.103 The NPPF recognises the increasing dependence on private car use which has contributed to congestion, air quality concerns and various additional public health implications. The increasing need to address climate change impacts, as underlined by the 2018 amendments to the Climate Change Act (2008) also highlights the importance of supporting and enhancing access wherever possible as the net zero national emissions target approaches.

¹⁶ [National Planning Policy Framework \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

- 4.104 The Derbyshire Spatial Energy Study 2022¹⁷ was commissioned on behalf of the Derbyshire planning authorities. An assessment of electricity and heat demand, generation and supply within the County was undertaken which provides an understanding of the current and future situation of Derbyshire's energy system. The Study recognises that the largest contributor to carbon emissions in South Derbyshire is from non-domestic sources, followed by transport and then domestic energy emissions. It also identifies the potential within the District for energy to be harnessed from renewable sources. The Council therefore recognises the need for new development to be designed to limit carbon emissions and for applicants to be required to demonstrate how their proposals have given full consideration to climate change issues in their design, and for new development to be expected to generate and use energy from renewable sources.
- 4.105 The aims of reducing the negative impacts of transport are reflected in the Council's Climate and Ecological Emergencies¹⁸¹⁹, which highlight the need to reduce environmental impacts stemming from non-active modes of travel.

Retail

- 4.106 Town centres provide a broad range of facilities, services and employment opportunities and are a focus for the community and public transport. They play a key role in helping achieve sustainable development by becoming the focus for new development that encourages both urban regeneration and multi-purpose shopping and leisure trips, which directly help to reduce the number and length of car-borne journeys.
- 4.107 Swadlincote town centre has undergone significant streetscape investment in recent years. This, combined with the private investment at Morrisons, 'The Pipeworks' and the extension at Sainsbury's supermarket has improved Swadlincote's retail and leisure offer.
- 4.108 The second largest shopping area within the district is Melbourne which serves a local catchment area, primarily for convenience goods.
- 4.109 In addition the district also contains local centres at Church Gresley, Hilton, Newhall and Woodville serving their immediate communities with a range of retail facilities.

¹⁷ [Derbyshire spatial energy study](#)

¹⁸ [Climate and Environment Action Plan | South Derbyshire District Council](#)

¹⁹ [Council declares ecological emergency | South Derbyshire District Council](#)

4.110 The council has not updated the Retail policies in this part 1 update, as the bulk of the policies are contained within the part 2 Plan, including the retail hierarchy and potential redevelopment sites. It is the Council's intention to update retail policy as part of a comprehensive review of the Plan.

Policy S7: Retail

The role of Swadlincote Town Centre will be supported and enhanced wherever possible. the Town Centre boundary is set out in Part 2 of the Local Plan alongside the approach to other retail provision in the District.

The urban extensions to Derby City will be expected to include some retail provision on site including within local centres that is appropriate to the size of the development and will not be detrimental to existing retail provision.

Explanation

4.111 The Council will continue to develop Swadlincote Town Centre and retain provision within the District.

4.112 The Council will work with developers to ensure sufficient retail provision is provided to support urban extensions to Derby City, without detriment to existing retail provision. [Further detail on this is provided within Strategic Allocation polices and Framework documents.](#)

Green Belt

4.113 The southern part of the Nottingham –Derby Green Belt lies within South Derbyshire's administrative boundary and covers the 28 north east corner of the District covering the villages of Elvaston, Thulston, Ambaston and to the edge of Shardlow. The Nottingham – Derby Green Belt surrounds the city of Nottingham to prevent it from merging with Derby City and also surrounding towns and villages merging.

4.114 The Burton – Swadlincote Green Belt covers the area in between the two towns and prevents Burton upon Trent from merging with Swadlincote. The area covers predominantly greenfield land with some built up ribbon development at Stanton along the A444 and Bretby along the A511.

Policy S8: Green Belt

The principal, general extent and permanence of the Nottingham-Derby Green Belt and Burton – Swadlincote Green Belt within South Derbyshire is supported and maintained. Measures to improve public access to the Green

Belts and improve connectivity to the built-up areas adjacent to the Green Belts will be encouraged.

There is a presumption against inappropriate development within the Green Belt and development proposals received within the Green Belt will be assessed against national policy.

Explanation

- 4.115 The Green Belt is a long established and successful planning tool, which prevents the coalescence of Derby and Nottingham cities and also that of Burton upon Trent with Swadlincote.
- 4.116 The southern part of the Nottingham – Derby Green Belt lies within South Derbyshire's administrative boundary and covers the northeast corner of the District, covering the villages of Elvaston, Thulston, Ambaston and to the edge of Shardlow. The Nottingham – Derby Green Belt surrounds the city of Nottingham to prevent it from merging with Derby City and prevents surrounding towns and villages from merging.
- 4.117 The Burton – Swadlincote Green Belt covers the area between the two towns and prevents Burton upon Trent from merging with Swadlincote. The area covers predominantly greenfield land with some built up ribbon development at Stanton along the A444 and Bretby along the A511.
- 4.118 In accordance with the National Planning Policy Framework (NPPF) the Council is committed to protecting Green Belt land, unless exceptional circumstances can be demonstrated.
- 4.119 In addition, the NPPF seeks to enhance the beneficial use of the Green Belt. Measures to improve public access to the Green Belt will help achieve this.

Introduction

- 5.1 The policies in this chapter are strategic allocations to help deliver the housing strategy in Policy S4 and meet the employment development requirements identified in Policy S5.
- 5.2 Three strategic allocations are proposed:
- Housing development at Land South of Mickleover;
 - Mixed use scheme (employment and housing) at Infinity Graden Village; and
 - Employment development at Former Drakelow Power Station (detailed requirements now set out here for the development allocated in saved policy BNE12)
- 5.3 The employment allocations are included within Policy E1.
- 5.4 The policies include site specific requirements, individual to the particular site to which the policy refers. Each allocation will be subject to the normal process of granting of planning permission and the necessary conditions and planning obligations. Whilst not all possible contributions are listed in the specifics of a policy, such contributions would be expected, as would be the case for any such planning application, whether the site be allocated in the Local Plan or not.
- 5.5 Each of the allocations are shown on a map alongside the policy. The site boundary indicated on the maps illustrates the full site, not the developable area. As such landscaping, additional buffers, open space and roads will be included within the site area as shown. In addition an indicative layout map is included for each allocation to guide the development of the strategic allocations and identify the general proposed location of key features

Infinity Garden Village

- 5.6 The sites lies to the southern edge of the administrative boundary of Derby City. To the west lies Housing Allocation H15 Wragley Way, which was first allocated for housing development in the 2006 Local Plan Part

1. Chellaston lies to the east of the site, Derby City's Local Plan Employment Allocation AC15 (Infinity Park Derby) lies to the north, and the site is bounded by the A50 to the south.

- 5.7 The site is located within the Southern Derby Area and Infinity Garden Village as identified in Policy INF13 of the adopted Local Plan Part 2. The mixed-use allocation will further developed the Southern Derby Area by providing approximately 2000 additional dwellings and 70 ha of employment land. Development of the site offers the opportunity to deliver new infrastructure due to its critical mass.
- 5.8 Although the allocation is within South Derbyshire administrative boundary, South Derbyshire District Council will collaboratively work with Derby City Council and other partners to ensure that development of the site, along with the other allocations inside the Southern Derby Area (within South Derbyshire District Council Local Plan and Derby City Local Plan) are developed comprehensively.
- 5.9 The site allocation boundary is shown as part of this policy and on the proposals map.
- 5.10 An indicative layout map is included to guide the development of the strategic allocation and identify the general proposed location of key features.

Policy STRA1: Infinity Garden Village Mixed Use Allocation

The Strategic Allocation identified at Infinity Garden Village will be expected to deliver the following requirements and be in accordance with other Local Plan Policies:

A Development Requirements

- i) **Approximately 2000 new homes;**
- ii) **Approximately 70 hectares of employment generating land;**
- iii) **Explore the provision of a retirement village within the scheme**
- iv) **The provision of Gypsy and Traveller pitches inline with Policy H21;**
- v) **Primary vehicle accesses via a new junction on the A50 and junctions via Infinity Park Way**

B Social infrastructure / services for the development;

- i) Provision of an appropriate scale of retail, healthcare and community facilities to meet the needs of the new community. It is expected with regard to healthcare that this will comprise a refurbished Sinfon Health Centre;
- ii) Contributions towards primary and secondary education, schools and facilities commensurate with the scale of the development, in accordance with INF1, INF12, and the Planning Obligations SPD. This will include:
 - a) The provision within the of site of a two from entry primary school with nursery, with sufficient land for future expansion; and
 - b) A new secondary school in the eastern part of the site;

C Green Infrastructure. A network of interconnected Green Infrastructure which as a minimum shall include the following.

- i) The provision of a green infrastructure network, including protection and enhancement of visual linkages from the eastern and western parts of the site;
- ii) The green infrastructure network should allow active travel connections though and across the site to points of interest and recreation;
- iii) Built development within the Green Infrastructure locations shall be restricted to that ancillary to and necessary to support green infrastructure (such as grounds maintenance huts, small changing rooms etc);
- iv) The continuation of the green wedges from Derby City;

D Mitigation

- i) On site biodiversity net gain in line with national legislation and protection and management of key biodiversity assets such as trees and hedgerows;
- ii) Appropriate flood risk management in accordance with policy SD2 across the site and ensure that all more vulnerable development is located wholly within flood zone 1;
- iii) SUDS will be provided in accordance with Policy SD3;

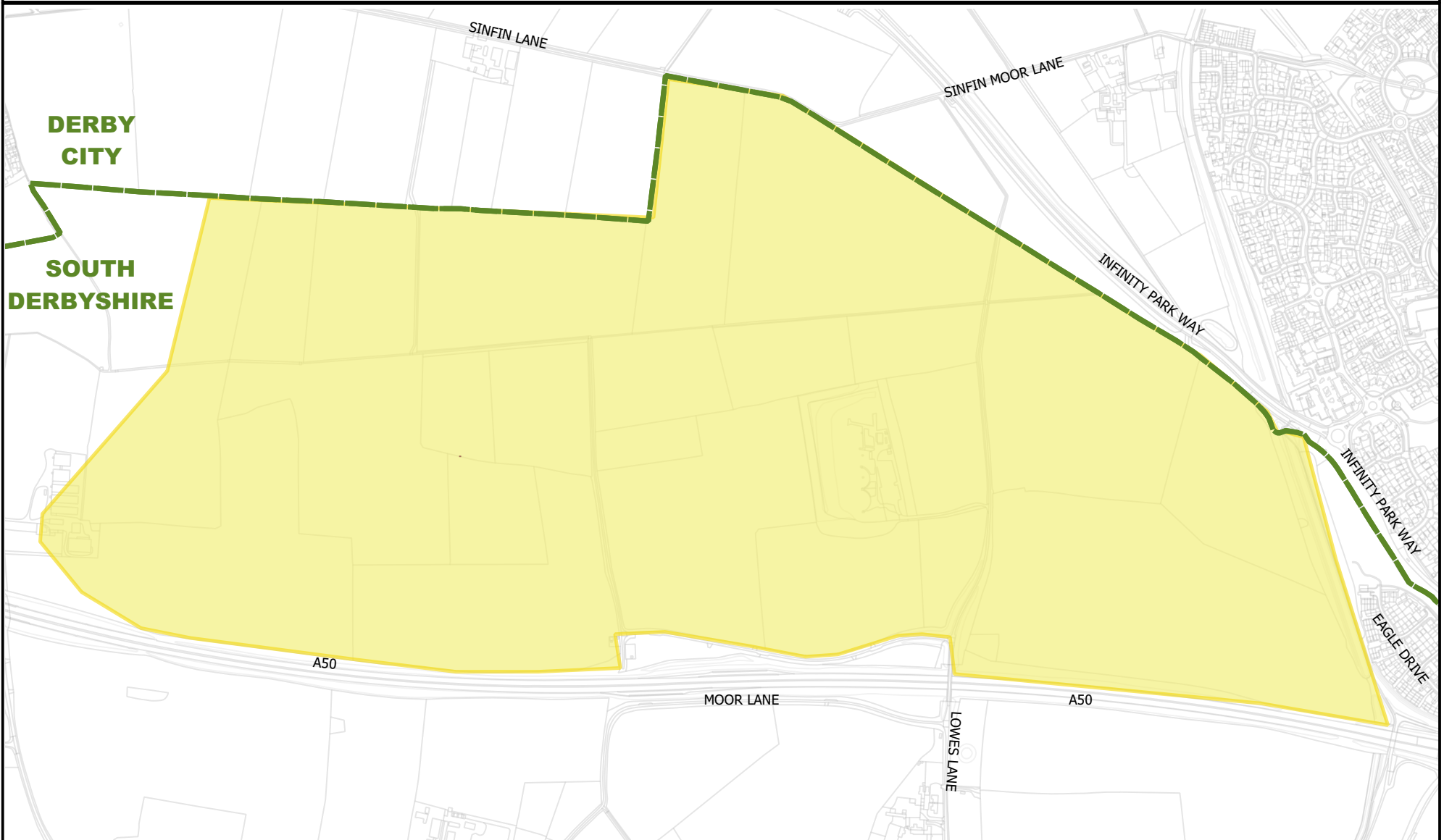
- iv) A layout and form of development that respects the landscape character, as well as the character significance and setting of heritage assets;
- v) A layout and form that reduces the impact of gas pipeline protected areas; with the siting of residential development;
- vi) Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of more sustainable transport modes; in accordance with policy F2;
- vii) Ensure that the development is well connected to frequent public transport to Derby centre as well other key designation and that the bus stops and routes are provided through the site to allow for convenient boarding;
- viii) High quality continuous pedestrian and cycle routes shall be provided between the site and villages to the south of the A50 and development within Derby City and within and across the site, to key centres key centres including employment and education facilities providing segregated links where practical. This should include enhancement of key cycle routes through the site;

E No dwelling/ phase of development shall be occupied until:

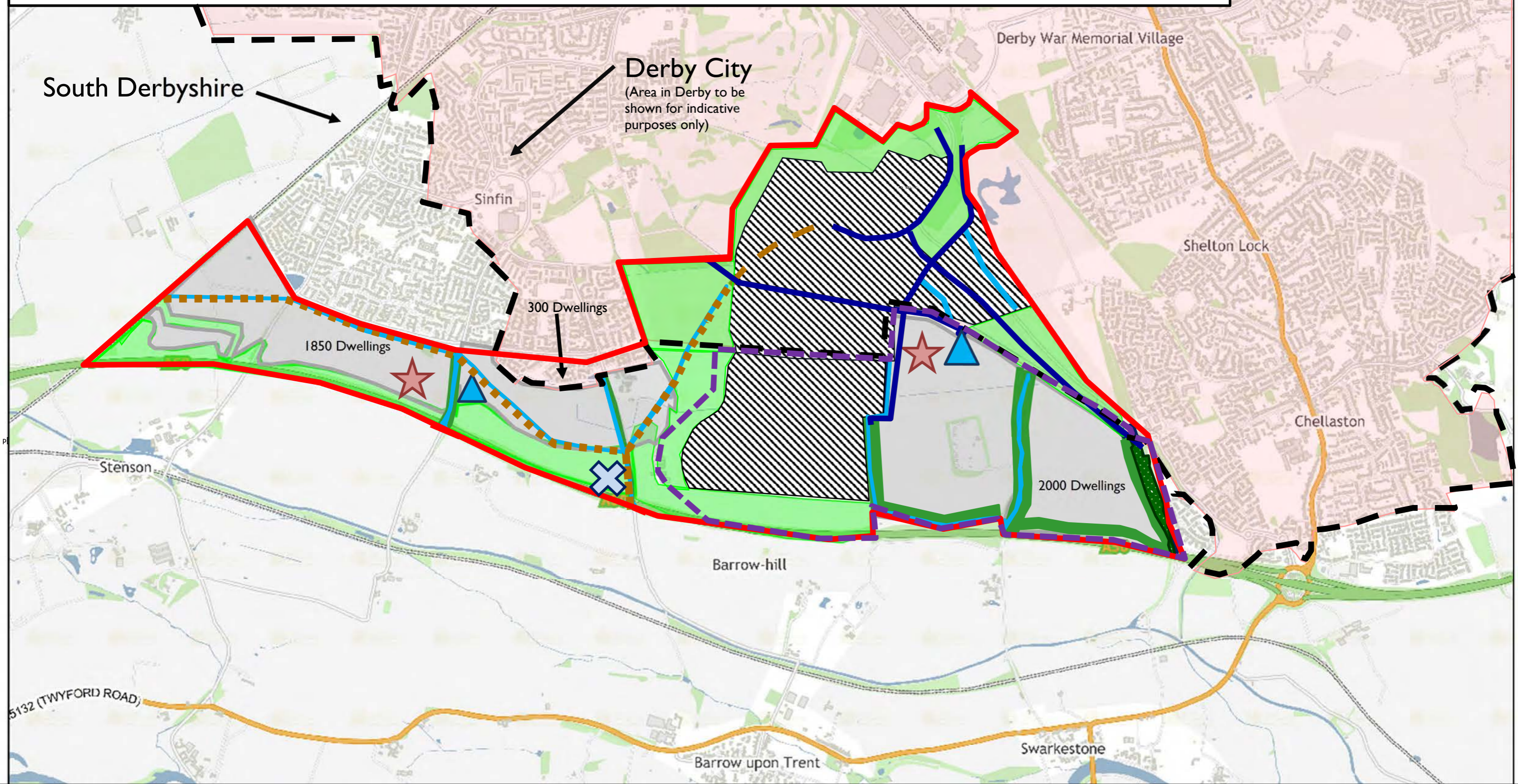
- i) The necessary Green Infrastructure including open space, active travel provision, connectivity, community facilities including education and health provision, public transport provision, hard infrastructure including access points and highway improvements where required is provided to service that dwelling/ phase. This is to enable new residents to access the full suite of services and facilities to support the delivery of housing in a safe and convenient manner without relying on the private car.

F The development shall be provided in broad conformity with the plan below which shall be informed by a Design Review process reflecting the status of the site as a garden village which will also evaluate how the site can accommodate need for self-build plots, supported living accommodation (use class c3) housing with care (use class C3) and care beds (use class C2). This will contribute to a future update of the development framework document.

Strategic Policy 1: INFINITY GARDEN VILLAGE MIXED USE ALLOCATION



STRA1: Draft Infinity Garden Village Mixed use Allocation



- | | | | | | | | | | |
|--|---|--|---------------------------|--|---------------------|--|-------------------------------|--|---|
| | South Derbyshire District Boundary | | Green corridors | | Green areas | | Existing local wildlife sites | | South Derby Integrated Transport Link indicative alignment |
| | Infinity garden boundary | | Cycle paths / Bridleways | | Housing development | | Proposed Local Centre | | South Derby Integrated Transport Link indicative alignment (continuation) |
| | Infinity Garden Village | | Proposed pedestrian/cycle | | Employment sites | | New A50 junction | | Proposed education facilities |
| | Derby City (Area in Derby to be shown for indicative purposes only) | | | | | | | | |

Land south of Mickleover

- 5.11 Land South of Mickleover, lies adjacent to the administrative boundary of Derby City. The site is near Mickleover within Derby City and development of the redline boundary of the principal site adjoins the existing housing development within South Derbyshire at the former Pastures Hospital site.
- 5.12 The principal site is boarded by the A516 to the north, A38 to the east and open countryside to the west and south. The site to the east of the A38 is bounded by existing development to the northeast and bounded by Rykneld Road to the east and southeast and A38 to the west.
- 5.13 The site can deliver significant green infrastructure including the provision of a Country Park which will aim to achieve Green Flag status.
- 5.14 Housing and built infrastructure development will be restricted to the northeast, east and south of the principal site and the Country Park will predominantly be located within the north and west of the site to preserve the setting of the pastures hospital site and the associated heritage assets.
- 5.15 South Derbyshire District Council and the developers will work together with Derby City to ensure that development of the site is delivered in a comprehensive manner.
- 5.16 The site allocation boundary is shown as part of this policy and on the proposals map.
- 5.17 An indicative layout map is included at to guide the development of the strategic allocation and identify the general proposed location of key features.

Policy STRA2: Land South of Mickleover

The Strategic Allocation identified as Land South of Mickleover will be expected to deliver the following requirements and be in accordance with other Local Plan Policies:

A Development requirements

- i) Approximately 2500 new homes;**
- ii) Approximately 5-10 ha of employment generating land;**
- iii) Explore the provision of a retirement village within the scheme**

- iv) The provision of Gypsy and Traveller pitches in line with Policy H21;
- v) Vehicular access to serve the sites shall be developed appropriately. The principal accesses to the sites shall be from;
 - a) Principal site – access to be off the A38 roundabout;
 - b) East of the A38 – access to be off Rykneld Road;

B Social infrastructure / services for the development

- i) Provision of appropriate scale community facilities;
- ii) Delivery of healthcare infrastructure sufficient to meet need, either on site or off site through contributions. These contributions towards healthcare facilities will be commensurate with the scale of the development, and in accordance with INF1 and the Planning Obligations SPD
- iii) Delivery of primary and secondary education sufficient to meet need, either on site or off site through contributions. These contributions towards primary and secondary education, schools and facilities will be commensurate with the scale of the development, and in accordance with INF1 and the Planning Obligations SPD. This will include;
 - a) The provision of a three form entry primary school with nursery; and
 - b) Financial Contributions towards secondary education;
- iv) Provision of a local retail centre commensurate with the size of the development to provide for the day to day needs of the development and surrounding area;

C Green Infrastructure. A network of interconnected Green Infrastructure which as a minimum shall include the following:

- i) The provision of a wide green buffer around the pastures hospital estate and along the boundary of the A38;
- ii) The provision of a Country Park, to be located within the site to the north, west and in part of the land immediately to the south of the pastures hospital estate;

- iii) The green infrastructure network should allow active travel connections through and across the site to points of interest and recreation;
- iv) High quality continuous pedestrian and cycle routes shall be provided within the site and links between the site and Burnaston village, and development within Derby City;
- v) Built development within the Green Infrastructure locations shall be restricted to that ancillary to and necessary to support green infrastructure (such as grounds maintenance huts, small changing rooms etc);

D Mitigation

- i) Appropriate sound attenuation/noise mitigation for both dwellings and recreation/ habitats from the A38 and A516;
- ii) On site biodiversity net gain in line with national legislation and protection and management of key biodiversity assets such as trees and hedgerows;
- iii) Appropriate flood risk management in accordance with policy SD2 across the site and ensure that all more vulnerable development is located wholly within flood zone 1;
- iv) SUDS will be provided in accordance with Policy SD3;
- v) A layout and form of development that respects the landscape character, as well as the character significance and setting of heritage assets, including Grade II Church at Pastures Hospitals and Grade II Winter Garden at Pastures Hospital;
- vi) Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of more sustainable transport modes; in accordance with policy F2;
- vii) Ensure that the development is well connected to frequent public transport to Derby centre as well as other key designations, and that bus stops and routes are provided through the site to allow for convenient boarding;

E No dwelling /phase of development shall be occupied until:

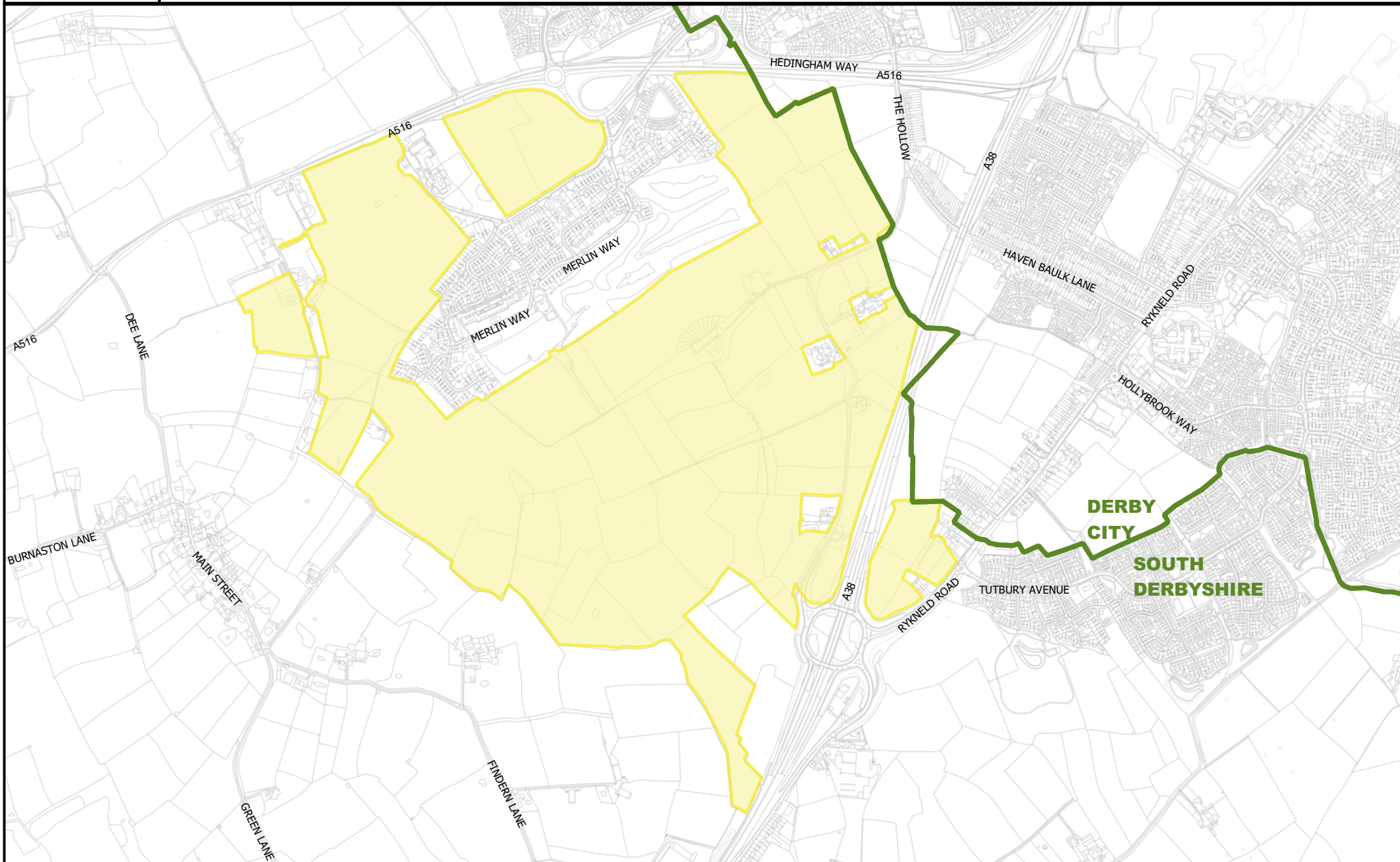
- i) The necessary Green Infrastructure including open space, active travel provision, connectivity, community facilities including

education and health provision, public transport provision, hard infrastructure including access points and highway improvements where required is provided to service that dwelling/ phase. This is to enable new residents to access the full suite of services and facilities to support the delivery of housing in a safe and convenient manner without relying on the private car;

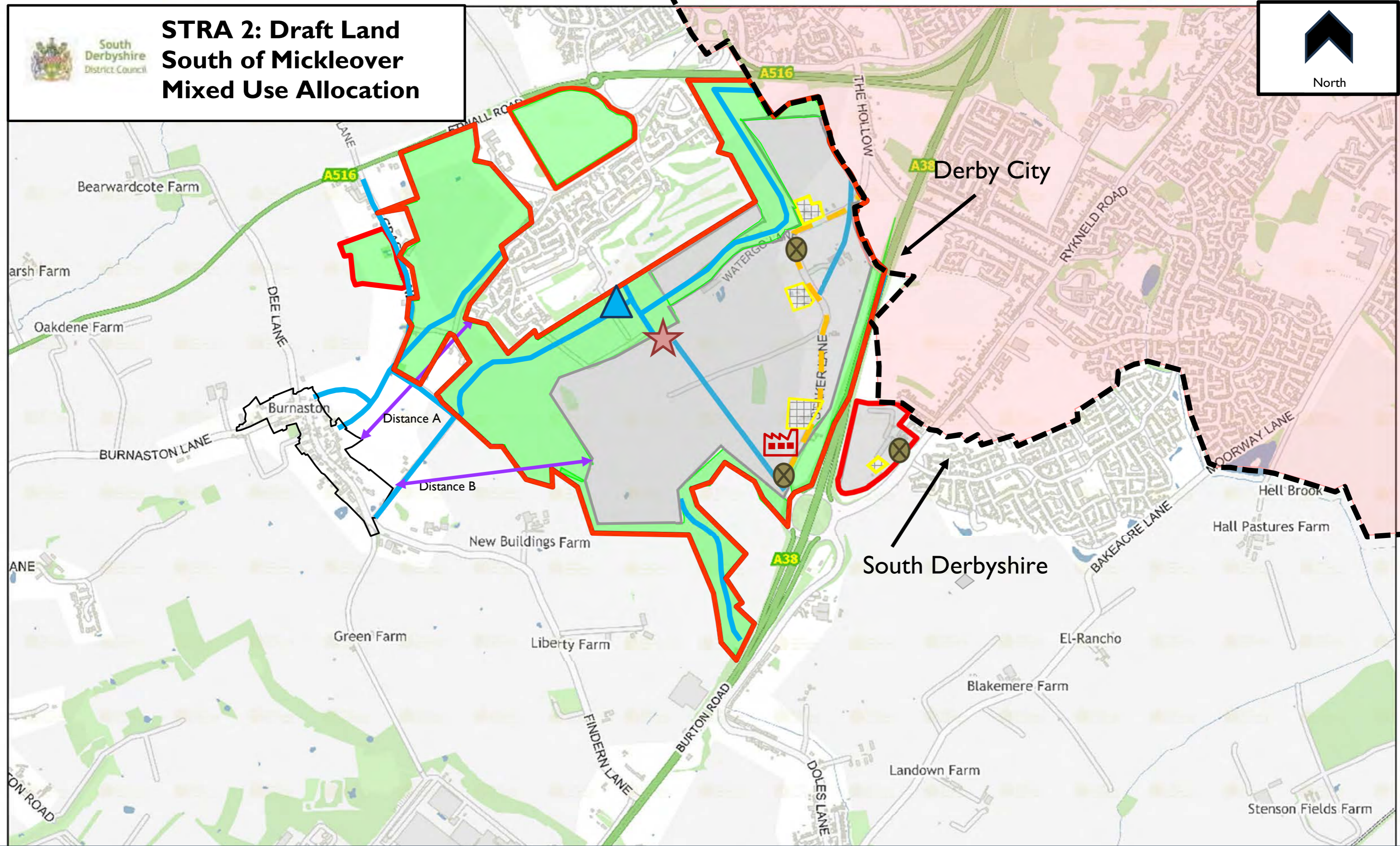
- F The development shall be provided in broad conformity with the plan below with the details to be confirmed in a Development Framework Document which shall be informed by a Design Review process.



Strategic Policy 2: LAND SOUTH OF MICKLEOVER



STRA 2: Draft Land South of Mickleover Mixed Use Allocation



- South Derbyshire District Boundary
- Site Boundary
- Burnaston Settlement Boundary
- Pedestrian/cycle connections
- Staker Lane
- Housing Development
- Country Park/Green Wedges
- Land excluded from development
- X Vehicular Access Points
- Proposed education facilities
- Employment Development
- Proposed Local Centre
- Distance A: Approximately 0.63 KM between Burnaston Settlement Boundary and existing development
- Distance B: Approximately 0.65 KM between Burnaston Settlement Boundary and proposed development

Former Drakelow Power Station

- 5.18 Drakelow Power Station was commissioned in 1955 and at full capacity generated electricity from three coal-fired power stations supported by 10 cooling towers. The A station was closed in 1984, and the B station in 1993.
- 5.19 The cooling towers were demolished in 1998. The C Station was decommissioned in 2003, and the final structures demolished in 2006. The Former Drakelow Power Station site is bounded by the River Trent and Drakelow Nature Reserve to the north, Walton Road and the Drakelow Park development.
- 5.20 The Drakelow Power Station site includes a Renewable Energy Centre and Solar Park. These parts of the site are outside the site allocation boundary shown on the indicative layout map.
- 5.21 Detailed policy is set out below (STRA3) for the development of former power station land at Drakelow. This site was allocated for redevelopment in the Part 2 Plan in policy BNE12. Development proposals for this site must be in accordance with both BNE12 and STRA3.
- 5.22 Within the site allocation boundary, the opportunity exists for the development of high quality employment opportunities within Use Class E (g), B2, B8, and outside of the allocation boundary for energy purposes to assist in the regeneration of the previously developed land.
- 5.23 The existing Drakelow Nature Reserve will be retained to its current extent along with the creation of a buffer zone
- 5.24 Further detail is provided by this strategic allocation policy, with requirements for the area identified within the red line boundary.
- 5.25 An indicative layout map is included to guide the development of the strategic allocation and identify the general proposed location of key features

Policy STRA3: Former Drakelow Power Station

Development within the strategic allocation boundary will be expected to deliver up to 68ha of employment use within Use Classes E(g), B2 and B8, subject to the following:

A Development Requirements

- i) A range of unit sizes shall be provided including accommodation for small to medium sized enterprises;**
- ii) Use of the existing main site entrance at Drakelow Road as the primary vehicular access;**

B Green Infrastructure. A network of interconnected Green Infrastructure which as a minimum shall include the following.

- i) A green infrastructure network, habitat creation and management should complement the preservation and enhancement of the ecological features identified in point (II);**
- ii) The safeguarding and protection of key biodiversity and ecological assets, including the Drakelow Nature Reserve, Drakelow Wildfowl Reserve Local Wildlife Site and Tree Preservation Order 122. Development should not negatively impact nearby assets such as the Branston Water Park Local Nature Site, the Grove Wood Local Wildlife Site and the River Trent. Mitigation measures should be employed to minimise unavoidable impacts. In addition to National Forest planting requirements, existing trees and hedgerows should be retained and development designed around existing natural features.**
- iii) The provision of a multiuser greenway, representing part of the Derbyshire Key Cycle Network, across the former Drakelow power station site linking the south western boundary of that site to the north eastern boundary, connecting to the greenway to be provided within the adjoining Drakelow Park mixed use development;**

C Mitigation

- i) Appropriate flood risk management shall be provided in accordance with policy SD2 and shall ensure that all more vulnerable development is located wholly within flood zone 1. A detailed Flood Risk Assessment must be provided with any application;**
- ii) The layout, form and height of development shall respect the character of the landscape, minimising visual intrusion. Appropriate mitigation shall be provided through the provision of additional and/or retention of existing landscape screening.**

- iii) The layout and form of development shall respect the character, significance and setting of heritage assets including the adjacent Grade II Listed gate piers, adjoining walls and attached piers at Drakelow Lodge
- iv) Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of more sustainable transport modes, shall be provided in accordance with policy INF2.
- v) High quality, frequent and conveniently accessible, public transport services, including connections to Burton-on-Trent and Swadlincote, shall be provided.
- vi) High quality continuous pedestrian and cycle links shall be provided, connecting to all units within the site to the main vehicular entrance, to the Key Cycle Network multiuser greenway identified in point (xi) and to the adjoining Drakelow Park mixed use development.
- vii) Residential amenity and safety on the adjoining Drakelow Park development shall be protected, including in relation to noise, vibration, odours, dust, light pollution and traffic generation in accordance with Policy SD1. Measures to achieve this shall include the provision of a landscape buffer between the employment site and the Drakelow Park development.

D No phase of development shall be occupied until:

- i) The necessary Green Infrastructure, including open space; active travel provision; connectivity, public transport provision; hard infrastructure, including access points and highway improvements where required, is provided to service that phase. This is to enable businesses and employees to access the full suite of services and facilities to support the delivery of the site in a safe and convenient manner, utilising active travel wherever possible.

