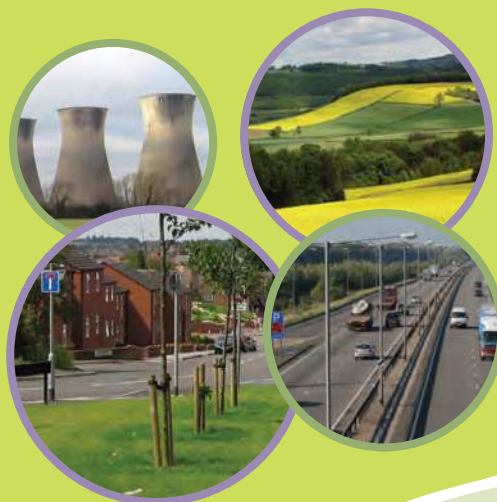




**South
Derbyshire**
District Council

South Derbyshire Local Green Spaces Plan



People | Place | Progress

www.southderbyshire.gov.uk

Date: November 2019

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Introduction

1.1 The planning policies for South Derbyshire are set out in a two-part Local Plan. The Local Plan Part 1 was adopted in June 2016 and the Part 2 was adopted in November 2017.

1.2 Local Green Spaces were introduced with the National Planning Policy Framework (NPPF). Whilst Local Green Spaces are not strictly defined in the NPPF, paragraph 100 sets out that the designation of local green spaces should only be made where the local green space is:

- In reasonably close proximity to the community it serves;
- demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- local in character and is not an extensive tract of land.

1.3 Local green spaces are areas of land that are of value to the local community. Such spaces should be identified and designated through either a local plan or neighbourhood plan. Local green spaces are not exclusively for rural areas, areas of green space in towns and cities that are demonstrably special to the surrounding community are as equally important as those in more rural areas.

1.4 The process of identifying potential local green spaces within South Derbyshire began through the Local Plan Part 2, with sites put forward in both the initial options consultation in December 2015 and the Draft Local Plan Part 2 in June 2016.

1.5 By the conclusion of the Draft Local Plan Part 2 consultation, around 150 sites within the District had been suggested in total. Whilst the level of interest and general support demonstrated the value of pursuing local green space designations through the local plan process, what was lacking with the vast majority of suggested sites was the evidence to support how each space was demonstrably special to the local community, as required by the NPPF.

1.6 The NPPF stipulates that local policy for managing development within Local Green Spaces should be consistent with policy for Green Belts, and that the presumption in favour of sustainable development would not normally apply in these areas.

1.7 National Planning Practice Guidance (NPPG) states a Local Green Space designation "is a way to provide special protection against development for green areas of particular importance to local communities". Such areas can include sports pavilions, structures such as war memorials, or urban amenity spaces.

1.8 The South Derbyshire Local Plan Part 2 includes a policy on Local Green Space, **Policy BNE8**, which sets out the requirement for allocations to be made through a separate document.

Policy **BNE8** states:

Local Green Space

Local Green Spaces will be protected from development except in very special circumstances or for the following limited types of development where they preserve the openness of the Local Green Space and do not harm the purpose for its designation:

- i) The construction of a new building providing essential facilities for outdoor sport. Outdoor recreation, cemeteries, allotments or other uses of the open land;**
- ii) The carrying out of an engineering or other operation.**

Designations of Local Green Spaces will be made through a separate Development Plan Document or Neighbourhood Development Plan. The Council will work to enhance the biodiversity, heritage, recreation and tranquillity value and where possible the public accessibility of Local Green Spaces through appropriate site management.

1.9 The NPPG encourages anyone who wishes to see an area of land designated as local green space to either contact their local planning authority regarding the Local Plan or to get involved in neighbourhood planning. Local green spaces are not a tool to prevent development and the NPPG makes clear that local plans must identify sufficient land in suitable locations for development. In South Derbyshire this has been undertaken through the adopted Local Plan Part 1 and Local Plan Part 2.

1.10 The NPPG states that local green space designation will rarely be appropriate where the land has planning permission for development. Should the planning permission no longer be capable of being implemented then the designation of a local green space may be considered, or where the development proposed would be compatible with the designation.

The process for designation

2.1 The Council has identified a total of 199 sites as potential Local Green Spaces (a full list of all proposed sites can be seen in the Sustainability Appraisal). Most of sites have been identified through consultations held by the Council in December 2015, June 2016, June 2017 and October 2018, although a small number have been identified by officers of the Council. The Council approved its methodology for assessing Local Green Space proposals in a report to the Environmental and Development Services Committee on the 19th April 2018. This report set out a two-stage approach that would be used to identify appropriate sites. The first stage has screened out sites, which the Council does not consider to comply with the requirements of the NPPF (and supporting guidance in the NPPG), with the exception of how the sites are demonstrably special to local communities. This issue was considered during a second stage of work.

2.2 The two assessment stages are set out below:

Stage 1 Assessment

In undertaking the first stage assessment the Council has considered the following:-

1. Is the space is in reasonably close proximity to the community it serves?

2.3 The Institute for Highways and Transportation recommends walking distances for non-commuting or school journeys is 800m (or equivalent to a 10 minute walk). However where a green space is proposed which provides playing pitches or outdoor sports provision within 1,200m (a 15 minute walk) then it will be considered acceptable in line with guidance provided by Fields in Trust (independent charity who work in partnership with local planning authorities to seek legal agreement for protection of playing fields) and included in the Council's Design Supplementary Planning Document (SPD). Any sites located a greater distance from the edge of the settlement boundary or edge of the settlement they serve were excluded from further consideration.

2. Is the site is an extensive tract of land?

2.4 The NPPG states the blanket designation¹ of open countryside adjacent to settlements will not be appropriate. It is considered that any site in excess of 5 hectares could constitute an extensive tract of land. In identifying this threshold regard has been had to a number of examiner's reports on local green spaces made through neighbourhood plans as well as a Counsel Opinion drafted in response to Castlethorpe Neighbourhood Plan (published February 2016). However exceptionally there may be a need to set any agreed threshold aside and allow for smaller sites to be considered extensive within the context they sit. Similarly there may be exceptional circumstances where larger sites could be considered appropriate for designation.

¹ Paragraph 15 (ref ID 37-015-20140306)

However any exceptions would need to be made as part of any nomination and supported by a strong and rational case explaining why the identified threshold should be set aside.

3. Is the site is capable of enduring beyond the Plan period?

2.5 Sites allocated for development in the Adopted Local Plan (Part 1 and Part 2), or have planning consent or a resolution to grant planning consent should be excluded from consideration. Similarly sites included in the Council's Strategic Housing Land Availability Assessment (SHLAA) will ordinarily be excluded unless the SHLAA identifies that the site is unsuitable for development.

4. Other factors that would exclude sites being designated as Local Green Spaces

2.6 In addition to the above criteria the Council has previously established a number of criteria to guide site selection, and consulted upon these in previous Local Green Space consultations. These criteria would rule out the designation of sites where there is duplication of existing protections afforded through national or local planning policy or where sites are deemed inappropriate for other reasons – for example because spaces are private gardens and are not public spaces. In detail the further criteria previously established are as follows:

4A. Does the site already benefit from protection through existing Local or National Policy

2.7 Where the site is already protected by designations such as Green Belt, wildlife designations, or protected by established open space policies there is little merit in a further designation. Whilst it is acknowledged that such protections are often made in the interest of protecting one aspect of the site (such as important heritage features), in most cases the policy protections provided would offer a level of protection that would safeguard the site generally for the benefit of local communities. However, there are instances where there may be justification for already protected sites to be designated. This will only be considered where it can be demonstrated that additional and substantive local benefits can be secured as a result of the local green spaces designation which is not otherwise conferred by national or local plan policy.

2.8 One such example of an occurrence could be where local sports provision is protected through local policy. For example the District Council has, in most instances, sought not to designate sports pitches and other formalised recreation spaces as Local Green Spaces. The justification for this rests on the fact that:

1) These sites already receive a level of protection from development management policies included in the Local Plan; Policy INF6 (Community

Facilities) and Policy INF9 (Open Space Sport and Recreation).

2) A local green space designation could undermine the delivery of some qualitative improvements to some types of sports provision, for example the creation of flood lit sports pitches or installation of high mesh fencing associated with sports pitches or some play equipment.

However, a small number of recreation grounds and sports grounds have been included where it is considered appropriate to protect the specific location, for example where it is adjacent to and used by existing schools or other community groups such as brownies, scouts, or air cadets etc., the space makes a demonstrable contribution to local character, or where the replacement of sites could not be easily delivered locally, for example because of the density of surrounding urban development.

4B. Is the space privately owned land?

2.9 Private residential land, gardens, paddocks or stables are not considered appropriate for designation as a local green space as they are not valued community spaces.

4C. Is the space considered a public memorial site?

2.10 Previous consultations indicated that the Council's view was not to include war memorial as Local Green Spaces. Part of the rationale for this was such memorials did not require further protection against development, particularly as many are listed or located in otherwise protected areas. However this is not universally the case and more detailed consideration of this issue indicates many spaces used as war or other memorials are informal spaces that are valued by local communities and are not necessarily protected through any other mechanism. Further information on potential listing of a memorial can be found at: <http://www.war memorials.org/>. War and other memorial sites will therefore be assessed on their merits against the other criteria previously listed above.

2.11 By reviewing all of the submitted sites against all the above criteria the Council has been able to identify those sites, which in its view would conform with the requirements of the NPPF and are therefore appropriate for designation.

Stage 2 Assessments

2.12 For those sites that pass the stage 1 assessment they were considered through a second stage of assessment before a decision on possible designation was made. These assessments address the outstanding requirement of the NPPF and consider how sites are:

- 1. demonstrably special to a local community and**
- 2. hold a particular local significance**

2.13 For example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife. These detailed site appraisals are included in the Sustainability Appraisal report. In undertaking the site appraisals, where it is clear that sites are not demonstrably special to the local community these have been discounted at stage 2.

Local Green Space policies

Introduction

3.1 Many of the sites being proposed as Local Green Spaces already play an important role in the local community. However many of these spaces could be further enhanced by improved management or further investment into local facilities. For this reason the Council is keen to work with landowners, or site managers to ensure that Local Green Spaces continue to play an important role to the communities that value them.

3.2 The Council is therefore proposing to supplement site designations and Policy BNE8 - Local Green Spaces in the Local Plan Part 2 with two further policies. One policy provides certainty to landowners and others about the type and nature of development that may be appropriate on designated sites and the other policy is the commitment to enhance spaces where opportunities arise.

Policy LGS1: Development on Local Green Spaces

Development, which is in accordance with Policy BNE8, will be supported on local green spaces where it will not unduly affect the openness and essential quality of the space, with particular consideration given to scale, design and location of the proposal.

Proposals should demonstrate consideration of how they will:

- A Protect, restore and enhance biodiversity and/or access to biodiversity.**
- B Improve community cohesion through considerations such as increased social activity.**

Explanation

3.3 The District Council has, in most instances, sought not to designate sports pitches and other formalised recreation spaces as Local Green Spaces. However, a small number of recreation grounds and sports grounds have been included where it is considered appropriate to protect the specific location of these.

3.4 Where recreation grounds or play areas have been put forward as a Local Green Space, the Council acknowledges there is a potential conflict between the need to preserve the character and openness of that space and the need to provide qualitative improvements to sites in sports or leisure use. Exceptionally there may be circumstances where floodlighting, fencing or other development that would harm the openness of a Local Green Space will be sought. In these circumstances the applicant would need to demonstrate that very special circumstances exist justifying the need for development, that any harm to the Local Green Space is minimised

and residual effects are outweighed by other considerations.

Infrastructure

3.5 The District Council recognises the importance of the timely delivery of infrastructure, at that in some circumstances, new infrastructure could be proposed that could affect designated green spaces.

3.6 The NPPF makes provision for the delivery of local transport infrastructure within the Green Belt. On this basis it is considered that the delivery of transport infrastructure within areas subject to a local green spaces designation is appropriate subject to proposals preserving its openness and not conflicting with the purpose of the designation. To this end, minor improvements to the highway network such as junction improvements, improvements to footways or other works to increase capacity or improve safety are likely to be acceptable where these are so small as not to affect the openness or essential character of the local green space. Where more substantial works are necessary the applicant will need to demonstrate that very special circumstances exist to justify works. Such circumstances could include the need to improve the operational capacity of the road in the interest of reducing congestion, improving access to non-car transport modes or works to improve highway safety.

3.7 A number of designated local green spaces are sites either notified for potential future school use by Derbyshire County Council or are sites immediately adjoining existing schools. None are subject to any proposals currently. The NPPF does not identify the development of schools or education buildings as an appropriate exception to Green Belt policy so such development would constitute inappropriate development within a designated local green space. As such, where development proposals come forward for a new school, or an extension of existing schools facilities the applicant will be expected to demonstrate that very special circumstances exist that outweigh any loss of or harm to a Local Green Space. Such exceptional circumstances could include the extent to which local need is being, or can be met in the future by existing facilities, the proximity of any new development site to the community it serves and the availability of suitable alternative sites that can sustainably meet local community needs.

3.8 Where new telecommunications, electricity, water or gas infrastructure is proposed within sites designated as local green spaces, the Council will expect the developer to demonstrate that new proposals preserve the openness and essential qualities of the local green space or where this is not possible demonstrate very special circumstances exist to justify the harm associated with new infrastructure development.

LGS2: Enhancement of Local Green Space

The Council will work positively with stakeholders to ensure the appropriate management of local green spaces. Opportunities will be sought to enhance local green spaces that could include:

Biodiversity

- A Improvements to the long term management of spaces through changes to site management regimes and the development of site management plans**
- B Where appropriate support will be given to the registration of local green spaces as 'receptor sites' with the Environment Bank to allow financial contributions to be used to compensate for impacts on development sites elsewhere through habitat creation or management.**

Accessibility

- C The Council will work with landowners, site managers and local community groups to support proposals that improve public access and connectivity of the spaces to the communities they serve.**
- D Where sites are not publically accessible, there will be no obligation for landowners to make sites so. Should a landowner be amenable to public or permissive access to their site, then the Council will work positively with the landowner and others to achieve this.**

Explanation

Biodiversity

3.9 Many of the sites designated as local green spaces are valued by local communities for their wildlife interest. Most of the sites reviewed through the site designation process have the potential to deliver biodiversity gains. Whether this is through small measures such as changing the mowing regime of sites; installing bird or bat boxes, or through large-scale habitat creation including tree planting, the Council will work positively and collaboratively with those land owners or managers seeking to deliver biodiversity gains on site. In addition, the space could be registered as a receptor site with the Environment Bank (www.environmentbank.com/) which would allow for the biodiversity gains on that space to be used as compensation against development sites in the District that are not necessarily able to show biodiversity gains.

3.10 Where new built facilities or other development is proposed that could harm biodiversity within a designated site proposals will be determined in accordance with the provisions of Policy BNE3 (Biodiversity) and Policy BNE7 (Trees, Woodland and Hedgerows) of the Adopted Local Plan.

Accessibility

3.11 All of the sites identified by the Council for designation have some degree of public accessibility. However, within some sites there may be opportunities to improve the connectivity of spaces to the local communities they serve or improve ease of access for all users. Where opportunities for improving accessibility arise the Council will work proactively with landowners, parish council's and other interested parties to improve accessibility within the site and enhance connectivity to existing public rights of way, cycling networks, greenways or other routes.

3.12 However the Council acknowledges that local green space designation does not confer any obligations on landowners to make sites accessible or maintain existing access arrangements that may be in place at the time of designation but are of a permissive or informal nature.

3.13 The concept of local green spaces was put forward in the Natural Environment White Paper in 2011. It recommended that a new Green Areas designation be introduced through the planning system that would give local people an opportunity to protect green spaces that have significant importance to their local communities. The White Paper further acknowledged the importance of green spaces to the health and happiness of local communities. However, just because a green space is already valued by the local community does not mean that there are not opportunities to deliver further enhancements. The Council considers that many spaces could be improved to deliver wider benefits, and in some cases local green space designation could kick-start improvements to sites by providing long-term certainty regarding the future of valued spaces, support the ongoing management of sites, or even help community groups to access grant funding by virtue of the recognition of the importance of spaces to local communities. The Council will work positively with landowners, Derbyshire County Council, parish councils, community groups and other stakeholders seeking to deliver appropriate and proportionate improvements to local green spaces that deliver wider community benefits.

3.14 The Council also recognises that for many spaces management of a site is an important aspect of preserving its unique qualities. Given that most spaces designated in this plan are publically maintained there could be significant opportunities to improve the long-term

management and condition of many green spaces. Even where sites are in private ownership some landowners may be amenable to considering how they manage sites in the interests of biodiversity, floodrisk, landscape or townscape character for local communities.

3.15 Where opportunities arise the Council will work positively with others towards ensuring the appropriate management and stewardship of sites in order that their value can be conserved and enhanced to ensure that sites are capable of enduring beyond the end of the plan period.

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Local Green Spaces

The list of Local Green Spaces is set out in the following table by settlement

Settlement	Site Ref	Site Name
Map 1	30	Ponds to the rear of Aston Hall
Aston on Trent	36	The Bowling Green
Map 2	149	Catherine Jonathon Playing Field
Egginton	150	Land Off Elmhurst
Map 3	37	Egginton Road
Etwall	38	Appletree Meadow
	39	South of Sutton Lane
	40	West of Main Street
	43	Sandypits Lane Playing Field
	44	Chestnut Grove Play Area
Map 4	114	West of Hillside
Findern	115	The Green
	116	East of The Hayes
Map 5	122	Land Adjoining Mill Wheel Car Park
Hartshorne	124	Land at Junction of Brook Street, Repton Road
Map 6	45	Field Avenue
Hatton	46	Hassall Road
Map 7	50	South of Egginton Road/Corner of Peacroft Lane
Hilton	51	Humber Street/Welland Road
	53	South of Main Street
	55	Wellavon Playground, Welland Road/Avon Way
	170	Mease Meadow
	171	Amenity area south of cycle route, Washford Road

Settlement	Site Ref	Site Name
Hilton continued	172	Amenity area south of cycle route, Avon Way
	173	Amenity area adjoining cycle route, The Mease
	174	Land between A5132 and New Road
	175	Bren Way
	176	Land north of Egginton Road
	177	Off Pegasus Way
	178	Woodland, South of the Mease
	180	Corner of Bren Way/Enfield Close
	181	Land adjacent to Hilton Brook, The Mease
	182	Enfield Close
	196	Bancroft Close
	197	Willowfields
	198	Foss Road
Map 8 Lees	152	Village Green
Map 9 Linton	168	Linton Orchard
Map 10 Melbourne and Kings Newton	58	West of Packhorse Road
	59	North of Station Road
	60	Washpit, Station Road
	61	Off Acacia Drive
	70	Holy well, Wards Lane
	77	Church Close
	87	Grange Close Recreation Ground
	179	Kings Newton Bowls Club

Settlement	Site Ref	Site Name
Map 11A	155	Verge adjacent to Orchard
Milton	164	Village Green, Mount Pleasant Road
Map 11B	93	East of High Street and south of Askew Grove
Repton	94	North of Milton Road
	95	Land at the Crescent
	96	Mitre Drive
	98	Pinfold Lane
	162	Land opposite the arboretum on Pinfold Lane
	163	Arboretum on Pinfold Lane
Map 12	127	North of Yew Tree Road
Rosliston		
Maps 13 A & B	99	South of London Road
Shardlow	100	Glenn Way
	101	The Wharf
Map 14	183	Berwick Drive
	184	South of Burnside Close
Stenson Fields	186	Harebell Lane
	187	West of Earls Drive
	188	East of Earls Drive
	189	Outran Way/Jessop Drive
	190	Wilton Close
	191	Bicester Avenue
	192	Pilgrims Way/Zetland Crescent
	193	Beaufort Road

	Settlement	Site Ref	Site Name
	Stenson Fields	194	Wragley Way
	continued	195	Hambledon Drive
Swadlincote	Map15	17	Off Gresley Wood Road
	Church Gresley	18	Gresley Wood, Gresley Wood Road
		19	Lathkill Dale
		20	Wye Dale
		21	Fabis Close
	Map 16		
	Castle Gresley	15	War Memorial (1)
	Map 17	2	Aston Drive
	Midway	3	South Of Edgecote Drive
		4	Off Lawns Drive
		5	Springwood Farm Road
		6	Sandholes Open Spaces, Eastfield Road
	Map 18		
	Swadlincote Town Centre	169	Diana Memorial Garden
	Map 19	9	Fairfield Crescent
	Newhall		
	Map 20	22	Sorrel Drive
	Woodville	23	Falcon Way
		24	Kingfisher Avenue
		25	Tern Avenue

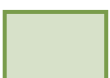
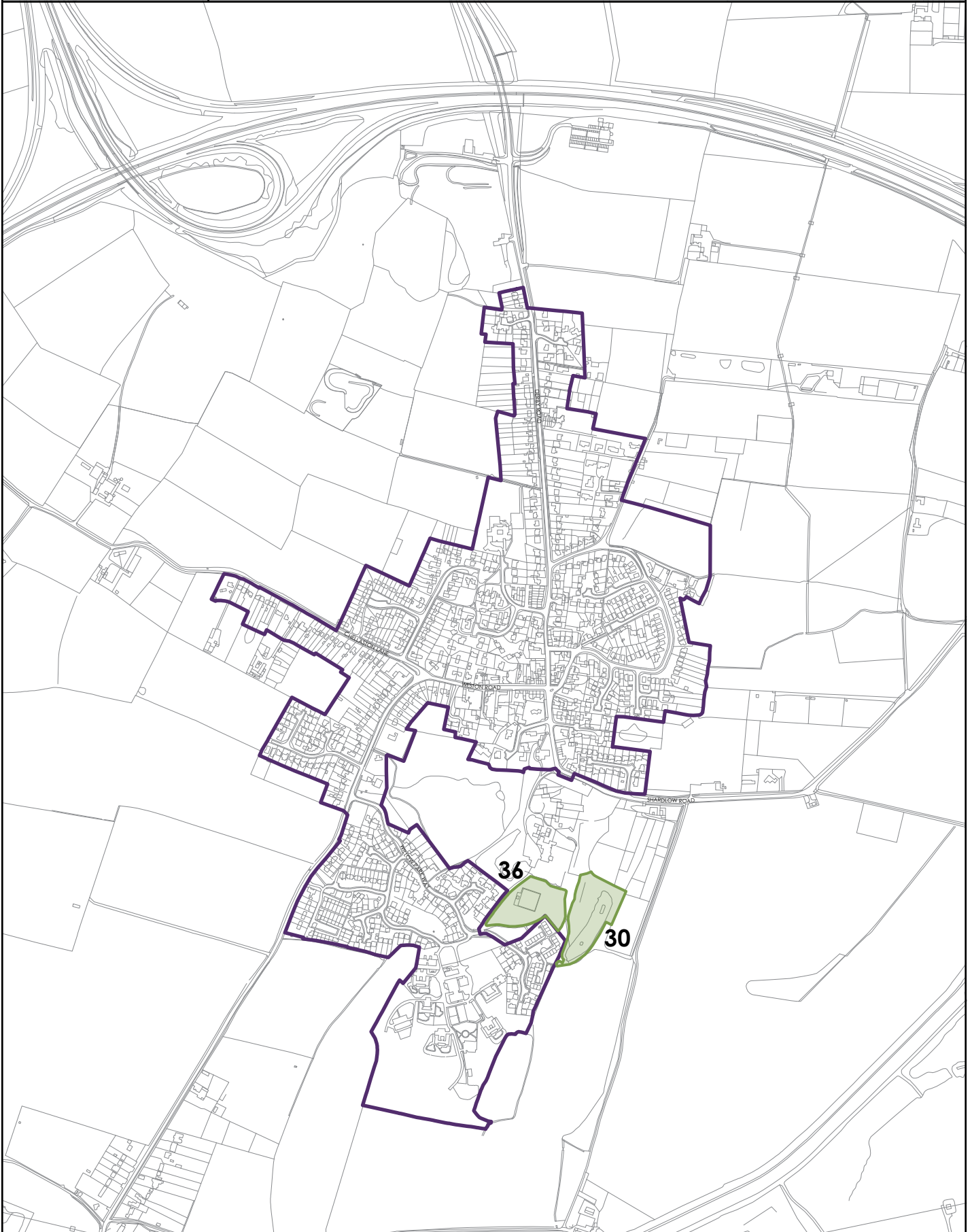
Settlement	Site Ref	Site Name
Map 21	130	North of Rose Lane
Ticknall	131	North of Main Street
	132	North of A514, opposite Calke Abbey entrance
	135	Ingleby Lane — east
	136	Ingleby Lane — west
	138	Ashby Road grass triangle
	140	Main Street, entrance and verges to Calke Park
Map 22		
Walton on Trent	159	Walton Playing Field
Map 23		
Weston on Trent	144	King's Mill Lane, adjoining primary school
Map 24	105	South of Trent and Mersey canal
Willington	107	North of Twyford Road
	110	Hall Lane Recreation Area
	111	Trent Avenue Playing Field
	112	South of Twyford Road

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Local Green Space Maps



MAP 1: Local Green Spaces in Aston on Trent



Local Green Space



Settlement Boundary

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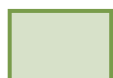
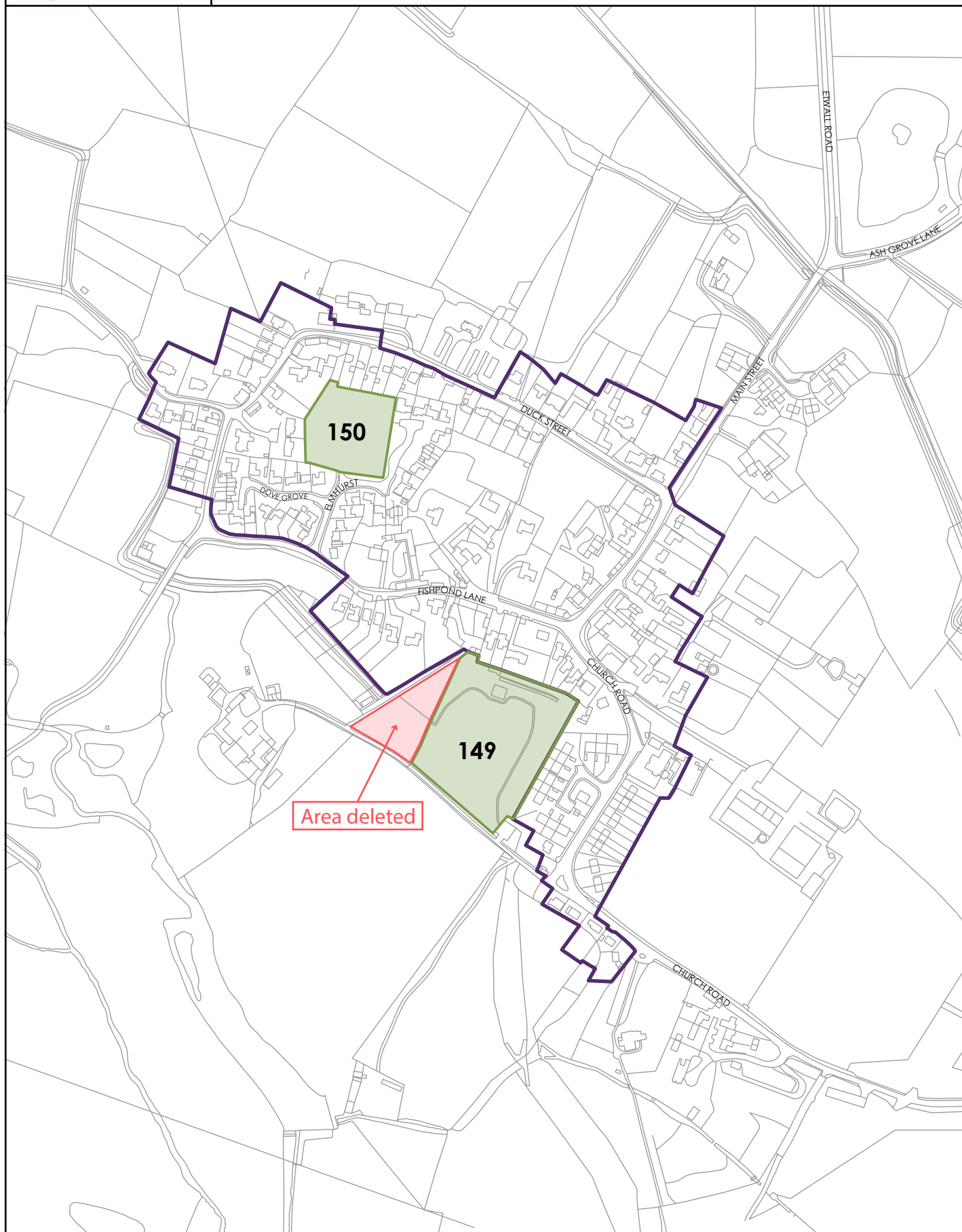
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MAP 2: Local Green Spaces in Egginton