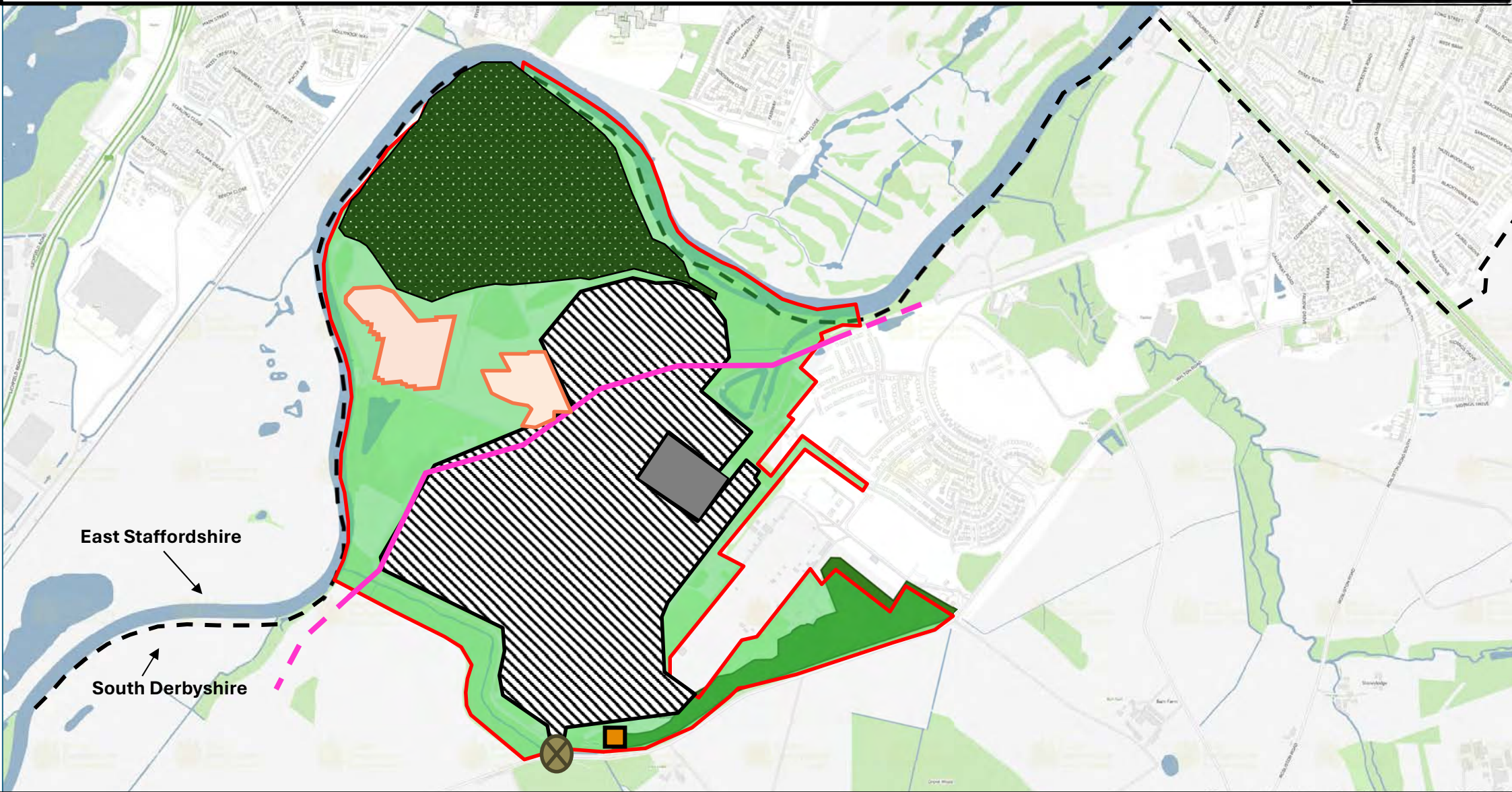
E The development shall be provided in broad conformity with the plan below. With the details to be confirmed in a Development Framework Document, as set out in policy BNE12.



STRA3: Former Drakelow Power Station


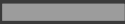









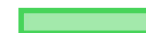


STRA3: Draft Former Drakelow Power Station Allocation



East Staffordshire

South Derbyshire

- | | | | | | | | | | |
|--|------------------------------------|---|---|---|------------------------------|---|-----------------------------------|---|-----------------|
|  | South Derbyshire District Boundary |  | Existing energy from waste facility |  | Existing Local Wildlife Site |  | Vehicular access point |  | Listed Building |
|  | Site Boundary |  | Proposed Key Cycle Network Route (links beyond site boundary) |  | Employment sites |  | Existing Tree Preservation Orders |  | Solar farm |
|  | Proposed Key Cycle Network Route |  | Green Areas | | | | | | |

Introduction

- 6.1 The housing allocations within this chapter have been carried forward from the 2016 Adopted Local Plan. The Allocations feed into the Districts housing supply and help to deliver the housing strategy in Policy S4.
- 6.2 The housing site policies include site specific requirements. Each housing site allocation has been or will be subject to the normal process of granting of planning permission and the necessary conditions and planning obligations.
- 6.3 Whilst not all potentially required, contributions are listed in the specifics of a policy. Such contributions as education, transport and health would be expected, as would be the case for any such planning application, whether the site was allocated in the Local Plan or not.
- 6.4 Each of the housing site allocations are shown on a map alongside the policy. The site boundaries indicated on the maps illustrate the full site, not the developable area. As such landscaping, additional buffers, open space and roads will be included within the site area, as shown.

The Settlement Hierarchy

Policy H1: Settlement Hierarchy

The Settlement Hierarchy is based on the range of services and facilities that are offered by each settlement. The level of development for each settlement will be of a scale appropriate to the size and role of that settlement. As planning applications are received the merits of each individual site will be assessed through the Development Management process.

The distribution of new development outside of allocations over the period of this Plan will be in accordance with the Settlement Hierarchy below:

1 Urban Areas – the urban areas **adjoining Derby, the urban area of Swadlincote including Woodville, and adjoining Burton upon Trent**

2 Key Service Villages
Aston on Trent

Etwall

Hatton

Hilton
Overseal
Willington

Linton
Repton

Melbourne
Shardlow

For the above two tiers, development of all sizes within the settlement boundaries will be considered appropriate and sites **adjoining** settlement boundaries as **rural exception sites in accordance with Policy H21** as long as not greater than 25 dwellings.

3 Local Service Villages

Coton in the Elms
Mount Pleasant
Rosliston

Findern
Netherseal
Ticknall

Hartshorne
Newton Solney
Weston on Trent

For the above tier, development of sites within the settlement boundary will be considered appropriate and sites **adjoining** settlement boundaries as **rural exception sites in accordance with Policy H21** as long as not greater than 15 dwellings.

4 Rural Villages

Ambaston
Burnaston
Coton Park
Egginton
Foston
Lees
Marston on Dove
Scropton
Stanton by Bridge
Thulston
Walton on Trent

Barrow upon Trent
Cauldwell
Dalbury
Elvaston
Ingleby
Long Lane
Milton
Smisby
Sutton on the Hill
Trusley

Bretby
Church Broughton
Drakelow Village
Foremark
Kings Newton
Lullington
Radbourne
Stanton
Swarkestone
Twyford

For the above tier development of a limited nature will be allowed

- i. within the settlement boundary where applicable or **adjoining** as a **rural exception site in accordance with Policy H21** as long as not greater than 15 dwellings.
- ii. Or of limited infill and conversions of existing buildings where no settlement boundary.

5 Rural Areas – areas outside of the defined settlements listed above.

Due to the lack of services and facilities and defined settlement boundaries, only development of limited infill and conversions of existing buildings will be acceptable.

Explanation

- 6.5 The Settlement Hierarchy groups together settlements that have a similar role. The Settlement Hierarchy methodology recognises that a range of services and facilities are essential ingredients to sustainable communities. Priority is afforded to those places which are served by high quality public transport services and a convenience store. A convenience store ensures that day to day needs are met, and a good bus service ensures that residents have access to wide range of services and facilities outside their settlement and reduces the need to travel by car.
- 6.6 Policy H1 seeks to ensure that development is directed towards the more sustainable settlements. The hierarchy will provide the basis for assessing planning applications for development on unforeseen 'windfall' sites.
- 6.7 Careful and on-going monitoring of changes in services and facilities will be undertaken and, where necessary, adjustments will be made to the hierarchy in future reviews of the Plan.
- 6.8 A refresh of the settlement hierarchy and settlement boundaries will be undertaken in the next phase of plan making.

Housing Site Policies

Policy H2: Land north of William Nadin Way, Swadlincote

- 6.9 The site consists of three housing parcels on land to the west of Swadlincote which fall within the area from Park Road in the west, to the current Council Depot in the east and south to William Nadin Way. A golf course and driving range is currently under construction on the central part of the wider area. On the north and east boundaries of the site lies residential development and employment development lies beyond William Nadin Way on the southern boundary of the site.
- 6.10 The site represents former mineral workings and is now classed as greenfield land. There is some landfill on part of the site. The site lies within the National Forest.
- 6.11 Access to the site will be off William Nadin Way for the parcel of land to the east of the site and Park Road for the other two parcels of land to the north east and west of the site. The site is likely to be phased with the largest parcel of land, to the east of the site, to come forward first.

6.12 Swadlincote town centre is less than 2km away to the east and as such the site is accessible to a range of shops, services and community facilities, public transport as well as employment opportunities across Swadlincote

POLICY:

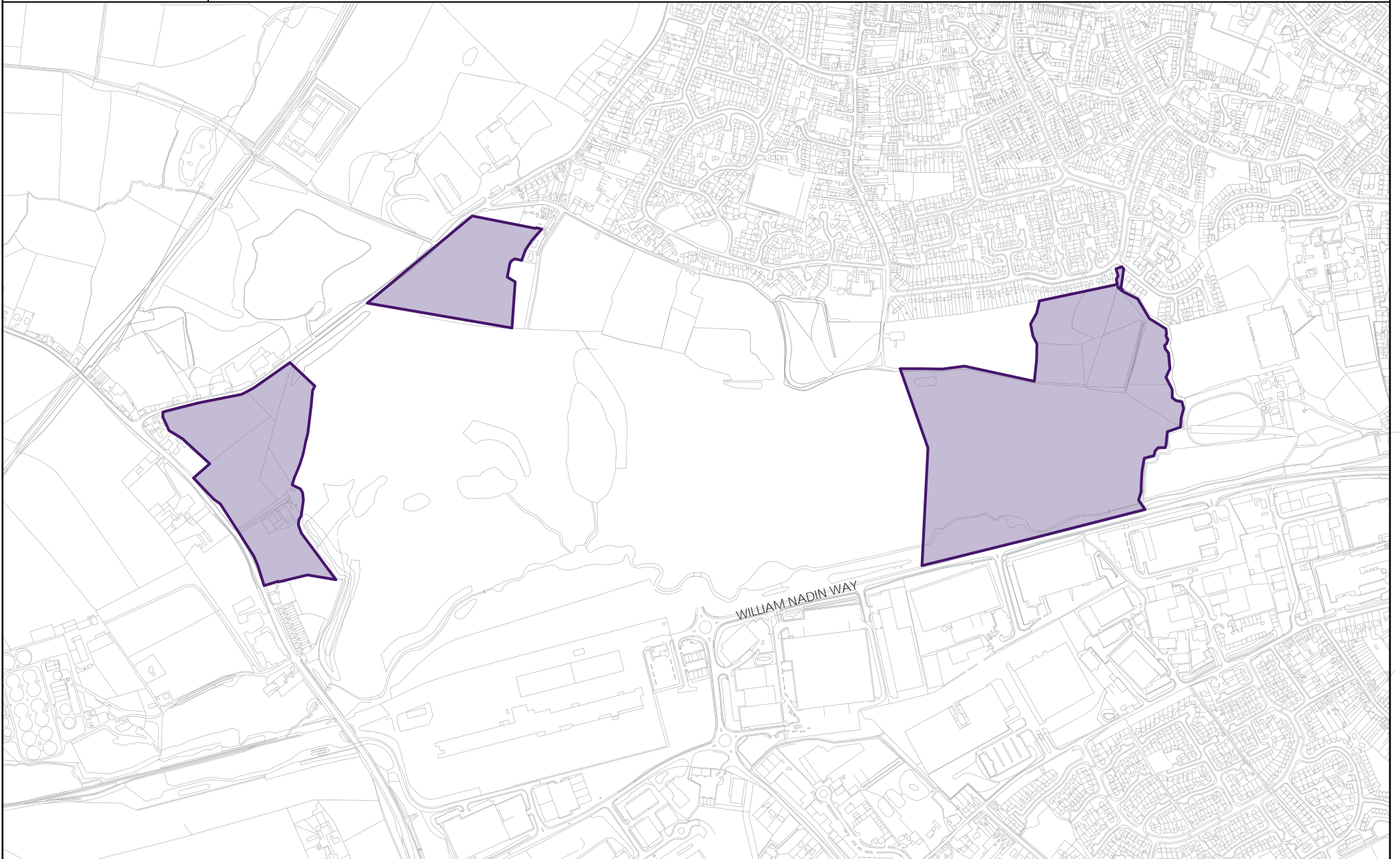
A Residential development on Land north of William Nadin Way, Swadlincote for around 600 dwellings.

B The Council will require the below listed site specifics and accordance with other Local Plan policies:

- i) Consider the site holistically with other development and open space enhancement opportunities;**
- ii) A mix of dwelling types shall be provided across the three parcels of land which complement each other;**
- iii) The provision of recreational and community facilities;**
- iv) The presence of Coal Mining Legacy and resulting potential for unstable land will require the submission of a Coal Mining Risk Assessment in support of planning applications;**
- v) An appropriate buffer in agreement with the Council to be placed around the Breach Ley Farm Meadow County Wildlife Site;**
- vi) An appropriate easement along watercourses on the site free of built development;**
- vii) Provide high quality cycle and pedestrian links both within the development and connecting to existing and proposed networks, including NCN63 Burton to Leicester route.**



Housing Policy 2: Land North of William Nadin Way, Swadlincote



Policy H3: Land at Church Street, Church Gresley

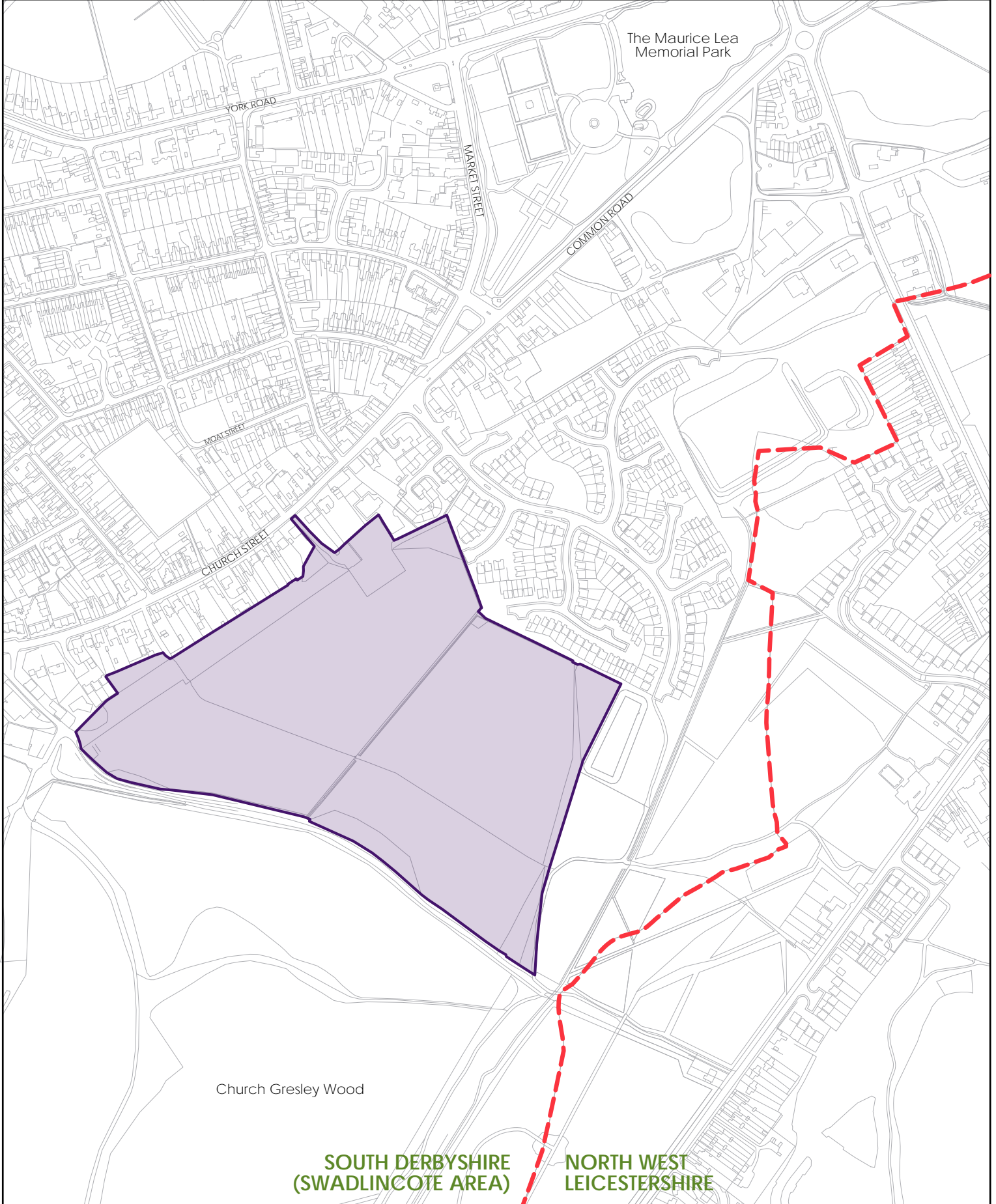
- 6.13 Land at Church Street lies adjacent to Church Gresley and is a greenfield site. The site is contained by residential development on the north and east boundary of the site and National Forest Planting (Church Gresley Wood) to the south and west of the site.
- 6.14 Swadlincote Town Centre is 2km to the north; the A444 lies to the west and the A514 and A511 to the east. The site is accessible to a range of shops, services and community facilities including St George's Primary School. Additional land for the extension to St George's Primary school will be secured through the development.

POLICY:

- A Residential development on Land at Church Street/Church Gresley for around 306 dwellings.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) Developer contributions for additional land to enable an extension to St George's Primary School;**
 - ii) Access point to serve the site-shall be developed appropriately from Rockcliffe Close;**
 - iii) The presence of coal mining legacy and resulting potential for unstable land will require the submission of a Coal Mining Risk Assessment in support of planning applications;**
 - iv) Provide high quality cycle and pedestrian links both within the development and connecting to existing and proposed networks, including NCN63 Burton to Leicester route and the CONKERS circuit.**



Housing Policy 3: Land at Church Street, Church Gresley



Policy H4: Land at Broomy Farm, Woodville

- 6.15 Land at Broomy Farm lies adjacent to the built up area of Midway and Woodville. The site falls across the Hartshorne and Woodville Parish areas. The site sits behind Granville secondary school. The site currently comprises agricultural fields that are interspersed with hedgerows and trees along the boundaries. Within the western part of the site there is a disused railway cutting. The site lies within the National Forest.
- 6.16 Development of the site would form an infill of the area between Woodville and Midway. The site is contained by development on the west, east and southern boundaries of the site and the countryside in-between Woodville and Hartshorne on the north eastern boundary which also contains buildings related to Broomy Furlong. A landscape buffer on this side of the site will help mitigate the development impact on the surrounding countryside and create a new defensible urban edge.
- 6.17 Swadlincote Town Centre is 2.6km away to the south west. Woodville provides a range of services and facilities accessible from the site. 5.32 Development of the site would generate additional traffic, which would need to be managed on the A514, the A511 and the Clock Island junction. Provision of a link road from the A514 to the A511 through the site will help mitigate the developments impact on the surrounding road network.

POLICY:

- A Residential development on Land at Broomy Farm, Woodville for around 400 dwellings.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) A significant green buffer and landscaping on the north east boundary of the site, to help soften the housing development impact on the surrounding rural landscape creating a new urban edge and linking into the surrounding green infrastructure;**
 - ii) The provision of a road from the A514 to the A511 through the site, to help mitigate the development's impact on the surrounding road network and contributions toward any other means to mitigate the transport impact of the development. The road link will need to be designed appropriately to avoid the use of the road as a 'rat - run';**

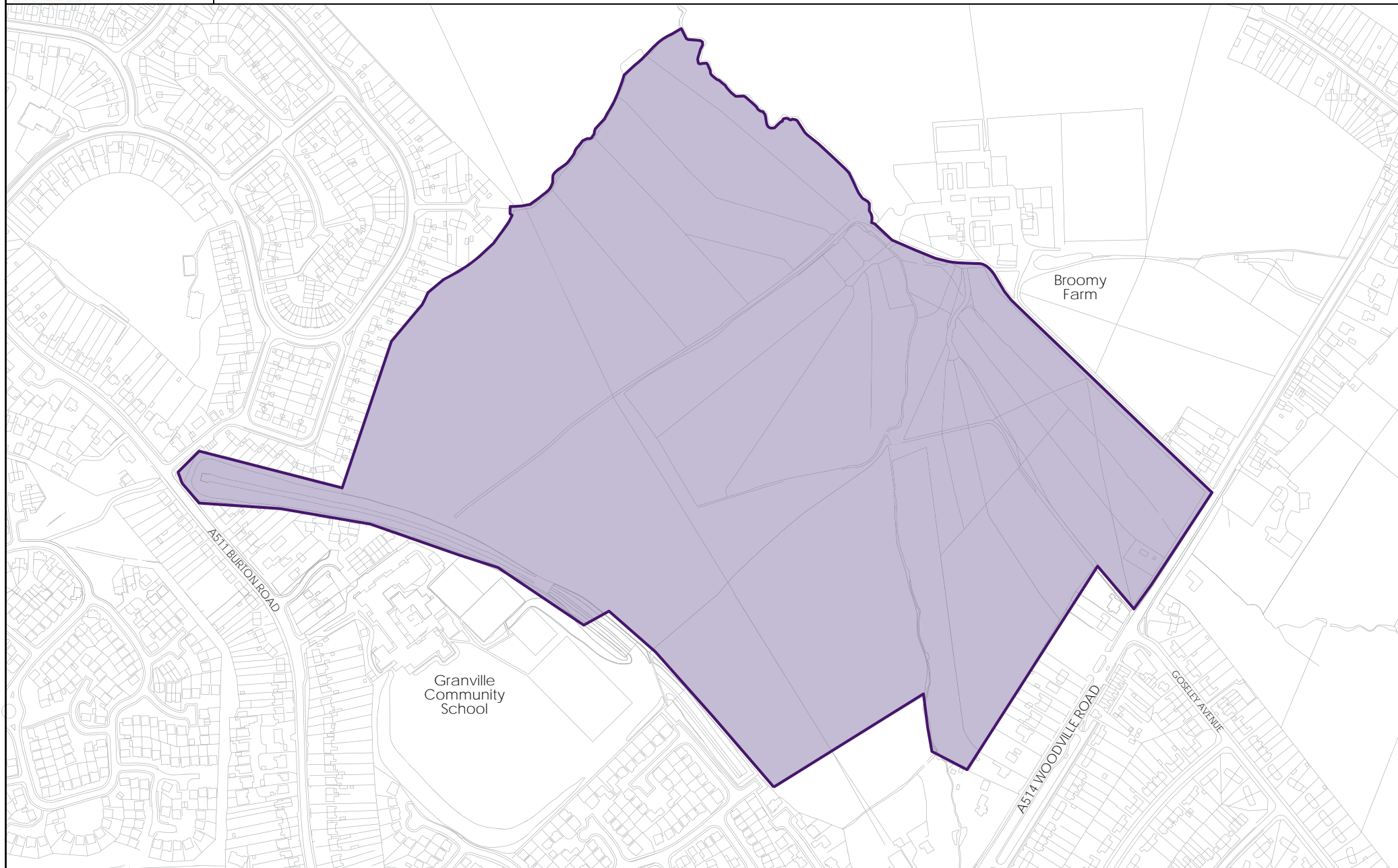
- iii) High quality pedestrian and cycle links shall be provided within the site and connecting to existing and proposed net works;
- iv) A strategy to deal with foul water associated with site development to be submitted alongside any development proposal;
- v) Consideration of improvements in community facilities in the surrounding area;
- vi) The hedgerow along the watercourse shall be retained where practicable and a significant buffer to the southern edge of the site shall be provided to help reduce the housing development landscape and visual amenity impacts from viewpoints to the south.

~~Policy H5: Council Depot~~

This policy is being deleted as this site has been developed



Housing Policy 4: Land at Broomy Farm, Woodville



Policy H6: Drakelow Park

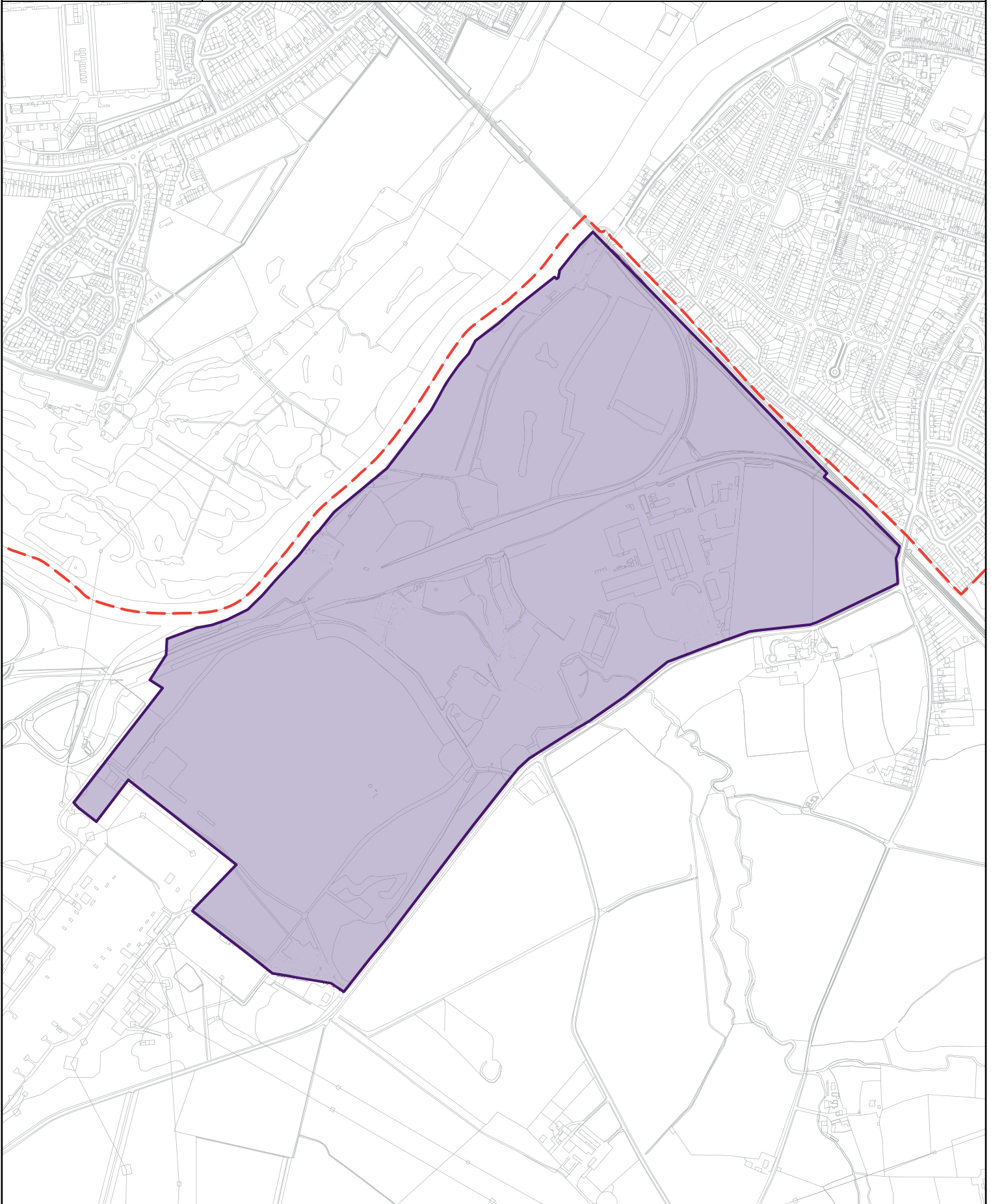
- 6.18 Drakelow Park, at the site of the former Drakelow Power Stations (A and B), is predominantly brownfield land which is to the south west of Burton on Trent in East Staffordshire and is approximately 3km away from Burton on Trent.
- 6.19 The site relates well to the existing urban area of Burton upon Trent. The development will be phased and it is crucial that a comprehensive approach to the delivery of the site is undertaken to ensure that infrastructure is delivered at the right time.

POLICY:

- A Residential development on land at Drakelow Park, Drakelow for up to 2,239 dwellings.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) The provision of a 2 form entry primary school on site;**
 - ii) In agreement with the Council, a restricted number of dwellings to be allowed prior to the opening of the Walton By-Pass;**
 - iii) High quality pedestrian and cycle routes shall be provided both within the site and connecting to existing and proposed networks;**
 - iv) The provision of one or two local retail centres commensurate with the size of the development to provide for the day to day needs of the wider neighbourhood. The local centres should be the focal points within the development as a whole;**
 - v) The refurbishment of the listed buildings on the site and protection of their settings;**
 - vi) Retain and enhance areas of existing woodland on site to help integrate development into the wider landscape.**
 - vii) The provision of a retirement village**



Housing Policy 6: Drakelow Park, Drakelow



Policy H7: Land at Hilton Depot, Hilton

- 6.20 Land at Hilton Depot, Hilton lies to the south of Hilton. Hilton has seen considerable growth over the last 15 years due to the availability of brownfield land, its location close to Derby City and the strategic road networks of the A50 and A38.
- 6.21 The site is predominantly brownfield land and is adjacent to the built up area of Hilton. The site is contained by the railway line to the south of the site. Access to the site will be from The Mease using existing access points.
- 6.22 The site is predominantly used as an employment site for storage purposes and was allocated in the adopted Local Plan (1998) for industrial and business use redevelopment. The buildings on the site are beyond their expected life span having been built when the site was used for Ministry of Defence purposes. The nature of the buildings means that there is a low density of employment provision. This site offers an opportunity to provide for a suitably located new primary school and also create additional jobs within Hilton for new and existing residents.
- 6.23 Parts of the site currently lie within areas at a higher risk of flooding, although works around Scropton, Hatton and Egginton will redefine the actual flood risk locally. The site's location, its predominantly previously developed nature and the wider sustainable community benefits of the new primary school and the potential for additional jobs are seen as been widely beneficial to Hilton.

POLICY:

- A Residential development on land at Hilton Depot, Hilton for around 485 dwellings.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) The provision of a primary school on site to address the capacity issues of current primary school provision within Hilton;**
 - ii) Consideration will be given to retail and other service provision on the site;**
 - iii) Consideration will be given to community facilities in Hilton that require a new building or enhancement;**

- iv) Provision will be made for high quality cycle and pedestrian access both within the site and linking to existing networks;
- v) Development proposals will need to be supported by an appropriate Flood Risk Assessment;
- vi) Retain existing woodland and deliver additional planting and habitat creation to screen the site from the south and west, with these areas being opened up for public access wherever possible;
- vii) Development should reflect the location of Egginton Junction Gravel Pit County Wildlife Site and should, where possible enhance nature conservation interests of that site;
- viii) The opening up of an existing culvert through the site and the creation of appropriate easements along watercourses on the site, free of built development.
- ix) Developer Contributions to be made towards the provision of a new Household Waste Recycling Centre in the Swadlincote area

~~Policy H8: Former Aston Hall Hospital, Aston on Trent~~

~~This policy is being deleted as this site has been developed.~~

~~Policy H9: Land at Longlands, Repton~~

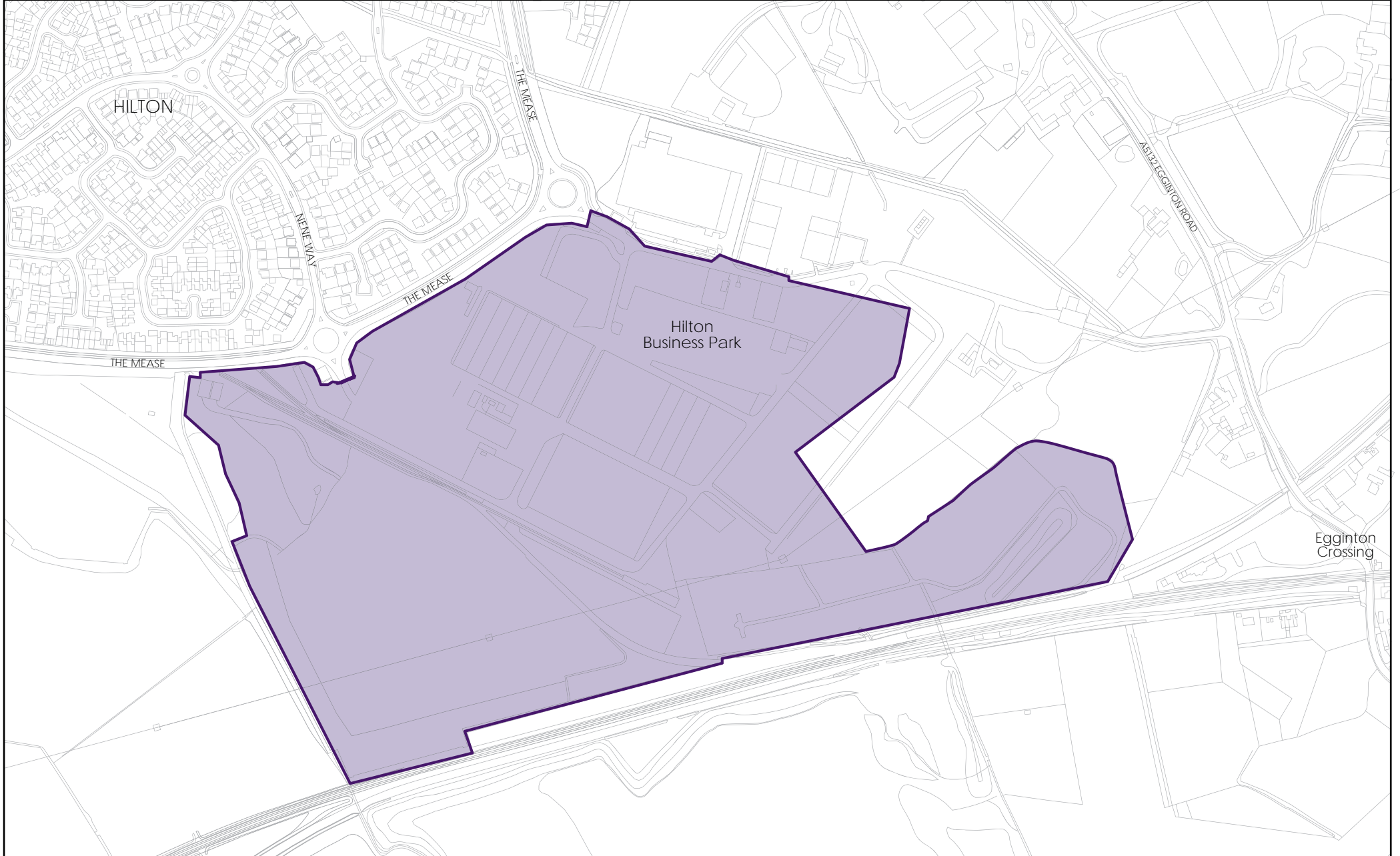
~~This policy is being deleted as this site has been developed.~~

~~Policy H10: Land south of Willington Road, Etwall~~

~~This policy is being deleted as this site has been developed.~~



Housing Policy 7: Land at Hilton Depot, Hilton



Policy H11: Land north east of Hatton

- 6.24 The site lies to the north east of Hatton. The site is well related to the existing development at Hatton. The A511 runs along the northern boundary of the site which accesses the A50 to the west, and residential development and the Salt Box Café lies along the western boundary of the site. The eastern boundary is open countryside with trees dotted along the boundary.
- 6.25 Hatton provides a range of services and facilities, including a train station. However, the nearest doctor's surgery is located at Tutbury, which lies within East Staffordshire. A development of this size will require the provision of additional services and facilities alongside existing, to cater for the housing development and increase the sustainability of the location.
- 6.26 The site currently lies within Flood Zone 3 which is classed as being at high risk of flooding although works around Scropton, Hatton and Egginton will redefine the actual flood risk locally. Development of the site would also assist in maintaining the flood defences at Hatton.
- 6.27 The site will be accessed from Derby Road and /or appropriate access off Station Road. However, development of a new access to serve the manufacturing site to the south will provide a wider community benefit by removing some of the HGV traffic on Station Road.

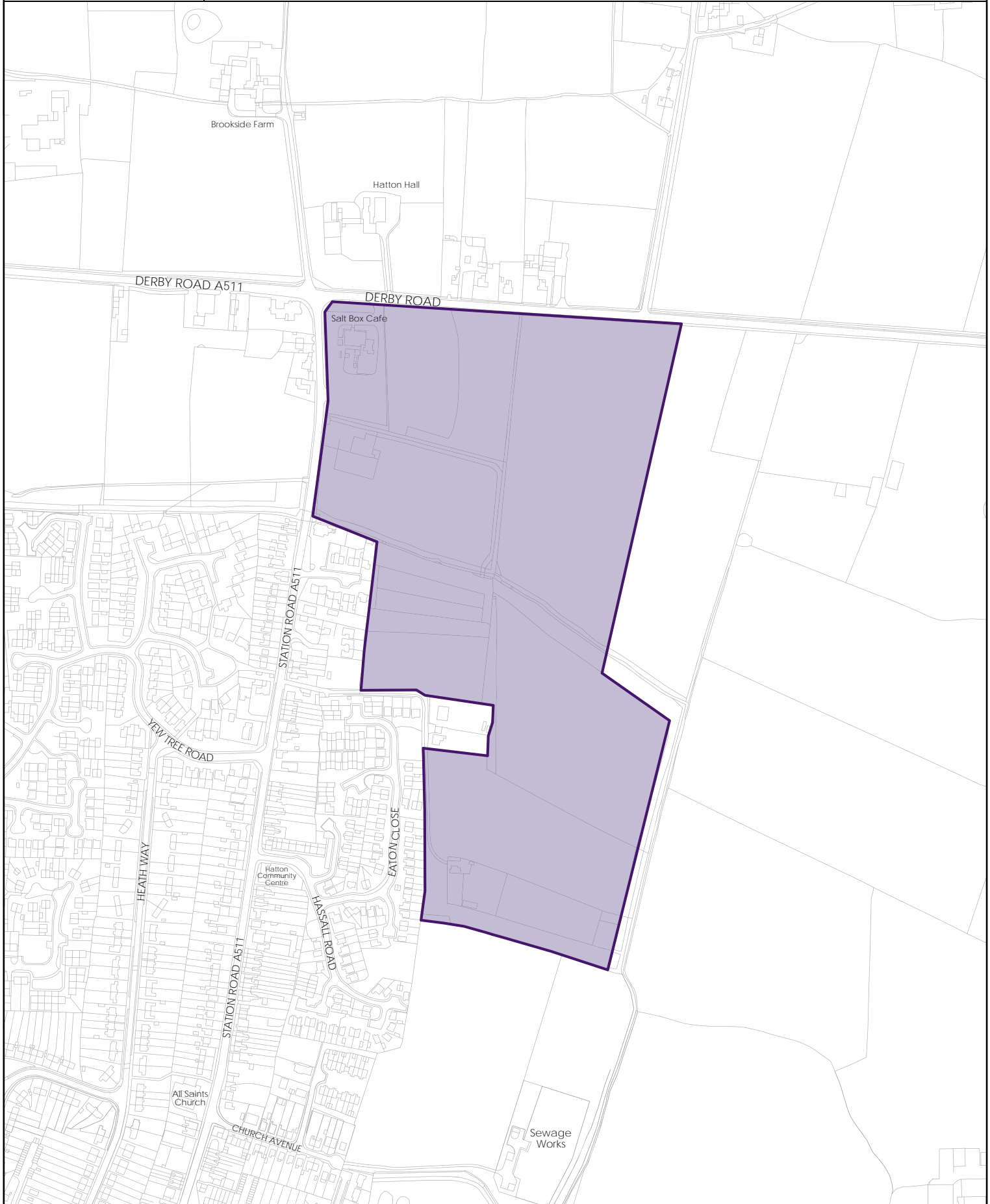
POLICY:

- A Residential development on land north east of Hatton for around 400 dwellings.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) Retention of the existing trees on the eastern boundary of the site and landscaping to help soften the housing development on the surrounding landscape;**
 - ii) The provision of high quality pedestrian and cycle links both within the site and connecting to established adjacent development to the south of the site;**
 - iii) Consider additional retail provision on site, to help meet the needs of the site and provide further retail facilities for Hatton;**
 - iv) Developer contributions will be made to maintain the flood alleviation works at the lower River Dove Catchment Area;**

- v) The provision of a doctor's surgery in Hatton will be considered;
- vi) Ensure the provision of a combined access to the site and to a large manufacturing plant and nearby sewage treatment works. New road infrastructure should be designed to reflect and protect the amenity of existing and proposed residential properties;
- vii) Developer contributions will be made towards the extension to Heathfields Primary School, Hatton to help address capacity issues at the school;
- viii) An appropriate easement along watercourses on site that is free from built development;
- ix) Consideration of heritage assets in the area.

~~Policy H12: Highfields Farm~~

This policy is being deleted as this site has been developed.



Policy H13: Boulton Moor (South East of Derby)

- 6.28 Land at Boulton Moor is a cross boundary location which will provide a sustainable urban extension to Derby City and consists of four sites. The sites lie on the south east edge of the built up area of Derby, to the east of Chellaston and south of Alvaston, extending south and east to the A50/A6 spur road.
- 6.29 Land at Boulton Moor is capable of delivering strategic levels of growth due to its excellent transport links to the wider strategic road network and its location to employment opportunities.
- 6.30 Land at Boulton Moor will provide 2669 dwellings over the lifetime of the Plan. There will be 1129 dwellings located at Boulton Moor Phase 1 and 550 and 190 dwellings at Boulton Moor Phase 2 and Boulton Moor Phase 3 respectively, all within South Derbyshire's administrative boundary. Also within the area is an allocation of 800 dwellings located to the south of Field Lane within Derby City.
- 6.31 Boulton Moor Phase 1 was granted planning permission in 2008 (through the Conjoined Inquiry). When consented, consideration was given to the infrastructure requirements of phases 1 and 2. Due to the addition of Boulton Moor Phase 3 and Snelsmoor Grange within in Derby City (an additional 990 dwellings), it is important that infrastructure and mitigation packages are reviewed and optimised as appropriate, in light of the larger scale urban expansion now being proposed.
- 6.32 This cross-boundary site will be a phased development. It is crucial that a comprehensive approach to the delivery of the site is undertaken to ensure that the infrastructure is delivered at the right time. The site offers the opportunity to provide new infrastructure due to its critical mass.

POLICY:

- A Residential development on Land at Boulton Moor will provide for around 1,950 dwellings within South Derbyshire and 800 new homes within the Derby City administrative boundary.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) That South Derbyshire District Council, Derby City and developers continue to work together to ensure that the proposals offer a holistic vision for an urban extension which is delivered in a comprehensive manner across the local authority boundaries. Delivery mechanisms will need to be 67 established to ensure the necessary level of coordination to**

effectively deliver the infrastructure and facilities to support the development;

- ii) A jointly prepared development framework shall be produced;**
- iii) A cross boundary approach to housing design, layout, density, open space and landscape shall be developed/ undertaken;**
- iv) A cross boundary approach to the provision of affordable housing shall be developed/undertaken;**
- v) A plan of phasing for the delivery of this cross boundary site shall be submitted with any application;**
- vi) The provision of sustainable transport measures, including the provision of a Transport Mobility Hub and contributions to the delivery of a bus service to serve the wider urban extension site;**
- vii) Highway works, including improvements to Snelsmoor Lane to ensure that the impact on its junctions with the A6 and High Street are satisfactorily mitigated;**
- viii) Flood mitigation measures, to address fluvial and surface water issues relating to the Thulston Brook watercourse and ground water levels;**
- ix) An appropriate flood risk assessment shall be submitted with any application;**
- x) Improvements to existing green infrastructure shall be made, along with the provision of new green infrastructure on the site;**
- xi) High quality pedestrian and cycle routes within the site and links between these and existing and proposed routes and green spaces beyond the site;**
- xii) A significant green buffer and landscaping boundary on the outer edges of the developments, to help soften the housing developments impact on the surrounding countryside, create a new defensible boundary and help mitigate the urbanising impact of new development upon Derby City's Green Wedges;**
- xiii) A new district centre shall be provided, anchored by a supermarket complemented by a range of smaller units providing for day to day needs of the wider neighbourhood;**

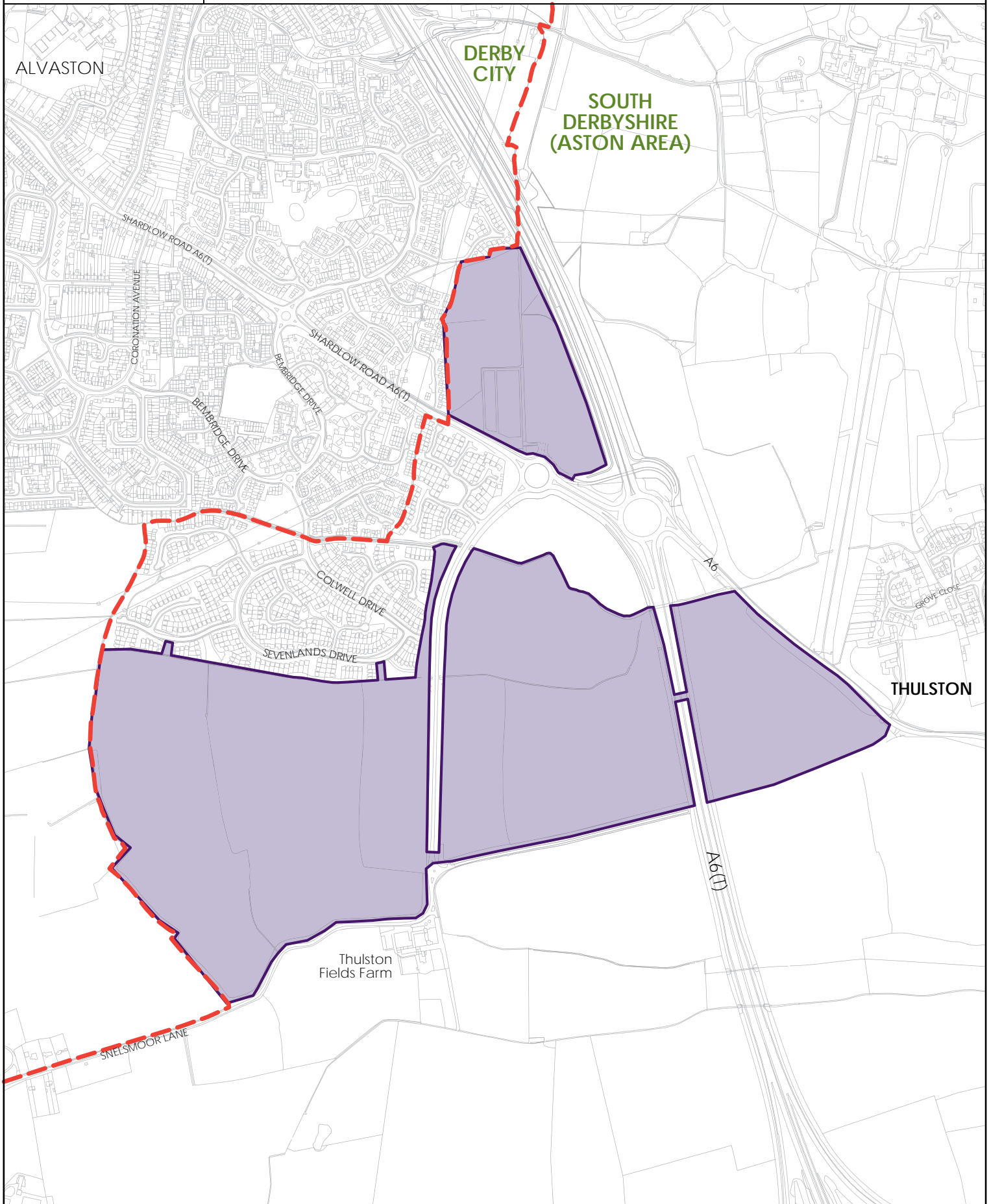
- xiv) The scale of the anchor store will be commensurate with the needs of the new community, the level of growth anticipated and the need to maintain the vitality and viability of other centres. The location of the centre should be the focal point at the heart of the new community;
- xv) The provision of a two form entry primary school to cover phases 1 and 2, with separate primary provision to serve the site in Derby;
- xvi) The urban extension as a whole shall protect **the significance of Elvaston Registered Park and Garden** (including its settlement), other heritage assets and will contribute towards softening the settlement edge around Boulton Moor;
- xvii) Any built development to the east of the A6 and west of the B5010 shall be in accordance with Green Belt Policy;
- xviii) In order to safeguard the operation of the Strategic Road Network an assessment of the impact of development traffic will be carried out and developer contributions will be sought.
- xix) **The provision of a care home (Use Class C2) on Phase 1.**

Policy H14: ~~Chellaston Fields, Chellaston~~

This policy is being deleted as this site has been developed.



Housing Policy 13: Boulton Moor (South East of Derby)



Policy H15: Wragley Way (South of Derby)

- 6.33 Land at Wragley Way is a cross boundary location. The majority of the site is within South Derbyshire with a part at the eastern end of the site within Derby City. The site will provide a sustainable urban extension to Derby City.
- 6.34 The site lies on the southern edge of the built up area of Derby, extending southwards from the Stenson Fields estate to the A50. The Derby to Birmingham railway line runs to the west of the site with Sinfin Moor to the east.
- 6.35 The site is in a good location in relation to access to services and facilities, with close proximity to public transport and the Sinfin District Centre.
- 6.36 This cross-boundary site will be a phased development. It is crucial that a comprehensive approach to the delivery of the site is undertaken to ensure that infrastructure is delivered at the appropriate time for the sustainability of the site to be met.

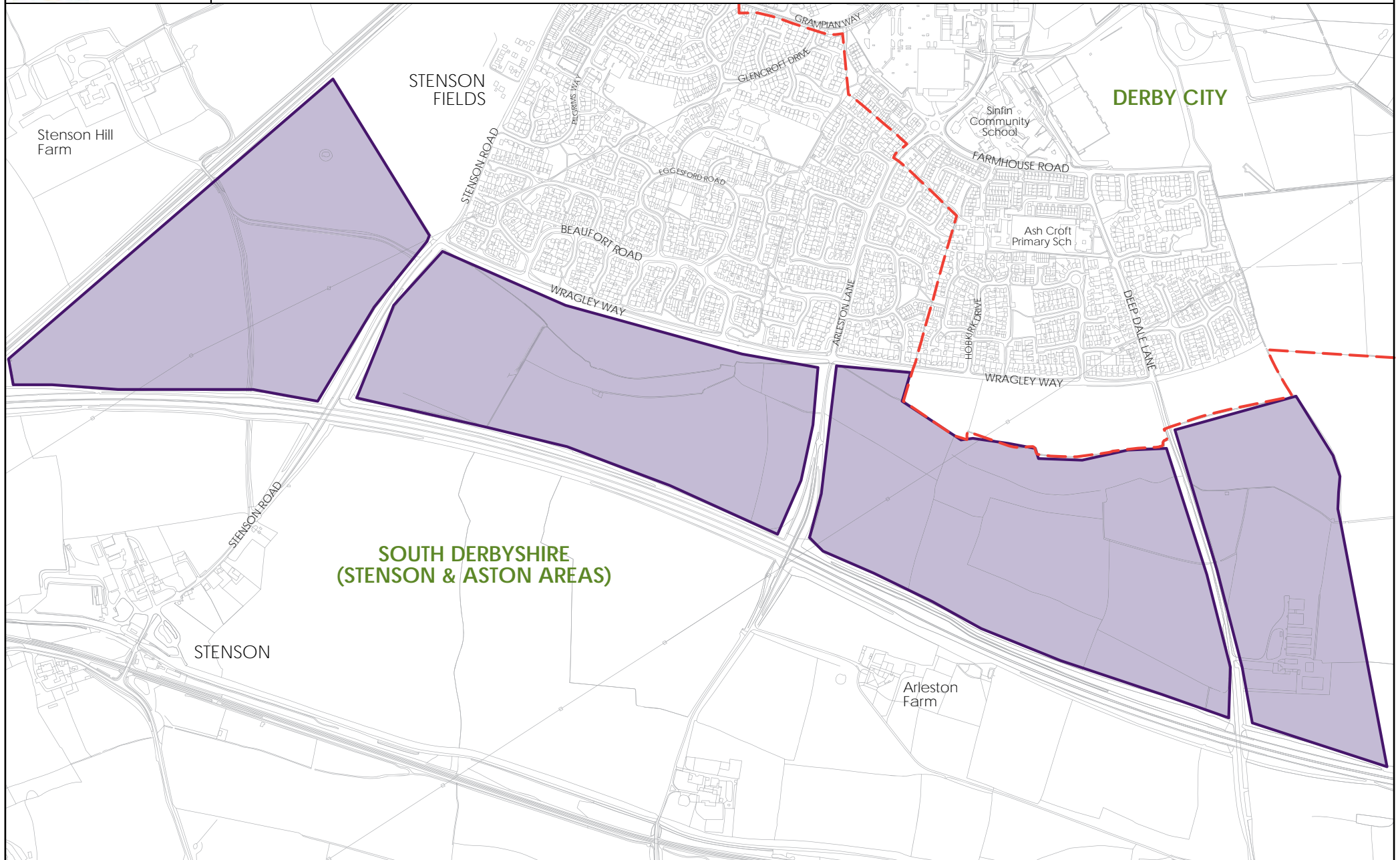
POLICY:

- A Residential development on Land at Wragley Way will provide for around 1,950 dwellings within South Derbyshire.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) New highway infrastructure to mitigate the transport impact on the local and strategic road networks of the whole site. This will include the provision of and/or contributions to the construction of the South Derby Integrated Transport link;**
 - ii) Developer contributions are to be made towards improvements to the A50/A514 and A50/A38 junctions to safeguard the operation of the Strategic Road Network;**
 - iii) Any development should not prejudice the construction of a potential junction connecting the site to the A50, which may potentially be needed following the completion of the South Derby Integrated Transport Link;**
 - iv) The provision of sufficient new primary school provision on site for the development as a whole;**

- v) High quality pedestrian and cycle links should be provided across the site and to the nearby residential, retail, and employment developments together with recreational areas;**
- vi) The number of homes to be occupied before completion of the South Derby Integrated Transport Link shall be agreed with the Council;**
- vii) A new on-site local shopping centre shall be provided which should be commensurate in size to the needs of the community, taking into account the surrounding retail provision available. The location of the centre should be the focal point at the heart of the new community;**
- viii) The east, south and west of the site will require a green buffer and landscaping from the railway line and the A50 and enhancements to a defensible boundary along Sinfin Moor;**
- ix) Improvements to existing green infrastructure shall be made, along with the provision of new green infrastructure on site.**



Housing Policy 15: Wragley Way (South of Derby)



Policy H16: Primula Way, Sunny Hill

6.37 This site lies to the south west of Derby City adjacent to existing residential development on Derby City's boundary at Sunny Hill. The site is bordered to the east by the railway line, residential development to the north and open countryside to the south.

6.38 Access to the site is in Derby City through an existing residential area which limits the amount of growth that can occur.

POLICY:

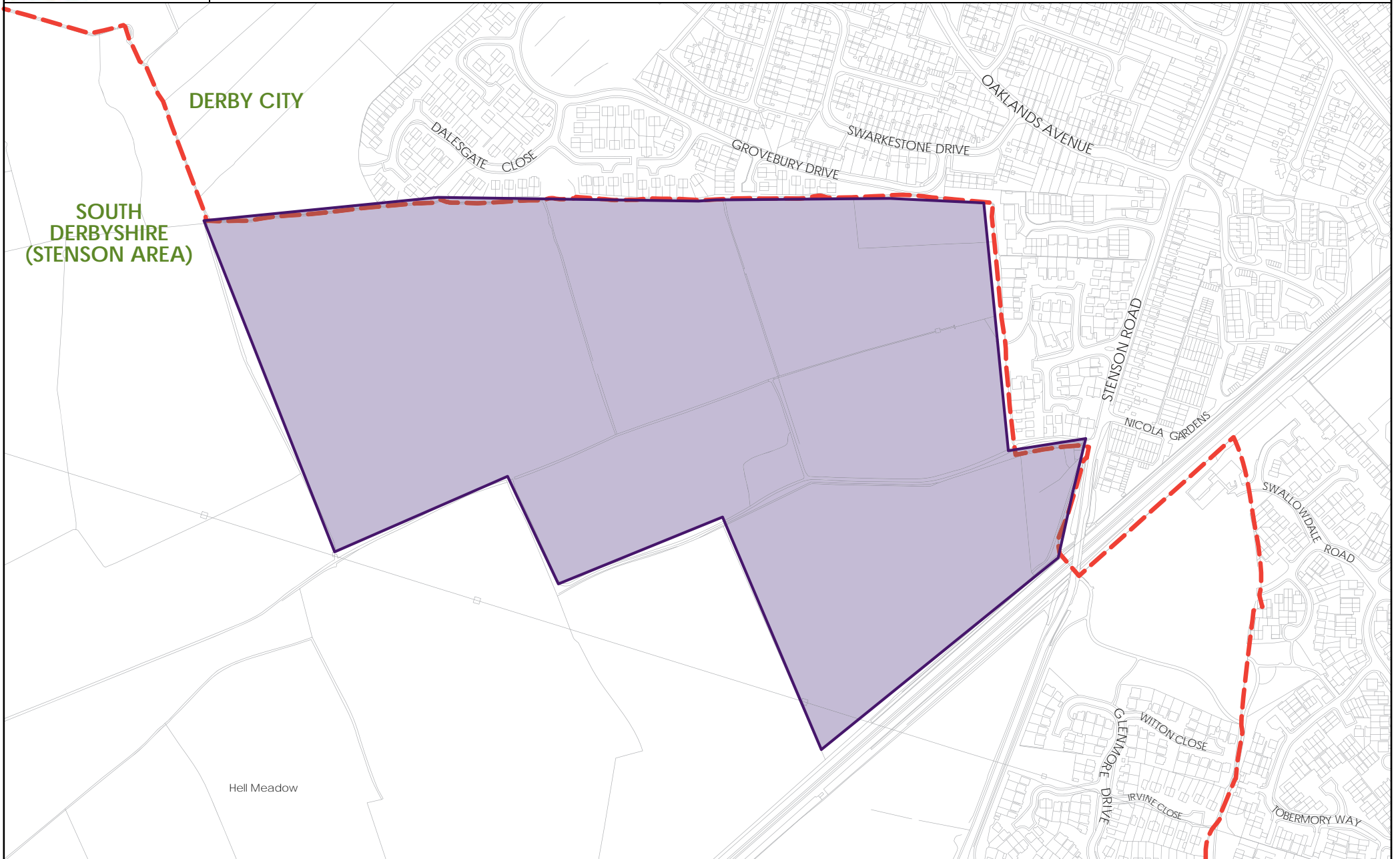
- A Residential development at Primula Way, Sunny Hill for around 500 dwellings.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) The south and west boundary of the site will require a green buffer and landscaping, to help soften the housing development against the rural landscape and create a new defensible boundary;**
 - ii) Appropriate sound attenuation/noise mitigation from the railway line to the east of the site shall be provided.**
 - iii) The development should have high quality pedestrian connections into the existing residential areas within Derby City;**
 - iv) Developer contributions are to be made towards improvements to the A50/A514 and A50/A38 junctions to safeguard the operation of the Strategic Road Network.**

Policy H17: Holmleigh Way, Chellaston

This policy is being deleted as this site has been developed.



Housing Policy 16: Primula Way, Sunny Hill



Policy H18: Hackwood Farm, Mickleover

- 6.39 Land at Hackwood Farm, lies on the western boundary of Derby City. The site adjoins the northern edge of Mickleover and lies to the north side of the former Great Northern railway line which is now a Sustrans route.
- 6.40 The site offers an opportunity to deliver a sustainable urban extension along with land in Derby City, as the site in South Derbyshire alone is not sustainable. As such, the site will only be developed subject to Derby City Council allocating the adjacent land for housing in their Local Plan.
- 6.41 The Highways Agency had previously stated concerns regarding any development to the west of Derby due to the impact it would have on the A38. Since our Preferred Growth Strategy consultation, the Government have announced its intention to support Highways Agency schemes including improvements to the A38 junctions, subject to value for money and viability considerations.
- 6.42 The site only being developed in combination with the Derby City site allows for a more sustainable site to be developed; better services and facilities can be provided that either site alone cannot provide. The site will also offer potential local highways improvements, better linkages across the Mickleover to Egginton Greenway and additional primary school provision which will benefit new and the existing residents of Mickleover. Some elements of the policy listed below may be provided on the Derby City site but for completeness, they are all listed.

POLICY:

A Residential development on Land at Hackwood Farm, Mickleover for around 290 dwellings.

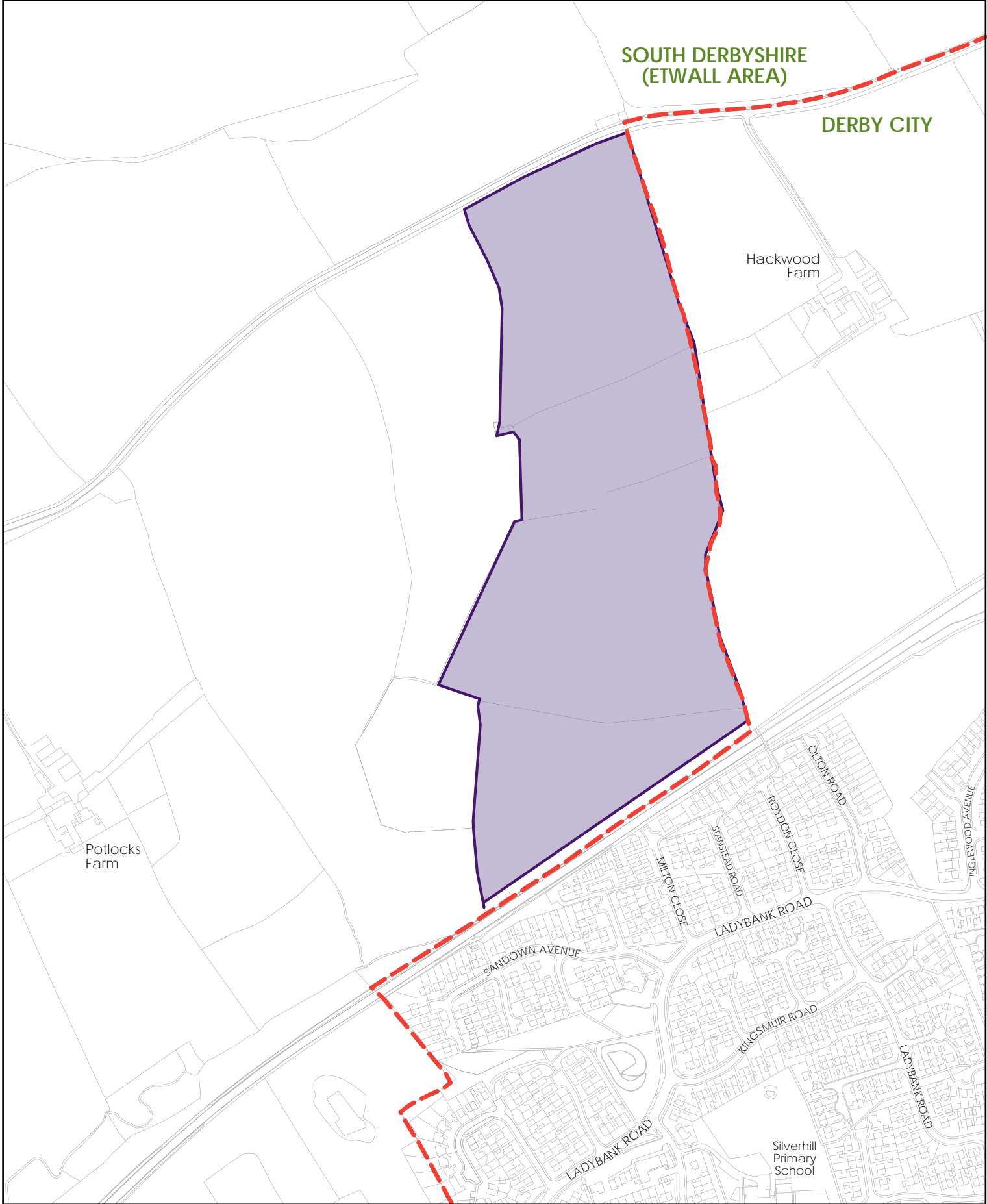
B The Council will require the below listed site specifics and accordance with other Local Plan policies:

- i) The site lies on the edge of Derby City and the allocation of the South Derbyshire element for 290 dwellings is conditional on the City allocating adjacent land in their Local Plan. In this event, it will be important that there is a comprehensive approach to the development of this cross boundary site;**
- ii) The northern and western boundaries of the site will require a green buffer and landscaping to help soften the housing development against the rural landscape and create a new defensible boundary;**

- iii) The existing landscaping elements to the south and east of the site should be retained subject to highway improvement or secondary site access that would be required;
- iv) The site should provide high quality links into the existing cycle route, rights of ways and also the residential area to the south through a pedestrian/cycle bridge provided across the Mickleover to Egginton Greenway, which is likely to be in Derby City. The Greenway is a local wildlife site whose nature conservation interest should be protected and links maintained with the surrounding green infrastructure network;
- v) Development in South Derbyshire should connect to any housing development or housing allocation to the east of the site within Derby City;
- vi) The development should embrace high design standards that reflect the rural landscape beyond the site, particularly along Radbourne Lane and to the west of the site within South Derbyshire;
- vii) Contributions towards the development of a new primary school that is likely to be within the Derby City part of the site;
- viii) A new local centre on site to help meet the needs of the site;
- ix) Improvements to the junction of Station Road and Radbourne Lane;
- x) The urban extension shall not **substantially harm** the **significance of the** setting of nearby Radbourne Hall.



Housing Policy 18: Hackwood Farm, Mickleover



Policy H19 Land West of Mickleover

- 6.43 Land West of Mickleover is a sustainable urban extension to Derby City. The site lies to the west of the built up area of Mickleover. The A516 (Etwall Road) runs to the south of the site and to the north of the site is a former railway line which is a Sustrans route.
- 6.44 The site is in a good location in relation to access to services and facilities. Though the site offers the opportunity to deliver new infrastructure due its critical mass.

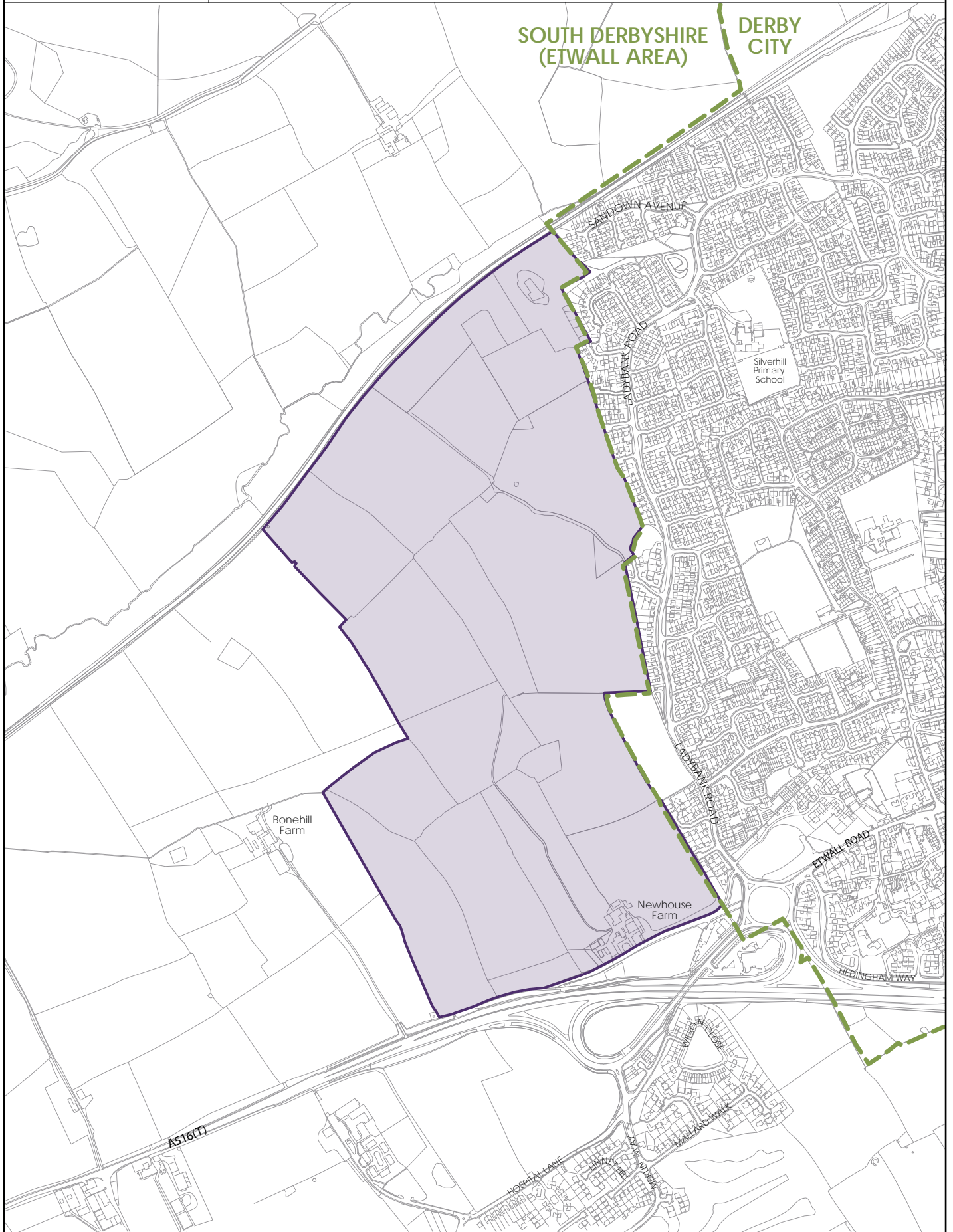
POLICY:

- A Residential development on Land to the West of Mickleover will provide for around 1,650 dwellings.**
- B The Council will require the below listed site specifics and accordance with other Local Plan policies:**
- i) That South Derbyshire District Council and the developers work together with both Derby City and Derbyshire County Council to ensure that the proposals offer a holistic vision for an urban extension to be delivered in a comprehensive manner. Delivery mechanisms will need to be established to ensure the necessary level of coordination to effectively deliver the infrastructure and facilities to support the development;**
 - ii) The provision of a one form entry primary school on site with the provision of land for a two form entry should it be required;**
 - iii) A new district centre offering a range of shops and facilities shall be provided that is commensurate with the needs of the community. The scale and nature of these facilities will be determined by evidence submitted with a future planning application;**
 - iv) The provision of a community centre. The ownership and management of this centre will be considered in more 83 detail as part of a future planning application;**
 - v) Consideration of a GP surgery on site subject to discussions with the Southern Derbyshire Clinical Commissioning Group;**
 - vi) High quality pedestrian and cycle routes shall be provided within the site and links between the site and existing residential development and the adjacent Sustrans route;**

- vii) The northern and western edge of the site will require a significant green buffer to help soften the housing development against the landscape;**
- viii) The urban extension shall protect and enhance where possible the wider setting of Radbourne Hall and other heritage assets;**
- ix) Any application for planning permission will be supported by an assessment of the impact of development traffic on the strategic and local road network, including the cumulative impact of development proposed in three aligned Core Strategies. The scope of the assessment should be agreed with the local planning authority in consultation with the relevant transport network operators and service providers. The application will also be supported by an access strategy and a package of necessary measures to mitigate any significant impact of the development, including off-site highways improvements, necessary developer contributions and other measures to encourage non-car modes of transport; including necessary enhancements to local bus services.**
- x) Vehicular access to that part of the allocation to the north of the public footpath route that runs from Greenside Court to the dismantled railway line shall be from Ladybank Road. There shall be no vehicular link, except for emergency vehicles and potential bus access, from the remainder of the allocation to Ladybank Road.**
- xi) Improvements to existing green infrastructure shall be made within the site along with provision of new green Infrastructure on the site;**
- xii) The Greenway to the north of the site and Ladybank Plantation to the east are local wildlife sites whose nature conservation interest should be protected and links to the surrounding green infrastructure network maintained or enhanced.**
- xiii) Surface water run-off should be attenuated to existing Greenfield rates up to a 1 in 100 year plus climate change event to ensure development does not exacerbate flood risk downstream.**



Housing Policy 19 : Newhouse Farm



Housing Balance & Custom/Self-build

Policy H20: Housing Balance & Custom/Self-build

- A** Housing and mixed use major development proposals should comprise a range of dwelling sizes, broadly apportioned as follows:

	1-bedroom	2-bedrooms	3-bedrooms	4+-bedrooms
Market	5%	35%	40%	20%
Affordable home ownership	15%	45%	30%	10%
Affordable housing (rented)	30%	35%	25%	10%

Where a proposal comprises a range of dwelling sizes that is significantly at variance with these proportions, the applicant will be expected to provide written justification.