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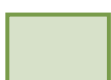
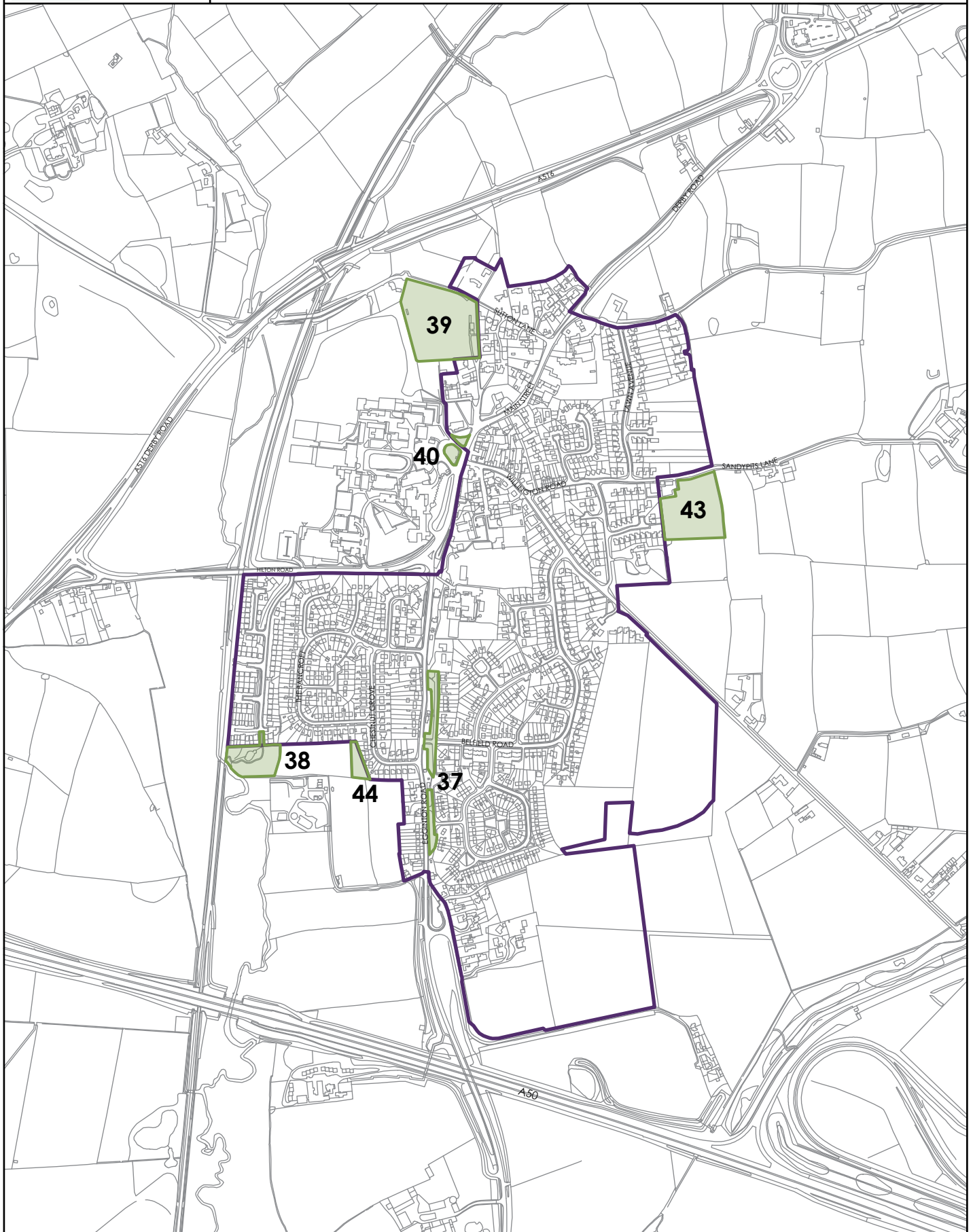
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MAP 3: Local Green Spaces in Etwall



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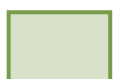
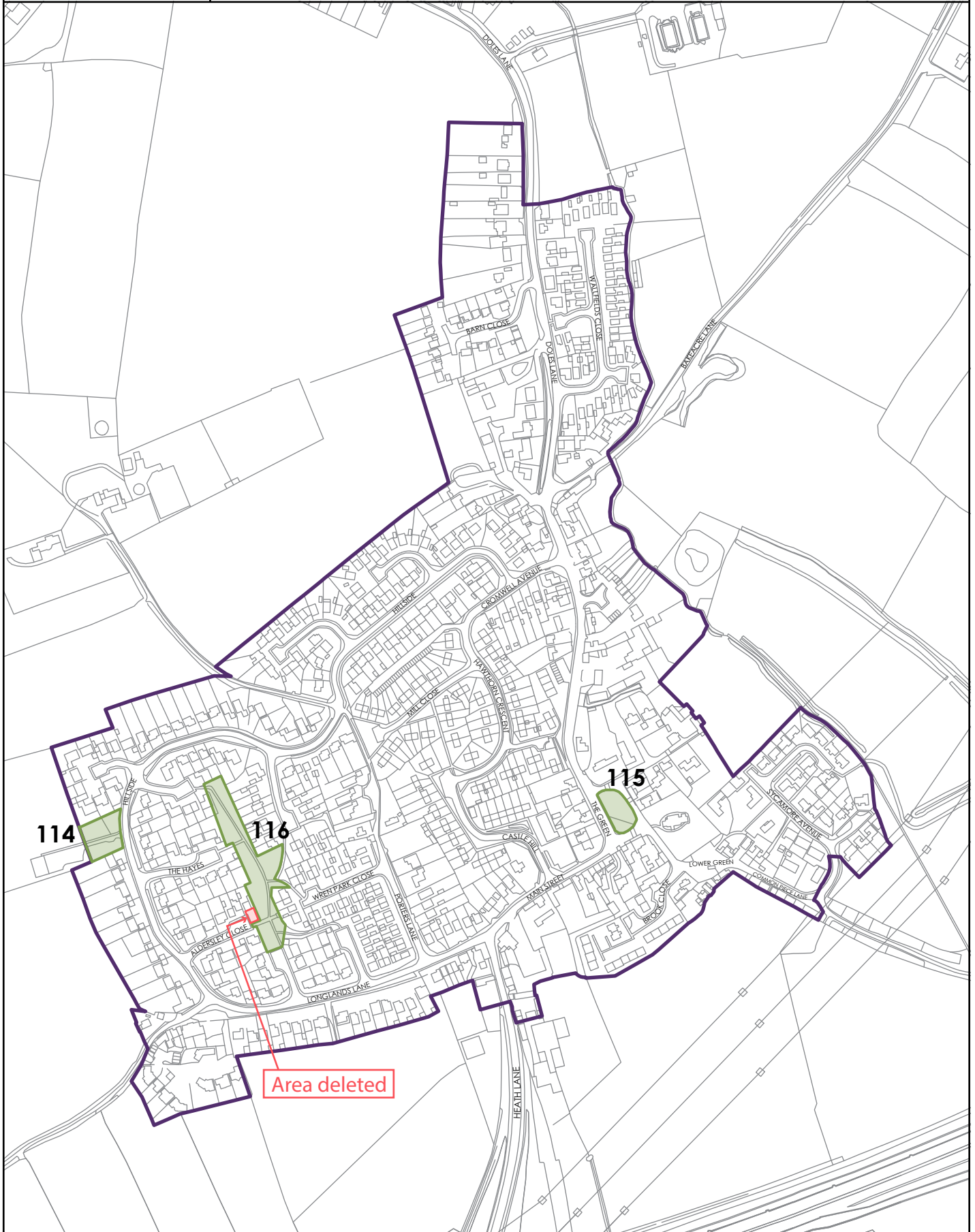
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MAP 4: Local Green Spaces in Findern



Local Green Space



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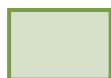
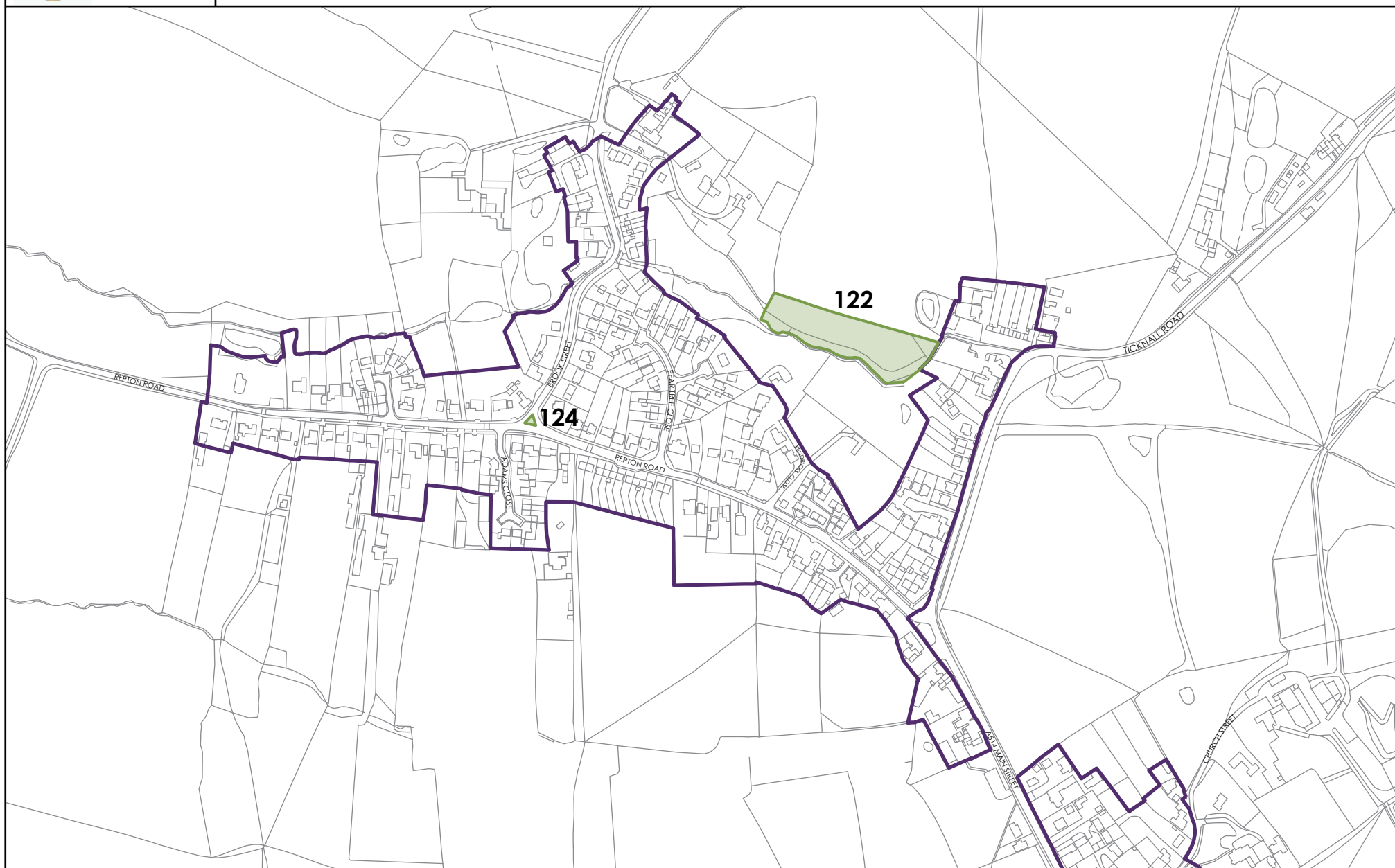
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Map 5: Local Green Spaces in Hartshorne



Local Green Space



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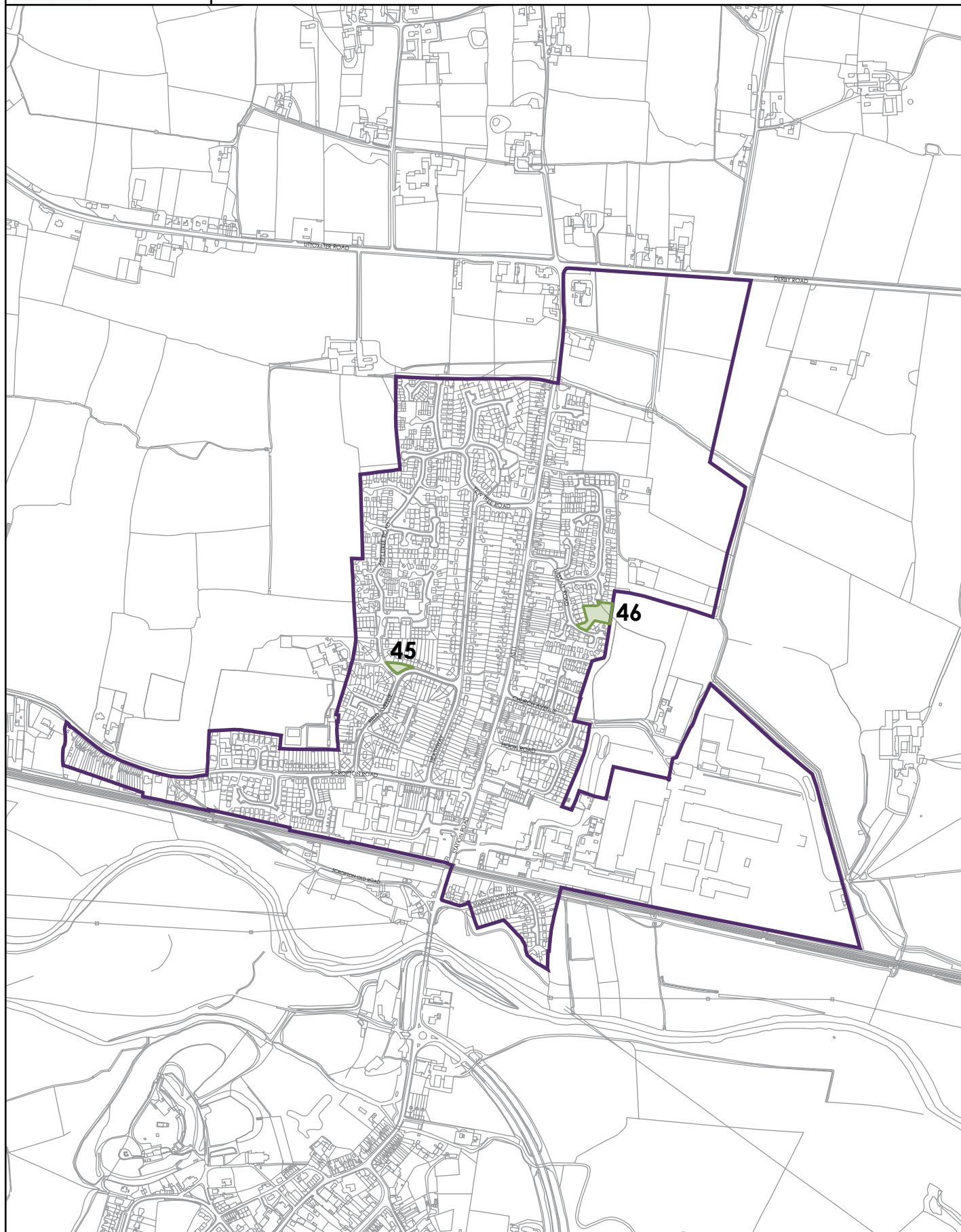
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MAP 6: Local Green Spaces in Hatton