- B** The Council will seek the provision of sufficient numbers of new homes to meet the identified needs of people with disabilities and older people, including housing with support, housing with care and residential care bed spaces. This will be achieved by requiring provision within allocated housing and mixed use sites and by supporting other proposals incorporating suitable provision where consistent with relevant Local Plan policies.
- C** Residential development in the form of bungalows or other suitable single level accommodation will be supported where they would not cause harm to the character of the surroundings. For schemes of 15 dwellings or more a proportion of the 2 bedroom homes should be in the form of bungalows or other suitable single level accommodation.
- D** For major development housing or mixed-use proposals on a site of more than 0.5 hectares):
- i) At least 5% of all market homes will be required to meet Part M4(3)(a) of the Building Regulations (wheelchair adaptable dwellings); and
 - ii) At least 10% of all affordable homes will be required to meet Part M4(3)(b) of the Building Regulations (wheelchair user dwellings). Provision of M4(3)(a) (wheelchair adaptable dwellings) will be considered where justified and agreed with the Council prior to the granting of planning permission.

- E**
- i) Within development boundaries proposals that would include provision of dwelling plots to be made available for sale to self-builders and custom builders will be supported.**
 - ii) Sites of 30 or more homes should make provision for 15% of housing capacity to be for serviced plots for self and custom housebuilding. Developers will be expected to enter into a legal agreement to facilitate their delivery and a lower proportion will only be accepted where a viability assessment clearly demonstrates that the full policy requirement cannot be achieved.**
 - iii) Where a self or custom build plot has been made available and appropriately marketed for a period of at least 6 months (or an alternative timescale agreed with the Council subject to specific site delivery timescales), and has not been sold, then the plot may either remain available for purchase on the open market or be built out by the developer.**
 - iv) The design of self or custom build homes should complement that of adjacent existing and permitted development and be of appropriate scale, massing and character.**
 - v) All planning permissions for a self or custom house building plot outside settlement boundaries will be subject to a Section 106 legal agreement to ensure that the initial occupier(s) of the dwelling(s) fall within the legal definition of self-build and custom housebuilding as defined by the Self-Build and Custom Housebuilding Act 2015 (or any subsequent government update).**

Explanation

- 6.45 The Council want to ensure that as well as getting the right amount of housing in the right location that the mix of dwelling type, size and density provided on each site is appropriate.
- 6.46 The Derby and South Derbyshire Local Housing Needs Assessment (LHNA) encompasses the two local authority areas and assesses the profile of housing and gaps in the housing offer, housing affordability and trends in the structure of the population over the plan period. The data is split between the local authorities and sub-markets within South Derbyshire.
- 6.47 In regard to the needs of older people and people with disabilities the LHNA identifies shortfalls in housing provision over the plan period which will need to be met through the Local Plan, as identified in the right hand column of the table below.

Table 1: Older Peoples Housing Needs, 2022-39, South Derbyshire

		Housing demand per 1,000 75+	Current supply	Current demand	Current shortfall/surplus	Additional demand to 2039	Shortfall by 2039
Housing with support (sheltered/retirement housing) C3	Market	66	53	630	577	380	957
	Affordable						
		64	910	602	-308	363	55
Total (housing with support)		130	963	1,232	269	743	1,012
Housing with care (extra care housing) C2	Market	32	113	300	187	181	368
	Affordable						
		15	50	144	94	87	181
Total (housing with care)		47	163	444	281	268	549
Residential care bedspaces C2		42	461	394	-67	238	171
Nursing care bedspaces		47	310	444	134	268	402
Total bedspaces		88	771	838	67	505	573

Source: Derived from Demographic Projections and Housing LIN/EAC

6.48 The LHNA also identifies a growing shortfall in accommodation for people with mobility problems over the plan period. This points to the need to increase the supply of accessible and adaptable dwellings, which the Council will seek to address through the requirements identified in Part D of the policy.

6.49 The Council is required to keep a register of persons and organisations seeking self or custom build housing within the District and to grant sufficient permissions for suitable serviced plots to meet recorded demand. Between 2015, when the register was first established, and 30 October 2023, 98 new entries for persons seeking individual plots were added, representing an average of 12.25 per year. On this basis the need for planning permissions for serviced plots, including those needed over the remaining 16 years of the plan period to 2039, can be calculated as follows:

$$98 + (12.25 \times 16) = 294$$

- 6.50 In order to achieve this the Council will support proposals for suitable plots and seek an appropriate level of provision on sites of 30 or more dwellings, as set out in Part E of this policy.
- 6.51 Where self or custom build homes are proposed beyond settlement boundaries, to ensure any planning permission is used for the purpose it is intended, the initial occupancy of the new home will be secured through a Section 106 legal agreement with a requirement for the first occupant of the self-build or custom house build home to meet the legal definition of this type of dwelling. It will also seek to ensure that the property cannot be sold to anyone other than the owner or their family, for a limited period (usually three years), to reflect the fact that people's personal circumstances change over time.
- 6.52 The LHNA does not identify a need to develop a specific policy for the housing needs of students or service personnel in the District.

Affordable Housing

Policy H21: Affordable Housing

- A** The Council will seek to secure up to **40%** of new housing development as affordable housing as defined in the NPPF on sites of over **10 dwellings**.
- B** Lower proportions of affordable housing will only be accepted where a viability assessment, prepared in accordance with national planning policy and guidance, clearly demonstrates that the full policy requirement cannot be achieved.
- C** Affordable housing shall be expected to be provided within the application site unless the circumstances identified in the NPPF (or its successor) are met.
- D** Rural exception sites, where development is kept in perpetuity as affordable housing, will be permitted **adjoining settlements with boundaries defined in the Local Plan, other than Swadlincote, Derby and Burton**. The number of dwellings to be provided should be in accordance with Policy H1. **Due to the need for affordable housing, all homes delivered within rural exception sites are required to meet the definition of Affordable Housing as set out in NPPF.**

Rural exception sites will only be permitted where:

- i) the homes meet a clearly identified local need **arising from the adjoining settlement;**

- ii) **the need cannot reasonably be met within the settlement boundary;**
- iii) **A range of services and facilities are conveniently accessible from the site by means other than private car and**
- iv) **the development is proportionate in scale to the existing settlement and is compliant with all other relevant policies in the Local Plan.**

Explanation

- 6.53 The target of 40% affordable housing provision on sites of over 10 dwellings is a starting point for negotiations and if in any given case it can be demonstrated in agreement with the Council that this target is not viable then a lower target will be used.
- 6.54 The main evidence base for affordable housing is provided through the Derby and South Derbyshire Local Housing Needs Assessment (LHNA) published in December 2023.
- 6.55 The LHNA sets out that within South Derbyshire there is a net need of 214 affordable rental homes per annum or 3,638 over the plan period from 2022-2039. Using the standard method of calculating housing this would represent 41% of the houses built over the plan period. This may not be practicable, however there must be a maximization of the opportunities. In the Local Plan Part 1 Review Draft Plan this has been rounded to 40%, but is still to be subject to detailed viability testing.
- 6.56 The LHNA is less conclusive in regard to the scale of net need for affordable home ownership (AHO) products, although it is clear that this is much smaller than that for rented affordable housing:
- “In Derby and South Derbyshire, the clear need for additional affordable rented housing would arguably mean that providing affordable home ownership would ‘prejudice the ability’ to meet the needs of the ‘specific group’ requiring rented accommodation.” Derby and South Derbyshire LHNA 2023.
- 6.57 The NPPF requires that 10% of all housing delivered should take the form of AHO products, whilst the Ministerial Statement of May 2022 requires that 25% of all affordable housing provision secured through developer contributions should take the form of First Homes. However the LHNA states:
- “Overall, it is suggested the Council prioritises the delivery of shared ownership rather than First Homes – for which there is little evidence of a

genuine need and it may even be appropriate to plan for zero First Homes.”

- 6.58 Given the lack of evidence of need for affordable home ownership products, it is considered that the Government target for First Homes cannot be justified locally and it is therefore intended that it should not be applied within South Derbyshire.
- 6.59 Affordable housing tenures will be negotiated on a site by site basis having regard to the conclusions of the LHNA and any other up-to-date evidence of housing need and affordability.
- 6.60 If a site comes forward as two or more separate development schemes, of which one or more falls below the appropriate threshold, the Council will seek an appropriate level of affordable housing on each scheme or off-site contributions to match in total the provision that would have been required on the site as a whole. The District Council does not normally encourage off site contributions and would need exceptional justification for such. Where accepted, a contribution should be of equivalent value to that which would have been secured by on site contribution.
- 6.61 Rural exception sites could help to deliver housing to some settlements that will see little or no housing growth or where a particular housing need warrants an exception to normal policy. The houses provided on a 'rural exception site' will be for identified locally specific needs through evidence collected by the Strategic Housing team.

Gypsy and Traveller

Policy H22: Gypsies and Travellers and for Travelling Showpeople

- A** In order to support the accommodation needs of Gypsy and Travellers and for Travelling Showpeople, provision will be made through strategic allocations, future local plan allocations and determining planning applications.
- B** Strategic sites which are defined as housing or mixed-use sites of over 1000 dwellings will be required to:
- i) provide 5 serviced Gypsy and Traveller pitches per 1000 dwellings up to a maximum of 15 pitches, to be delivered prior to the first housing completion on each strategic site; or (if it can be demonstrated that the pitches cannot be viably delivered on site)
 - ii) provide serviced plots on alternative land that meets the criteria set out in part (C) of this policy, to accommodate the required

number of pitches within Part Bi of the policy. The plots are to be delivered prior to the first housing completion on each strategic site.

Planning Applications

- C** Where there is an identified need for the Gypsy and Traveller pitches and/or plots for Travelling Showpeople, proposals will be considered suitable provided they are of an appropriate scale and character and the following criteria are met:
- i) development does not result in an unacceptable impact on the local environment, including biodiversity, heritage assets or conservation, the surrounding landscape (unless capable of sympathetic assimilation) and compatibility with surrounding land uses; and
 - ii) safe and convenient vehicular and pedestrian access to the public highway can be provided with no undue adverse impact on the highway network; and
 - iii) the movement of vehicles to and from the site will not cause undue disturbance or be inappropriate for the locality; and
 - iv) there is adequate space for parking, turning and servicing on site; and
 - v) the site is reasonably accessible to local services including health services, shops, education, public transport and other community facilities; and
 - vi) the site is not located in an area at undue risk of flooding; and
 - vii) suitable landscaping and boundary enclosures are provided to give privacy to both occupiers and local residents and minimise impact on the surrounding area; and
 - viii) the site provides a safe and acceptable living environment for occupiers with regard to noise impacts, adequate on site facilities for parking, storage, water supply and electricity supply, drainage and sanitation.

Protection of existing Gypsy and Traveller pitches/sites

- D** Proposals that result in the loss of an authorised and permanent Gypsy and Traveller and Travelling showpeople pitch(s) or plot(s), or the use of

an allocated site for Gypsy and Traveller and Travelling showpeople pitch(s) or plot(s) for other uses will not be permitted unless:

- i) the site is no longer suitable for such use and suitable alternative provision is made for the same number of pitches which satisfies the criteria in Part A of the policy; or**
- ii) there is no need for Gypsy and Traveller and Travelling showpeople pitches or plots within the District**

Appropriate, detailed, and robust evidence will be required to satisfy the above criteria. Planning conditions or legal obligations may be necessary to ensure that any replacement sites are provided. Any replacement site should be available before the original site is lost.

Explanation

6.62 The Government's planning policy for traveller sites is set out in 'Planning Policy for Traveller Sites' (PPTS) (updated in 2023). The Government overarching aim is for fair and equal treatment for travellers – facilitating their way of life whilst respecting the interest of the settlement community. National policy requires a robust evidence base to establish accommodation needs and requires Local Planning Authorities to set pitch targets for gypsies and travellers and plots for travelling showpeople. The Council will periodically reassess need. The most up to date assessment will form the basis for a rolling target of provision.

6.63 The most recent Gypsy and Traveller Accommodation Assessment²⁰ (GTAA) (July 2023) identified two accommodation needs figures for Gypsy and Travellers. The first based on the PPTS 2015 definition of Gypsy and Travellers which excludes Gypsies and Travellers who have ceased to travel and the ethnic definition, which includes all households who ethnically identify as Gypsies and Travellers. The December 2023 version of the PPTS updated the definition of Gypsy and Traveller to:

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

²⁰ Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment, July 2023

6.64 Consequently, the Councils rolling target of provision will be based on the ethnic definition, thereby allowing in its definition those persons that have ceased to travel permanently. Under this definition the July 2023 GTAA identifies a need for 59 pitches between 2020-2040 and this need was broken down into 5-year periods identifying the following need:

Table 2: Summary of accommodation needs

Summary of accommodation needs 2020-40 (pitches)	
Total 2020-25	20
Total 2025-30	12
Total 2030-35	13
Total 2035-40	14
Total 2020-40	59

6.65 The GTAA identifies no need for Travelling Showpeople accommodation in the plan period.

6.66 In order to support the accommodation needs of Gypsy and Travellers and for Travelling Showpeople, provision will be made through strategic allocations, future local plan allocations and determining planning applications.

6.67 Strategic Allocations (which are defined as housing or mixed-use sites of over 1000 dwellings) will be required to provide 5 Gypsy and Traveller pitches per 1000 dwellings. If it can be demonstrated that the pitches cannot be viably delivered on site, alternative land which meets the criteria of Part C of this Policy to accommodate the required numbers of pitches will be required.

6.68 The provision of Gypsy and Traveller sites on Strategic Allocations is in line with National Policy and Planning policy for Traveller Sites. Paragraph 25 of Planning policy for Traveller Sites states

6.69 *“Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan...”*²¹ and paragraph 74 of the NPPF says:

6.70 *“The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of*

²¹ Planning policy for traveller sites, DCLG, August 2015
<https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way ... c) set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles); and ensure that appropriate tools such as masterplans and design guides or codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community²²"

- 6.71 In determining planning applications for required potential sites, sites will be considered suitable provided they are of an appropriate scale and character and meet the criteria within the policy.
- 6.72 National policy states that local planning authorities should ensure their policies: promote peaceful and integrated co-existence between the site and the local community; promote access to health services; ensure children can attend school regularly; provide a settled base to reduce long-distance travelling and possible environmental damage caused by unauthorised encampments; provide proper consideration of the effect of local environmental quality (such as noise and air quality), avoid placing undue pressure on local infrastructure and services; do not locate sites in areas at high risk of flooding; reflect the extent that traditional lifestyles can contribute to sustainability.
- 6.73 To ensure that the levels of Gypsy and Traveller accommodation is maintained, the Council will resist the loss of existing sites, unless the policy requirements are met.

Protocol on Unauthorised Encampments

- 6.74 South Derbyshire District Council has a Policy and Procedure for Unauthorised Encampments of Travellers. The stated objectives of this policy are:
- To balance the rights and needs of resident communities with those of Gypsies and Travellers;
 - To manage unauthorised encampments in an efficient and effective way taking account of the potential level of nuisance for local residents and the rights and responsibilities of Gypsies and Travellers;

²² National Planning Policy Framework, Paragraph 20, page 20-21
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- To work with partners in other authorities, the voluntary sector and the Police to address issues of social exclusion amongst Gypsy and Traveller communities.

7

Employment and the Economy

Introduction

7.1 The policies in this chapter seek to meet the employment development requirements identified in Policy S5. A range of sites are allocated for industrial and business development, including new strategic allocations, these being land forming part of the multi-use development at Infinity Garden Village, land South of Mickleover and previously developed land at the former Drakelow Power Station.

Strategic Employment Land Allocations

Policy E1: Strategic Employment Land Allocation

A Development for industrial and business uses will be permitted in the following locations:

Sites carried forward from 2016 Local Plan

Policy No.	Location	Area (new) ha.	Area (redevelopment) ha.	Use Classes to be permitted
E1 A	Drift Road, Church Gresley	0.71		E(g), B2, B8
E1 B	Tetron Point, Stanton	2		E(g), B2, B8
E1 C	Swadlincote Lane, Church Gresley	3		E(g), B2, B8
E1 D	Drakelow	2.5		E(g), B2, B8
E1 E	Hilton	3	2.3	E(g), B2, B8
E1 F	Dove Valley Business Park	6.72		E(g), B2, B8
E1 G	Land to the North of Dove Valley Business Park	13		B2, B8
E6	Woodville Regeneration Area	4.6		E(g), B2, B8

New allocations

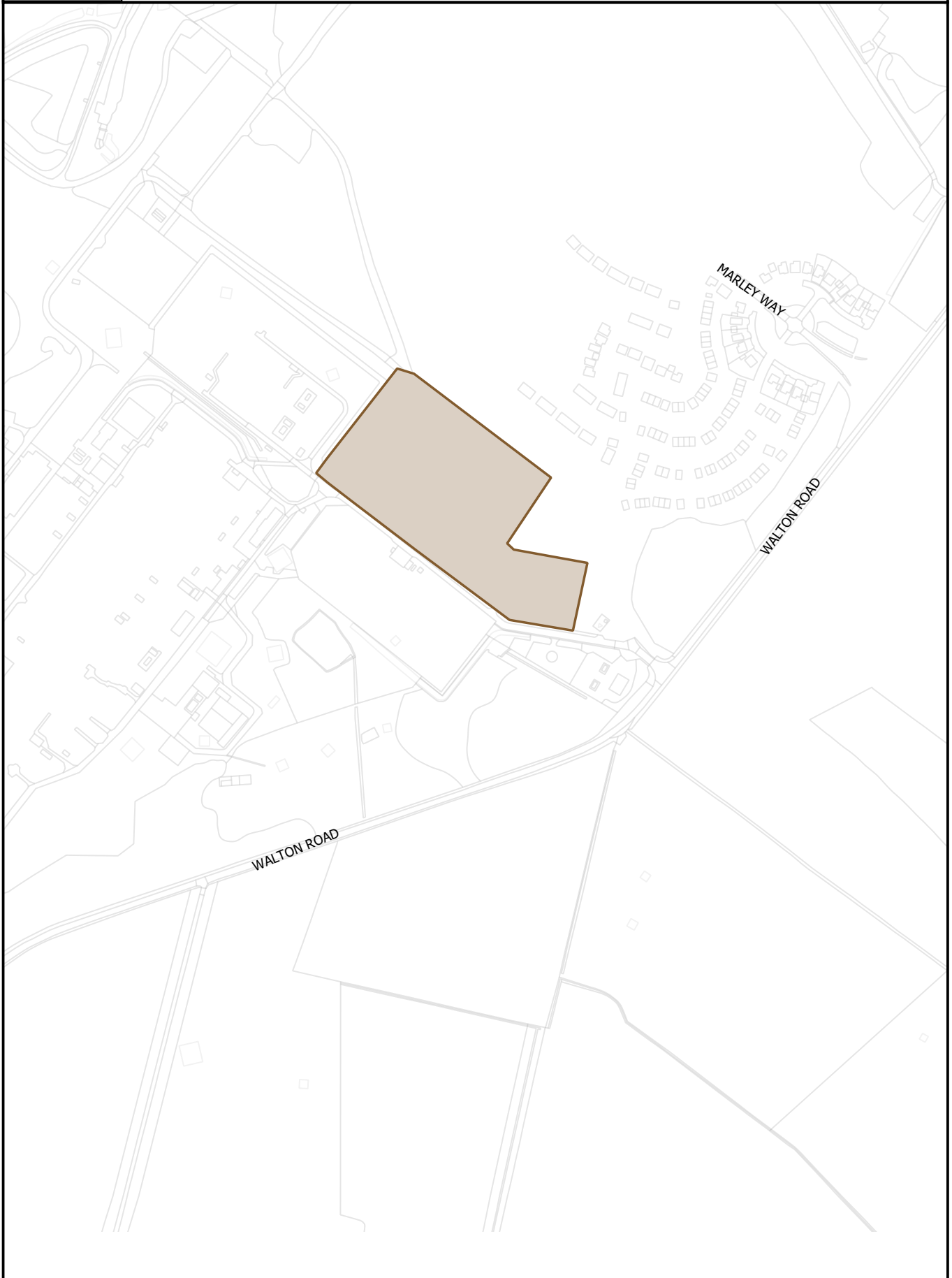
Policy No.	Location	Area (new) ha.	Area (redevelopment) ha.	Use Classes to be permitted
STRA 1	Infinity Garden Village, Sinfin Moor	70		E(g), B2, B8
STRA 2	Land South of Mickloever	5-10ha		E(g) B2, B8
STRA 3	Former Drakelow Power Station (already allocated in policy BNE12 but now given detailed policy requirements)	Up to 68		B2, B8

- B** Development on sites allocated at E1A, E1B, E1C, E1D, E1E, STRA1, STRA2 and STRA3 shall include provision to meet the needs of small and “grow on” businesses. This will take the form of premises or serviced plots, to be brought forward during the course of the development and will be secured either by planning conditions or a legal agreement attached to a planning permission.
- C** Site E1G is allocated for the development of large scale industrial and business units only, as defined by Use Classes B2 and B8. The minimum gross internal floor area per unit will be 15,000 sqm.
- D** Site STRA1 is allocated for development representing an extension of Infinity Park in Derby to the north and forming an integral part of the comprehensive mixed use Infinity Garden Village development.
- E** Site STRA2 is allocated for approximately 5-10ha of employment land as part of a housing led, mixed-use scheme at Land South of Mickleover.
- F** Site STRA3 represents part of the former Drakelow Power Station site and is allocated for redevelopment for employment purposes in accordance with policy BNE12, subject to any impacts identified through a Transport Assessment being satisfactorily mitigated.
- G** Where planning permissions include provision within Use Class E(g), representing office, light industrial and research and development uses, permitted development rights allowing changes of use to other types of development outside that Use Class will be removed through the use of planning conditions.

Employment Policy 1: Strategic Employment Land Allocations - E1A, E1B, E1C

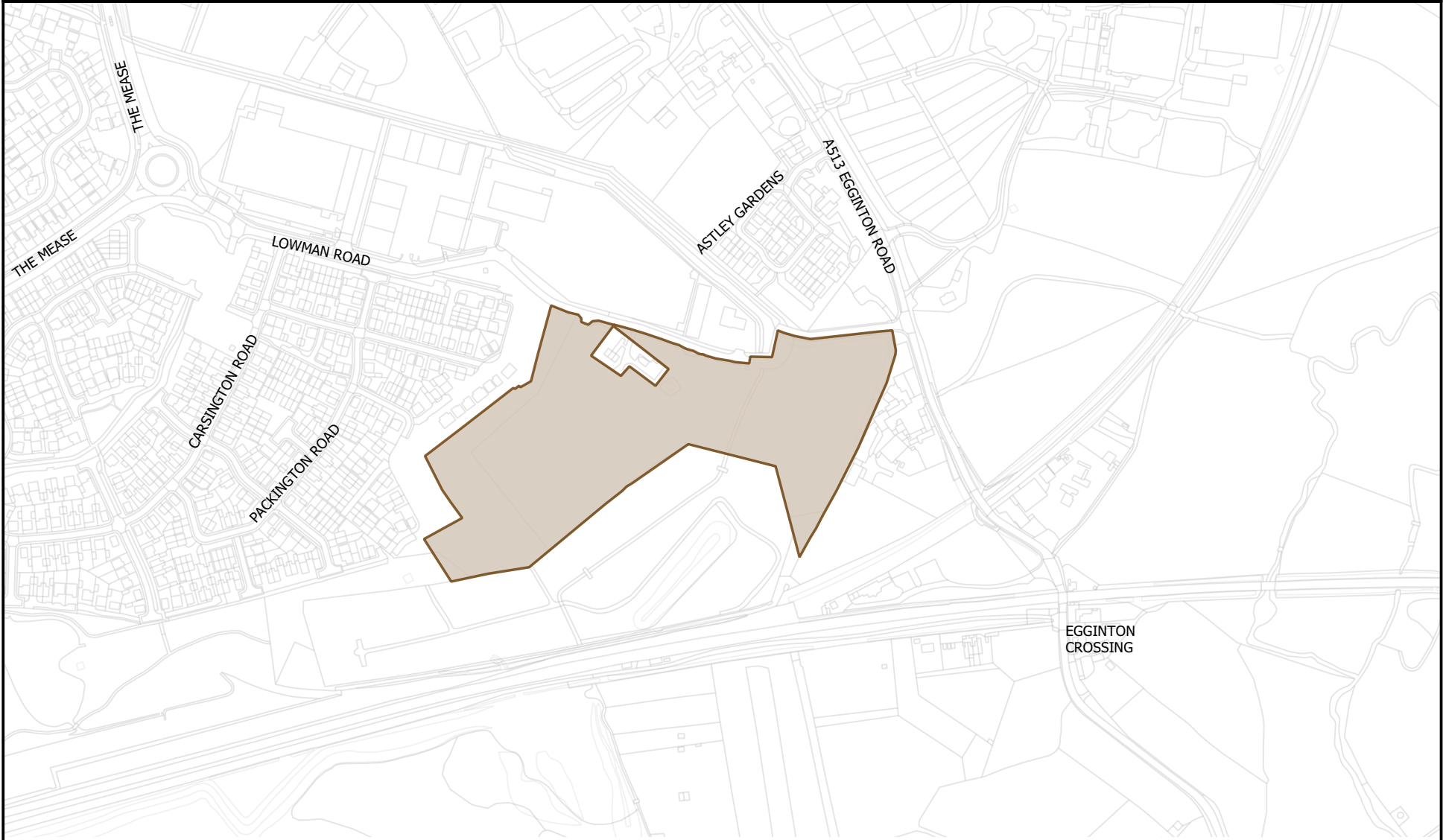


Employment Policy 1: Strategic Employment Land Allocations - E1D DRAKELOW



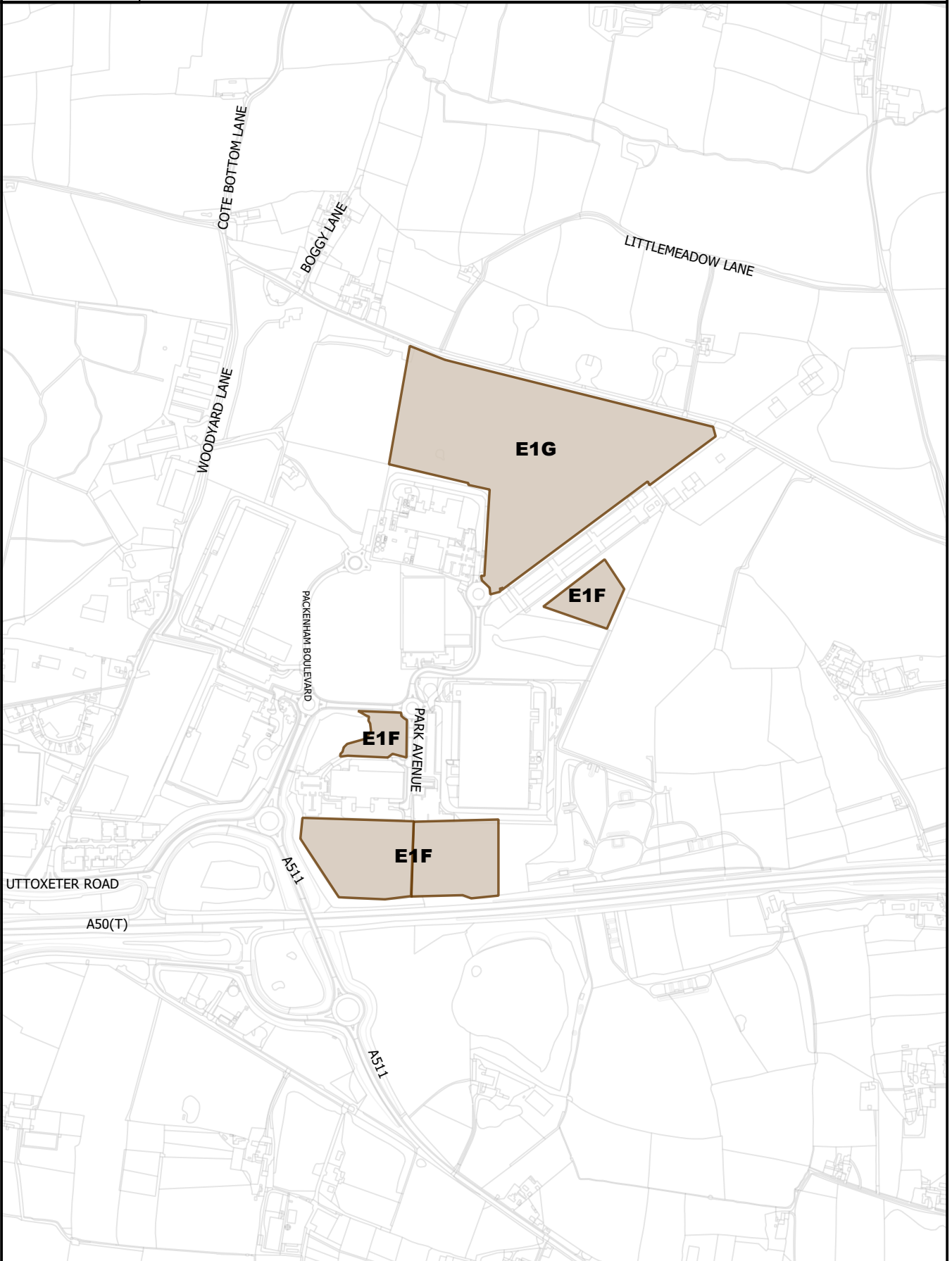


Employment Policy 1: Strategic Employment Land Allocations - E1E Hilton



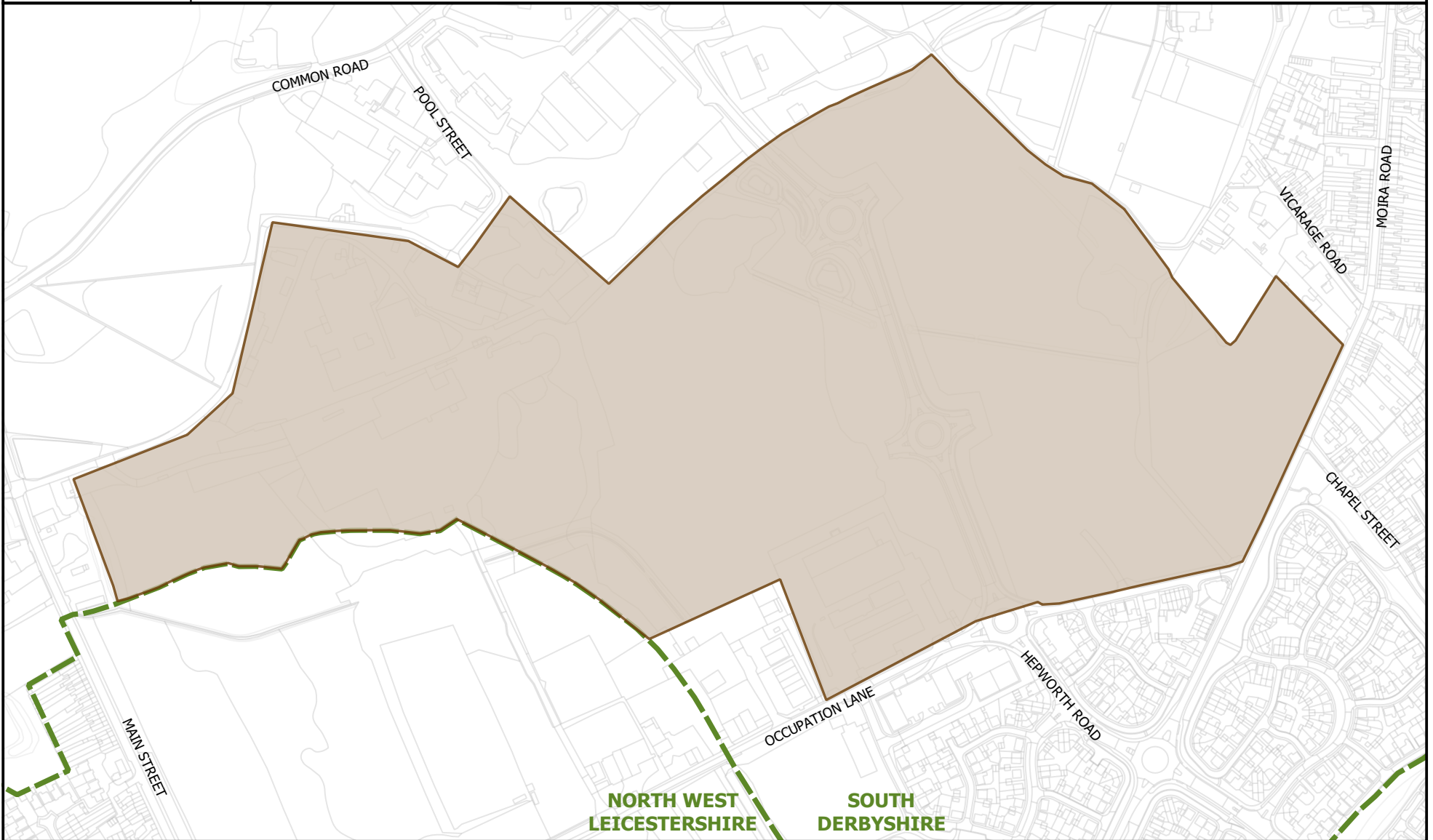


Employment Policy 1: Strategic Employment Land Allocations - E1F & E1G
DOVE VALLEY BUSINESS PARK, FOSTON





Employment Policy 1: Strategic Employment Land Allocations - E6 WOODVILLE REGENERATION AREA



Explanation

- 7.2 The Derby and South Derbyshire Employment Land Study identifies a need for a supply of new land measuring 35.86ha for development falling Use Classes E(g), B2 and B8 purposes. The current land supply at the Local Plan base date of 1 April 2022, including sites identified within this policy and a number of small sites currently with planning permission, was 46.09ha, meaning that there was a surplus of 10.23ha. Thus, in purely quantitative terms, employment land needs for the plan period are already being met.
- 7.3 Detailed policy has been set out for the development of former power station land at Drakelow, (STRA 3) which was initially allocated for redevelopment in the adopted Part 2 Plan in 2017 in Policy BNE12.
- 7.4 However, there are a range of further reasons why additional employment development may be needed as set out in the explanatory text accompanying Policy S5: Employment Land Need.
- 7.5 Most remaining undeveloped sites allocated for industrial and business uses in the South Derbyshire Local Plan Part 1 are carried forward. Each of these has been considered in the Derby and South Derbyshire Employment Land Study (ELS) and deemed to form part of the Council's realistic employment land supply, indicating suitability for retention. In addition to these, land has been identified for strategic industrial and business development on two new sites, Infinity Garden Village and the former Drakelow Power Station.
- Sites carried forward from 2016 Local Plan
- 7.6 Sites E1A and E1B represent remaining undeveloped plots at Drift Road and Tetron Point respectively. Site E1C represents undeveloped land at Swadlincote Lane, Church Gresley and site E1D represents land granted planning permission for industrial and business development as part of the mixed use Drakelow Park development and formed part of a site allocated for these uses in the 2016 Local Plan.
- 7.7 Site E1E represents the remaining area of land at the former Ministry of Development Hilton Depot site which forms part of an area with planning permission for a mixed use scheme. The employment element of the development would extend the exiting Hilton Business Park and is intended to balance recent housing growth in the interests of maintaining the village as a sustainable settlement. Part of the area allocated for employment uses, measuring 3ha, is unused at present, whilst the remainder, measuring 2.3ha, is currently being used by a local business and therefore represents redevelopment land.