Local Green Space



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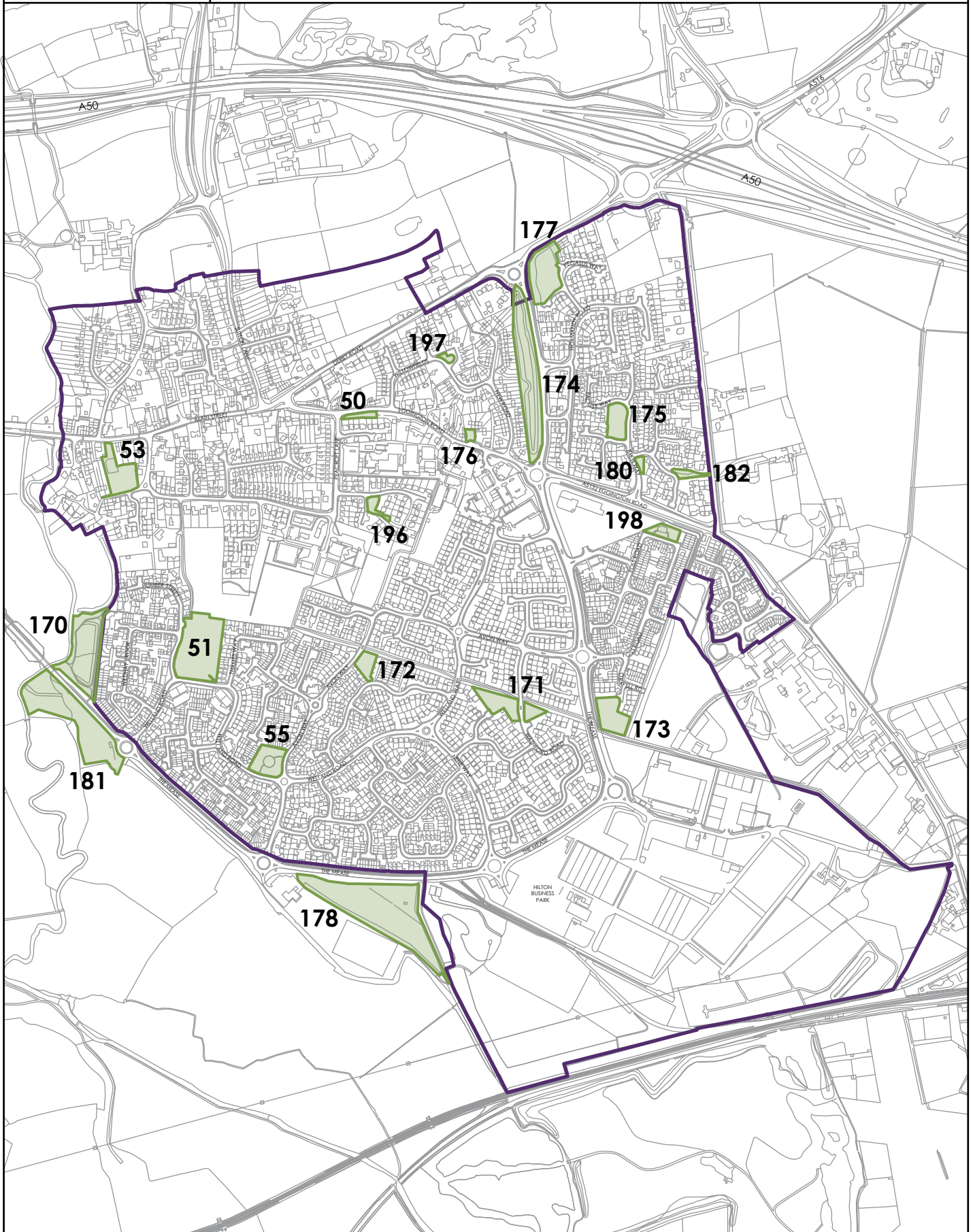
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MAP 7: Local Green Spaces in Hilton



Local Green Space



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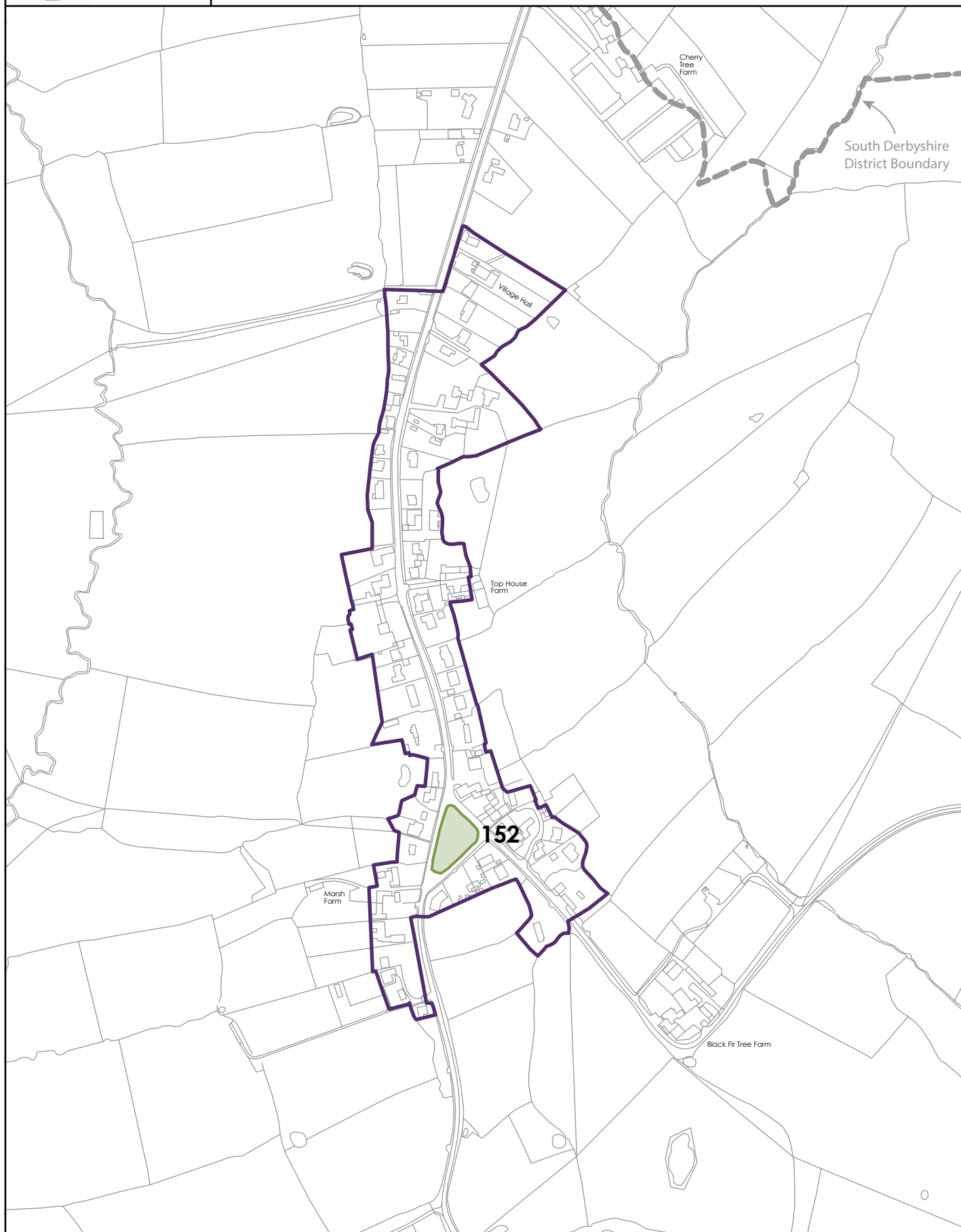
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MAP 8: Local Green Spaces in Lees



Local Green Space



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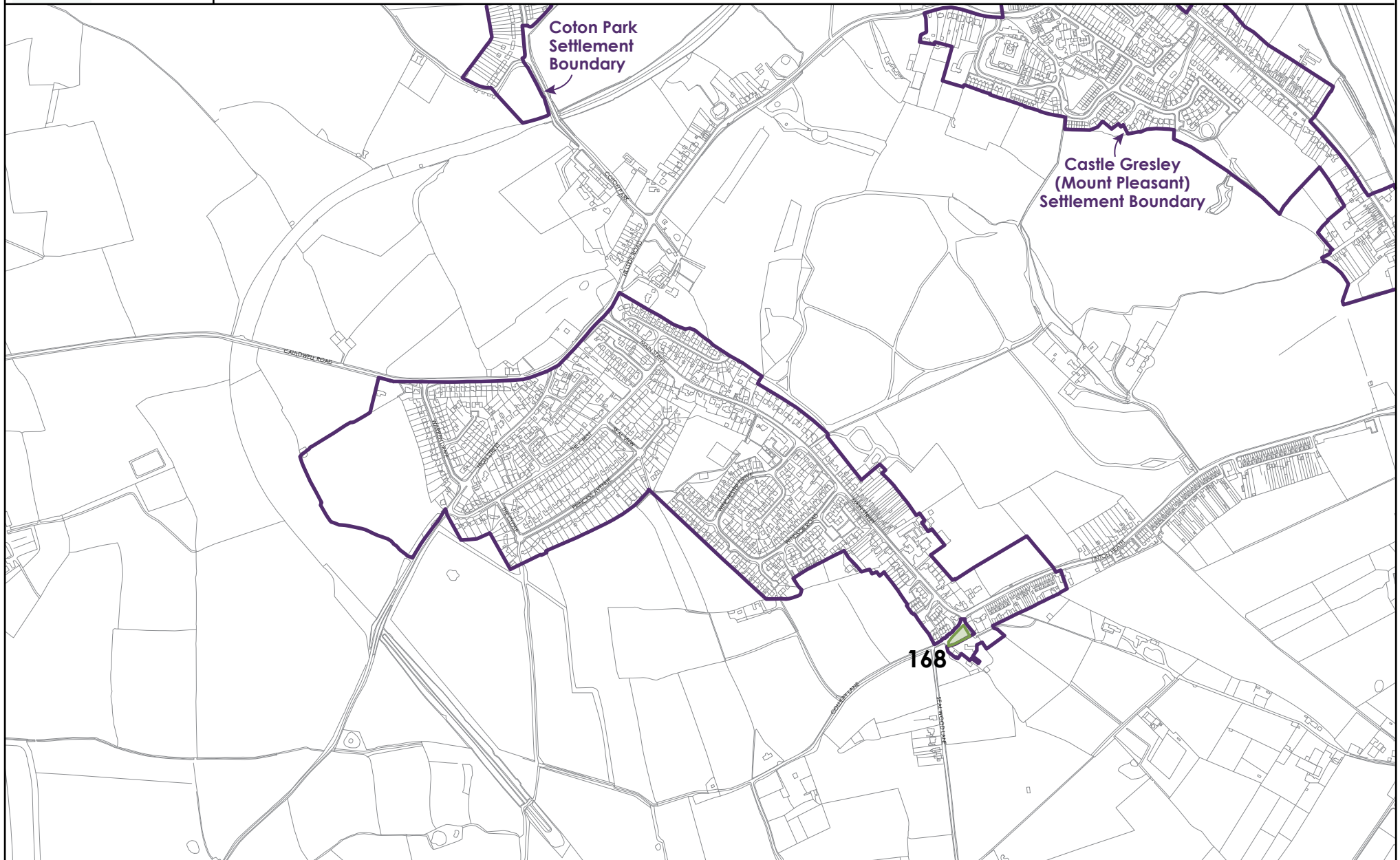
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MAP 9: Local Green Spaces in Linton



Local Green Space



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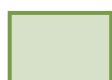
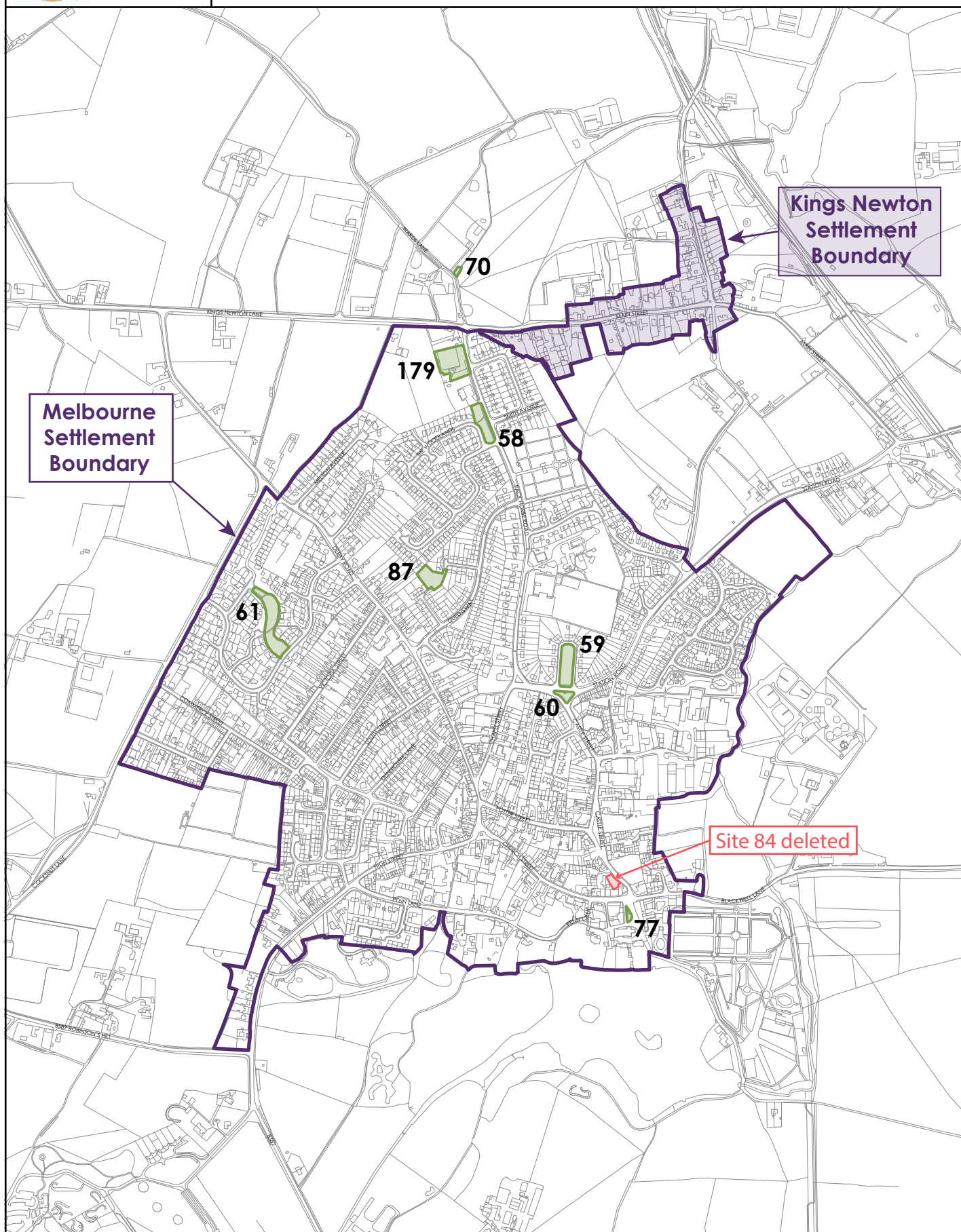
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MAP 10: Local Green Spaces in Melbourne & Kings Newton