- 7.8 In the 2016 Local Plan the Hilton employment land allocation included a triangular piece of land measuring 3.71ha, which was situated to the west of the Don Amott Leisure Kingdom site. This land was found in the ELR not to be suitable for industrial and business uses and therefore no longer forms part of the Hilton allocation.
- 7.9 Site E1F comprises remaining undeveloped plots with planning permission for industrial and business development at Dove Valley Business Park, Foston. Site E1G represents the remnant of land safeguarded in the 2016 Local Plan Part 1 for large scale industrial and business development. Planning permission has subsequently been granted for such and the site has therefore been allocated in this Plan as part of the wider Dove Valley Business Park.
- 7.10 Site E6 represents land granted planning permission for new industrial and business uses within the Woodville Regeneration Area, to be accessed from the recently completed Hepworth Road (identified as the Woodville to Swadlincote Regeneration Route in the 2016 Local Plan Part 1). In combination these sites will help to balance recent and planned housing growth, helping to maintain the sustainability of the Swadlincote and Woodville urban areas.

Infinity Garden Village

- 7.11 Land is identified at site STRA1 for strategic industrial and business uses as part of the wider mixed use Infinity Garden Village development and would represent the southward expansion of the Infinity Park business location within Derby City, parts of which have already been completed or are under construction. Access to the trunk road network will be provided via a new A50 junction and the planned South Derby Integrated Transport Link, with attractive active travel connections to nearby residential areas, services and facilities. The site will address both the local and sub-regional business markets, with development comprising large scale units and small to medium scale accommodation.

Land South of Mickelover

- 7.12 Approximately 5-10ha of employment land is allocated for employment provision as part of a housing led, mixed-use scheme at Land South of Mickelover. The inclusion of employment provision on the scheme would help deliver sustainable development.

Former Drakelow Power Station

- 7.13 The former Drakelow power station strategic industrial and business allocation, identified as site STRA3. The allocation of the site was made through adopted policy in the part 2 Local Plan (BNE12), and detailed policy requirements for the site set out in allocation policy STRA3. The site comprises previously developed land, supporting sustainable

employment growth in the south of the District. The planned Walton-on-Trent Bypass highway link will provide convenient access to the A38. The site will provide land suitable for business accommodation of a range of sizes including small and grow-on units. Business growth in this location will help to balance the large-scale housing development taking place as part of the adjacent Drakelow Park mixed use scheme. New active travel links and improved public transport services will be needed to ensure sustainable accessibility.

Strategic Rail Freight Interchange/Freeport

- 7.14 The East Midlands Freeport designation includes the proposed Strategic Rail Freight Interchange (SFRl) at Egginton Common, identified under Policy INF3. As this would represent a Nationally Significant Infrastructure Project (NSIP) development consent would need to be given at national level, rather than by the local planning authority. The land being promoted for this purpose is not therefore being formally allocated for development, but rather is safeguarded so that the potential opportunity to establish an SRFI in this location will not be compromised.

Small to Medium sized Business Accommodation Needs

- 7.15 The South Derbyshire Economic Development and Growth Strategy identifies a shortage of start-up and grow-on business accommodation in the District. To help meet this need, conditions will be attached to future planning consents for development of employment sites as identified in part B of this policy requiring the provision of an element of smaller units of up to 100sqm in size and “grow-on” units of up to 500sqm in size, and/or small, serviced plots allowing owner occupiers to develop bespoke accommodation.

Permitted Development Rights

- 7.16 In order to protect the future accommodation needs of industrial and businesses users, where planning permissions include provision within Use Class E(g), representing office, light industrial and research and development uses, permitted development rights, allowing changes of use to other types of development outside that Use Class without the need to apply for planning permission, will be removed through the use of planning conditions.

Other Industrial and Business Development

Policy E2: Other Industrial and Business Development

The development of land for **industrial and business** uses defined by classes **E(g)**, B2 and B8 of the Use Classes Order will be permitted where the proposal:

- i. lies within a settlement boundary or
- ii. is for the redevelopment of established industrial or business land or premises or
- iii. is for the expansion of an existing business.

All proposals should be in scale with existing built development and should not give rise to any significant harmful impacts on amenity, landscape, the natural environment, cultural heritage assets or the safety and operation of the highway network.

Where planning permissions include provision within Use Class E(g) representing office, light industrial and research and development uses, permitted development rights allowing changes of use to other types of development outside that Use Class will be removed through the use of planning conditions.

Explanation

- 7.17 Much new industrial land is provided on industrial estates. However, some small firms prefer alternative locations, utilising existing buildings and premises or new development on small sites. Such businesses can often be carried out quite acceptably without disturbance to adjoining land uses. Where necessary to protect local amenity, conditions will be attached to planning permissions preventing intensification of use.
- 7.18 The policy takes a positive approach to extensions or expansion of existing businesses, as this can help to ensure the retention and growth of local employers.

Existing Employment Area

Policy E3: Existing Employment Areas

Redevelopment or changes of use of existing industrial and business land and premises for uses other than those falling within classes E(g), B2 and B8 of the Use Classes Order will only be permitted where:

- i. it can be demonstrated that the existing use is significantly harmful to the amenity of neighbouring land uses in terms of noise, vibration, visual qualities, air quality or traffic generation, and this cannot be satisfactorily overcome by other means; or
- ii. it can be demonstrated through marketing for a period of not less than 6 months prior to the change of use that there is no demand for the use of the site or premises for Use Class E(g), B2

and B8 industrial and business purposes and that the development proposals would not inhibit existing or planned neighbouring land uses.

Explanation

- 7.19 There is a need for the District to provide a balanced portfolio of sites offering a range of size, location and tenure. Industrial and business uses within Swadlincote and some of the larger villages in the District provide employment opportunities close to residential areas and benefiting local economies. They are usually difficult or impossible to replace and their loss can exacerbate unemployment and commuting. Their retention is therefore accorded a high priority.
- 7.20 Where the established use is a bad neighbour, planning permission for non-industrial or business uses will only be granted where it can be demonstrated that alternative action, such as a change of use from B2 to B1, changes in operational practices or the adoption by the site occupant of a travel plan, will not overcome this concern.
- 7.21 To demonstrate that there is no long-term demand for the site, an applicant will be required not only to proactively market the site for a minimum period of **six months**, but also to provide a fully reasoned judgement from a professional estate agent as to whether such a site would be likely to be viable in the longer term, either in its present state or as a redevelopment site for alternative industrial and business uses.

~~Policy E4: Strategic Location for Sinfin Moor Employment Site Extension~~

Policy E4 is to be deleted. Land at Sinfin Moor was identified for development beyond 2028 within the Adopted Local Plan Part 1. Within this Draft Local Plan, the site is proposed for allocation within Policy STA1.

~~Policy E5: Safeguarded Employment Sites – Dove Valley Park~~

Policy E5 is being deleted. Policy E5 of the Adopted Local Plan Part 1 was allocated for development of large scale (minimum internal floor area per unit 15.000sqm) industrial and business units, as defined by classes B2 and B8. The remaining land is within Policy E1G of this Draft Local Plan.

Woodville Regeneration Area

Policy E6: Woodville Regeneration Area

Woodville Regeneration Area is protected for employment-led redevelopment, to enable the economic, social and environmental regeneration of Woodville and Swadlincote.

Development of the area should incorporate a minimum of 4.6 ha of new industrial and business development defined by Use Classes E(g), B2 and B8, up to 300 new dwellings and a highway, cycle and pedestrian route linking Bridge Street, Church Gresley to Hepworth Road/Kiln Way, Woodville.

Proposals for the redevelopment or changes of use of existing employment land and premises, including vacant or redundant buildings, in the area should be for E(g), B2 and B8 uses only. Proposals will be supported where they seek to maximise economic, social and environmental benefits, including the protection, conservation and enhancement of heritage features within the Regeneration Area.

Explanation

- 7.22 This area mainly represents poorly restored former minerals workings and vacant industrial premises. It offers the opportunity for re-use to assist in the economic, social and environmental regeneration of Woodville.
- 7.23 In recent years the District Council, County Council, land owners and developers have worked together successfully to deliver Hepworth Road, (identified as the Woodville – Swadlincote Regeneration Route in the 2016 Local Plan Part 1). The new road has unlocked the opportunity to deliver mixed use development across much of the regeneration area, for which planning permission has been granted, including housing and industrial/commercial uses.
- 7.24 To help ensure that proposals contribute toward meeting economic needs, the Council will endeavour to secure the timely completion of industrial and business development on the site.
- 7.25 Besides the land covered by the planning permission, there remain further opportunities for regeneration within the area identified in this policy. Major development in the area, including any potential development on adjacent land outside South Derbyshire, will be brought forward through joint working with developers and North West Leicestershire District Council, to deliver regeneration whilst protecting the amenity of the neighbouring district and maintaining the separate identity of nearby Albert Village. Account will be taken of the need to

avoid unacceptable traffic impacts both within Derbyshire and in the neighbouring district of North West Leicestershire.

- 7.26 Regeneration **in this location** will also contribute towards enhancing the existing urban environment in Woodville, providing new and improved green spaces and tree planting, reflecting its key location in the Heart of The National Forest.
- 7.27 Part of the area identified represents the former premises of the T.G. Green pottery manufacturer. The buildings include listed bottle kilns and any proposals will need to protect, **conserve and enhance** these and their settings **and be sensitive to the presence of other heritage features in the surrounding area.**

Rural Development

Policy E7: Rural Employment Development

Outside development boundaries proposals for **industrial and business development (within Use Classes E(g), B2 and B8) including the re-use or conversion or replacement of existing buildings, or, where no alternative suitable accommodation can be found, through development of new buildings, will be supported where:**

- i) **the applicant can demonstrate that they will support the social and economic needs of rural communities;**
- ii) **they will not give rise to significant harmful impacts on local amenity;**
- iii) **they are well designed and will not cause significant visual intrusion or harm the character of the surrounding area or locality;**
- iv) **they will not cause significant harm to natural or heritage assets;**
- v) **the highways providing access to the site are suitable for use by commercial vehicles**
- and**
- vi) **where new buildings are proposed, the planning application is supported by a sound business case.**

Where planning permissions include provision within Use Class E(g) representing office, light industrial and research and development uses, permitted development rights allowing changes of use to other types of

development outside that Use Class will be removed through the use of planning conditions.

Explanation

- 7.28 Over the past [sixty](#) years the countryside has undergone significant economic change, resulting in a decline in agricultural employment and providing an impetus for rural economic diversification. In addition, much of South Derbyshire has taken on a dormitory role, providing residential accommodation away from the place of work. Rural economic diversification can assist in providing jobs, helping to maintain the vitality of rural areas and reducing the need to travel.
- 7.29 The reuse or adaption of existing redundant farm buildings can be a means of providing suitable premises for small business at low cost whilst avoiding harm to the environment. Re-use for employment purposes would generally be preferable to use for other purposes as it can make the greatest contribution towards addressing economic needs and enhancing the sustainability of rural communities. Such uses may be particularly well suited to listed and other buildings of historic merit, as they may involve less external change and internal subdivision than other alternative uses.
- 7.30 Proposals for the economic diversification should be of an appropriate scale, providing for the employment needs of the rural communities and thereby minimising the need to travel. A flexible approach will be taken, particularly where the opportunity exists to bring otherwise redundant buildings back into use. Where an established building is unsuitable for industrial and business use, it may be appropriate to consider its replacement.
- 7.31 Where no alternative means of accommodating a business use can be found, it may be possible to develop a new, well designed building of a commensurate scale to the use. To ensure its long term viability as business accommodation, a planning application for development of this kind should be accompanied by [a sound business case](#).
- 7.32 For all forms of development outside of settlement boundaries, it is important that the scale of development proposals is appropriate to its surroundings to ensure that visual intrusion and impact on the character of the locality are minimised.
- 7.33 [The transport implications of proposals will be considered with reference to Policy INF2.](#)
- 7.34 Proposals for leisure and tourism development are addressed by Policy INF10.

Introduction

- 8.1 Central to the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Consequently, such considerations form significant contributions to the plan-making process.
- 8.2 The NPPF sets out three dimensions to sustainable development:
- An economic objective – to foster a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - A social objective – to support vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by delivering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - An environmental objective – to contribute to protecting and enhancing the natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources efficiently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.3 Section 39 of the Planning and Compulsory Purchase Act 2004 requires that planning documents are prepared with the objective of contributing to sustainable development. Paragraph 11 of the National Planning Policy Framework (NPPF Sept. 2023) states that plans and decisions should apply a presumption in favour of sustainable development and defines what this requires for plan making.

Amenity and Environmental Performance

Policy SD1: Amenity and Environmental Quality

The Council will support development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers within or around proposed developments.

The Council will take into consideration the following:

- i) The potential for development to affect surface and ground water quality and its potential to affect the long-term delivery of water quality standards set out in the Water Framework Directive or Habitats Directive;**
- ii) The potential for development to affect designated Air Quality Management Areas (AQMAs).**
- iii) The need for a strategic buffer between conflicting land uses such that they do not disadvantage each other in respect of amenity issues, such as odours, fumes, or dust and other disturbance such as noise, vibration, light or shadow flicker.**

Explanation

- 8.4 The Council will take a positive approach by supporting development proposals where these can help to improve the local economy, physical and social infrastructure and protect and/or enhance the environment and where relevant supporting policies are included within neighbourhood plans. This is in keeping with the Government's overall approach to delivering sustainable development and sets out the Council's strategy for bringing forward land in appropriate locations, whilst protecting and enhancing the natural resources and heritage assets of the District. Such an approach will minimise the need to travel, and avoiding areas of greatest risk from flooding.
- 8.5 This will also address the need for housing and economic development at a level which can be supported by the necessary infrastructure and which recognises environmental limits, seeks to protect mineral resources, prevent pollution and minimise waste, and promotes the delivery of high quality sustainable housing within walkable neighbourhoods, where residents can easily access services to meet their day to day needs, that are designed to protect and enhance the built environment and character of the local landscape
- 8.6 Sustainable development which supports vibrant communities is affected not only by decisions on the location of investment and

development, but also by a good range of accessible and affordable opportunities for travel and transport.

- 8.7 Where development could have amenity impacts on either the natural environment or on local residents, the Council will seek appropriate mitigation or compensatory measures secured through conditions or planning obligations.

Flood Risk

Policy SD2: Flood Risk

- A** With reference to the Environment Agency flood risk maps and the Council's most up-to-date Strategic Flood Risk Assessment (SFRA), the Council will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding. A Sequential Test and, if necessary, an Exception Test may be required to demonstrate that a development is acceptable. The development of sites with a higher risk of flooding will only be considered where essential for regeneration or where development provides wider sustainability benefits to the community that outweigh flood risk.
- B** Development in areas that are identified as being at risk of flooding will be expected to:
- i. Be resilient to flooding through design and layout;
 - ii. Incorporate appropriate mitigation and protection measures, such as on-site flood defence works and/or a contribution is/are agreed and secured towards or a commitment to undertake and/or maintain off-site measures are put in place for their implementation and maintenance;
 - iii. Not increase flood risk to other properties or surrounding areas; and
 - iv. Not affect the integrity or continuity of existing flood defences
 - v. Provide a site-specific Flood Risk Assessment (if required), which fully considers the issues of flooding from sewers, canal infrastructure failure, groundwater rising from former coal mining areas, and watercourses.
- C** Suitable measures to deal with surface water will be required on all sites in order to minimise the likelihood of new development increasing flood

risk locally. Any developments that could lead to changes in surface water flows or increase flood risk should be managed through the incorporation of Sustainable Drainage Systems (SuDS), which mimic natural drainage patterns, unless this is not technically feasible, or where it can be demonstrated that ground conditions are unsuitable for such measures.

- D** The Council may require developers to restore culverted watercourses within regeneration or development sites to a natural state (i.e. break the channel out of culvert, remove redundant structures, replace/improve existing structures to a restored watercourse profile) in order to reduce flood risk and provide local amenity and/or ecological benefits.
- E** To contribute to the enhancement of watercourses in accordance with the objectives of the Water Framework Directive and other relevant legislation, developers will be expected to work with the regulating authorities to develop watercourse restoration schemes.
- F** Proposals for flood management or other infrastructure offering improvements that lower the risk of flooding will be supported, subject to the proposal having no other adverse effects on local amenity and/or flood risk elsewhere. Where new flood related infrastructure is proposed opportunities for delivering environmental improvements including biodiversity gain and green infrastructure delivery should be fully considered by those delivering the project.
- G** Development proposals will not result in the site or other locations being at increased risk of flooding. For a greenfield site the rate of runoff from the developed site should be no greater than the existing rate of runoff from the site. For a development on previously developed (brownfield) land, the rate of runoff should not exceed the runoff from the site in its previously developed condition.

Explanation

- 8.8 Across the District, around one fifth of the land mass is at flood risk. These areas of high and moderate flood risk could be exacerbated by climate change, with risk rising to a greater number of properties. These figures will require further assessment in the updating of the Strategic Flood Risk Assessment (SFRA).
- 8.9 There are numerous causes of flooding including river (fluvial) flooding, surface water run-off (pluvial), sewers and drains, culverted watercourses, groundwater, and through breaching/overtopping of flood defences and from artificial sources such as canals and reservoirs.

The risk of flooding cannot be totally removed, however through good planning, management and use of sustainable flood mitigation and drainage approaches, flooding-related issues in many areas can be reduced.

- 8.10 The Council's SFRA defines the Flood Zones for South Derbyshire and provides the necessary evidence to support the application of the sequential approach when allocating sites through the Local Plan and in considering applications for planning consent when making land use decisions. The SFRA will require a new Level 1 assessment, as part of the Local Plan review, to determine if further work is required.
- 8.11 Planning applications for development proposals of 1 hectare or greater in Fluvial Flood Zone 1 and all proposals for new development located in Fluvial Flood Zones 2 and 3 will be accompanied by a site-specific Flood Risk Assessment (FRA). This should identify and assess the risks of flooding from all sources to and from the development and demonstrate how flood risk will be managed and where possible reduced by the design and layout of development proposals. For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the likelihood of flooding. The Council will also expect flood risk assessments to be prepared where there is evidence that proposals could be affected by surface water flooding or could increase flood risk elsewhere.
- 8.12 The development of sites with a higher risk of flooding will be considered where development is necessary to deliver wider sustainability objectives, such as the regeneration of a previously developed site, or to support the maintenance or improvement of flood management infrastructure to communities exposed to high levels of flood risk. In such instances the District Council will undertake the 'Exceptions Test' as set out in the National Planning Policy Framework and associated technical guidance and will seek to work closely with the Environment Agency and Derbyshire County Council to ensure that appropriate measures to reduce flood risk locally are secured.
- 8.13 Development can help to mitigate and manage flood risk through the incorporation of Sustainable Drainage Systems or 'SuDS'. These systems may include surface water storage areas, flow-limiting devices, infiltration areas or soakaways. The Council will seek to support proposals for flood risk management schemes brought forward during the life of the Plan which reduce flood risk and contribute towards other strategic Local Plan objectives.

- 8.14 Planning Practice Guidance defines “flood risk” as a combination of the probability and the potential consequences of flooding. Areas at risk of flooding are those at risk of flooding from any source, such as fluvial (from rivers), surface water, groundwater, overwhelmed sewers and drainage systems as well as mine water rising and from canals.
- 8.15 National Planning Practice Guidance (PPG) states that drainage solutions should allow surface water to be discharged according to the following hierarchy of drainage options: 1. Into the ground (infiltration); 2. To a surface water body; 3. To a surface water sewer, highway drain, or another drainage system; 4. To a combined sewer.

Delivering sustainable water supply, drainage and sewerage

Policy SD3: Sustainable Water Supply, Drainage and Sewerage Infrastructure

- A** The Council will work with Derbyshire County Council, Natural England, the Environment Agency, Water Companies, Developers, and other Authorities and relevant stakeholders to ensure that South Derbyshire's future water resource needs, wastewater treatment and drainage infrastructure are managed effectively in a coordinated manner by:
- i) Ensuring that adequate water supply, sewerage and drainage infrastructure needed to service new development is delivered in tandem with identified growth;
 - ii) Supporting activities by the Water Companies to reduce demand for water and in turn suppress sewerage and discharge effluent volumes by ensuring that water consumption is no more than 110 litres per person per day (including external water use) as estimated using the Water Calculator methodology¹ or all water fittings do not exceed the performance set out in Table 3 below;
 - iii) Working with the County Council (as Lead Local Flood Authority or other appropriate body), to ensure new developments incorporate sustainable drainage schemes that reduce the demand for potable water supplies and mimic natural drainage, wherever practicable. In bringing forward SUDS, as a means of managing surface water run-off, developers will be expected to design schemes to improve river water quality and reduce pressure on local drainage infrastructure and deliver biodiversity gain on sites;

- iv) In addition to the requirements of (iii) All major Development Proposals will include Sustainable Drainage Systems (SuDS) for the management of surface water run-off unless it can be clearly demonstrated that:
 - (a) SuDS are not technically deliverable or are not economically viable and that surface water drainage issues from the development can be mitigated in an alternative way; or
 - (b) The SuDS scheme would itself adversely affect the environment or safety and that surface water drainage issues from the development can be mitigated in an alternative way
 - (c) All schemes with the inclusion of SuDS should demonstrate that they have considered good SuDS design, including: quantity, quality, amenity and biodiversity.
 - (d) Where appropriate, every effort should be made to link SuDS into wider initiatives to enhance green infrastructure, improve water quality and benefit wildlife and biodiversity.

- v) Ensuring that all relevant developments within the catchment of the River Mease, support the delivery of the River Mease Water Quality Management Plan in order to improve the quality of the River Mease Special Area of Conservation, by means of financial contribution, in order that the unmitigated addition of phosphorous does not lead to deterioration of the Mease Special Area of Conservation (SAC) or any other watercourses.

- vi) In securing such improvements to the SAC, where, until wastewater is pumped out of the River Mease catchment, new development within the catchment will only be allowed where there is sufficient headroom capacity available at the named/identified Wastewater Treatment Works to which flows from the development will go; and the proposed development is in accordance with the provisions of the Water Quality Management Plan including, where appropriate, the provision of infrastructure or water quality improvements proposed in the Developer Contributions Scheme in operation at the time.

B Foul flows generated by new development will be expected to connect to the mains sewer. Only where a connection to the mains sewer is not

technically feasible (given the nature and scale of proposals) will discharges to package treatment works, septic tanks or cess pits be permitted. Developments that utilise non-mains drainage will only be permitted where proposals do not give rise to unacceptable environmental impacts.

- C Where there is no headroom capacity available at appropriate wastewater treatment works; or no capacity available within the Developer Contributions Scheme in operation at the time; or exceptionally, as part of the development, it is proposed to use a non-mains drainage solution for the disposal of foul water with the agreement of the Environment Agency; development will only be allowed where it is demonstrated that the proposal, on its own and cumulatively with other built and permitted development, will not have an adverse impact, directly or indirectly, on the integrity of the River Mease SAC.**

Explanation

- 8.16 The Water Framework Directive²³ requires water in our rivers, canals, lakes and underground sources to meet specific water quality standards. Meeting higher water quality targets will be challenging in the face of supply and demand uncertainties associated with climate change and housing and employment growth over the plan period. Planning Authorities have a key role to play in supporting the Environment Agency, Water Companies and local communities to meet these Water Framework Directive targets.
- 8.17 Future housing and employment growth, coupled with anticipated reductions in water output and availability as a result of climate change within their Strategic East Midlands Water Resource Zone has led Severn Trent Water (STW) to conclude in its current and emerging Water Resources Management Plan (WRMP) that without demand management there would be insufficient water available to meet identified demand by the end of the Plan period. STW considers that Local Authorities will play a key role in supporting its demand management strategy. Most communities in South Derbyshire are supplied by Severn Trent.
- 8.18 South Staffordshire Water supplies a number of smaller villages in the southern part of the District together with homes and businesses in Hilton, Repton, Etwall, Willington, and Findern. There is less pressure on water resources in this area. However, villages located to the north of Burton upon Trent are supplied by reservoir/storage tanks at Winshill and

²³ [River basin management plans, updated 2022: summary programmes of measures – mechanisms - 1. Introduction - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544222/River_basin_management_plans_updated_2022_summary_programmes_of_measures_-_mechanisms_-_1_Introduction_-_Guidance_-_GOV.UK.pdf)

Outwoods. Future growth in Burton upon Trent is likely to increase pressure on these reservoirs and as such additional growth in South Derbyshire to the north of Burton will also add to the demand for local storage and supply. In addition, much of the southern part of the District falls within the catchment for the River Mease which is at saturation point for receiving effluent flows, whilst sewage treatment works at Milton (which serves Willington and Repton) and Findern are currently operating above their consented capacity.

- 8.19 As set out in Requirement G2, Part G of Schedule 1 and regulation 36 to the Building Regulations 2010²⁴, as amended, the Council will require that all new homes in South Derbyshire will be constructed to ensure that water use is no more than 110 litres per person per day (including external water use) as estimated using the Water Calculator methodology or all water fittings do not exceed the performance set out in table 3 below:

Table 3: Local Water Requirements (based on water fittings)

Water Fitting	Additional Local Level
WC	4/2.6 litres dual flush
Shower	8 litres/minute
Bath	170 litres
Basin Taps	5 litres/minute
Sink taps	6 litres/minute
Dishwasher	1.25 litres/place making
Washing Machine	8.17 litres/kilogram

- 8.20 Numerous large-scale developments within South Derbyshire have incorporated Sustainable Drainage Systems or SuDS. However, these systems usually consist of a piped drainage system which discharges to a large retention basin, which allows a controlled volume of water to discharge to a local watercourse. Whilst such systems are useful in dealing with flood risk and reducing pressure on the local sewerage network, they often do little reduce the need for potable water demand; improve water quality and tackle diffuse pollution; contribute towards ground water recharge or significantly improve biodiversity and amenity.
- 8.21 The River Mease SAC includes the River Mease and its tributaries, parts of which are in South Derbyshire (although it encompasses parts of Staffordshire and Derbyshire as well). The SAC is also a Site of Special Scientific Interest (SSSI).

²⁴ [Microsoft Word - Water Calculations DS Report Part G2.docx \(planning.org.uk\)](#)

- 8.22 The Habitats Regulations which govern areas such as the River Mease SAC, identifies what is called a 'competent authority' that has a duty to determine whether a proposal can proceed. South Derbyshire District Council is identified as a 'competent authority'. This means that we must be satisfied that a proposed development will not affect the overall water quality in the River Mease. This is done through a Habitats Regulations Assessment (referred to as an Appropriate Assessment). To help with this process, people applying for permission for new development need to include detailed information about drainage (both surface and foul water).
- 8.23 Survey work carried out by the Environment Agency revealed that the quality of the water in the river was poor, mainly due to high phosphorous levels. This comes from agriculture, from both organic (farmyard manure) and inorganic (manmade fertilisers) sources, but also from new development as a result of increased foul water discharges (e.g. toilets, washing facilities). As a precaution against increasing phosphorous levels, new development within the River Mease Catchment has been periodically restricted, leading to delays in planning applications and a knock-on effect on the local economy.
- 8.24 South Derbyshire, together with other neighbouring Authorities (Lichfield District Council and North West Leicestershire District Council) agreed a scheme, which will ensure that the integrity of the site is not put at risk as a result of further development. Under the scheme, housebuilders have been required to make a financial contribution where they seek to build new homes which discharge to the mains sewer in Overseal, Netherseal, Lullington and Smisby.
- 8.25 To address the concerns regarding water quality we worked with a range of partner organisations (The Environment Agency; Natural England; Severn Trent; Northwest Leicestershire District Council; and Lichfield District Council) to develop two Developer Contribution Schemes (DCS1 and DCS2). These required that any development which will have an impact on the amount of wastewater going into the sewerage system, and therefore which will have a knock-on effect on discharges into the River Mease from water treatment works, to make a financial contribution to the costs to improving water quality. The scheme directly funds the actions that will help to improve the water quality and so will improve the environment for wildlife and people alike. DCS1 and DCS2 had a limited capacity in terms of how much development could be supported and both are now full. We are working with partners to consider the development of an additional DCS²⁵.

²⁵ [Nutrient Reduction - River Mease Partnership](#)

- 8.26 In DCS 1 and 2, the contributions required were dependent on the number of properties built, their size and the water efficiency of each new home. Commercial developments were also expected to pay a contribution dependent on the size and scale of the development proposed.
- 8.27 Contributions are to be used to undertake a number of actions to reduce phosphorous levels thereby ensuring that new development does not lead to deterioration in water quality, or cause a net increase in phosphorous levels.
- 8.28 In many rural parts of the District, it is not always possible for new or existing development to connect to the mains sewer network. However a proliferation of private foul water treatment plants could increase diffuse pollution and lead to a deterioration in water quality. This in turn could undermine efforts to achieve Water Framework Directive targets in the District's ground and surface waters as set out in the Humber River Basin Management Plan. As a result the Council will seek to ensure that small scale developments, such as single dwellings, connect to the mains sewerage system, where these are located within 30m of the sewer. For larger developments the Council will seek mains connection on a case by case basis where developments are based more than 30m from a sewer.
- 8.29 However in many rural locations the costs of connecting to the foul sewer can be prohibitive, especially for small isolated developments located some distance from the nearest mains sewer. Where it can be demonstrated to the satisfaction of the Council and the Environment Agency that connection to the foul sewer is not technically feasible or financially viable the Council will pursue drainage options in the following order:
- Discharge to package treatment plants
 - Discharge septic tanks
 - Discharge to cess pit
- 8.30 Discharges to cess pit will only be permitted in exceptional circumstances where it can be demonstrated that other non-mains drainage solutions are inappropriate or could lead to significant environmental effects. This is because cess pits require ongoing emptying by tanker and where this doesn't happen in a timely manner the likelihood of a pollution incident can be high.
- 8.31 A Water Quality Management Plan (WQMP) identifies a range of measures designed to ensure that the status of the River Mease SAC

achieves the conservation objectives and is brought back into favourable condition.

- 8.32 In 2022, alongside several other local planning authorities, we received advice from Natural England in relation to nutrient neutrality for developments in the River Mease Special Area of Conservation (SAC) catchment²⁶. The River Mease is one of a number of catchments across England which was identified as being affected.
- 8.33 Nutrient neutrality particularly affects those developments which comprise overnight accommodation (such as housing and holiday accommodation), whereas a wider range of development types, including employment uses and some commercial uses, are affected by the need to maintain water quality. In either case the Council as a 'competent authority' must be able to conclude that proposed development would not result in an adverse impact on the SAC.
- 8.34 To address the issue of water quality, Severn Trent Water has proposed that foul sewage will be pumped from the Sewage Treatment Works at Packington and Measham to treatment works outside of the River Mease catchment. This is currently scheduled to take place in 2027²⁷. When pumping out has been achieved, this will mean that future development will not need to be restricted in terms of numbers as has been the case over the last few years.
- 8.35 The government is looking at possible ways to address the nutrient neutrality issue. However, until such time as the necessary legislation or regulations are in place, the Council will continue to follow the advice of Natural England.

Contaminated Land, Land Instability and Mining Legacy

Policy SD4: Contaminated Land and Mining Legacy

- A** Planning permission for development on land which is known to comprise made ground or which is unstable, contaminated or potentially contaminated, will only be granted where the applicant has demonstrated through appropriate investigations, that the scheme will incorporate any necessary remediation measures to protect human health and/or the natural environment.
- B** Development must avoid any unacceptably adverse impact upon soils of high environmental value and ensure that soil resources are conserved and managed in a sustainable way and avoid any

²⁶ [River Mease standing advice Jan 2022 Final.pdf \(nwleics.gov.uk\)](#)

²⁷ [Tame-Anker-and-Mease-abstraction-licensing-strategy.pdf \(publishing.service.gov.uk\)](#)

unacceptably adverse impacts on groundwater quality on the site and the adjacent area.

C The Council will work with Developers, the Environment Agency, Natural England and the Coal Authority and other relevant Authorities and organisations to bring forward the regeneration of derelict, unstable or contaminated sites and investigate options for the sustainable management of rising mine water levels within the South Derbyshire Coalfield.

D The Council will require the remedial or mitigating measures to be carried out as part of the development.

Explanation

8.36 The presence of contamination can affect or restrict the use of land but development can address the problem for the benefit of the wider community and bring the land back into beneficial use. The presence of instability in land can also be a concern and when new development is proposed it is necessary to ensure that new buildings and their surroundings are safe for future occupiers and other users.

8.37 Guidance on contaminated land issues runs throughout the National Planning Policy Framework (NPPF), which advises that local planning policies and decisions should:

- Prevent new and existing development from contributing to, being put at unacceptable risk from or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
- Ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).
- Ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

8.38 Within South Derbyshire there are many areas affected by contamination, land instability or mining legacy issues. These areas tend to be sites used historically for industry, including manufacturing; coal

mining and other mineral extraction. Occasionally however contamination can arise from natural sources. Similarly, instability may have various causes but in South Derbyshire key concerns relate to extensive areas of recorded mining activity in the South Derbyshire Coalfield around Swadlincote. Whilst most past mining is benign in nature, potential public safety and stability problems can be triggered and uncovered by development activities.

- 8.39 In assessing whether land contamination or instability is an issue to be taken into account when a planning application is submitted, the Council will have regard to a range of information sources including information provided by developers and third parties, and the advice of the Coal Authority. In the case of development where the use would be particularly vulnerable to contamination (such as new homes with gardens and schools) evidence will always be required to establish whether there is any contamination, which will need to be addressed.
- 8.40 Closure of deep mines in the South Derbyshire Coalfield (which also covers a large part of north western Leicestershire) during the late 1980s and early 1990s was accompanied by the switching off of minewater pumps. This has led to the recovery of minewater levels in the area, which is typical of many other former mining areas across the country.
- 8.41 As water levels recover, metals may be leached from former workings. The potential consequences of this recovery are contamination of local watercourses by surface discharges of minewater and possible contamination of ground water.
- 8.42 The Coal Authority is responsible for managing the liabilities and legacies of coal mining. The Coal Authority has commissioned investigations into minewater rebound in the South Derbyshire Coalfield and is currently investigating development solutions centered on controlling water levels by the abstraction and treatment of minewater. It is currently unclear whether there will be a need for action to ensure that rising minewaters do not affect the natural environment of South Derbyshire but if action is required the District Council will work constructively with the Coal Authority, UK Coal, the Environment Agency and others to ensure that water courses and ground waters are protected.