Local Green Space



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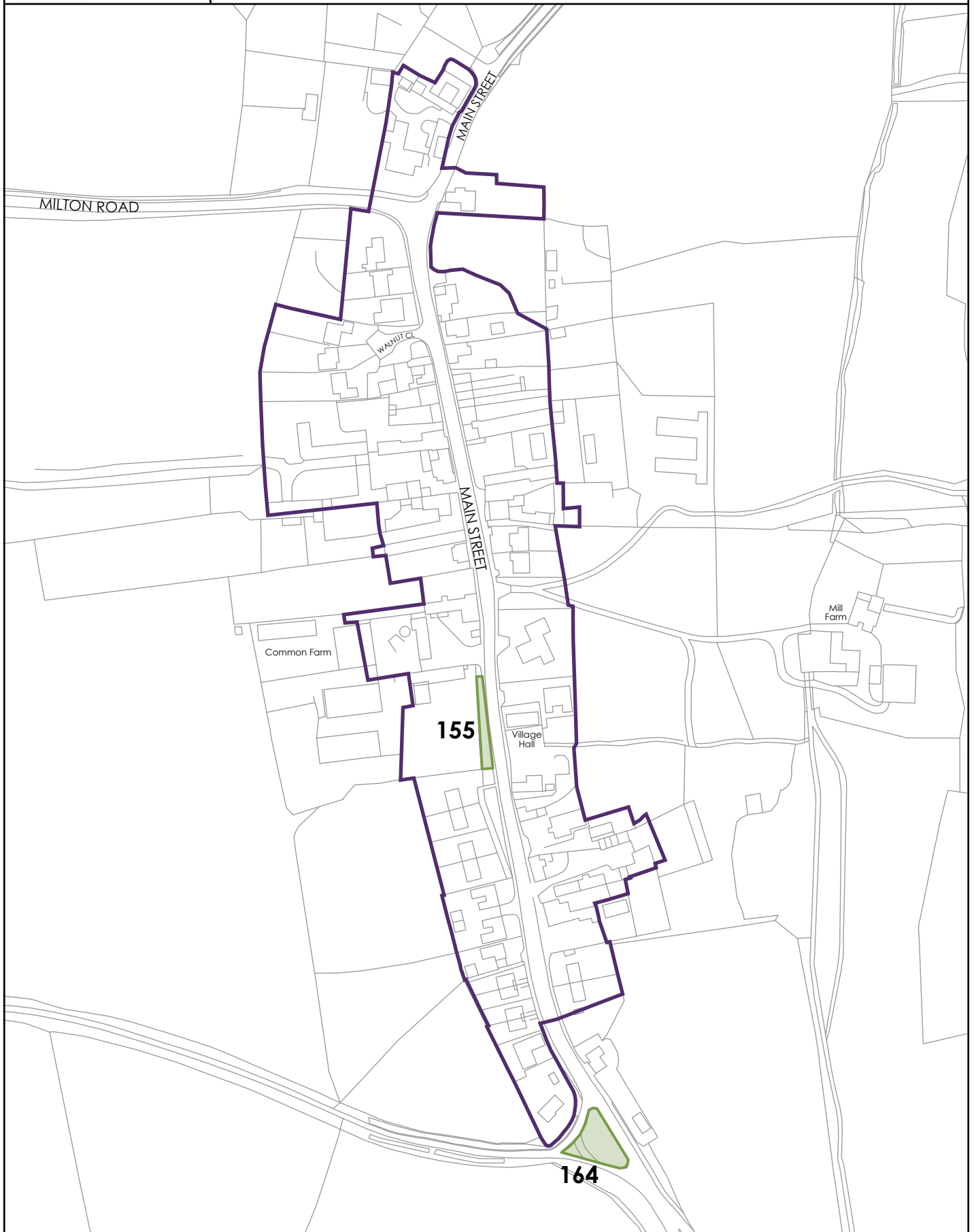
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NORTH



MAP 11a: Local Green Spaces in Milton



Local Green Space



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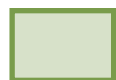
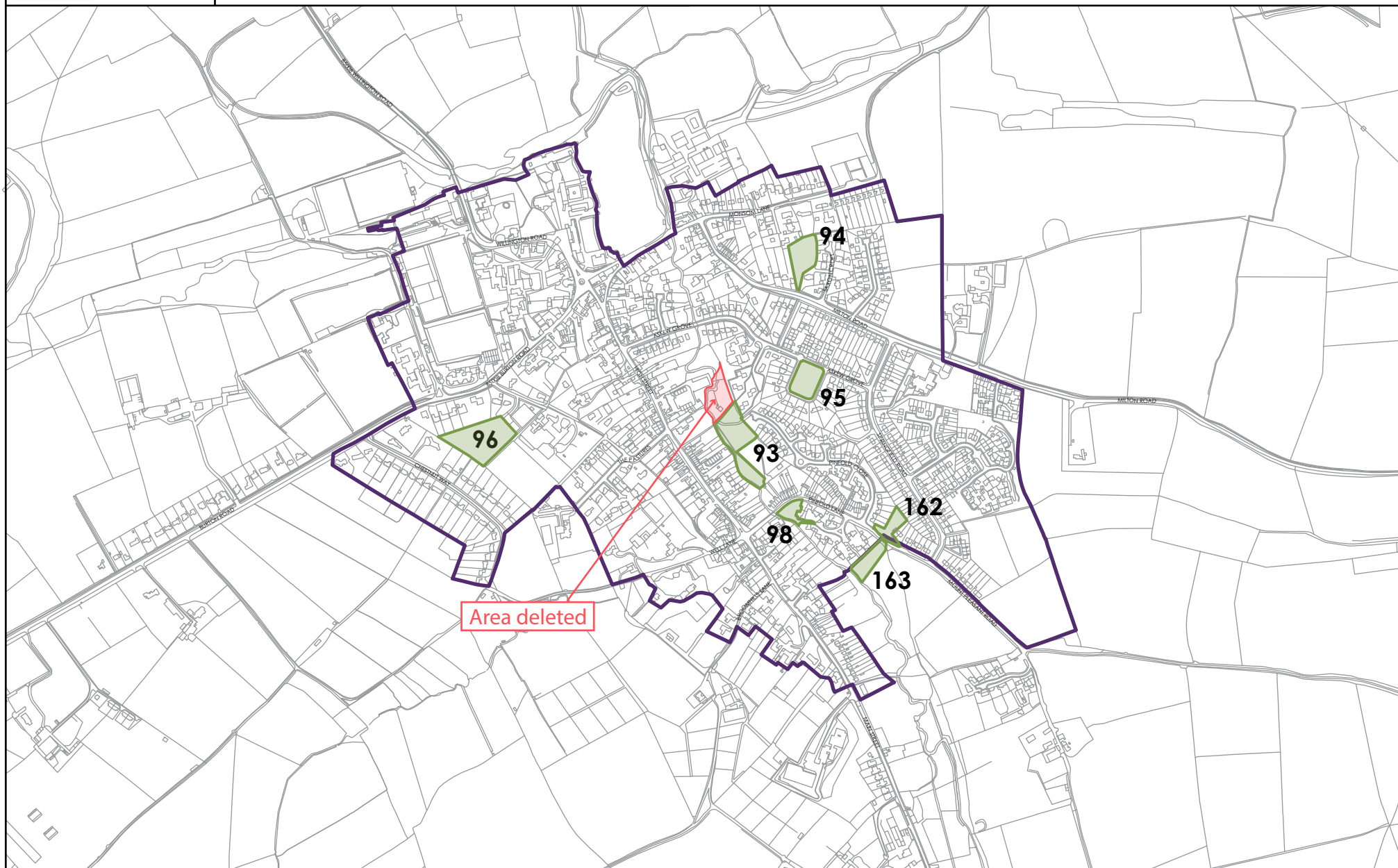
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NORTH



MAP 11b: Local Green Spaces in Repton



Local Green Space



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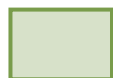
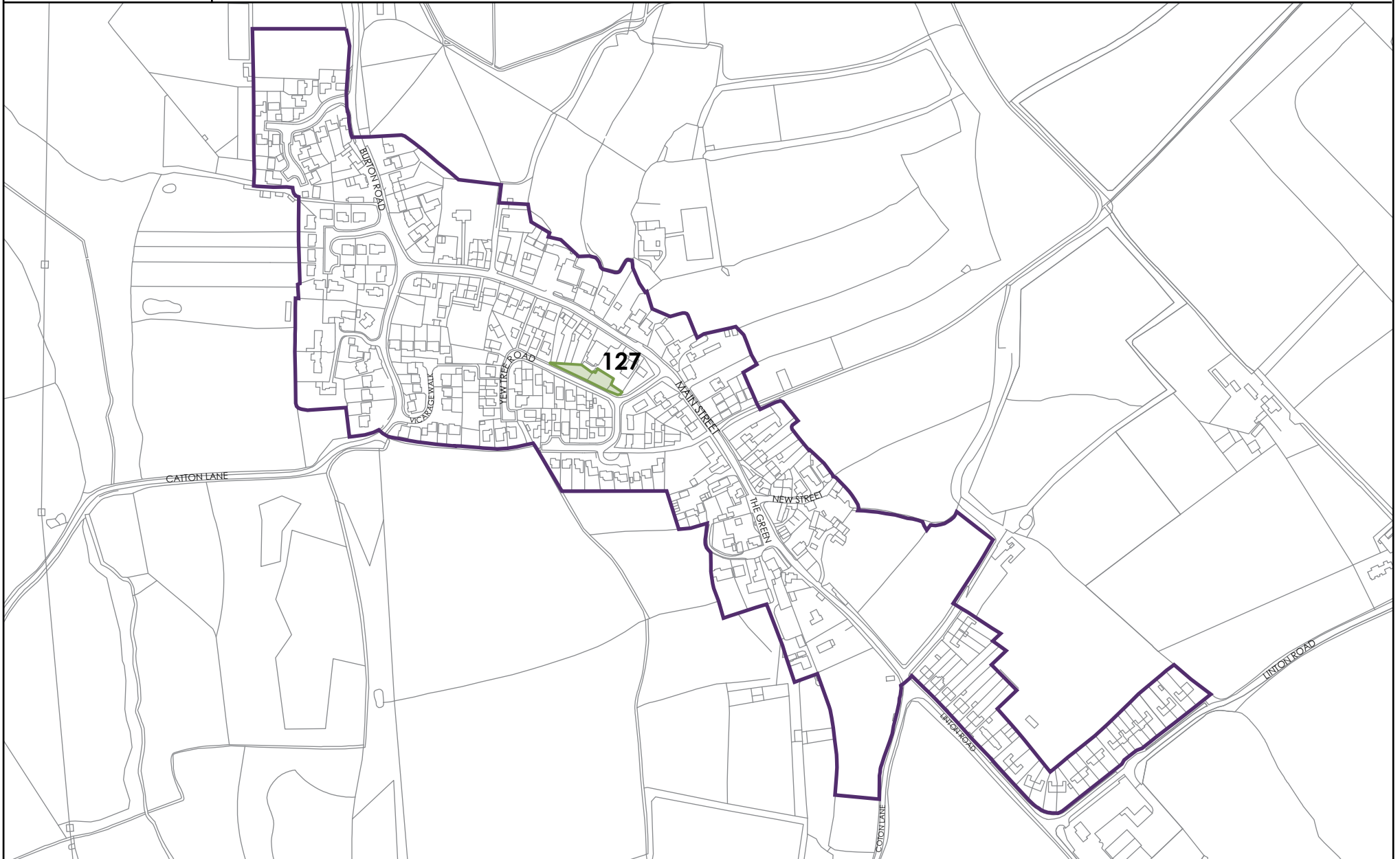
Scale: 1:10000 at A4

Date: Oct 2019





MAP 12: Local Green Spaces in Rosliston



Local Green Space



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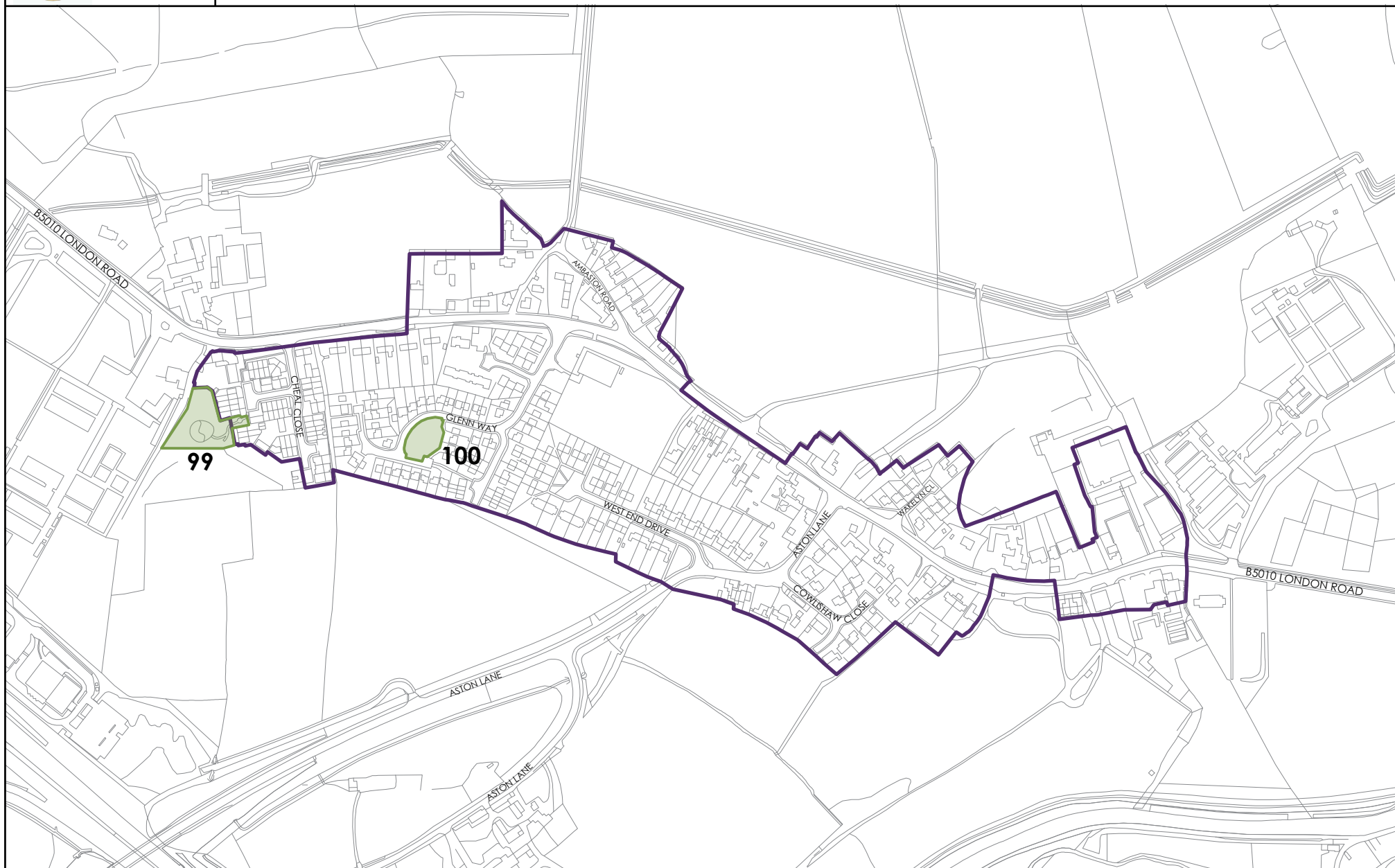
Scale: 1:5000 at A4

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MAP 13a: Local Green Spaces in Shardlow (West)



Local Green Space



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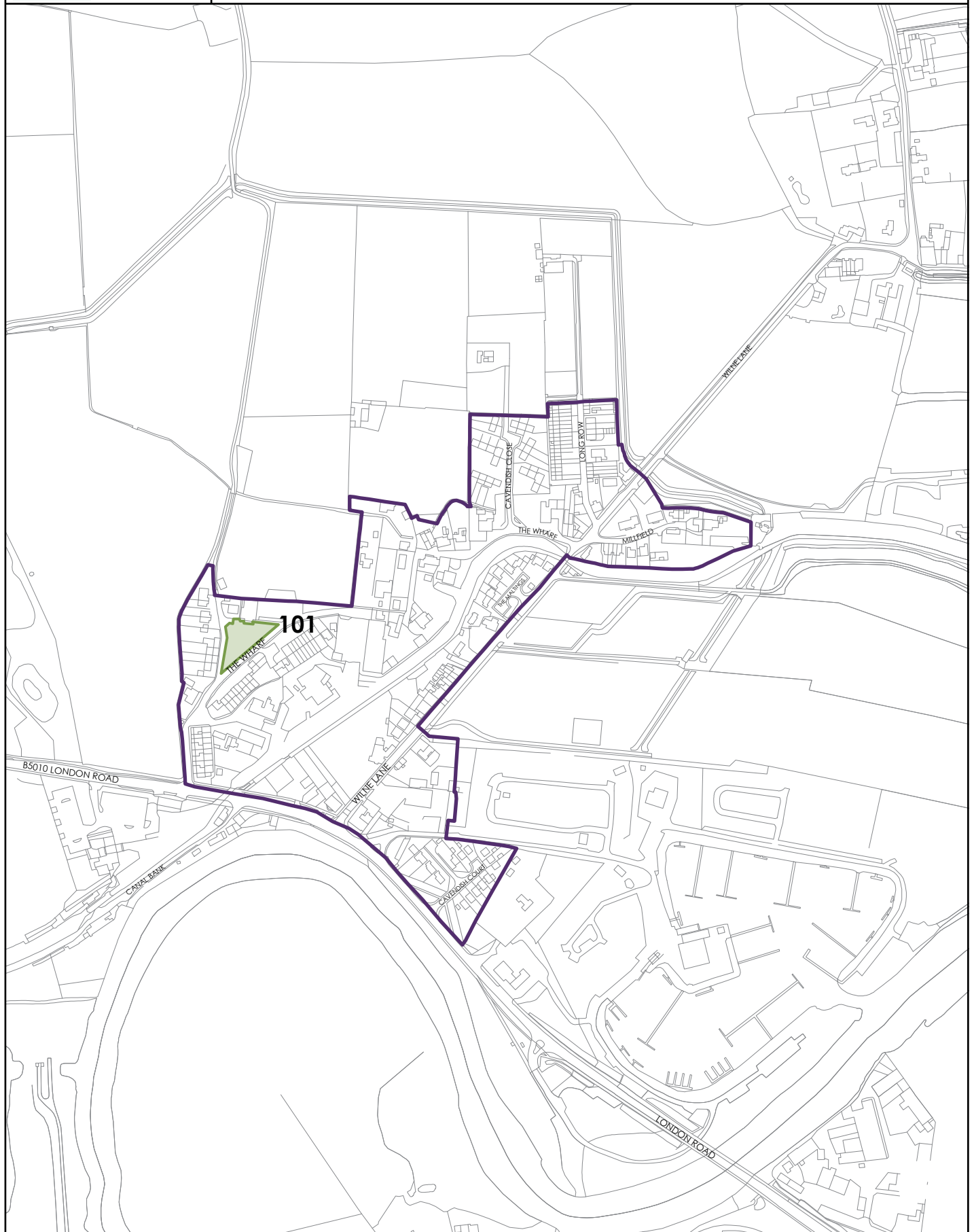
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Date: Jan 2019





MAP 13b: Local Green Spaces in Shardlow (East)



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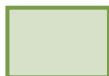
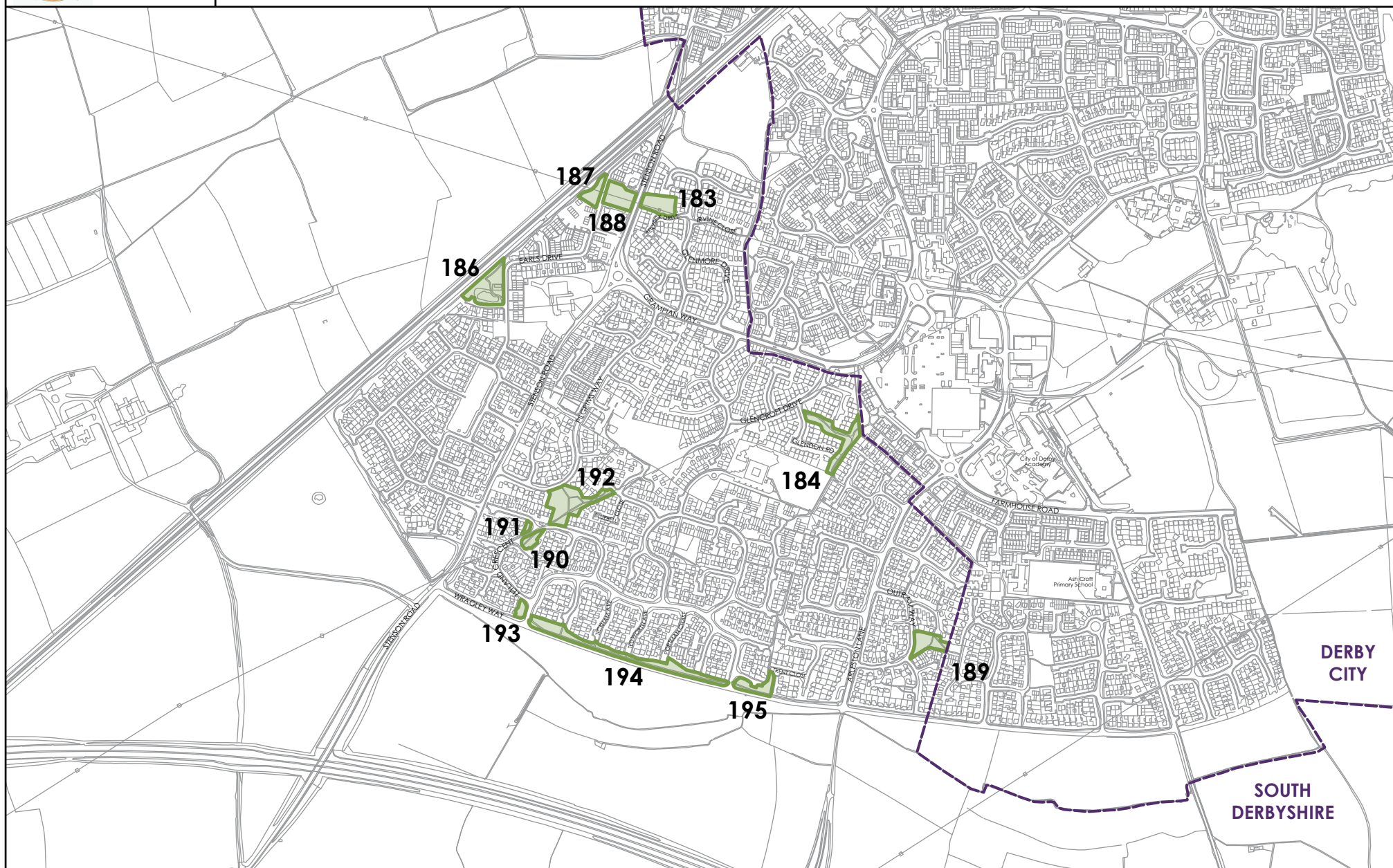
Scale: 1:5000 at A4

Date: Jan 2019





MAP 14: Local Green Spaces in Stenson Fields



Local Green Space



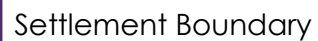
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(the whole of the map area is within Swadlincote Urban Area Settlement Boundary)

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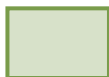
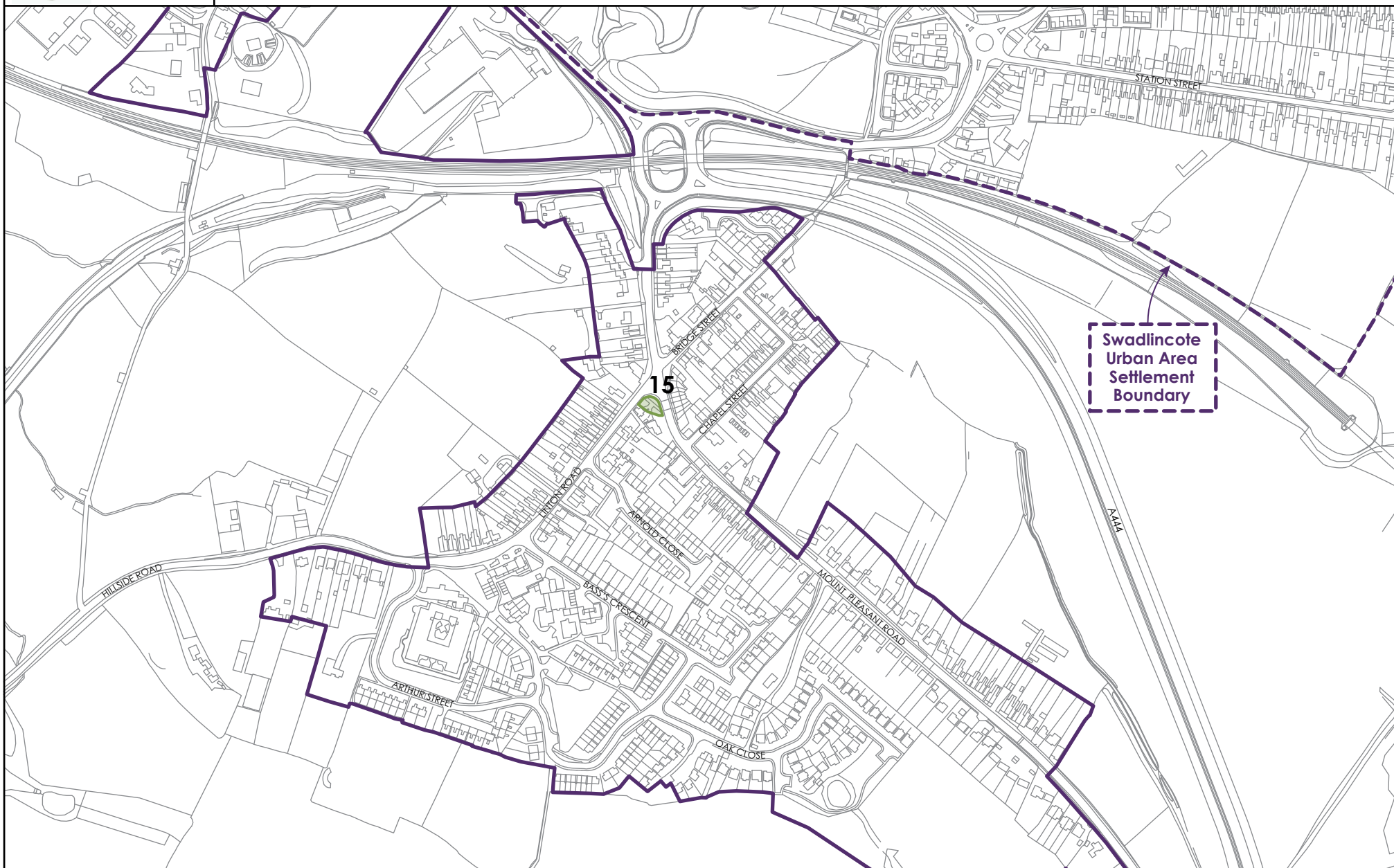
Scale: 1:5000 at A4

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MAP 16: Local Green Spaces in Castle Gresley (Mount Pleasant)