Minerals Safeguarding

Policy SD5: Minerals Safeguarding

- A** The Council will consult the Minerals Planning Authority (Derbyshire County Council) on any planning applications for non-minerals development which fall within the boundary of a minerals safeguarding area, [as shown on the Policies Map](#).
- B** The Council will not permit other development proposals in mineral safeguarding areas where they might sterilise economically workable mineral deposits, except where development conforms with the criteria set out in the minerals safeguarding policy included in the Derbyshire Minerals Local Plan.
- C** Within South Derbyshire extensive minerals resources are located along the Trent Valley (sand and gravel) and within the South Derbyshire Coalfield. The Local Plan has a key role in helping to safeguard commercially viable minerals resources and ensuring that new development does not lead to the sterilisation, or prejudice the future working of, important mineral reserves.

Explanation

- 8.43 Minerals are essential to support sustainable economic growth. It is important that there is a sufficient supply of material such as sand and gravel, coal and fireclay to provide the infrastructure, buildings, energy and goods that the country needs. However, minerals are a finite resource and can only be worked where they are found and there is a need to ensure that resources are not sterilised by new developments.
- 8.44 [Derbyshire County Council is currently in the process of reviewing its Minerals Local Plan, which when adopted will form part of the development plan.](#)

Sustainable Energy and Power Generation

Policy SD6: Sustainable Energy and Power Generation

- A** The Council will support renewable and other energy developments and ancillary buildings or infrastructure subject to the following considerations:
- i) That the environmental effects of the proposal have been appropriately considered and schemes will not give rise to unacceptable impacts on landscape or townscape

character, including National Character Areas, ecology, the historic environment or cultural heritage assets

- ii) That proposals will not give rise to unacceptable impacts on local amenity, or give rise to safety concerns, as a result of noise, shadow flicker, electromagnetic interference, vibration, topple distance, visual dominance, emissions to the air or ground, odour or traffic generation and congestion.
- iii) Proposals are accompanied by details to demonstrate how future maintenance will be undertaken and how the site will be decommissioned to ensure the restoration of the site following cessation, such details will be secured by means of condition and/or Section 106 legal agreement.

B Developers promoting biomass will be expected to demonstrate that biofuels will be procured from sustainable sources. Where generators propose to source wood fuel or other biomass from outside The National Forest, the applicant will be expected to locate biofuels sequentially considering fuels from regional sources, followed by the UK and international markets. Where fuels are sourced from outside the region, generators will be expected to demonstrate that no sequentially preferable fuel supply exists which is available, cost effective or meets the necessary specification.

C Any new generating plant capable of producing heating or cooling as well as electricity will be expected to be designed and located in a way that facilitates the future connection to a local distributed energy system. Large scale commercial and residential development close to Willington and Drakelow will be expected to consider options for utilising community heat networks.

D Additional energy generation capacity, ancillary infrastructure and carbon capture facilities at the Drakelow and Willington Power Station sites will be supported where it can be demonstrated that development will not give rise to unacceptable amenity and environmental effects as set out above.

E Proposals for solar energy developments including both mounted and standalone ground mounted installations and extensions and repowering of solar extensions, should avoid using the best and most versatile agricultural land where possible.

F Proposals for wind energy developments will be supported where in accordance with national policy and guidance and:

- i) All impacts on air traffic safety and radar and communications have been assessed, consulted upon and addressed.

G Proposals for battery energy storage systems (BESS) will be supported where they assist with the balancing of the electricity grid and support renewable energy sources (such as wind and solar) in addition to satisfying the following criteria:

- i) schemes should be located on previously developed land and/or in existing industrial areas, wherever possible, close to existing users who can make use of the heat and/or power generated;
- ii) proposals should avoid the loss of best and most versatile agricultural land;
- iii) proposals should not adversely impact neighbouring land users, or the existing commercial/operational requirements of nearby businesses;
- iv) the cumulative impacts of existing and proposed developments on the landscape, natural environment, amenity, operational use and surrounding users will be acceptable in accordance with other policies;
- v) development should utilise existing power lines, structures and infrastructure wherever possible. Where it can be demonstrated that this is not possible and new power lines and pipelines are proposed, their impact on the landscape must be acceptably minimised or preferably buried underground wherever possible;
- vi) planning conditions/legal obligations will be used to ensure that the installations are removed when no longer in use and the land is restored to its previous condition.

H Development proposals will have regard to the Derbyshire Spatial Energy Study and any other relevant plans and county-wide work such as the Local Nature Recovery Strategy. The Council's Ecological and Climate Change Strategies, as well as any subsequent relevant strategies are to be considered as part of decision taking on proposals and applications.

Explanation

- 8.45 The development of new energy infrastructure (renewable or otherwise) is generally supported by national planning policy, with roughly one quarter of the UK's energy plant capacity to terminate due to design life limitations and/or emissions-related targets over the next few years. However, Government guidance also states that energy installations need to be appropriate in terms of location and design and considered on a site-by-site basis. As such, whilst the Council recognises the need to have a presumption in favour of development of renewable and other energy infrastructure development, this needs to be balanced against wider environmental and social considerations to ensure that the negative impacts of new development do not outweigh the broader power generation-related benefits.
- 8.46 The Derbyshire Spatial Energy Study 2022 was commissioned on behalf of the Derbyshire planning authorities. An assessment of electricity and heat demand, generation and supply within the County was undertaken which provides an understanding of the current and future situation of Derbyshire's energy system.
- 8.47 The Study recognises that the largest contributor to carbon emissions in South Derbyshire is from non-domestic sources, followed by transport and then domestic energy emissions. It also identifies the potential within the District for energy to be harnessed from renewable sources. The Council therefore recognises the need for new development to be designed to limit carbon emissions and for applicants to be required to demonstrate how their proposals have given full consideration to climate change issues in their design, and for new development to be expected to generate and use energy from renewable sources.
- 8.48 Energy generation from fossil fuel sources must be reduced to help meet our net zero carbon targets. This means that energy will need to be generated from renewable forms of energy. Renewable energy technologies include solar panels, wind turbines and heat pumps. The generation and use of renewable energy reduces the demand for fossil fuels which in turn reduces harmful greenhouse gas emissions.
- 8.49 The delivery of renewable and low carbon energy schemes is supported in this plan. The Council recognise that even small-scale projects, including retro-fitting energy-efficiency measures to existing buildings can contribute towards cutting greenhouse gas emissions. The incorporation of small-scale renewable energy technologies in an individual building, through for example the inclusion of solar panels, heat pumps and domestic wind turbines, are permitted development and therefore do not require planning permission, unless the building is

sited in a designated area (e.g. a conservation area) or is a listed building.

- 8.50 Any physical changes to historic buildings designed to improve the building's energy efficiency will require careful attention in order not to detract from the quality of the heritage asset. There are opportunities in most historic buildings to improve energy conservation without causing harm through measures such as secondary glazing, improved loft insulation using natural materials, low energy lighting and the use of fuel efficient boilers. Where conflict is unavoidable, the benefits of such measures should be weighed against the extent of harm to the significance of the heritage asset.
- 8.51 The Council will seek to ensure that new power stations are designed and located where low-grade waste heat can be utilised for heating or cooling purposes. Developers will be expected to identify any local opportunities for the utilisation of waste heat and design schemes in a manner which enables the connection and distribution of usable heat to existing or future development where opportunities arise.
- 8.52 Similarly, subject to consented power stations in Drakelow and Willington, it is possible that significant volumes of waste heat could be available for heating and cooling local homes and businesses. All new large-scale development within 5km of proposed power station sites will be expected to fully investigate opportunities for using waste heat.
- 8.53 The proposed power station sites at Drakelow and Willington will generate significant investment and create employment both during their construction and operation. Once developed, the Council will support future proposals for development within the sites of existing power stations for additional and ancillary energy infrastructure or carbon capture and storage needed to support the on-going operation of the sites, subject to any plans conforming with this and other policies set out in this Plan.
- 8.54 The Government has extended permitted development rights so that planning applications no longer need to be submitted to the Council for many types of small scale renewable or low carbon energy or heat generation technologies. The Council will support the Government's aspiration to transition to zero emission vehicles by 2035. Where planning permission is required, the Council will support the development of small-scale renewable and low carbon energy generation, subject to proposals complying with this and other policies set out in the Local Plan including those which seek to protect local landscape sensitivities and cultural heritage features.

Introduction

- 9.1 South Derbyshire is predominantly a landscape of compact villages set in farmland and parkland. Historic estate parklands, often annexed to villages, play a large role in local distinctiveness. Tree planting within the National Forest is changing the rural appearance in the southern part of the District.
- 9.2 There are some settlements which owe their existence to non-agricultural industry, or have been heavily influenced by it. Melbourne became a minor centre for framework knitting and textiles from the 1760s and at Shardlow a new settlement was established by the coming of the Trent and Mersey Canal. Swadlincote became a globally important sanitaryware pottery town in the 19th century.
- 9.3 The varied local distinctiveness of the District's villages is often a reflection of the period when the local economy was most thriving. At Swadlincote, for instance, the buildings reflect the late 19th and early 20th centuries when the sanitaryware and heavy clay industries were at their height. At King's Newton, the main street of timber framed and stone houses recalls the 17th century when it was a settlement of relatively prosperous yeoman farmers.
- 9.4 Today the historic environment is recognised by the District Council as a foundation for future investment, quality of life, tourism and healthy lifestyles.
- 9.5 South Derbyshire's natural environment includes a wide range of landscapes that are formed by many factors, including the underlying soils, climate, habitats – and human influence, both past and present.
- 9.6 Our landscapes extend from the river valley in the north of the District to the well ordered farmland and villages in the south, our landscapes are valued by people for a variety of reasons and each is characterised by its own pattern of geology, landform, soils, vegetation, land use and human settlement, which create local distinctiveness.
- 9.7 Large modern developments, coupled with landscape scale changes associated with farming, tree planting and habitat creation in the National Forest have the potential to significantly alter the character of the District's landscape. High quality design therefore plays a central

role in planning new developments in both the built and natural environments and is integral to the Local Plan.

Design Excellence

Policy BNE1: Design Excellence

A All new development will be expected to be well designed, embrace the principles of sustainable development, encourage healthy lifestyles and enhance people's quality of life by adhering to the Design Principles below.

i) Design Principles

a) Community safety:

New development should be designed to ensure that people feel comfortable and safe by minimising opportunities for crime and anti-social behaviour, providing good natural surveillance and appropriate demarcations between public and private areas;

b) Street design, movement and legibility:

Streets should be designed to relate to their context, with a balance being struck between place-making needs and vehicle movement needs. Streets should be attractive, pedestrian and cycle friendly and meet the needs of all users. New development should be easy to find your way around, have a clear hierarchy of streets and take advantage of available opportunities for connections to local services, including public transport;

c) Diversity and community cohesion:

New development should be designed to be diverse, vibrant, possess a sense of place and encourage social interaction.

d) Ease of use:

New development should be accessible to all user groups, well managed and should be able to adapt to changing social, environmental, technological and economic conditions, including the needs of an ageing society;

e) Local character and pride:

New development should create places with a locally inspired character that respond to their context and have regard to valued landscape, townscape and heritage characteristics;

f) National Forest:

Within The National Forest, new development should follow [any National Forest Design Guides/Design Charter such as the](#)

Sustainable Tourism Accommodation Design Guide²⁸ and Guide for Developers & Planners²⁹ and fully reflect the forest context;

- g) Visual attractiveness: New development should be; visually attractive, sustainably constructed, appropriate, respect important landscape and existing natural features, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality;**
 - h) Neighbouring uses and amenity:
New development should not have an undue adverse affect on the privacy and amenity of existing nearby occupiers. Similarly, the occupiers of new development should not be unduly affected by neighbouring land uses;**
 - i) Cross boundary collaboration:
New areas of growth that span administrative, land ownership, developer parcel or phase boundaries should be considered and designed as a whole through a collaborative working approach;**
 - j) Healthy Lifestyles:
New development should address social sustainability issues, by supporting healthy lifestyles, including through the promotion of active travel, the provision of public open space, sports and other leisure facilities.**
 - k) Resource Use:
New development should be designed to facilitate the efficient use of resources and support the reuse and recycling of waste throughout the lifecycle of all developments from design, construction, use and after use. New development should provide adequate space for the storage of waste and where appropriate the treatment or collection of waste.**
- ii) All proposals for new development will be assessed against the Council's Design SPD and any future Council Design Guide and/or Codes;**
 - iii) The council will decide which development proposals should be taken to a formal panel for design review.**

²⁸ Sustainable Tourism Accommodation Design Guide can be viewed at: <https://www.nationalforest.org/tourism>

²⁹ The Guide for Developers & Planners can be viewed at: <https://www.nationalforest.org/about/partner-with-us/developers-and-planners>

Explanation

- 9.8 Sustainability, health, wellbeing, communities, local pride, tourism and economic prosperity can all flourish in well designed, people friendly places. Poorly designed places, can, and often do, lead to social, economic and environmental decline.
- 9.9 Local Authorities have a statutory duty under the Planning Act 2008 to encourage good design and the NPPF states that good design is indivisible from good planning. Design is one of the most powerful tools in achieving sustainable development. In working towards global causes, design is also about much smaller scale, personal and intimate factors – people, their everyday lives, health, wellbeing and happiness.
- 9.10 Good design gels together and improves many of the Council's key services, aspirations and statutory responsibilities, addressing large scale issues such as protecting and enhancing the unique character of the District for residents and visitors, attracting new investment, tackling crime, anti-social behaviour, road safety and social exclusion, improving health and wellbeing, strengthening communities and connecting them together. Smaller scale, but equally important issues include designing out potential problems with parking and bin collections.
- 9.11 The design of residential areas has a big impact on people's everyday lives and quality of life. New housing also accounts for a large proportion of new development within the District, providing a good opportunity to reflect the District's special character. It is therefore very important that the design of new housing is of a high quality. The Council recognises that volume house builders often use standardised house types, but these nationally generic solutions will not meet the requirements of our Design Principles. Standardised house types, if used, will be expected to be tailored to the local context and character of the area. 'Building for a Healthy Life' is a well-founded and commonly understood methodology for assessing the design of new residential areas, and all new housing development will be expected to perform well against it, or any successor standards.
- 9.12 Streets make up a large proportion of the public realm and it is important that they receive the same level of attention as buildings and open spaces. Many streets, such as high streets and residential streets, will need to be designed as places that people want to spend time in, rather than being designed solely for the movement of vehicles. Streets such as this demand a new approach to design, where the needs of pedestrians and cyclists are considered first. Achieving a balance between the place and movement requirements of streets will require

collaborative working between engineers, planners and urban designers.

- 9.13 South Derbyshire has many locally distinct and important features, including small historic towns and rural villages with a strong local vernacular style, the use of local materials such as plain clay tiles and red bricks, a former industrial town linked to the pottery industry, the river and canal landscape of the Trent Valley and the rapidly growing woodland landscape of The National Forest. The District also borders the southern edge of Derby city and the eastern edge of Burton upon Trent, each having distinct suburban character influences. New development will be expected to relate positively to the context of the development site and the special characteristics of the District and its neighbouring settlements.
- 9.14 Where new areas of development span administrative boundaries, joint collaborative working between Local Planning Authorities and also between different developers will be encouraged. In order to adhere to the Design Principles within this policy, with particular reference to movement, legibility and community cohesion, land ownerships and development sites should not prejudice the development of neighbouring land or create landlocked sites. Master plans that span the full extent of growth areas are encouraged and would guide development within these areas. Design briefs and design codes could also be used to aid coherence and help achieve a more consistent design quality. In some instances, a joint, multi-site, cross-boundary design review will be appropriate in the assessment of development proposals, design briefs, design codes and master plans.
- 9.15 Good design incorporates beauty and functionality to ensure high quality of living. There are many widely accepted ingredients (contained in the NPPF and documents such as [Building for a Healthy Life \(Design for Homes 2020\)](#)), [Building for Life \(BfL Partnership, 2012\)](#), [By Design \(DETR, 2000\)](#), [Urban Design Compendium \(English Partnerships, 2000\)](#), [Manual for Streets \(DfT/DCLG, 2007\)](#), [National Design Guide \(MHCLG, 2021\)](#) that make well designed places and the design policy has incorporated these universal principles within them.
- 9.16 Designs for new development will be expected to evolve by following a logical design process. Developers and their agents should begin by assessing the context and consulting to identify all the local issues, constraints and opportunities. The detailed design should stem from this assessment work. A broad vision for the site can act as a useful guide and reference point as the design develops.
- 9.17 Applicants are encouraged to work collaboratively with the District Council and engage in pre-application discussions. The Council's

design principles can be used to guide pre-application discussions. Design and access statements, when required, should illustrate how the stages of the design process have been followed and in what manner the design principles have been addressed. Strong urban design skills can help to produce high quality site assessments and scheme visions. These skills can also help to create 'places', rather than simply delivering developments. The Council strongly encourages development teams to enlist urban design skills.

- 9.18 The District Council will work with developers to minimise any extra costs associated with better design quality, whilst also emphasising that many aspects of good design are at zero or negligible extra cost to the developer. Better design has proven in many instances to sell houses quicker and raise values.
- 9.19 The implementation of this policy will be assisted, when appropriate, by further local studies and design guidance, including urban characterisation and landscape characterisation studies, design briefs, design codes, [design guides](#) and Supplementary Planning Documents. This local evidence will be used to inform and guide planning decisions.

Cultural Heritage

Policy BNE2: Heritage Assets

- A** The historic environment makes a vital contribution to the character and distinctiveness of South Derbyshire, and to the quality of life of its residents. Development proposals should protect, conserve and seek opportunities to enhance the historic environment in accordance with national guidance and the Development Plan read as a whole.
- B** Development requiring planning permission will conserve and enhance heritage assets with an emphasis on preserving and enriching the social, cultural, economic, and environmental benefits that these assets provide. Heritage assets and their setting are irreplaceable and require careful management as the area undergoes significant growth and regeneration.
- C** The Council will seek the protection, conservation, and the re-use or enhancement of heritage assets including Heritage at Risk and the reuse of redundant sites to viable new uses. The Council will encourage the sympathetic maintenance and restoration of heritage assets, including historic shop fronts through historical research and using traditional materials and techniques.
- D** The Council will review existing Conservation Area designations to preserve or enhance their special architectural and historic interest. The

Council will consider new destinations, particularly those put forward through the Neighbourhood Planning process.

- E** The Council will assess new developments in the Conservation Area placing great weight on the positive contribution to the local character and distinctiveness, ensuring that development schemes enhance the setting of heritage assets and do not detract from the character and appearance of the area. The Council will support proposals for heritage led regeneration, ensuring that heritage assets are conserved and their future is secured through appropriate reuse.
- F** When assessing applications for development, the Council will place great weight on the preservation or enhancement of designated heritage assets and their setting. The Council will encourage applicants to put heritage assets to viable and appropriate use, to secure their future preservation and where appropriate enhancement, as appropriate to their significance. To strengthen the distinctive character of settlements, the Council will encourage high quality design and architecture that responds to this character and the setting of heritage assets.

Development proposals

Proposals should protect, conserve and seek opportunities to enhance the historic environment. The applicant will be required to undertake and provide the following, in a manner proportionate to the asset's significance:

1. describe and assess the significance of the asset, including its setting, to determine its architectural, historical or archaeological interest
2. identify the impact of the proposed works on the significance and special character of the asset, including its setting
3. provide a clear justification for the works, especially if these would harm the significance of the asset, including its setting, so that the harm can be weighed against public benefits

Where a development proposal would result in less than substantial harm to a designated heritage asset, permission will only be granted where in accordance with the National Planning Policy Framework.

Where a non-designated heritage asset is affected by development proposals, there will be a presumption in favour of its retention, though regard will be had to the scale of any harm or loss and the significance of the heritage asset.

Any special features which contribute to an asset's significance should be retained and reinstated, where possible. Listed Building Consent to change

the use, alter or extend will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's conservation.

Development proposals that affect the setting of a Listed Building will, in principle, be supported where they make a positive contribution to, or better reveal the significance of the Listed Building.

Conservation Areas

Significant weight will be given to the protection and enhancement of Conservation Areas. Development should conserve, or where appropriate enhance, features that contribute positively to the area's special character, appearance and setting. Proposals should:

- retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces and architectural details that contribute to the character and appearance of the area
- remove features which have a negative impact on the character and appearance of the Conservation Area
- retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment

Planning applications should be accompanied by an appropriate and proportionate assessment to understand the impact of development.

Scheduled Monuments

Scheduled Monuments are of national importance. Applications for Scheduled Monument Consent are made directly to Historic England where works may affect a monument, either above or below ground level.

Listed Buildings

Listed Building Consent is required for any proposal to demolish, alter or extend it. If the proposal involves 'development', planning permission is also required.

Proposals to alter or extend any Listed Building will be assessed against conserving the special architectural or historic interest. There is a general presumption in favour of the conservation of Listed Buildings. Consent to demolish will only be granted in exceptional circumstances.

The setting of a Listed Building may be affected by development. It is important that applications for planning permission for development affecting Listed Buildings, or their settings, include full details of the proposal so that an informed decision can be reached.

Registered Historic Parks and Gardens and their setting

Historic parks and gardens are an important historic, cultural and environmental asset. Historic England is responsible for compiling and maintaining the 'Register of Parks and Gardens of Special Historic Interest in England'. Registration of a site means that its significance must be taken into account when considering any proposed development that may affect the site or its setting.

Non-Designated Heritage Assets and their setting

Non-designated heritage assets are not formally designated, but are identified locally as having a degree of significance because of their heritage, architectural or artistic interest.

Archaeology

The Local Planning Authority may require assessment of the potential impacts of proposals on archaeological remains. Where archaeological impacts are indicated, developers are expected to devise a scheme to mitigate such impacts, which may form part of a planning condition.

Explanation

9.20 The historic environment is central to the identity of the South Derbyshire district. There are:

- 22 Conservation Areas including the Trent and Mersey Canal (which is a conservation area along its entire length).
- Four conservation areas subject to an Article 4 Direction (Shardlow, Ticknall, Twyford and Melbourne).
- 711 listed buildings, of which 48 are grade I and 48 are grade II* listed.
- 22 Scheduled Monuments.
- 5 registered historic parks and gardens comprising Calke Abbey (Grade II*), Elvaston Castle (Grade II*), Melbourne Hall (Grade I), Swarkestone Hall (Grade II*) and Bretby Hall (Grade II).

9.21 Unlike the scattered settlement patterns in certain areas of the country, most South Derbyshire settlements have a focal point of some kind, typically a church, a public house or an open space. Most settlements also have clearly defined limits. In some cases, historic identity has been eroded by large residential estates, as at Aston, Etwall, Findern, Hilton and Willington. Ribbon development has eroded local character as at Overseal and between Woodville and Hartshorne, and there are some large industrial estates. However, with some exceptions, the historic

settlement pattern and prevailing landscape character remain clear and legible.

- 9.22 The historic parklands of the district are a mixture of man-made and natural features. Some are publicly accessible in part e.g. Calke, Melbourne, Elvaston, while others are experienced by passing by or through them e.g. Repton Hayes and Repton Park, Newton Park (Newton Solney), Catton, Bretby and Radbourne. In many cases their care and management is material to the character of the adjacent villages. Often they are integral parts of a conservation area, or form part of a conservation area setting.
- 9.23 The historic buildings of the district are predominantly of brick, with relatively few buildings over 300 years old except for the parish churches. During the peak period of building activity from the late 18th century to the First World War, most roofs were covered with Staffordshire blue tiles or Welsh slate. There is some local variation in materials; outcrops of limestone at Calke and Ticknall, and of gritstone at Stanton by Bridge and Melbourne, are reflected in the extensive use of these materials locally, often in conjunction with brick. In the Swadlincote area there is extensive use of smooth red moulded brick, terracotta and glazed brick.
- 9.24 The arable lands of the Melbourne area gave rise to a distinctive market garden landscape in the 19th century, of which only fragments remain. Meanwhile, the extensive pasturelands in the south and north-west areas of the district supported a pattern of smaller settlements producing cream and cheese.
- 9.25 The Trent Valley in South Derbyshire is rich in prehistoric remains (some of them scheduled ancient monuments) which are both important and vulnerable because of the mineral value of the Trent valley gravels. Swarkestone Bridge is the longest piece of mediaeval bridge work in the country. In the 18th and 19th centuries the Trent Valley was developed as a transport corridor first by the Trent Navigation (from 1699), then the Trent and Mersey Canal (1766-77), and then the railways.
- 9.26 To help ensure that the special architectural and historic interest of listed buildings is preserved and enhanced, the Council assists in updating the Derbyshire County Council and Historic England heritage “at risk” of loss or damage through decay or neglect. Where possible, action is taken to secure the preservation of those most at risk.
- 9.27 Community facilities, such as a pub, school, [village hall](#) or chapel, may be of as much importance to social and cultural life as they are to heritage. The Council encourages communities to register these as

“assets of community value”, thereby giving the community an option to assemble a purchase plan before they can be openly marketed for sale.

9.28 Where appropriate, studies will be undertaken to inform and understand the contribution that heritage assets make to the District's character, identity and history. These may include:

- the production and review of Conservation Area appraisals and management plans;
- the application of design and heritage guidance (for example Area Action Plans, Supplementary Planning Guidance or design briefs);
- formulation of a local list of heritage assets.

9.29 Where enabling development is proposed the District Council will expect the applicant to demonstrate that this development is necessary to secure the long-term use or protection of the site or heritage asset and demonstrate that the benefits of the scheme outweighs the harm of allowing development which would ordinarily be unacceptable when considered against relevant policies set out in this plan.

Biodiversity

Policy BNE3: Biodiversity

A The District will support development which contributes to the protection, enhancement, management and restoration of biodiversity or geodiversity and delivers a net gain in biodiversity consistent with all relevant national policy at the time that a planning application is determined. Development will be required to follow the mitigation hierarchy of avoid, minimise, restore and offset. Development will be expected to avoid an adverse impact on the nature conservation value of the following hierarchy of sites, (and any future designations not included below) with the weight afforded to their protection reflecting their position in the hierarchy (greatest weight first) along with any legislative and national policy requirements:

- i) Sites of international and National importance,**
- ii) Special Area of Conservation (SAC).**

- iii) Irreplaceable habitats³⁰
- iv) National designations: Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNRs);
- v) Local and Regionally Important Geodiversity Sites (RIGS) and candidate Regionally Important Geodiversity Sites (cRIGS);
- vi) Local Wildlife Sites (LWSs), Local Nature Reserves (LNRs) and candidate Local Wildlife Sites (cLWSs) which have been identified by Derbyshire Wildlife Trust, the County or Natural England;
- vii) Local and National Biodiversity Action Plan-related (BAP) priority habitats.
- viii) Ancient woodlands, veteran trees and hedgerows
- ix) Other priority habitats and species

B Biodiversity in the District will also be supported by (in no particular order):

- i) Delivering long term plans to restore the River Mease Site of Special Scientific Interest (SSSI)/Special Area of Conservation (SAC) to an improved ecological condition and improve water quality within the Mease, **other water bodies**, and additional catchments failing to meet nutrient neutrality requirements. **Such improvements must not negatively impact other watercourses.**
- ii) Maintaining a District-wide ecological network of SSSIs and local wildlife sites to support the integrity of the biodiversity network, prevent fragmentation, deliver ecosystem services and enable biodiversity to respond and adapt to the impacts of climate change.
- iii) Supporting and contributing to the targets set out in the Lowland Derbyshire, the National Forest Biodiversity Action Plan (BAP) and/or any superseding plans, for priority habitats and species
- iv) **Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are**

³⁰ Irreplaceable habitats - GOV.UK (www.gov.uk)

wholly exceptional reasons as set out in National Planning Policy Framework and a suitable compensation strategy exists

- v) Development should avoid the loss of established woodland
- vi) Ensuring the implementation of further documents such as plans, declarations agreements and strategies, including the Action Plan for Nature and the Climate and Ecological Emergencies.
- vii) Working co-operatively with the County and other organisations to produce a Local Nature Recovery Strategy for Derbyshire.
- viii) Secure Biodiversity Net Gain in line with the requirements of the Environment Act
- ix) Ensuring that the quality of water courses is maintained and enhanced wherever possible

C Planning proposals that could have a direct or indirect effect on sites with potential or actual ecological or geological importance (in lists A and B) will need to be supported by appropriate surveys or assessments sufficient to allow the District to fully understand the likely impacts of the scheme and the mitigation proposed.

D Where mitigation measures, or exceptionally, compensation cannot sufficiently offset the significant harm resulting from the development and/or where the development can potentially be located on an alternative site that would cause less or no harm, planning permission will be refused.

E On-site provision will be prioritised, wherever practicable, where compensation is required for the reduction or loss of existing biodiversity resources. Where off-site provision is necessary this should be well located in relation to the proposed development. Where applicable, completion of documents and agreements such as the biodiversity metric, biodiversity gain plan and the legal securing of biodiversity net gains will be required to provide details regarding how the post-development biodiversity values of the site and any supporting off-site provision will be secured, managed and monitored for at least 30 years.

F In recognition of the Ecological and Climate Emergencies declared by the District, in addition to satisfying biodiversity net gain requirements,

planning proposals will integrate, wherever possible, biodiversity-enhancing features including:

- Street trees
- Green roofs and walls
- Sustainable drainage systems (SuDS)
- Swift bird boxes
- Hedgehog-friendly garden fencing
- Ponds
- Storm water provision swales
- Raingardens
- Land that is not publicly accessible but designated for conservation purposes

G In addition to the consideration of the features listed in Part E of the policy, strategic development will be expected to follow the mitigation hierarchy and create or contribute towards new greenspace (such as parks, allotments, woodlands, open space, fields and playing fields) and ensure that damage to existing assets, including trees, woodlands, hedgerows, ponds, lakes, rivers and canals is avoided. **Veteran trees are to be protected wherever possible, in accordance with the National Planning Policy Framework.** Connections will be sought, wherever appropriate, to cycleways and footpaths.

H Planning permission will be refused where mitigation measures, or exceptionally, compensation cannot sufficiently offset the significant harm resulting from the development and/or where the development can potentially be located on an alternative site that would cause less or no harm.

Explanation

9.30 The NPPF (December 2023) states that the planning system should contribute to conserving and enhancing the natural environment and should fully compensate for any loss of biodiversity value and that planning policies and decisions should minimise impacts on and provide net gains for biodiversity, to provide sustainable development.

9.31 The Environment Act 2021³¹ requires certain forms of development to provide a minimum of 10% biodiversity gain and the NPPF states that planning policies and decisions should contribute to providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

³¹ [Environment Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

- 9.32 The natural environment of the District remains under pressure from a combination of intensive land uses. The River Mease is being negatively impacted by elevated levels of nutrients as result of discharges from local Waste Water Treatment Works, agriculture and urban diffuse pollution. [As of 2022, only 13% of the County's SSSIs are in a favourable condition³², with 85% in an 'unfavourable recovering' condition](#), and in South Derbyshire less than a third of our County Wildlife Sites are recorded as being positively managed for wildlife. Wildlife sites are generally dispersed with limited connectivity between them. It is in this context that the Council is seeking to deliver Government pledges to halt the loss of biodiversity by 2030, a key target of both the National Planning Policy Framework and the Environment Act 2021.
- 9.33 The Council will protect and enhance sites with wildlife interest proportionate to their status and where necessary, will require the submission of supporting information in conjunction with planning applications that identifies the nature and extent of any impact and mitigating measures that need to be made. [In line with national aspirations,³³ the Council is aiming to conserve 30% of its land for wildlife management by 2030.](#)
- 9.34 The Council will expect biodiversity gains from all development wherever possible and for this to be provided on-site, in the first instance. Only where this is not possible should this be provided off-site. It is important to ensure that biodiversity gains deliver against local priorities including those within the Derbyshire Local Nature Recovery Strategy³⁴ and against local priorities identified in the Lowland Derbyshire Biodiversity Action Plan (LBAP)³⁵. The Council will also seek to promote and encourage opportunities to secure better management and enhancement of existing sites and the creation of new sites to strengthen the existing network and increase biodiversity. Wherever possible the Council will seek to buffer sites within the network to protect them from adverse impacts in the wider environment.
- 9.35 [In 2021 swifts were added to the list of Birds of Conservation Concern red list, following many years of decline. They join 69 other species on the list. It is therefore important to take opportunities to incorporate nesting sites into new development to help reverse this decline. The Council will ensure that swift boxes are incorporated into the design of new buildings to increase the number of suitable nesting places available to them. Such boxes can be easily and cheaply integrated during construction. The Council will require boxes to be sited in the most appropriate location on buildings for the benefit of the birds.](#)

³² [The State of Derbyshire's Nature 2021-22 \(arccgis.com\)](#)

³³ [30 by 30: a boost for nature recovery – Natural England \(blog.gov.uk\)](#)

³⁴ [Local nature recovery - Derbyshire County Council](#)

³⁵ [Lowland Derbyshire Biodiversity Action Plan - Derbyshire County Council](#)

- 9.36 In addition to the provision of swift boxes, opportunities should be taken to incorporate nesting boxes suitable for other species and the provision of features such as bee bricks and bat roosts wherever possible.
- 9.37 Trees and woodland play an important role in the urban as well as the rural environment in terms of the economic, environmental and social benefits they deliver. Existing trees, woods and hedgerows will be expected to be retained and new trees (including street trees) planted wherever possible and appropriate.
- 9.38 The Council recognises that soil is a finite resource and fulfils many roles that are beneficial to society. It is important to seek to ensure that development avoids the best and most versatile agricultural land and that where this cannot be avoided it is protected both during and after construction. Where there is doubt about the precise classification of land, applicants will be required to provide an appropriate survey carried out by those suitably qualified, to clarify the position. Development will also be expected to protect the soil during construction, having regard to Government advice such as the Code of Practice for the Sustainable Use of Soils on Construction Sites.
- 9.39 Where development is proposed that could have a significant impact on the environment, the Council will expect proposals to be accompanied by appropriate ecology surveys and/or geodiversity assessments. These will need to be undertaken by suitably qualified professionals, at the appropriate time of year and will include an assessment of the likely impacts of the proposal and any necessary mitigation or compensation measures, including where relevant improved public access and interpretation of findings.
- 9.40 Where development could affect the River Mease SAC, the Council will expect developers to provide sufficient information as may be necessary to allow the Authority to undertake a Habitat Regulations Assessment in consultation with Natural England. Mitigation measures and developer contributions may need to be considered.
- 9.41 Ancient woodland, together with ancient/veteran trees, represents an irreplaceable semi natural habitat that does not benefit from full statutory protection. The NPPF is supportive of ancient woodland and ancient trees and states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss as determined by relevant national legislation and the NPPF.

9.42 The benefits growth can have are reflected by a number of on-going projects within the District. Minerals works along the Trent Valley have created new wildlife sites at Drakelow, Willington and Shardlow. Housing, employment and minerals developments in the south of the District have helped [The National Forest Company and other partners positively change the local landscape and on the way have contributed to the planting of 9.5 million trees increasing forest cover from 6% in the early 1990s to 23% in 2023, with nearly a third of planting delivered through the planning system.](#)

Landscape

Policy BNE4: Landscape Character and Local Distinctiveness

- A** The character, local distinctiveness, and quality of South Derbyshire's landscape and soilscape will be protected and enhanced through the careful design and sensitive implementation of new development
- B** Development proposals will be expected to retain key valued landscape components though:
- Designing with the principle of integrating natural features, including the retention of trees and hedgerows and with effective management plans to maintain these features for at least 30 years after development has completed
 - conserving local distinctiveness by using landscape character type to inform its design,
 - retaining features which contribute to the landscape character of the area including hedgerows, trees, woodland, field boundaries, waterbodies and watercourses,
 - offsetting the loss or damage to existing landscape features where harm resulting from a development cannot be avoided and the impact is necessary to facilitate an otherwise acceptable scheme by the provision of alternative, replacement or additional landscape features either within the site, or in an appropriate alternative location,
 - incorporating mitigation measures where appropriate which are suitable to the character type,
 - respecting the character of developed areas and rural landscapes that are of historic importance.
- C** Development that will have an unacceptable impact on landscape character (including historic character), visual amenity and sensitivity and can not be satisfactorily mitigated will not be permitted.

- D** A landscape and visual impact assessment will be required for all major development proposals and for other proposals where they are likely to have a significant impact upon the intrinsic landscape and character of the countryside.
- E** In bringing forward proposals developers will be expected to demonstrate that close regard has been paid to the landscape types and landscape character areas identified in The Landscape Character of Derbyshire. Proposals should have regard to the woodland and tree planting, landscape management and habitat guidance set out in this document and demonstrate that mitigation proposals are appropriate to the character of the landscape.
- F** Within the National Forest Area developers will be expected to demonstrate that close regard has been paid to the landscape types and landscape character areas identified in the National Forest Landscape Character Assessment within the design of the scheme, the incorporation of woodland planting and landscaping as well as the long-term management of woodland assets.
- G** The Council will seek to protect soils that are 'Best and Most Versatile', (Grades 1, 2 and 3a in the Agricultural Land Classification)

Explanation

- 9.43 The National Planning Policy Framework (NPPF) establishes national policy on a range of planning issues including landscape issues such as designated and undesignated landscapes, development in the countryside, the natural and built environment and local character and distinctiveness.
- 9.44 The NPPF states that planning is to take account of the different roles and character of different areas recognising the intrinsic landscape and character of the countryside and its contribution towards conserving the natural environment. The NPPF also specifies that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 9.45 The scale of new development proposed over the Plan period could significantly affect the visual quality and diversity of the landscape in South Derbyshire. In order to ensure that landscape change resulting from new development is managed, the Council will work with various stakeholder, such as Derbyshire County Council, The National Forest and the District Council will undertake Landscape Character Assessments and area appraisals, where possible, to help inform the location of new development sites.

- 9.46 These assessments seek to differentiate between landscape types based on geology, soil, landform, land use, woodland cover, enclosure and settlement pattern. By identifying the features, or elements, which contribute to the special character of different landscape types, these assessments can help developers design and locate their development projects in order that landscape impacts are minimised.
- 9.47 The Council will expect all developments to demonstrate how they respect local landscape character and where practicable contribute towards enhancing landscape character. Guidance such as 'Right Tree, Right Place'³⁶ should be referred to.
- 9.48 The National Planning Policy Framework states that planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land and that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. The Council recognises that development (soil sealing) has an irreversible and adverse impact on the finite national and local stock of BMV land. Avoiding loss of BMV land is a priority as mitigation is rarely possible. Retaining BMV land enhances future options for sustainable food production.

³⁶ [Right Tree, Right Place | Staffordshire Wildlife Trust \(staffs-wildlife.org.uk\)](https://www.staffs-wildlife.org.uk/)

Introduction

- 10.1 Infrastructure includes transport, flood risk measures, education, health, leisure (open space, play areas, green infrastructure), other community needs (e.g., local centres, libraries), as well as the delivery of utilities (e.g., power, water supply, sewerage treatment works, communications technology).
- 10.2 The scale of development allocated in the Local Plan necessitates improvements to local physical, social or green infrastructure. Previous consultation on the Local Plan ([Issues and Options Consultation](#)) highlighted local concern about the capacity of local infrastructure to accommodate large scale growth. The main concerns raised tend to reflect the effect new development will have on an already stretched road network, the capacity of local and secondary schools and access to healthcare.
- 10.3 As strategic sites are developed, the necessary infrastructure needs to be in place in time to meet the local needs of the existing and new (local) population. The necessary infrastructure requirements resulting from the development of the strategic sites identified in the Local Plan will be identified costed, sources of funding identified and timetabled to fit with the development of the strategic site itself. This information will be set out in an Infrastructure Delivery Plan (IDP), which will be a living document.
- 10.4 [The Council will continue to work closely with statutory bodies \(such as National Highways, County Highways Authority, Local Education Authority, NHS Derby and Derbyshire Integrated Care Board, utility providers\) and other public and private bodies, to ensure that the Local Plan is supported by infrastructure. This strategy will be based on an assessment of the infrastructure needs of individual site allocations to ensure that development is sustainable.](#)
- 10.5 Our lives are enriched by the green spaces which surround us. Some of these public spaces, like public parks, are planned and designed. Others, such as the river corridors or ancient woodland, may be more natural. Sometimes our green assets are unintended consequences of other kinds of planning – motorway verges, railway embankments and historic canals provide a network of connected green spaces. Up until recently, these assets have generally been thought of in terms of single

functions. Parks were conceived of as areas for play and recreation. Wildlife reserves were places dedicated to the preservation of particular habitats or species.

10.6 Increasingly, however the green spaces which are dotted around our towns and villages are being viewed not as individual assets with a single purpose, such as playing field, wildlife site or floodplain which are unrelated to each other, but rather as a complementary network of 'Green Infrastructure' or GI. These elements perform a vast range of functions and deliver many benefits. For example playing fields can be managed for the benefit of nature, open spaces around new homes can be designed to help reduce flood risk to local communities.

10.7 Developing a network of Green infrastructure, a process which involves planning, design, implementation and management, presents an opportunity to achieve many social, environmental and economic objectives. Its multifunctional nature, with benefits enhanced through connectivity, means that GI represents an opportunity to significantly improve the value of the spaces around our towns and villages. A managed network of green spaces and habitats provide multiple benefits which exceed the sum of the individual parts. These include:

- climate change mitigation and adaptation;
- contributing to local distinctiveness;
- safeguarding and encouraging biodiversity;
- improving economic productivity;
- delivering food and energy security;
- public health and wellbeing benefits;
- Improving social cohesion;
- reconnecting people with the natural environment;
- ensuring the sustainable use of a finite land resource.

Infrastructure and Developer Contributions

Policy INF1: Infrastructure and Developer Contributions

A New development that is otherwise in conformity with the Local Plan **but only provided** the necessary on and off site infrastructure will normally be permitted if the necessary on and off-site infrastructure required to support and mitigate the impact of that development is either:

- i) **Already in place, or**

ii) There is a reliable mechanism in place to ensure that it will be delivered in the right place, at the right time and to the standard required by the Council and its partners.

B The Council's Planning Obligations SPD covers infrastructure and service requirements, including site-specific infrastructure, to be delivered through S106 Planning Obligations. **If an infrastructure levy is adopted the Council will adopt a charging schedule to secure funding from new development towards infrastructure provision.**

C Where appropriate, the Council will permit developers to provide the necessary infrastructure themselves as part of their development proposals, rather than making financial contributions, **such infrastructure must meet relevant standards.**

D **Where directly related to the development, and fair and reasonable in scale and kind, developers will be expected to contribute toward recruitment, skills and training programmes to ensure that the benefits of development are maximised for local communities. Such contributions will be sought through S106 Planning Obligations and the mechanism for negotiating these will be identified in a future review of the Council's Planning Obligations SPD.**

E It is expected that development is appropriately supported and its effects mitigated, in the interests of sustainability. The viability of developments will also be considered when determining the extent and priority of developer contributions in line with the Infrastructure Delivery Plan.

F **Delivery of infrastructure critical to the delivery of a site (including drainage infrastructure) or critical to the site's effects on land outside the site boundary, should be completed as an early phase of the site's construction.**

Explanation

10.8 The NPPF states that strategic policies should make sufficient provision for

- infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- community facilities (such as health, education and cultural infrastructure)

- 10.9 The purpose of infrastructure planning is to establish what infrastructure is required to support proposed development, its likely cost, how it can be funded, who is responsible for its delivery and the timescale over which delivery can happen. Moreover it allows the different agencies responsible for infrastructure delivery opportunity to align their planning processes through constructive discussions.
- 10.10 Joint working with neighbouring local authorities, such as that between South Derbyshire District Council, Derby City Council, Amber Valley Borough Council and Derbyshire County Council, and other agencies such as utility companies is often a more cost-effective approach than a single authority working in isolation.
- 10.11 The NPPF states that 'local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.' Contributions toward skills and training programmes can potentially assist in achieving these outcomes. The need to improve local skill levels within the District is identified in the South Derbyshire Economic Development and Growth Strategy 2023-27 and in the South Derbyshire Employment Land Review as a means of enhancing the prosperity of the local population whilst meeting the needs of employers.
- 10.12 Historically the Council has relied on developer contributions secured through Section 106 of the Town and Country Planning Act to secure improvements to local infrastructure. [The Council may consider the introduction of an Infrastructure Levy, during future plan making.](#)
- 10.13 Planning Obligations may be sought from any development that has an impact requiring mitigation.

Sustainable Transport

Policy INF2: Sustainable Transport

- A** **i) Planning permission will be granted for development where:**
- a. travel generated by development, including goods vehicle movement, would have no undue detrimental impact upon local amenity, the environment, highway safety, the efficiency of transport infrastructure and the efficiency and availability of public transport services; and**

- b. appropriate provision is made for safe and convenient access to and within the development for pedestrians, cyclists, public transport users and the private car; and
 - c. car travel generated by the development is minimised relative to the needs of the development.
- ii) In order to achieve this, the Council will secure, through negotiation, the provision by developers of contributions towards off-site works where needed.
- iii) In implementing this policy account will be taken of the fact that in more remote rural areas there is often less scope to minimise journey lengths and for the use of non-car modes.
- iv) Planning applications for development with significant transport implications should be accompanied by a Transport Assessment and Travel Plan identifying the transport impacts of the proposal and measures needed to meet the criteria set out in Part 1 of this policy. Travel Plan measures should be funded by developer contributions appropriate to the impacts on the transport network caused by the development and **will be negotiated having regard to Derbyshire County Council's 'Developer Contributions Protocol'**. For development that is expected to have less significant transport implications, planning applications shall be accompanied by a Transport Statement.

B Active Travel Modes

- i) The Council will work in partnership with County Councils, neighbouring local authorities, the National Forest Company, charitable organisations, landowners and developers to secure the expansion, improvement and protection of walking and cycling networks, including public rights of way, cycle routes, greenways **and supporting infrastructure**. Routes should be coherent, direct, continuous, safe, secure and attractive and should contribute to the wider green infrastructure network wherever possible.
- ii) Where a need is identified in Part **A** of this policy, the Council will seek to negotiate the provision by developers of contributions toward new, or the enhancement of existing, walking and cycling routes and supporting infrastructure, including cycle parking facilities. **Provision will be sought with reference to routes identified in the Council's Cycle Network Supplementary Planning Document and may also include any new local links needed to connect to these.**

- iii) Development that is likely to prejudice the use of disused railway lines or canals for walking, cycling or horse riding will only be permitted where it can be demonstrated that there would be no practical prospect of implementation in the future.

C Public Transport

- i) The Council will work in partnership with County Councils, neighbouring local authorities, public transport operators and community transport operators to improve public transport services, infrastructure and information provision in the District.
- ii) Development should be designed and laid out in such a way as to ensure that, wherever possible, public transport services are within convenient walking distance of all site residents, staff and visitors.
- iii) Where a need is identified under Part A of this policy, the Council will seek to negotiate the provision by developers of appropriate contributions toward measures to encourage the use of public transport. These may include:
 - a. bus shelters and laybys
 - b. railway stations, public transport interchanges and associated infrastructure
 - c. financial contributions toward the cost of running public transport services.
- iv) Land is protected against development that would prejudice the establishment of new passenger railway stations at Castle Gresley, Drakelow and Stenson Fields as shown on the Policies Map. Development likely to impair the continuity of the Burton to Leicester railway line or otherwise compromise the potential establishment of a passenger rail service on this route will not be permitted.
- v) Land is protected for the development of an intermodal Transport Mobility Hub at Boulton Moor, Elvaston, as shown on policies map.

D Road & Rail Freight

- i) Where appropriate development should make adequate provision for service vehicle access, manoeuvring and off-street parking.
- ii) In order to ensure that residents and other occupiers are not unduly adversely affected by the transfer of goods generated by

development, the Council will give consideration to the **numbers and frequency of movements** proposed and the need for the control of hours of delivery and collection.

iii) **Land at Tetron Point and the associated rail siding connecting to the Burton to Leicester railway line, is protected from development that would compromise its capacity to be used for rail freight purposes.**

E Parking

Development should include appropriate car parking provision having regard to:

- i) the relevant **and most up-to-date** parking standards;
- ii) the need to ensure that development would not have an undue detrimental impact on pedestrian and cyclist movement and highway safety;
- iii) the need to provide sufficient conveniently located spaces to meet the needs of people with impaired mobility;
- iv) the conclusions of any Transport Assessment undertaken in accordance with **Part A** of this policy;
- v) the need to **make appropriate provision for electric vehicle charging.**

Explanation

10.14 For the purposes of Transport Policy INF2 Part A(iv), above, the submission of transport assessments or statements and travel plans will **be requested where appropriate, having regard to National Planning Practice Guidance and any local guidance issued by Derbyshire County Council, including the 'Developer Contributions Protocol'**.

10.15 It is acknowledged that deliverable engineering interventions, such as junction improvements, may not be able to mitigate fully the highway impacts of developments on their own. With the use of Travel Plans for developments, and the consideration of area-wide Travel Plans, reductions in private car use may be achieved, thus creating additional capacity on the road network, which will then be better able to absorb traffic increases from developments. These measures will also help contribute to the promotion of more sustainable forms of transport, for example in terms of accessing the workplace.

- 10.16 The Council wishes to encourage walking and cycling as an alternative to car use. In preparing development proposals reference should be made to the South Derbyshire Design Guide Supplementary Planning Document and the Council's Cycle Network Supplementary Planning Document.
- 10.17 The enhancement of railway infrastructure and services and the integration of bus and railway services are important to the achievement of greater public transport use and the Council will seek to encourage such provision wherever opportunities arise.
- 10.18 Land at Boulton Moor, Elvaston, is protected for the development of an intermodal transport mobility hub as part of the District Centre to be provided at Boulton Moor.
- 10.19 In recent decades a number of proposals to re-establish passenger services on the Leicester to Burton railway (the Ivanhoe Line) have been put forward as a means of encouraging modal shift toward public transport by improving local connectivity to the national rail network, most recently through the Department for Transport Restore Your Railways programme, funding for which has since been withdrawn. To retain the potential for such a proposal to be brought into being, the route of the Burton to Leicester railway line through the District and land needed for potential new railway stations and supporting infrastructure at Castle Gresley and Drakelow are protected.
- 10.20 Land is also protected for the development of a potential new railway station along the Derby to Birmingham line at Stenson Fields.
- 10.21 At Part D the policy aims to provide for the needs of employers whilst seeking to minimise the environmental and amenity impacts of freight movement.
- 10.22 The National Planning Policy Framework sets out the criteria to be taken into account in setting any local parking standards.
- 10.23 Developers are encouraged to provide electric vehicle charging facilities.

Strategic Rail Freight Interchange/Freeport

Policy INF3: Strategic Rail freight Interchange/ Freeport

- A** Land is safeguarded for the development of a Strategic Rail Freight Interchange/Freeport at Egginton Common, as shown on the Policies Map. This will represent a National Strategic Infrastructure Project.

B The development shall incorporate the following elements, which shall be completed before any business units on the site are occupied:

- i) an operational connection, to Network Rail track and signalling standards, to main trunk rail routes with sufficient available capacity and gauge capability of at least W8;
- ii) railway wagon reception and inter-modal handling and container storage facilities capable of accommodating 775 metre freight trains carrying modern wagons.
- iii) rail connected and rail accessible buildings,

C The development shall meet the following criteria:

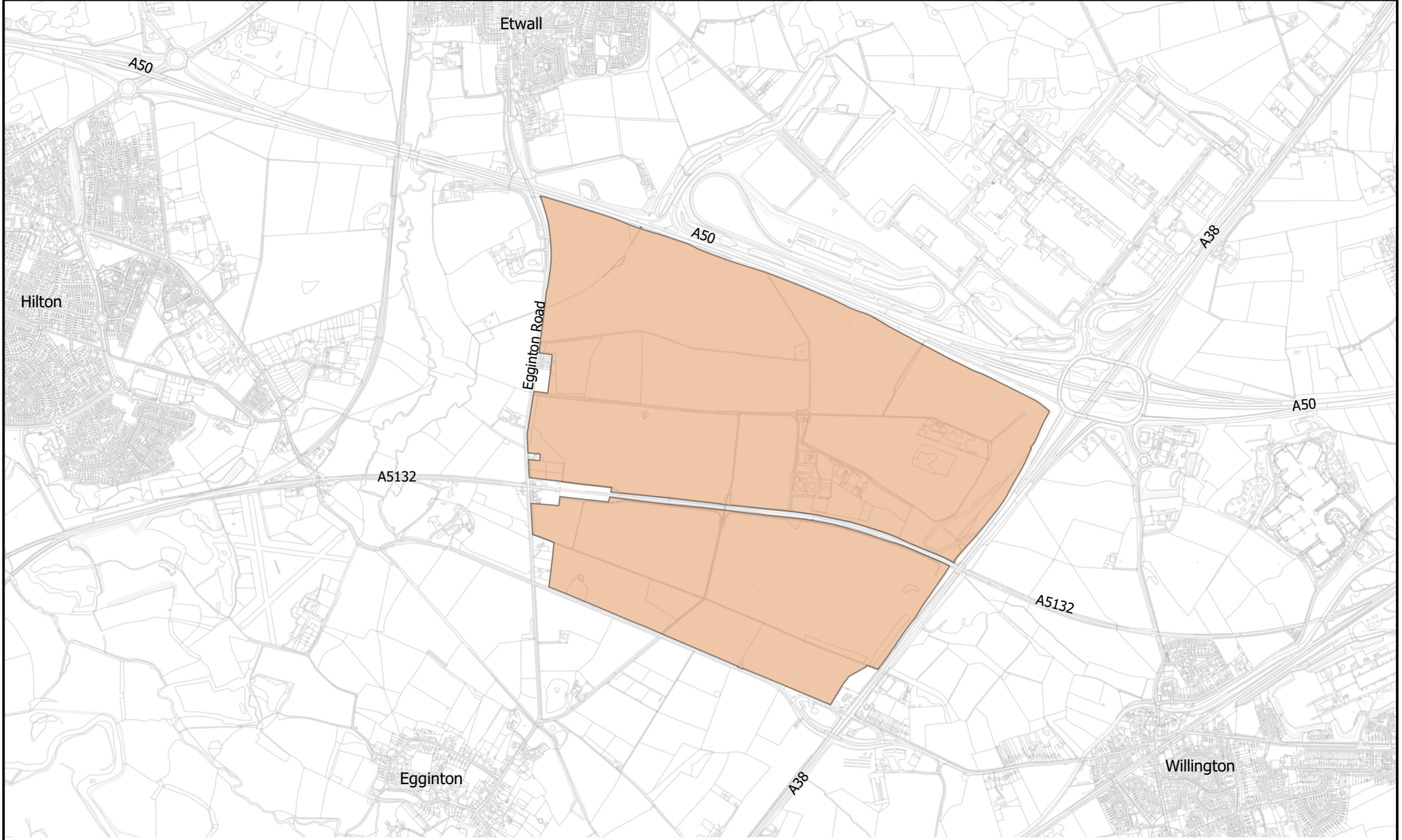
- i) An acceptable means of access to the trunk road network and parking and associated facilities for all goods vehicles shall be provided and operational arrangements shall minimise the use of local highways by heavy goods vehicles; and
- ii) there shall be no undue amenity or safety impacts including noise, vibration, odours, light pollution and traffic generation; and
- iii) the proposal shall be well designed and shall not cause undue harm to the character of the local landscape and shall contribute toward landscape scale enhancement in accordance with the Trent Valley Vision; and
- iv) the proposal shall preserve the character or setting of any listed buildings, conservation areas or other heritage assets; and
- v) the proposal shall not cause undue harm to features of ecological or environmental value and shall contribute toward the delivery of green infrastructure; and
- vi) appropriate provision shall be made to meet biodiversity net gain requirements as part of a wider network in the Trent Valley; and
- vii) the proposal shall not increase the surface water run-off rate from the site and shall not increase flood risk elsewhere; and

- viii) any new built development, other than that required for flood mitigation or recreation purposes, shall be limited to the area to the north of the Derby-Crewe railway line; and
- ix) the area to the south of the Derby-Crewe railway line shall be made publicly accessible for recreational purposes; and .
- x) **provision shall be made for convenient and safe access to the site on foot, by cycle and by public transport, including Key and Local Cycle Network routes connecting to population centres and bus services connecting to Willington railway station and population centres, including Swadlincote.**

Explanation

- 10.24 The East Midlands Freeport designation was announced by the Government in 2022. The designation covers the proposed Strategic Rail Freight Interchange (SFRI) at Egginton Common, identified in the policy above, together with sites outside South Derbyshire at Ratcliffe Power Station and the East Midlands Airport and Gateway Industrial Cluster ('EMAGIC'). Businesses locating within the Freeport will benefit from a package of financial (tax) incentives.
- 10.25 The proposed Egginton Common SFRI would represent a Nationally Significant Infrastructure Project (NSIP). NSIPs are projects which are considered by the Government to be of such national importance that permission to build them needs to be given at national level. NSIPs are therefore not determined by the local planning authority, but rather are given planning permission via a Development Consent Order (DCO). This is an application for approval to construct a NSIP and is dealt with by the Planning Inspectorate, which recommends the application to the Secretary of State, whom in turn has the authority to decide upon whether development should go ahead. The role of the local planning authority (in this case the District Council) is that of a statutory consultee. The items listed in this policy are those which the District Council would wish to be taken into account in the determination of the development consent application.
- 10.26 The National Networks National Policy Statement, published by the Department for Transport in 2024, is the primary basis for making decisions on development consent applications for NSIPs on the national road and rail networks in England. It states that the aim of a strategic rail freight interchange (SRFI) is to optimise the use of rail by maximising the primary journey by rail and minimising some elements of the secondary distribution (final delivery) journey by road, through co-location of other distribution and freight activities.

INF3: Location of Strategic Rail Freight Interchange/Freeport



10.27 The Government has announced a target to grow rail freight by at least 75% by 2050 and to facilitate this a national network of SRFIs is needed to serve regional, sub-regional and cross-regional markets. By safeguarding the site at Egginton Common the potential opportunity to establish such a facility in this location will not be compromised.

New Road Schemes

Policy INF4: Transport Infrastructure Improvement Schemes

- A** The Council will work with partners to deliver the following transport schemes:
- i) South Derby Integrated Transport Link phases 1 and 2, **and new A50 junction**
 - ii) A50 junction with the A38 improvement scheme
 - iii) A50 junction with the A514 improvement scheme
 - iv) **Walton-on-Trent Bypass**
 - v) **Swarkestone Causeway Bypass**
- B** Where required to mitigate the transport impacts of the development, the Council will seek to negotiate financial contributions toward these schemes. Proposals that would prejudice their implementation will not be permitted.
- C** In determining the detailed alignments and designs of these schemes regard shall be had to the following:
- i) **Minimising the impact on natural and built environment assets**
 - ii) **Taking full account of active travel routes along, or affected by, the schemes;**
 - iii) **Providing for the needs of pedestrians, cyclists and people with impaired mobility;**
 - iv) **Mitigating any potential flood risk impact.**
- D** **The indicative alignments of:**

i) the South Derby Integrated Transport Link Phases 1 and 2, and new A50 junction and

ii) the Walton-on-Trent Bypass

as shown on the Policies Map, shall be safeguarded against development that could compromise their delivery.

Explanation

- 10.28 The Council will seek, where possible, to meet the transport demand arising from new development through the use of remaining capacity in the existing transport network, or by measures to encourage and enable travel by non-motorised means. However, the evidence indicates that some new highway development will be needed in order to avoid unacceptable congestion. The Council will work in partnership with Derbyshire County Council, Derby City Council, developers and other organisations to deliver these schemes.
- 10.29 The South Derby Integrated Transport Link (SDITL) Phase 1 and a new A50 junction are needed to help mitigate the transport impact of development at Infinity Garden Village. Public sector funding has been identified to help deliver this new infrastructure, although a significant proportion of the cost will be expected to be met through developer contributions.
- 10.30 The South Derby Integrated Transport Link Phase 2 would connect the A38 junction at Rykneld Road with Phase 1. Together, phases 1 and 2 would provide a complete highway connection between the A38 and the A50. Although Phase 2 will not be required to mitigate the traffic impacts of currently proposed new development, the indicative alignment is protected to serve any growth in travel demand beyond the plan period that cannot be satisfactorily mitigated by other means.
- 10.31 The delivery of strategic housing development in the District will also be dependent upon the implementation of improvements to the capacity of the A50 junctions with the A38 at Burnaston and A514 at Chellaston, involving localised traffic control and localised carriageway widening, to be funded through developer contributions.
- 10.32 The Walton-on-Trent bypass, being provided in association with the Drakelow Park mixed use development is funded and has planning permission.
- 10.33 Swarkestone Bridge and Causeway is a Scheduled Ancient Monument and is not suited to the volume and mix of traffic using it. A limited investigative study was carried out in 2010, but it will be necessary to

undertake a broad range of further work and to secure funding before any scheme can be brought to the implementation stage.

East Midlands Airport

Policy INF5: East Midlands Airport

A Development which would adversely affect the operational integrity or safety of East Midlands Airport will not be permitted. The outer boundary of the Safeguarded Area is shown on the Policies Map and within this area consultation will be undertaken with East Midlands Airport for the following proposals:

- i) All buildings, structures, erections and works that exceed the height specified on the safeguarding map;
- ii) Any proposed development in the vicinity of East Midlands Airport which may have the potential to interfere with the operation of its navigational aids, radio aids and telecommunication systems;
- iii) The lighting elements of a development which may have the potential to distract or confuse pilots, particularly in the immediate vicinity of the aerodrome and of the aircraft approach paths;
- iv) Any proposal for an aviation use within a 13km circle centred on East Midlands Airport;
- v) Any proposal within a 13km circle centred on East Midlands Airport which has the potential to attract large numbers of birds. Such proposals include:
 - a) significant landscaping or tree planting;
 - b) minerals extraction or quarrying;
 - c) waste disposal or management;
 - d) reservoirs or other significant water bodies;
 - e) land restoration schemes;
 - f) sewage works;

- g) nature reserves;
- h) bird sanctuaries.
- i) Any proposal for a wind turbine development within a 30km circle centred on East Midlands Airport.
- j) Proposals for large-scale solar photovoltaic arrays which have the potential to generate glint and glare, particularly in the immediate vicinity of the airport and of the airport approach and departure paths.

Explanation

10.34 The Department for Transport Circular 1/2003 is accompanied by "Aerodrome Safeguarding Maps" which identify areas where consultation must be carried out with the aerodrome operator regarding planning applications for certain types of development. [An officially safeguarded area has been established for East Midlands Airport by the government.](#)

10.35 Whilst East Midlands Airport lies outside South Derbyshire, in the neighbouring district of North West Leicestershire, a large part of the safeguarding area does extend into South Derbyshire and this policy provides the means to control development within the affected area.

Community Facilities

Policy INF6: Community Facilities

Provision of Community Facilities

- A** South Derbyshire District Council will require that development that increases the demand for community facilities* and services either:
- i) provides the required community facilities as part of the development, or:
 - ii) makes appropriate contributions towards providing new facilities or improving new existing facilities.
- B** [Development proposals for new community facilities will be supported where:](#)
- i) [they meet an identified local need;](#)

- ii) they are located on sites accessible by public transport and active travel modes wherever possible; and
- iii) they provide, where practicable, the provision and upkeep of multipurpose community facilities that can provide a range of services to the community at a single, accessible location.

Existing Community Facilities

- C** Alterations or expansion of an existing community facility to enhance, extend or diversify the level of service provided will be supported.
- D** Existing community facilities and land and buildings previously in use as a community facility will be protected except in exceptional circumstances, where it can be demonstrated (by proportionate evidence) that there is no current or anticipated demand for the facility or where an equivalent alternative is made.

***See Glossary for definition of community facilities.**

Explanation

- 10.36 The National Planning Policy Framework identifies the importance of community facilities and the need to sustain them.
- 10.37 Community facilities contribute to sustainable development by providing venues and services for a wide range of activities and can play an important role in bringing the community together.
- 10.38 Given the new homes planned in the District over the plan period, it is important that new community facilities are provided to meet the needs of the expanding community. The Council will work with developers to identify and deliver new community facilities essential to support developments within the Plan Period. Wherever possible, new facilities will be expected to be multifunctional and located in areas accessible to new and existing communities.
- 10.39 In addition, the Council will seek to restrict the loss of existing community facilities and land and buildings previously used as a community facility, to non-community uses, unless it can be demonstrated that there is no current or anticipated demand for retention of the site or unless an equivalent alternative facility is provided that is suitable for all users.
- 10.40 Any application involving the loss of community facilities or land and buildings previously used for community purposes will need to be supported by proportionate written evidence justifying the loss.

Evidence could include (but not limited to), information relating to the condition of the buildings; information about comparable facilities; evidence that there is no significant local support for its retention, which includes evidence of engagement with relevant local community groups and partner organisations; evidence that the facility has been marketed for its lawful use for a sustained minimum period of 12 months. The adequacy and persuasiveness of the evidence submitted will be judged on a case-by-case basis, with corroboration of evidence sought where deemed necessary.

Green Infrastructure

Policy INF7: Blue and Green Infrastructure

- A** The District Council will seek to conserve, enhance and wherever possible extend blue and green infrastructure in the District by working with partners to:
- i)** Ensure the continued protection of the District's ecological, biological and geological assets, with particular regard to sites and species of international, national and local significance;
 - ii)** Secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, blue and green infrastructure;
 - iii)** Promote the appropriate management of features of major importance for wild flora and fauna;
 - iv)** Protect designated and significant sites, such as Local and Regionally Important Geodiversity Sites (RIGS), candidate Regionally Important Geodiversity Sites (cRIGS), Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs), Local Nature Reserves (LNRs), Local Wildlife Sites (LWSs) and candidate Local Wildlife Sites (cLWSs), Local and National Biodiversity Action Plan-related (BAP) priority habitats and irreplaceable habitats. Blue and green infrastructure will be incorporated and/or connected to such sites, wherever possible.
 - v)** Support the Green Infrastructure Network, linking together Key Strategic Routes of regional and sub regional importance and providing for, in appropriate locations, visitor infrastructure that improves accessibility. The District Council will, in particular,

promote improved blue and green infrastructure provision in the following opportunity areas:

- a) Trent Strategic River / Trent & Mersey Canal Corridor;
- b) Derwent Strategic River Corridor;
- c) Dove Strategic River Corridor;
- d) Within the National Forest Area; and;
- e) Around the edges of Derby City and Swadlincote;
- f) Positively view proposals that seek to enhance the District's Green Infrastructure resource in support of tourism and leisure related development.

B Development proposals will be expected to ensure that:

The separate identity of existing communities shall be protected and enhanced with the provision of Blue and/or Green Infrastructure of an appropriate scale, taking into account the extension and enhancement of existing Green Infrastructure corridors including green wedges, and the provision of a buffer of sufficient width to provide usable and attractive spaces to enhance the setting and access to high quality open space for both existing and new communities where new communities are proposed.

C Existing and potential Green Infrastructure corridors and assets are protected and enhanced, giving priority to the location of new or enhanced strategic Green Infrastructure in locations for residential development

D The Green Infrastructure Network is enhanced, either on site or off site through contributions as appropriate, with new Green Infrastructure corridors and assets being as inclusive as possible, with provision being sought for more than one of the following:-

- access to employment and leisure facilities, Green Infrastructure corridors and assets, and the countryside,
- physical activity and well-being opportunities for local residents such as formal sports provision and allotments,
- educational resources for local residents,
- biodiversity opportunities,
- the provision of private land for conservation purposes
- tree planting (including outside of the National Forest)
- tackling and adapting to climate change,

- enhancement of landscape character
 - protection or enhancement of heritage assets and their setting,
 - protection or enhancement of all water bodies,
 - opportunities for sustainable leisure and tourism,
 - enhancement of existing park facilities,
- the development/change of use of existing open space, sports and recreational land, including playing fields, will only be permitted if:-
 - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by the creation of equivalent or better provision in terms of the quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

E The Council will expect all major development, where appropriate, to contribute towards the delivery of new green infrastructure which connects to and enhances the existing network of multi-functional spaces and natural features throughout the district. Such provision will be proportionate to the scale of the development and the site's context.

F Proposals that cause loss or harm to the green infrastructure network, including its function and amenity value, will not be permitted unless in accordance with the NPPF. Existing trees, woodlands and hedgerows should be retained wherever possible.

G Where adverse impacts on green infrastructure network are unavoidable, development will only be permitted if suitable mitigation measures for the network are provided.

H Within the Trent Valley, or other locally determined Nature Improvement Area, the District Council will support and help deliver the landscape scale change as promoted by the Lowland Derbyshire and Nottinghamshire Local Nature Partnership. Any development within the area defined by the Trent Valley Vision will be expected to contribute towards and assist in delivering the vision in accordance with the strategy. Such contributions may be in the form of appropriate design, suitable form and function, the delivery of Green and Blue Infrastructure, landscape and habitat enhancement, financial

contributions or other mechanisms as appropriate, to deliver an overall benefit within the Trent Valley Vision area.

- I All proposals for development within the catchment for the River Mease will need to demonstrate that they will have no adverse effects on the integrity of the Special Area of Conservation (SAC) either alone or in combination with other proposals and will contribute to long-term objectives to improve the condition of the site **and will not cause detrimental impacts to other watercourses**
- J Open space, including public open space will be protected and provided as an integral part of development proposals, where appropriate. Natural England's Green Infrastructure Framework should be considered wherever appropriate as well as potential opportunities to connect with broader networks, corridors and assets through the Local Nature Recovery Strategy and other cross-boundary projects.
- K All proposals for development in the District will integrate, wherever possible, biodiversity-enhancing features, such as street trees, green roofs and walls, sustainable drainage systems (SuDS), swift bird boxes, hedgehog-friendly garden fencing, ponds, storm water provision swales and/or raingardens. Connections will be sought, wherever appropriate, to footpaths and cycleways. The Council's Ecological and Climate Change Strategies, as well as any subsequent relevant strategies are to be considered as part of decision taking on proposals and applications.
- L Strategic development will be expected to follow the mitigation hierarchy and create or contribute towards new greenspace (such as parks, allotments, woodlands, nature areas, fields and playing fields) and ensure that damage to existing assets, including trees, woodlands, hedgerows, ponds, nature areas, lakes, rivers, canals is avoided.

Explanation

10.41 South Derbyshire contains a variety of green spaces such as river valleys and floodplains, woodlands, historic parks and gardens, public rights of way, wildlife sites and nature reserves. These spaces provide various benefits including biodiversity, visual amenity, sport and recreation. The purpose of this policy is to ensure that green spaces are conserved and enhanced.

10.42 However, it is not just large scale or strategic Green Infrastructure, which contributes towards a wider network of green space. Individual elements or features such as important hedgerows and trees, play spaces or ponds can help to bring wildlife and amenity benefits into the heart of communities. All schemes for new housing and commercial

development will be required to protect existing green infrastructure and landscape elements, as far as possible and bring forward development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and increase the provision of, and access to, green infrastructure.