Local Green Space



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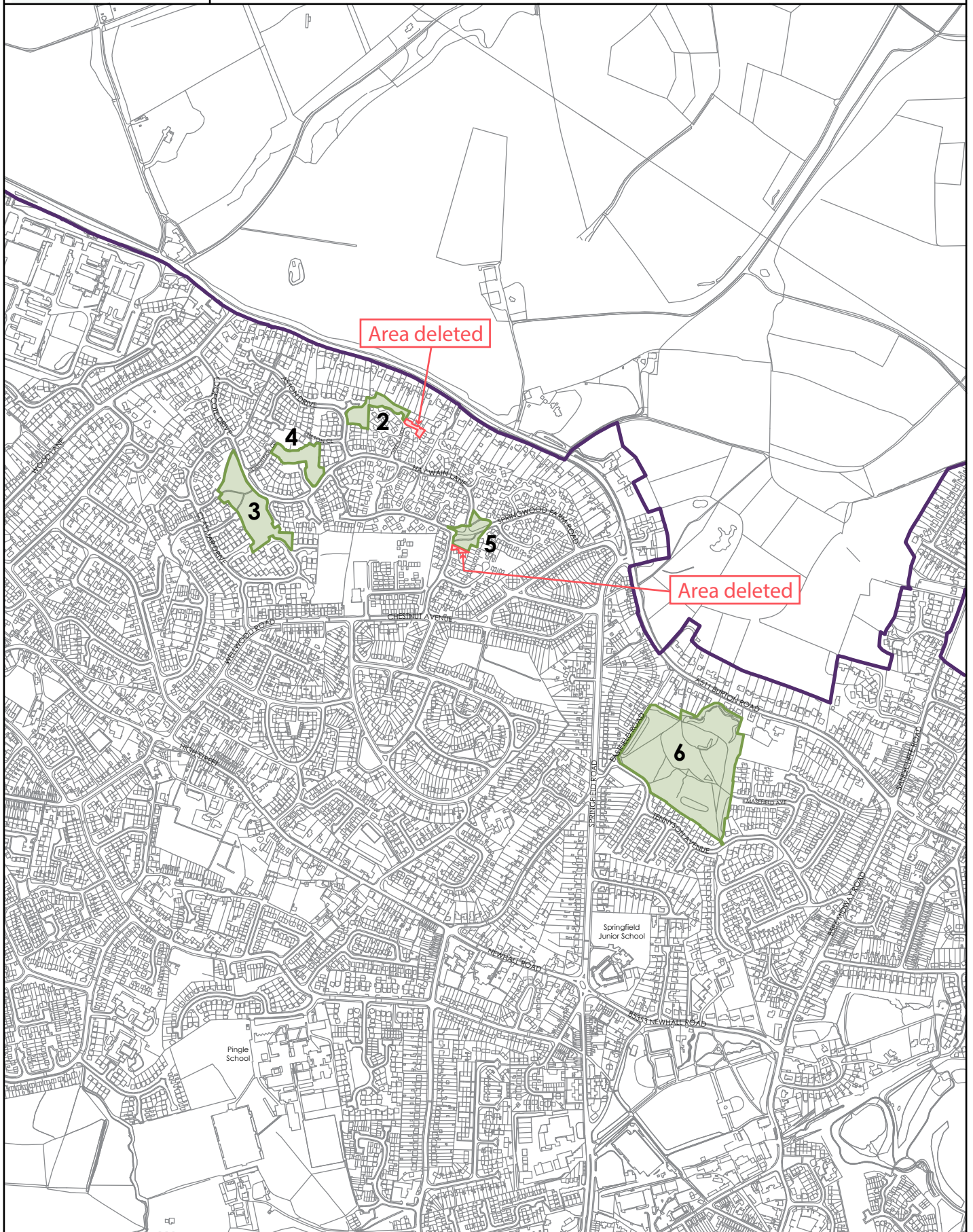
Scale: 1:5000 at A4

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MAP 17: Local Green Spaces in Midway, Swadlincote



Local Green Space



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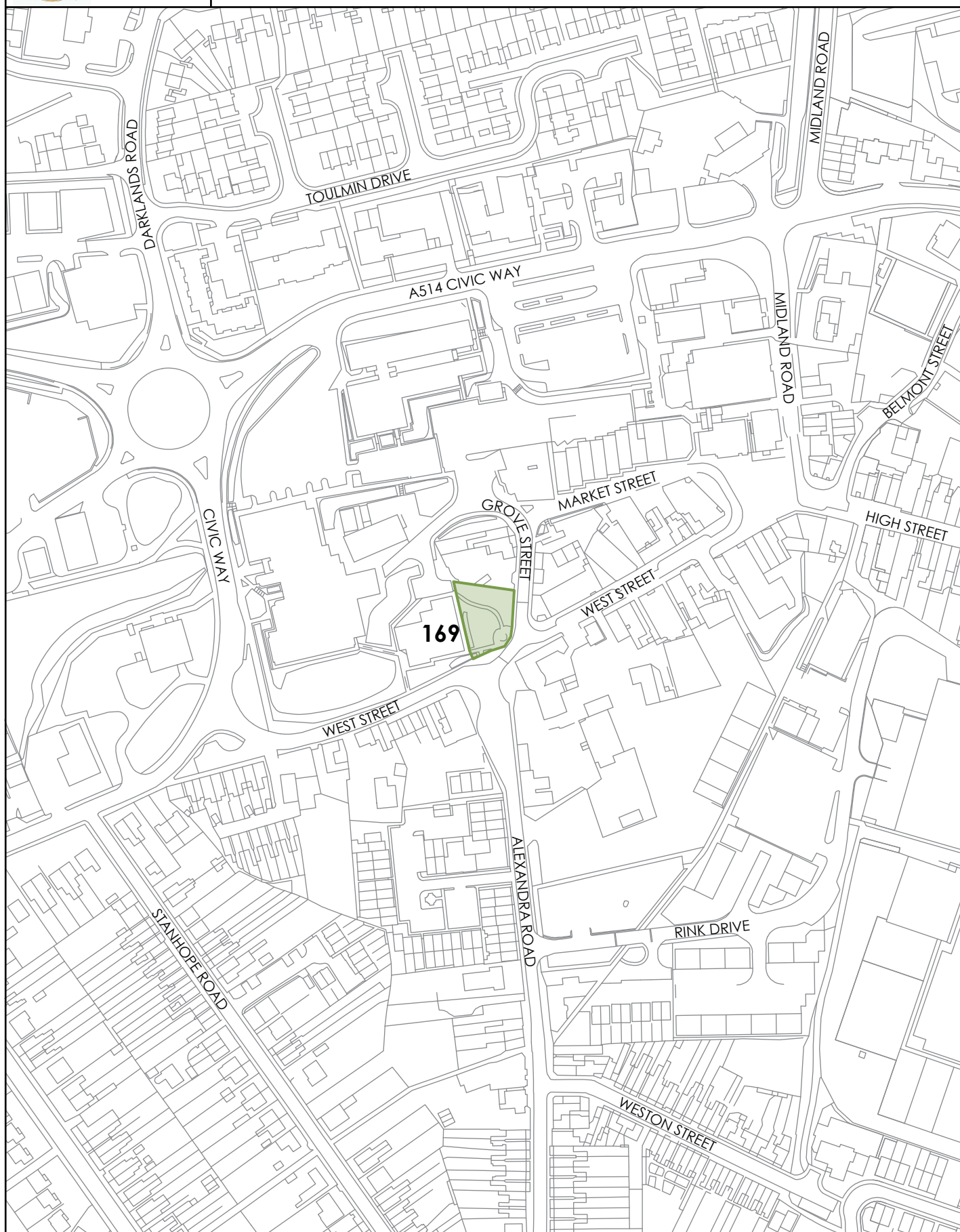
Scale: 1: 10000 at A4

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MAP 18: Local Green Spaces in Swadlincote Town Centre



Local Green Space



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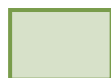
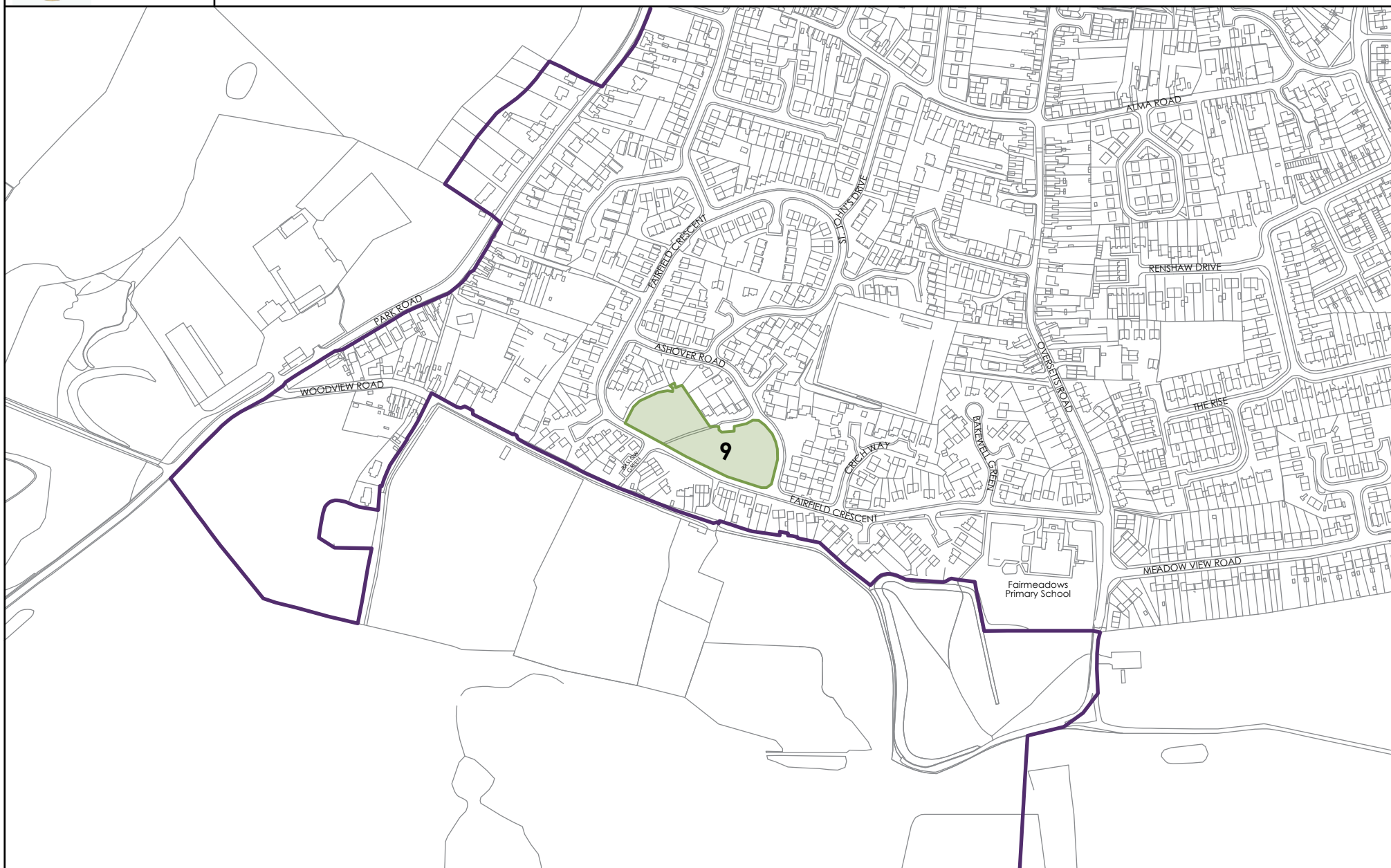
Scale: 1: 2500 at A4

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MAP 19: Local Green Spaces in Newhall, Swadlincote



Local Green Space



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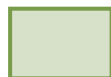
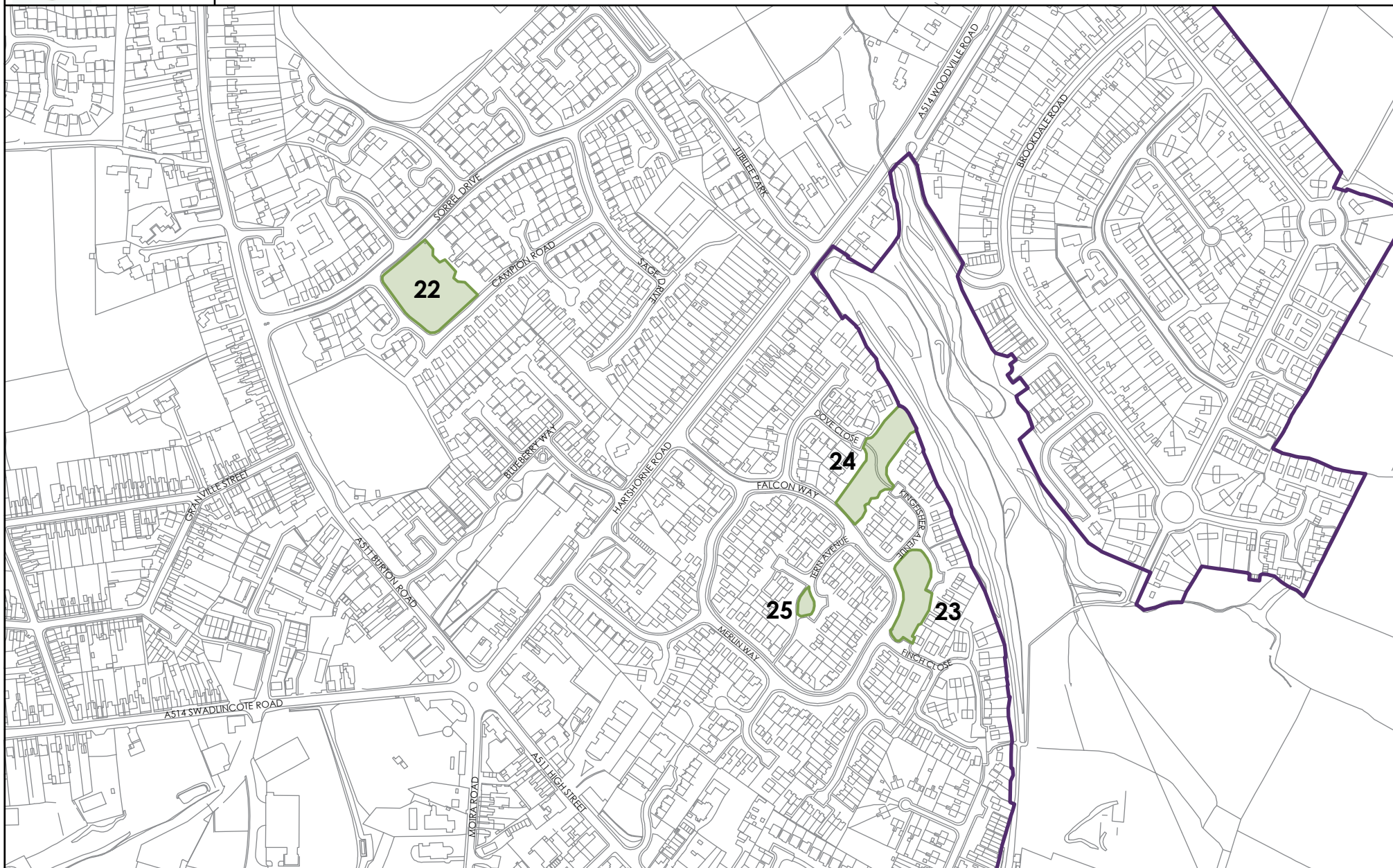
Scale: 1:5000 at A4

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MAP 20: Local Green Spaces in Woodville



Local Green Space



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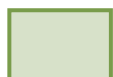
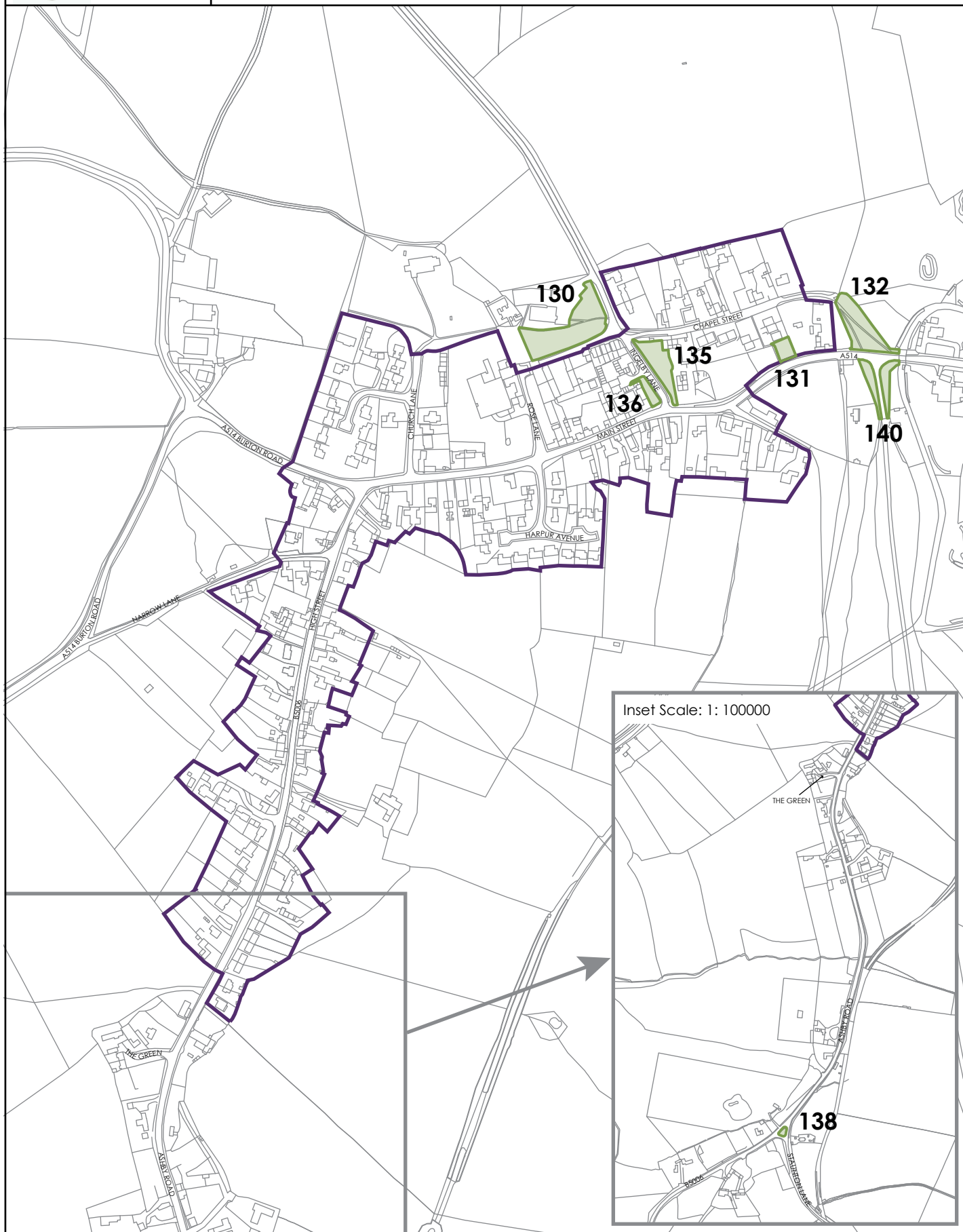
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MAP 21: Local Green Spaces in Ticknall



Local Green Space



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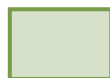
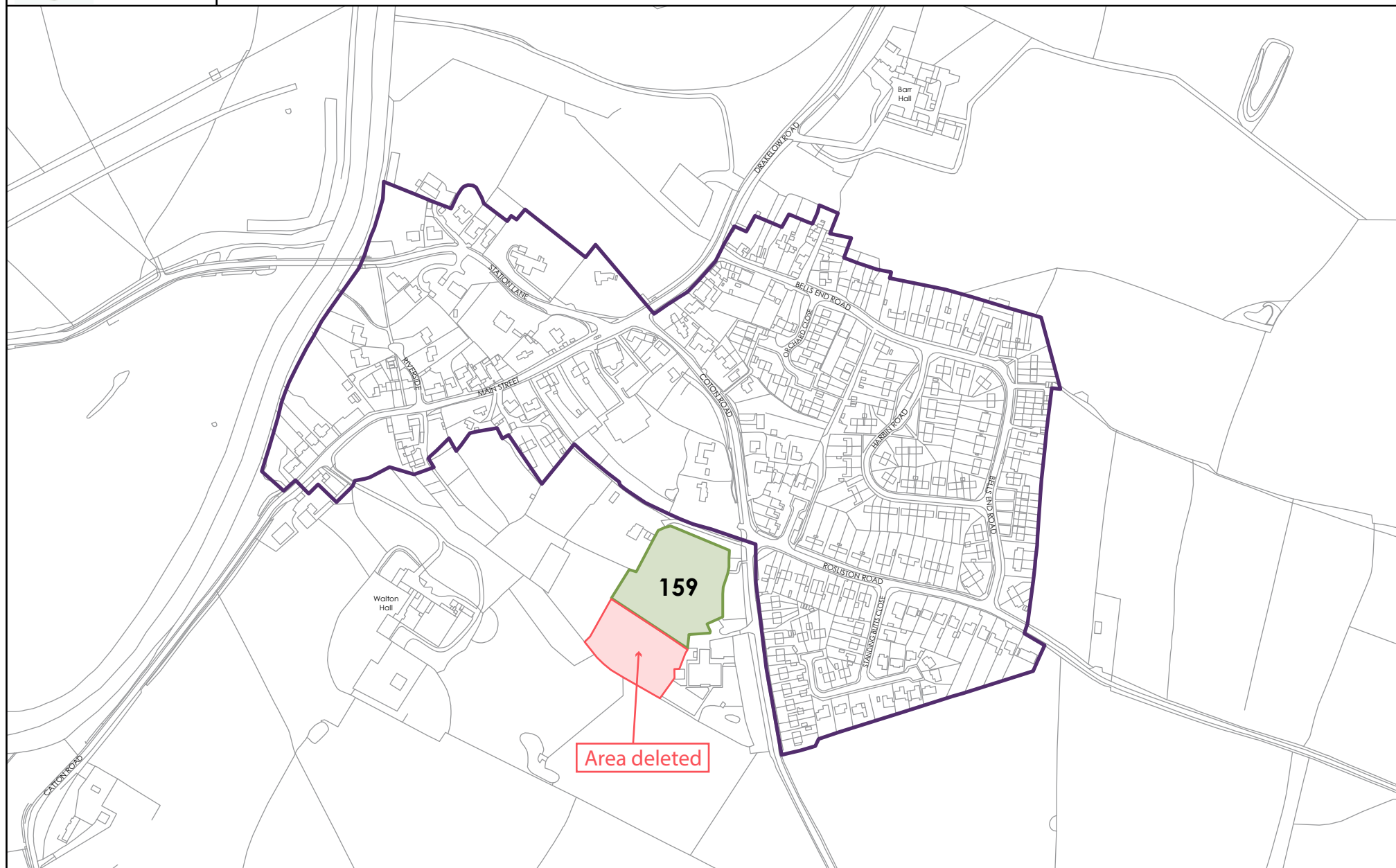
Scale: 1: 5000 at A4

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MAP 22: Local Green Spaces in Walton on Trent



Local Green Space



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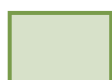
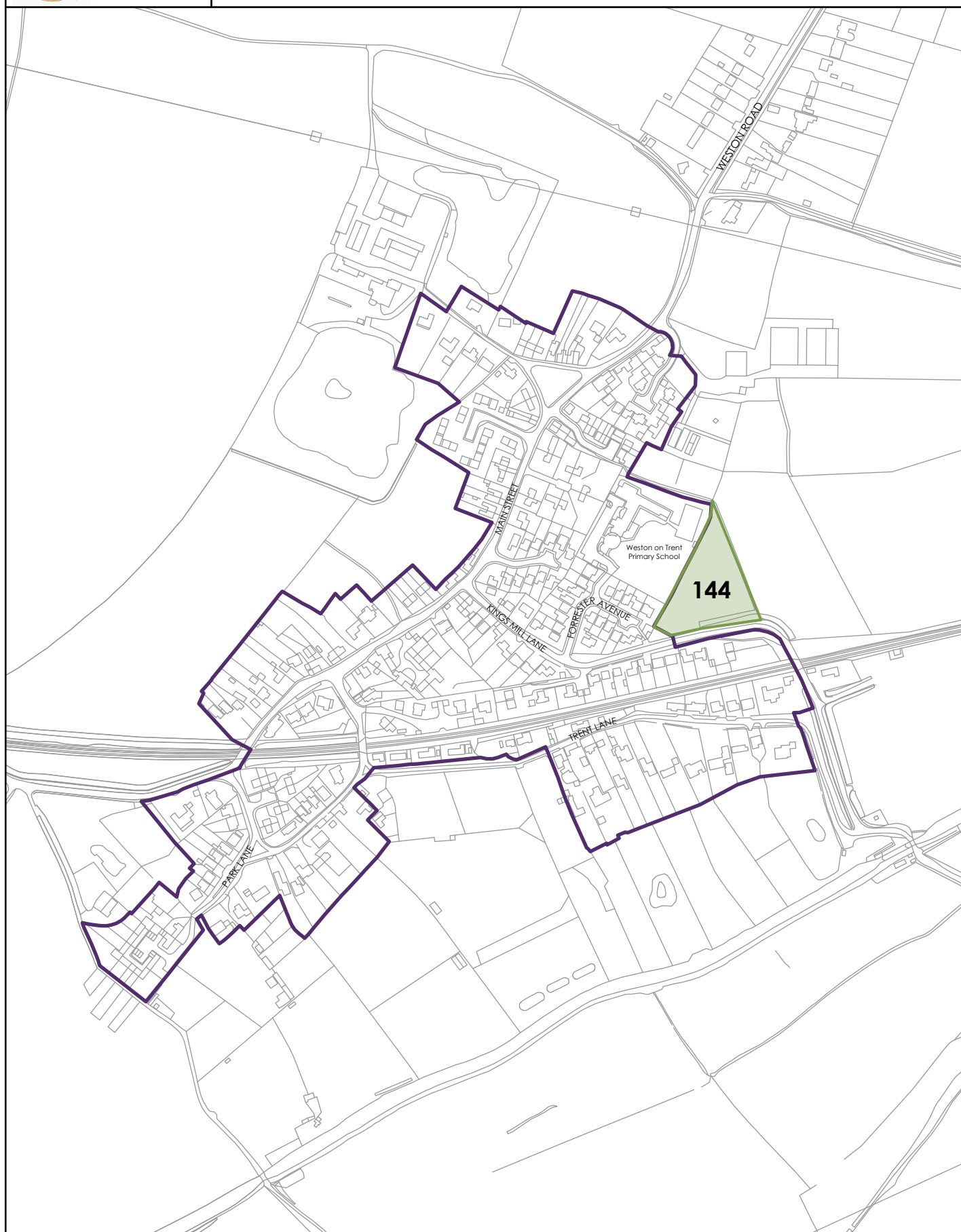
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MAP 23: Local Green Spaces in Weston on Trent



Local Green Space



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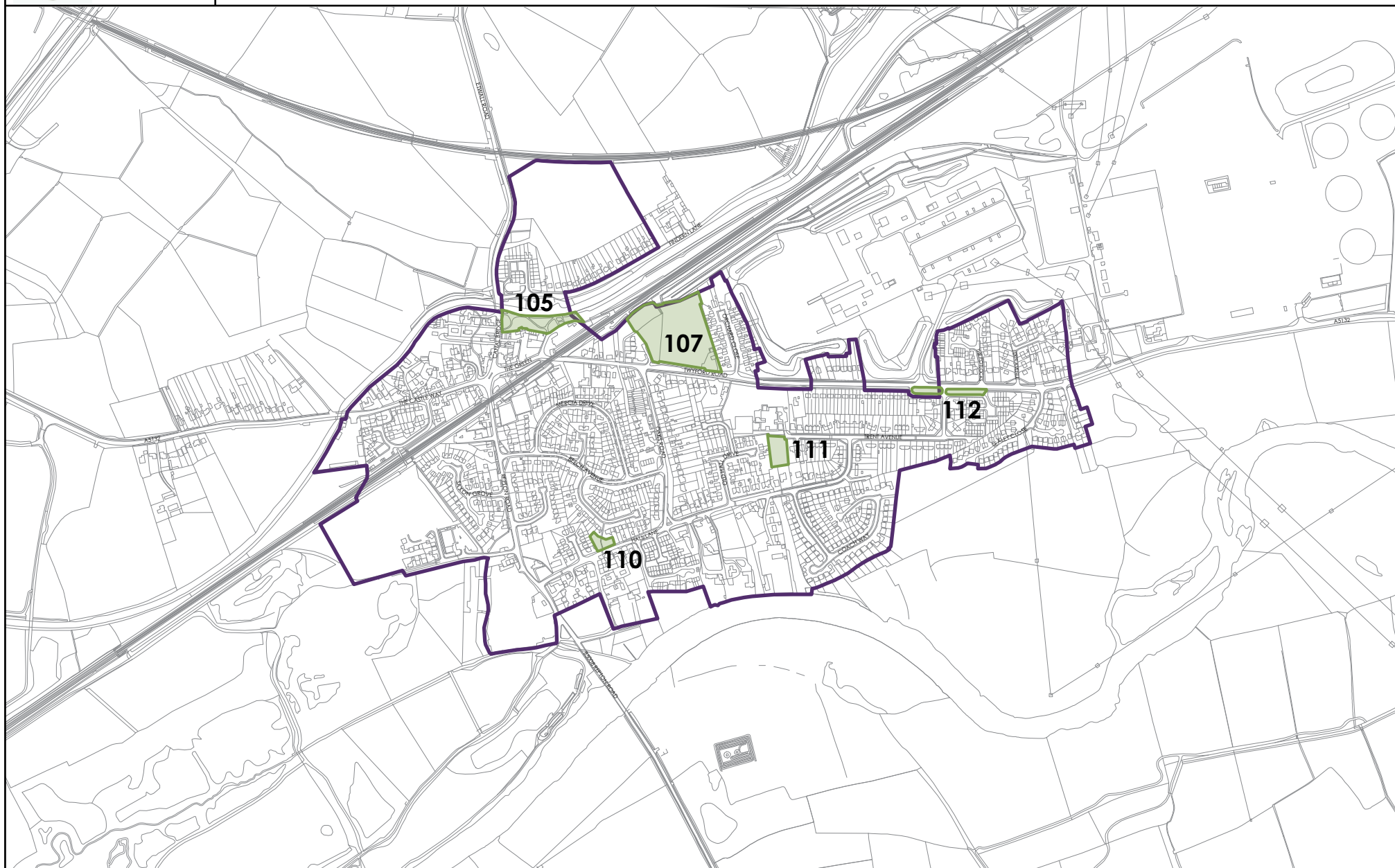
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MAP 24: Local Green Spaces in Willington



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