- 10.43 The Council will expect developers to demonstrate how their proposals contribute towards the objectives and targets set out in the Lowland Derbyshire and National Forest Biodiversity Action Plans (as appropriate to the site location). Where new development includes proposals for habitat creation or the translocation of protected species and BAP priority habitats and species to help mitigate biodiversity impacts, the District Council will expect developers to contribute towards the ongoing management and maintenance of sites.
- 10.44 The Council will support proposals for large-scale green infrastructure projects within or adjacent to the opportunity areas identified in the [Blue and Green Infrastructure Policy](#), subject to projects conforming to wider policies set out in this Local Plan. Where proposals for new development or restoration of existing sites are proposed within identified opportunity areas, the Council will seek to ensure that sites have contributed positively towards local GI provision and wherever possible improve linkages between sites.
- 10.45 However, there are limitations to what the Local Plan (or planning system more generally) can do to deliver green infrastructure. Firstly, any green infrastructure delivered through planning policy must be carefully balanced against viability issues. Secondly, the influence of a Local Plan broadly relates only to new development. Therefore, it can at times have limited influence over current uses of land, unless these are required to change under the planning system. Instead, many of the suggestions would have to be achieved outside of the planning system.
- 10.46 The provision of different types of green infrastructure will be an important component of new development. As such it is important that where such provision is to be made onsite, that it is planned as an integral part of the development from the outset; it should not be an afterthought.
- 10.47 [Development proposals which result in the loss of green and open space are normally unacceptable. Such losses put increased pressure on remaining facilities and infrastructure, as well as a loss of amenity. If a loss is proposed and considered unavoidable, an assessment will be required to identify whether the site is suitable for a different type of green space use. This will be considered as part of the planning balance in determining an application.](#)

- 10.48 The provision of new ancillary sports facilities and play equipment may be supported on open space policy areas provided the development proposal improves the site and results in no significant loss of valuable open space used for recreational purposes. [Appropriate development on green space may include a new play area, a multi-use games area \(MUGA\), Neighbourhood Equipped Area for Play \(NEAP\), Local Equipped Area for Play \(LEAP\)](#), a sports pavilion, or changing room improvements or extensions.
- 10.49 In determining the appropriateness of green and blue infrastructure schemes, it is advised that guidance such as the Urban Greening Factor³⁷ and the Green Infrastructure Framework³⁸ are considered.

The Trent Valley

- 10.50 The River Trent is a major strategic river. There was, and in part still is, a distinctive landscape focused on the river, rich in historical features and wildlife. Permanent grasslands for seasonal grazing would traditionally define the floodplain with people living in villages located on the elevated river terraces along the valley surrounded by traditional mixed farming. In the last several decades these essential qualities have been eroded.
- 10.51 It has been identified that there is and will be increasing pressures for change in the Trent Valley through Derbyshire. The need to identify further minerals sites and the allocation of land for new housing growth will place further demands on the landscape of the Trent Valley within the Plan period. These pressures could change and fragment the open agrarian landscape character of the valley.
- 10.52 Further gravel extraction and housing growth will change the landscape character of the landscape irreversibly. The opportunity therefore exists to shape this change to deliver a new and attractive landscape with enhanced Green Infrastructure where people want to live, which attracts visitors to the area, provides new economic opportunities, and is rich in history and wildlife.
- 10.53 Key to this will be the development of a clear landscape vision and strategy that plans for landscape change over a long period. This approach has now been adopted and is being promoted by the Lowland Derbyshire and Nottinghamshire Local Nature Partnership (LDN LNP). The District has a duty to cooperate with the LDN LNP and will aim to assist in the development of the landscape vision and strategy to

³⁷ [Urban Greening Factor for England – Development and Technical Analysis - NERR132 \(naturalengland.org.uk\)](#)

³⁸ [Green Infrastructure Home \(naturalengland.org.uk\)](#)

deliver high quality Green Infrastructure across the Trent Valley for existing and new communities.

The National Forest

Policy INF8: The National Forest

- A** Within the National Forest, as defined on the Proposals Map, South Derbyshire District Council will work with The National Forest Company and other local authorities and partners to:
- i) Work with Partners to help deliver the National Forest Strategy 2014-2024 and any subsequent Strategy
 - ii) Provide opportunities for diversification of the economy, especially in relation to the woodland economy and tourism **development which reflects the National Forest Company's Sustainable Tourism Accommodation Design Guide**, including overnight accommodation;
 - iii) Create an attractive, sustainable environment;
 - iv) Provide a range of leisure opportunities for local communities and visitors: and
 - v) Achieve 33% woodland cover in the National Forest.
- B** Within the National Forest all residential schemes over 0.5ha and industrial, commercial and leisure developments over 1ha will be expected to incorporate tree planting and landscaping in accordance with National Forest Planting Guidelines.
- Landscaping will generally involve woodland planting, but can also include the creation and management of other appropriate habitats, open space provision associated with woodland and the provision of new recreational facilities with a woodland character. The appropriate mix of landscaping features will depend upon the setting characteristics, opportunities and constraints that individual sites present. The District Council recommend that early discussions are held with the National Forest Company. Further information is available from the National Forest Company's Guide for Developers and Planners³⁹
- C** **While on site planting is preferred, a commuted sum may be appropriate in certain circumstances, where planting and landscaping cannot be accommodated within or close to the development site or**

³⁹ [Planners Guide 2018.pdf \(nationalforest.org\)](#)

where the area of planting and landscaping is small or is isolated with limited connectivity to other habitats.

D Within the National Forest new development should ensure that:

- i) the siting and scale of the proposed development is appropriately related to its setting within the Forest,
- ii) the proposed development respects and does not adversely affect the character and appearance of the wider countryside.

E The Council will work with developers, the National Forest Company and other stakeholders to improve access to the Forest from new development sites and existing built up areas and deliver a step change in the quality of new development and the existing urban areas with an emphasis upon the use of Forest related construction materials where appropriate.

F Within the Heart of the National Forest development should support the delivery of the Heart of the National Forest Vision. The following types of development will be supported:

- i) Tourism and leisure attractions
- ii) Visitor accommodation where it complies with the Sustainable Tourism Accommodation Design Guide.
- iii) Proposals associated with the woodland, environmental and green economy and education or research in those sectors.
- iv) Enhancements to the footpath and cycleway network.
- v) Small scale renewable energy installations.
- vi) Volunteer facilities.

Development in the Heart of the National Forest should strengthen linkages to nearby urban areas and leisure and tourism attractions. Development will be exemplars of sustainable design and construction and seek to promote the use of non-motorised modes of travel. The District Council will support the National Forest Company and others in the delivery of the Heart of the National Forest Vision. Development in the Heart of the National Forest should demonstrate compliance with the Vision.

Explanation

- 10.54 The National Forest is a nationally designated area which covers an area of 200 square miles and extends from Charnwood Forest near Leicester to the east to the Needwood Forest near Yoxall in the west. Since its inception the National Forest Company has supported woodland creation increasing forest cover [from 6% to 23% across the forest area by planting 9.5 million trees to date⁴⁰](#). The environmental improvements implemented by the National Forest Company have brought about positive landscape change and habitat creation and have greatly strengthened the District's tourism and leisure offer.
- 10.55 The National Forest has been successful in securing [1,400ha](#) of green infrastructure since 1991 through the planning system, including development-related planting, mineral site restoration and derelict land reclamation to forest-related uses. [In the five years prior to 2024, planting through the planning system accounted for 30% of forest creation](#). In addition, more than £1.2m has been secured in commuted sums through Section 106 agreements towards off-site forest creation projects. The District Council will continue to work in partnership with the National Forest Company to achieve its long-term vision and goals and secure forest planting within all appropriate developments located within the National Forest. [The National Forest Guide for Developers and Planners⁴¹ sets out the requirements for woodland planting and landscaping as part of new developments](#).
- 10.56 In circumstances, where planting and landscaping cannot be fully accommodated on or adjacent to the development site, for example due to lack of land or viability issues, [or where the area of planting and landscaping is small or is isolated with limited connectivity to other habitats](#) a commuted sum will be negotiated. This will be towards the cost of purchasing land for planting, creating new woodland, providing public access to it and maintaining the site for at least 5 years. Commuted sums will normally be paid to the local authority and will need to represent any shortfall in planting on site. Where commuted sums are accepted the District Council will work in partnership with the National Forest Company to decide how they should be utilised.
- 10.57 Best practice guidance on the creation and future management of forest-related planting and landscaping schemes should be followed, as set out in the National Forest Company Guide for Developers and Planners.

⁴⁰ [HC 825 – National Forest Company Annual Report and Accounts For the year ended 31 March 2022](#)

⁴¹ [Planners Guide 2018.pdf \(nationalforest.org\)](#)

Open Space, Sport and Recreation

Policy INF9: Open Space, Sport and Recreation

- A** Current provision of open space and sports and recreation facilities in South Derbyshire is not sufficient to meet local need. To address this, the Council will work with partners to provide sufficient high quality green space and recreation facilities including sports pitches and built facilities, allotments, woodland creation, cemeteries and publicly accessible natural green space to meet the needs of new residential development and, where possible, to meet the needs of the existing population.
- B** Opportunities for creating new or enhanced facilities will be sought particularly where there are quantitative or qualitative deficiencies identified in the Council's most up to date Open Space, Sport and Recreation Assessment [or its equivalent](#).
- C** The loss of open space, sport and recreational facilities will only be permitted in exceptional circumstances where an assessment shows that existing open space and facilities exceed the required level of provision, the loss would be compensated for through equivalent or better provision or the development would involve the provision of alternative sport or recreation facilities for which there is a greater need.
- D** Wherever possible the Council will expect new open spaces to connect to existing Green Infrastructure in order to improve accessibility across and between sites and enhance the biodiversity.

Explanation

10.58 The National Planning Policy Framework states that Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. These should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine the level and type provision required.

10.59 Existing open space, sports and recreational buildings and land should not be built on unless:

- an assessment shows that the open space, buildings or land are surplus to requirements; or

- the resulting loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the need for which outweighs the loss.

10.60 The Council's Open Space Assessment Report indicates that:

- The current level of informal leisure provision is 0.73ha per 1000 people across the whole District. This represents a deficit of informal leisure provision of 0.32ha per 1000 people.
- The current level of formal leisure provision is 1.17ha per 1000 people across the whole District. This represents a deficit of informal leisure provision of 0.13ha per 1000 people.
- The current level of play provision is 0.05ha per 1000 people across the whole District. The District's target is for 0.19ha of play space per 1000 people. This represents a significant deficit of play provision.
- Based on existing open space provision there is a requirement for 25.4m² of land per person/bedroom (or 2.54 ha per 1000 people) for new development
- In regard to indoor sports facilities, the District currently lacks two badminton courts and one swimming lane.

10.61 The Council will seek to address any identified shortfalls in open space and built leisure provision by securing new facilities within future development and/or by securing funding for the delivery of new and improvement of existing open spaces. The loss of open spaces will be resisted by the Council except in exceptional circumstances. Details of developer requirements will be published in a Supplementary Planning Document.

10.62 In bringing forward new open spaces, the Council will, wherever possible, seek to ensure that new open space provision links up with and enhances existing open spaces green corridors and other green infrastructure. Further information on green infrastructure is set out in Policy INF7.

10.63 Interest in allotments has risen significantly in recent years. Allotments provide multiple benefits, as a source of sustainable food provision helping to reduce food miles, contributing towards healthy lifestyles through both exercise and as a source of fresh local food, and by supporting community cohesion. It is difficult to forecast future levels of demand, but there is currently a long waiting list of prospective tenants.

10.64 There is a shortage of cemetery space, which is particularly acute in the Swadlincote Urban Area and is likely to affect the whole District in coming decades.

Tourism Development

Policy INF10: Tourism Development

- A** Tourism development, including overnight accommodation and visitor attractions, will be permitted:
- i) Within or adjoining the urban area or the Key Service Villages or;
 - ii) In other appropriate locations where identified needs are not met by existing facilities.
- B** The District Council will seek to maximise opportunities to deliver new, or improve existing sustainable access arrangements including public transport provision, walking and cycling provision where appropriate.
- C** In all cases the District Council will expect new tourism development to be
- i) provided through the conversion or re-use of existing buildings or;
 - ii) accommodation of a reversible and temporary nature, or
 - iii) sustainable and well-designed new buildings, where identified needs are not met by existing facilities, subject to all the other relevant policies in the Local Plan. **Where proposals including accommodation facilities are located in the National Forest, development will be expected to refer to the Sustainable Tourism Accommodation Design Guide.**
- D** New tourism development that is likely to give rise to undue impacts on the local landscape, natural environment or cultural heritage assets will be refused. **A business plan will be required to demonstrate that such considerations have been addressed.**

Explanation

10.65 The District has a good range and diversity of visitor attractions and things to do. **The National Forest, which covers roughly one third of the**

[District](#), offers an important opportunity to develop the visitor economy further, whilst recognising the need to protect the rural character of the area, which is in itself a key tourism asset. The Heart of the National Forest area is a particular focus for tourism development.

- 10.66 [In addition to the National Forest](#), South Derbyshire offers a mix of types, standards, sizes and prices of tourist accommodation, including [Mercia Marina, Elvaston Castle and Country Park, Calke Abbey including Foremark & Staunton Harold Reservoirs, Rosliston Forestry Centre, Melbourne Hall & Gardens and Catton Hall estate](#). The [National Forest Tourism Growth Plan](#)⁴² identifies a need to expand provision, particularly in regard to the self-catering sector.
- 10.67 New visitor attractions and accommodations that would diversify the appeal of the area throughout the year will be encouraged. Development that would have a significant adverse impact upon heritage assets or their settings will not be considered appropriate. [Potential locations of increased attraction which will be supported include the Trent & Mersey Canal, including the Shardlow Inland Port and canal village, as well as the restoration of the Derby and Sandiacre canal.](#)
- 10.68 New hotels should ideally be located in the main urban area of Swadlincote, [the Derby urban area periphery](#), and in key villages where services and facilities are close at hand and from where much of the District is accessible by public transport. The conversion of redundant rural buildings can provide tourist accommodation whilst assisting in farm diversification and protecting the countryside. It can also assist in the protection of traditional rural buildings and heritage assets, where these might otherwise become redundant and fall into disrepair. The Council may require a legal agreement to ensure that new or converted buildings remain as tourist accommodation and do not become permanent dwellings.
- 10.69 Tourism development of a permanent nature, in locations not within or on the edge of an urban area or Key Service Village, will normally be permitted where identified needs are not met by existing facilities, subject to all other relevant policies in the Local Plan. Any such development should be sustainable and well designed.
- 10.70 There is increasing demand for cabin and static caravan accommodation, as well as camping, touring caravan sites and marinas. It is important to ensure that such development is sited and designed so as to avoid any detrimental impact on the character of the surrounding area. Where appropriate, the use of landscape

⁴² [National-Forest-Tourism-Growth-Plan-Web-Document.pdf \(nationalforest.org\)](#)

features can help to ensure that such proposals will not appear unduly prominent.

- 10.71 In the interests of sustainability and avoiding the use of rural highways by unsuitable vehicles, sites should offer an appropriate level of accessibility by non-car modes, whilst recognising the need for flexibility in rural areas, particularly in relation to smaller scale proposals, as there are often fewer opportunities for sustainable access in these locations.

Appendix 1

Glossary

<p>Aerodrome safeguarding map</p>	<p>Aerodrome Safeguarding Maps identify areas where consultation must be carried out with the aerodrome operator regarding planning applications for certain types of development. An officially safeguarded area has been established for East Midlands Airport by the government.</p>
<p>Adaption</p>	<p>A change or modification to suit new conditions or needs.</p>
<p>Affordable Housing</p>	<p>Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:</p> <ul style="list-style-type: none"> iii) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent). iv) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

	<p>v) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.</p> <p>vi) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.</p> <p>First Homes: are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which:</p> <p>a) must be discounted by a minimum of 30% against the market value;</p> <p>b) are sold to a person or persons meeting the First Homes eligibility criteria (see Planning Practice Guidance);</p> <p>c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,</p> <p>d) after the discount has been applied, the first sale must be at a price no higher than £250,000</p>
Agricultural Land Classification	Agricultural Land Classification is a system used in England and Wales to grade the quality of land for agricultural use
Air Quality Management Areas	Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.
Allocation	A site identified in the local plan to be developed for a specific land use(s).
Amenity	A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open

	land, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.
Ancient or veteran tree:	A tree which, because of its great age, size or condition is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.
Ancient woodland:	An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites.
Archaeological interest	There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
Article 4 Direction	A direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 which withdraws permitted development rights granted by that Order.
B2 Use Class	B2 is a Use Class within the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. B2 (general industrial related to industrial process other than those falling within Use Class E(g))
B8 Use Class	B8 is a Use Class within the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. Use Class B8 (Storage and Distribution). This class includes open air storage.
Best and most versatile agricultural land	Land in grades 1, 2 and 3a of the Agricultural Land Classification.
Biodiversity	The whole variety of life encompassing all genetics, species and ecosystem variations. This includes diversity within species, between species and of ecosystems.
Biodiversity Action Plan (BAP)	An internationally recognised programme addressing threatened species and habitats, designed to protect and restore biological systems. The 2024 <i>UK Biodiversity Framework</i> replaces the 'UK Post-2010 Biodiversity Framework', published in July 2012, which itself succeeded the UK BAP.
Biodiversity Net Gain (BNG)	BNG is mandatory under the Environment Act. It makes sure that habitat for wildlife are left in a measurably better states than they were before the development. Developers must deliver a BNG of 10% (on certain sites). This means a development will result in mor or better quality natural habitat than there was before development ⁴³ .

⁴³ [Understanding biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/understanding-biodiversity-net-gain)

Biomass	The biodegradable fraction of products, wastes and residues from agriculture (including plant and animal substances), forestry and related industries.
Blue Infrastructure	The network of natural or semi natural aquatic elements in the environment, such as wetlands, streams, rivers, ponds etc
Brownfield Land	Land which has previously been developed encompassing vacant or derelict land, infill sites and land occupied by redundant or unused buildings.
Brownfield registers	Registers of previously developed land that local planning authorities consider to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017.
Building Regulations	Building Regulations set standards for building to ensure buildings are safe, healthy and high performing.
Buildings at Risk Register	Listed buildings (and scheduled monuments) believed to be at risk due to neglect or decay that are included on the Buildings at Risk Register compiled by Historic England.
Building for a Healthy Life (BHL)	Building for a Healthy Life is a design toolkit for creating places that are enter for people and nature. It updates Building for Life 12. It has seen written in partnership with Homes England, NHS England and NHS Improvement.
Climate Change	Long term change on weather patterns and increased global temperatures, which is likely to be caused by an increase in carbon emissions.
Climate Change Act (2008)	The 2008 Climate Change Act is the primary legislation that underpins action to address climate change by the UK. It provides a framework for climate change mitigation and adaption and sets legally binding targets to reduce carbon dioxide emissions in the UK by at least 80% by 2050, from 1990 levels.
Community Heat Network	Community heat networks are central heating systems that are shared though a network by a whole community.
Community Facilities	Facilities used by local communities for leisure and social purposes. Examples of community facilities would include, but not exclusively, village halls, community centres and meeting places, places of worship, cultural buildings, pubs, sporting facilities accessible by the public and play areas.
Infrastructure Levy (CIL)	Is a levy that local authorities can choose to charge on new development in their area. In areas where an Infrastructure Levy is in force, landowners and developers must pay the levy to the local council. The charges, set by the local council and independent examined are based on the size and type of the new development. The money raised from IL is used to fund the provision, improvement, replacement,

	operations or maintenance of infrastructure to support the development of its area.
County Wildlife Sites	Are areas of land recognised as being at least county, sometimes national importance for their nature conservation value, this is defined by the presence of important, distinctive and threatened habitats and species.
Conservation area	A designated area of special architectural and/or historical interest, the character or appearance of which it is desirable to preserve or enhance. It is a recognition of the value of a group of buildings and their surroundings and the need to protect not just individual buildings but the character of the area.
Derby Urban Area	The urban area of Derby and planned extensions to it in the administrative boundaries of Derby City, South Derbyshire and Amber Valley.
Derbyshire Spatial Energy Study	Derbyshire Spatial Energy Study was undertaken by Derbyshire Local Authorities. The study undertook a spatial energy assessment for Derbyshire. The purpose of the study is to provide an evidence base which will ensure better integration of energy system planning with the growing need to address and mitigate climate change at location and regional levels within Derbyshire.
Design code	A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.
Design guide	A document providing guidance on how development can be carried out in accordance with good design practice, often produced by a local authority. The government has produced a National Design Guide which can help to guide development decisions.
Designated heritage asset	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Developer Contributions	Monetary contributions which may be made by a developer as part of a legal agreement (S106 or CIL) when a planning permission is granted. The money is used to provide local facilities and infrastructure.
Developer Contributions Scheme	The Developer Contribution Scheme (DCS) applied to development which contributed additional wastewater via the mains sewerage network to a sewerage treatment works which discharges into the catchment of the River Mease Special Area of Conservation. The capacity provided by DCS 1 and 2 have been exhausted. A DCS 3 is being developed.

Development	Development in the 1990 Town and Country Planning Act as “the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land”.
Development management	The process of reviewing planning applications submitted by development companies, homeowners or business. The decision will normally be made in accordance with the development plan, central government guidance and advice, and any other ‘material considerations’. If the application is successful, planning permission will be granted and development can go ahead.
Development plan	Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.
Development Plan Document (DPD)	A local policy document produced by the Council which makes up part or all of the Development Plan.
Development Framework Document (DFD)	A policy document, usually produced jointly with the relevant developers and neighbouring authority, to comprehensively guide development and support infrastructure delivery.
Diversification	The establishment of new enterprise in rural locations often re-using rural buildings and land that is no longer used for agriculture.
Duty to Cooperate	A legal duty included in the Localism Act 2011 for local planning authorities, and other public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross-boundary matters.
E(g) Use Class	E(g) is a Use Class within the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. Use Class E(g): uses which can be carried out in a residential area without detriment to its amenity of that area: E(g)(i): Offices to carry out any operational or administrative functions E(g)(ii): Research and development of productions or processes E(g)(iii): Industrial processes

East Midlands Combined County Authority	Is a combined County authority in England. It covers two ceremonial counties of Derbyshire and Nottinghamshire, in the wider region of six ceremonial counties.
Ecology	Ecology is the study of interactions among living things and their environment.
Environment Act	The Environment Act, acts as the UK's framework of environmental protection.
Environment Agency	Public Body with the principle aim to protect and improve the environment and to promote sustainable development.
Evidence Base	The information and data gathered by local authorities to justify the soundness of the policy approach within the Local Plan and supporting documents.
First Homes	See Affordable Housing.
Flood Plain	Generally flat areas adjacent to watercourses or the sea where water flows in time of flood or would flow but for the presence of flood defences
Future Homes Standards	A national requirement (as of 2025), the Future Homes Standard will ensure new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency. Relevant amendments have been made concurrently to Part L (energy efficiency performance targets and other requirements for new homes) and F (ventilation) of Building Regulations
Geodiversity	Geodiversity is the variety of rocks, fossils, minerals, natural processes, landforms and soils that underlie and determine the character of our landscape and environment.
Green Belt	A statutory designation of land, which fundamental aim is to prevent urban sprawl by keeping land permanently open. The five purposes of Green Belt as asset out in the National Planning Policy Framework are: <ul style="list-style-type: none"> • To check the unrestricted sprawl of large built up areas • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment • To preserving the setting and special characteristics of historic towns and • To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
Green infrastructure	The physical environment within and between cities, towns and villages. It is a network of multi-functional greens paces, including formal parks, open spaces, gardens, woodland green corridors and open countryside.
Greenfield Land	Land that has not been developed before or has returned to a natural state after being developed.

Gypsies and travellers	Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
Gypsy and Traveller Accommodation Assessment (GTAA)	The appraisal of accommodation needs for a broader definition of Gypsies and Travellers than defined above; the GTAA will include the needs of travelling showpeople or circus people (whether or not travelling together as such).
Habitats Directive	Habitats Directives provides a legislative framework for European Union countries to protect the most valuable and threatened biodiversity.
Habitat Regulations Assessment	This assessment is required to ensure that: <ul style="list-style-type: none"> • A strategy or plan either alone or in combination with other plans or projects, would not have a significant effect on a European site, and • Where the plan being produced is not directly connected with the management of the site for nature conservation
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic environment record	Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.
Housing Market Area (HMA)	A Housing Market Area is a geographical area defined by household demand and preferences for all types of housing , reflecting the key functional linkages between where people live and work. Derby HMA is made up of South Derbyshire District Council, Derby City and Amber Valley Borough Council.
Housing Mix	The provision of a mix of house types, sizes and tenures on housing development sites.
Infrastructure	The network of communications and utility services such as drains, water, gas, electricity, roads and telecommunications

	required to enable the development of land. The term is also used to describe social and community services such as schools, public transport, shops, libraries and places of worship.
Infrastructure Delivery Plan (IDP)	A plan to implement the necessary social, physical and green infrastructure, required to create sustainable communities in line with a Local Plan.
Irreplaceable habitat	Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, due to their account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fens.
Landscape Character Assessment (LCA)	Landscape character assessment (LCA) is the process of identifying and describing variation in character of the landscape. LCA documents identify and explain the elements and features that make landscapes distinctive by mapping and describing character types and areas.
Listed Buildings	Listed Building A building of special architectural or historic interest. The Planning (Listed Buildings and Conservation Area) Act 1990 gives the Department of Culture, Media and Sport on advice from Historic England, powers to list buildings of special architectural or historical interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures (for example, walls within its curtilage).
Local Centre	A group of shops and services which serve the immediate local area.
Local Green Space	Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. Local Green Spaces can be designated in Local Plan or Neighbourhood Plans.
Local Nature Recovery Strategy	Local nature recovery strategies are a new system of spatial strategies for nature and environmental improvement across England that will establish priorities and map proposals to drive nature's recovery and provide wider environmental benefits.
Local Nature Reserve	Are places with wildlife or geological features that are of special interest locally. District and County Councils have the power to acquire, declare and manage Local Nature Reserves.
Local Planning Authority	The public authority whose duty it is to carry out specific planning functions for a particular area.
Local Plan	A Development Plan Document, which plans for the future development within an administrative area, drawn up by

	local planning authorities in consultation with communities and other stakeholders.
Local Transport Plan (LTP)	A local transport plan is a statutory document prepared by the local highway authority (Derbyshire County Council), which sets out transport objectives, policies and strategy its area.
Local Wildlife Site	Are defined areas identified and selected locally for their nature conservation value. Their selection takes into account the most important, distinctive and threatened species and habitats.
Main town centre uses	Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).
Major development	For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m ² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
Minerals Safeguarding Area	Areas of known mineral resources that are of sufficient economic or conservation value to warrant protection for generations to come.
Mitigation Hierarchy	The mitigation hierarchy is a decision-making framework designed to address impacts on biodiversity and ecosystems. It consists of prioritized steps that lead to the best outcomes for people and nature. These steps are generally: Avoid, Reduce, Restore, Compensate/Offset. The mitigation hierarchy can be used it to improve the biodiversity value of projects. The framework is employed in various development-related processes such as Biodiversity Net Gain (BNG).
Mitigation measures	Measures to avoid, reduce or offset adverse effects of an external factor.
Mixed use	A development that comprises a combination is uses, such as residential, commercial, community and leisure uses on a site or a particular area.
National Character Areas	National Character Areas (NCAs) divide England into 159 distinct areas. Each is defined by a unique combination of: <ul style="list-style-type: none"> • landscape • biodiversity • geodiversity

	<ul style="list-style-type: none"> • history • cultural and economic activity <p>NCA boundaries follow natural lines in the landscape, not county or district boundaries.</p>
National Design Guide	<p>The national design guide sets out the characteristics of well-designed places and demonstrates what good design means in practice.</p> <p>The National Design Guide forms part of Government Planning Practice Guidance documents.</p>
National Forest	A national project for woodland creation, economic revival and tourism.
National Nature Reserve	A National Nature Reserve (NNR) is the land declared under the National Parks and Access to the Countryside Act 1949 or Wildlife and Countryside Act (1981). NNRs were established to protect some of England's most important habitats, species and geology, and to provide 'outdoor laboratories' for research.
National Planning Policy Framework (NPPF)	The National Planning Policy Framework (NPPF) sets out national planning policies for England and how they should be applied.
Nature Improvement Areas	Nature Improvement Areas are areas of the country where partnerships have been set up to enhance the natural environment.
Neighbourhood plans	A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. This is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.
Net Zero Carbon	Net zero means a development plan, or development project will not add, overall, to the total amount of greenhouse gases in the atmosphere
Non Designated Heritage Assets	Non-designated heritage assets are locally-identified buildings, monuments, sites, places, areas or landscapes identified by plan making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.
Nutrient Neutrality	Development plans or proposals can be considered 'nutrient neutral' where they can demonstrate that they will cause no overall increase in nutrient pollution affecting specified Habitats Sites.
Objectively Assessed Housing Need (OAN)	This is the term used in the NPPF to describe the requirement for local authorities in preparing their local plans to assess the demand for housing arising in a housing market area over the plan period and to identify the scale of housing supply necessary to meet that demand.

Older people	People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.
Open space	All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.
People with disabilities	People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.
Pitch (Gypsy and Traveller Site)	A designated place for a family of Gypsies or Travellers to live.
Planning condition	A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.
Planning obligation	A legally enforceable obligation entered into under Section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.
Planning Practice Guidance (PPG)	The Planning Practice Guidance adds further context to, and should be read in conjunction with, the National Planning Policy Framework.
Playing field	The whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
Plot (Travelling showpeople)	A 'plot' is an area on a 'travelling showpeoples' site (often called a "yard") developed for a family unit to live.
Policies Map	A map that illustrates geographically the policies within the plan.
Previously developed land (PDL)	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously

	developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
Primary frontage	Defined area where retail development is concentrated.
Regionally Important Geodiversity Sites (RIGS)	Are sites of regional and local importance for their geology.
Registered Historic Parks and Gardens	Area parks and gardens of historic interest in England. The register is managed by English Heritage.
Renewable and low carbon energy	Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).
Ribbon Development	The patten of houses built in a continuous row along a road, usually running outwards from a town
Rural exception sites	Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.
Scheduled Monument	Are nationally important archaeological sites or historic buildings which are given protection against unauthorised change.
Section 106 Agreements	Is a legal agreement which Councils can be entered into with a developer where it is necessary to provide contributions of offset negative impacts caused by construction and development. Examples include the provision of affordable housing, new open space and funding for school places.
Self-build and custom-build housing	Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1 (A1) and (A2) of that Act.
Sequential Test	A planning tool requiring a systematic approach to site selection. It requires certain sites or locations to be fully considered for development before less preferable sites or locations are considered.

Significance (for heritage policy)	The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
Site of Special Scientific Interest (SSSI)	Sites designated by Natural England under the Wildlife and Countryside Act 1981. SSSI are the finest sites for wildlife and natural features in England.
Special Areas of Conservation (SAC)	Is an area which has been given special protection under the European Union's Habitats Directive. SACs provide increased protection to a variety of wild animals, plants and habitats.
Strategic Environmental Assessment (SEA)	A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.
Strategic policies	Policies and site allocations which address strategic priorities in line with the requirements of Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004.
Sustainability Appraisal	A systematic review of the Districts Local Plan policies in order to evaluate their impacts on achieving sustainable development. The SA assesses the environmental, economic and social impacts of the plan.
Supplementary Planning Documents (SPD)	Documents providing more guidance and information relating to policies in Development Plan Documents.
Strategic Flood Risk Assessment (SFRA)	Is a strategic assessment of flood risk which identifies flooding from all sources across the district.
Sustainable Drainage System (SuDS)	A sequence of management practices and control structures designed to drain surface water in a more sustainable fashion than some conventional techniques.
Sustainable transport	Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling and public transport.
The Coal Authority	The Coal Authority manages the effects of past coal mining, including subsidence damage claims which are not the responsibility of licensed coal mine operators. It deals with mine water pollution and other mining legacy issues.
The Landscape Character of Derbyshire	The Landscape Character of Derbyshire identifies and describes the key features and characteristics of the landscape of Derbyshire outside the Peak District National Park.

Town centre	Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.
Transport assessment	A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and measures that will be needed to deal with the anticipated transport impacts of the development.
Transport statement	A simplified version of a transport assessment where likely impacts have been quantified, and it is agreed the transport issues arising from development proposals are limited and a full transport assessment is not required.
Travel plan	A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed.
Trunk Road	Roads carrying strategic traffic that are under jurisdiction of the Highway Agency.
Viability	In general terms the economic circumstances which would justify development occurring.
Viability Assessment	Where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether circumstances justify the need for a viability assessment at the application stage. Viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return.
Watercourse	Includes rivers, streams, ditches, cuts, rains and sewers (excluding public sewers) which water flows.
Water Framework Directive	A European Union Directive committing member states to achieve good qualitative and quantitative status of all water bodies by 2015

Windfall sites	Are sites that come forward for planning permission which have not been allocated in the local plan.
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Appendix 2

List of Superseded Policies

Policies listed here are policies that have been removed from the Plan either because they are sufficiently covered by the NPPF, amalgamated into another policy or are allocations that have been almost, or fully, developed (built out) and are no longer required.

- S2 Presumption in favour of Sustainable Development
- H5 Council Depot
- H8 Former Aston Hall Hospital, Aston on Trent
- H9 Land at Longlands, Repton
- H10 Land south of Willington Road, Etwall
- H12 Highfields Farm (South West of Derby)
- H14 Chellaston Fields, Chellaston
- H17 Holmleigh Way, Chellaston
- E4 Strategic location for Sinfin Moor Employment Site Extension
- E5 Safeguarded Employment Sites – Dove Valley Park



Appendix 3

List of Saved Policies

All policies, text, graphics and mapping in the Part 1 Local Plan (The part 1 Local Plan was adopted by SDDC Full Council on June 13, 2016.) are superseded by the part 1 Local Plan Review when adopted, unless the adopted review document specifically states otherwise.

The Part 2 Local Plan (adopted by SDDC Full Council on November 2, 2017) is saved in totality and is not superseded by the adoption of the Part 1 Local Plan Review.



Appendix 4

List of Evidence base

This is a list, though not exhaustive, of the evidence that has been used and gathered by South Derbyshire and also on a Derby HMA-wide basis:

[Derby HMA Boundary Study , May 2019](#)

[Derby Housing Market Area Growth Options Study, August 2021](#)

[Derbyshire Cycling Plan 2016 – 2030](#)

[Derby and Derbyshire Minerals Local Plan 2000](#)

[Derbyshire Local Transport Plan 3, 2011 – 2026](#)

[Derbyshire and Derby Minerals Local Plan – Pre Submission Draft 2023](#)

[Derbyshire Spatial Energy Study, 2022](#)

[Gypsies and Travellers Accommodation Assessment \(GTAA\), 2024](#)

[Derby and South Derbyshire Employment Land Review, October 2023](#)

[Derby and South Derbyshire Local Housing Needs Assessment, December 2023](#)

[Landscape Character of Derbyshire, 2014](#)

[Local Cycling and Walking Infrastructure Plan \(LCWIP\)](#)

[Strategic Housing and Economic Land Availability Assessment](#)

[South Derbyshire Cycle Network SPD](#)

[South Derbyshire Climate and Environment Strategy, 2021](#)

[South Derbyshire Economic Development and Growth Strategy 2023-27](#)

[Sustainability Appraisal](#)

[Swadlincote Town Centre Vision and Strategy, 2012](#)

[Swarkestone and Stanton by Bridge Bypass Engineering Feasibility Study, 2009](#)

Our Vision for The Heart of the National Forest, 2022

**Evidence base elements still to be completed as of the Autumn 2024
Regulation 18 Consultation** (non exhaustive)

Habitats Regulations Assessment of the Plan

Design Review for updated plan's strategic allocations

Strategic Flood Risk Assessment for the updated Plan

Housing Market Area and Local Plan Transport Modelling

Local Plan Viability Assessment

Infrastructure Development Plan update

Housing Implementation Strategy

Continuing work on the Local Plan Sustainability Appraisal (The SA is an iterative process conducted throughout plan making)

Evidence collected not yet published

Derby City Capacity Study