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Our Ref

Your Ref

Date: 5 August 2020

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be a **Virtual Committee (Special)**, held via Microsoft Teams on **Thursday, 13 August 2020 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

Councillor MacPherson (Chairman), Councillor Mrs. Haines (Vice-Chairman) and Councillors Mrs. Brown, Dawson, Fitzpatrick, Ford, Hewlett and Mrs. Patten

Labour Group

Councillors Dunn, Mrs. Heath, Singh, Taylor and Tilley

AGENDA

Open to Public and Press

- 1** Apologies and to note any Substitutes appointed for the Meeting.
- 2** To receive the Open Minutes of the following Meetings:

25th November 2019 **4 - 9**

5th March 2020 **10 - 14**
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** INTRODUCTION OF ANIMAL WELFARE LICENSING POLICY **15 - 32**
- 7** HILTON, MARSTON ON DOVE AND HOON NEIGHBOURHOOD DEVELOPMENT PLAN REGULATION 16 CONSULTATION **33 - 183**
- 8** LOCAL ENVIRONMENTAL QUALITY SURVEY 2020 **184 - 190**
- 9** BIODIVERSITY OFFSETTING AND UPDATE FROM BIODIVERSITY WORKING GROUP **191 - 229**
- 10** COMMITTEE WORK PROGRAMME **230 - 237**

Exclusion of the Public and Press:

- 11** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that

there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

- 12** To receive the Exempt Minutes of the following Meetings:
5th March 2020
- 13** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 14** SERVICE LEVEL AGREEMENT RELATING TO CONSERVATION
ADVICE

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

25th November 2019

OPEN

PRESENT:-

Conservative Group

Councillor Macpherson (Chairman) Councillor Mrs Haines (Vice-Chairman) and Councillors Mrs. Brown, Dawson, Fitzpatrick, Mrs. Patten, and Mrs Wheelton (substituting for Councillor Billings)

Labour Group

Councillors Dunn, Mrs. Heath, Taylor and Tilley.

EDS/ **APOLOGIES**

Apologies for absence were received from Councillor Billings, and Councillor Whittenham. (Conservative Group)

EDS/ **MINUTES**

The Open Minutes of the Meetings held on 15th August 2019, were noted, approved as a true record and signed by the Chairman.

EDS/ **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

EDS/ **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

EDS/ **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

EDS/ **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEEEDS/ **CORPORATE PLAN 2016 – 21 PERFORMANCE REPORT**

The Strategic Director (Service Delivery) presented the report to the Committee, explaining that this would be the final report for this particular plan following the approval of the new Corporate Plan (2020 to 2024) by Council on 31st October 2019. The Strategic Director (Service Delivery) highlighted the main areas where improvements are required on the Risk Register.

Following questions from Members regarding the areas for improvement on the Risk Register the Strategic Director (Service Delivery) informed the Committee that waste recycling remained a challenge and achieving 50% was difficult. Following an analysis of bin composition there still appears to be a lot of recyclable items in the residual bin. Improvements could be made by introducing weekly food waste collections or reducing the size of the residual waste bin. Lots of ideas were currently being considered to inform the future shape of waste collection services in the District.

RESOLVED:

That the Committee considered progress against performance targets set out in the Corporate Plan.

That the Risk Register and Action Plan for the Committee's services have been reviewed

EDS/ **STAFF TRAVEL PLAN**

The Head of Environmental Services presented the report to the Committee explaining that the plan had been developed using the feedback from the 2018/19 staff survey and the Staff Travel Group set up in the Spring of 2019. The Head of Environmental Services highlighted the main areas of the report and advised the Committee of the predicted costs and savings to deliver the plan over the next five years.

Councillor Fitzpatrick enquired whether staff had been engaged regarding the intention to achieve 70% sustainable travel within the next five years. The Head of Environmental Services informed the Committee that staff had not been involved with the setting of the target but this target would stay agile and with the engagement of staff would be reviewed annually.

RESOLVED:

That the Committee approved the adoption of a Staff Travel Plan 2019-2024 for South Derbyshire District Council (SDDC).

That the Committee approved the adoption of a Staff Travel Action Plan for 2020 to support the delivery of the SDDC Staff Travel Plan.

That the Committee receive a further report outlining the resources required to deliver the Staff Travel Action Plan and other associated environmental activities including Climate Emergency actions

EDS/ **CLIMATE EMERGENCY PLANNING**

The Head of Environmental Services presented the report to the Committee which set out the Council's response to the climate emergency and highlighted the intention to be carbon neutral by 2030 and to be an exemplar for carbon reduction. The Head of Environmental Services also informed Members that this will be reported to the Committee on an annual basis

Councillor Mrs. Brown enquired if there was joint working with other councils and what are the biggest carbon producing elements within the County. The Head of Environmental Services informed Members that a County-wide officers' group has been in place since September 2019 and partnership working will increase over the next year. Members were also told that Leisure Centres, transport and heating of homes are the biggest carbon producing elements, but measures are being considered on how to reduce carbon emissions caused by homes including working with Nottingham City Council to assist with future proofing housing stock.

RESOLVED:

That the Committee noted the progress made since the declaration of a Climate Emergency and approves the proposed approach for developing and delivering a Climate Emergency Action Plan.

EDS/ **LOWES LANE PUBLIC OPEN SPACE PROTECTION ORDER**

The Head of Environmental Services presented the report to the Committee explaining how this tied in with fly-tipping in the area, which has increased despite a range of different techniques that have been used.

Councillor Tilly enquired whether other areas of fly-tipping are also being considered. The Head of Environmental Services informed the Committee that other hotspots were being looked at.

RESOLVED:

That the Committee approved the proposed declaration of a Public Spaces Protection Orders (PSPO) at Lowes Lane, Swarkestone.

EDS/ **LOCAL GREEN SPACES – PROPOSED MODIFICATIONS**

The Strategic Director (Service Delivery) delivered the report to the Committee outlining the proposed modifications following the Examination in Public in September 2019.

RESOLVED:

That the Committee approved the proposed modifications to the Local Green Spaces Plan and authorises consultation on the proposed modifications.

EDS/ **LOCAL PLAN UPDATE**

The Policy Planning Officer (Sustainability) presented the report to the Committee explaining that options regarding the review of the Local Plan have been considered at length and that the Housing Market Area Partners have been fully involved in developing the revised Local Plan for South Derbyshire.

Councillor Tilley fully supported the plan but wanted to be assured that that need of another local authority would not be imposed upon this Council. Members also raised the importance of a Statement of Common Ground and cooperation with other local authorities. The Policy Planning Officer (Sustainability) informed the Committee that cross border issues still needed to be discussed but this would not impact very much on the District's housing stock decisions and housing requirements. The Local Plan will not specify where developments will be but there is due to be a greenbelt review across three districts and constraints to be included within the growth strategy will need to be considered.

RESOLVED

That the Committee endorsed the Council and the authorities comprising the Derby Housing Market Area (HMA) preparation of separate local plans, whilst developing Statements of Common Ground as required.

EDS/ **DRAINAGE AND WASTEWATER MANAGEMENT PLAN**

The Policy Planning Officer (Sustainability) presented the report to the Committee outlining the proposals by Severn Trent Water to prepare a Drainage and Wastewater Management Plan and the Council's proposed response to Severn Trent Water on the preparation and scope of the Plan.

RESOLVED:

That the Committee authorised the proposed response to Severn Trent Water's (STW) Drainage and Wastewater Management Plan Stakeholder Consultation set out in this main body of this report and this consultation as per Appendix 2 of the report.

That the Committee is aware that a senior officer from STW has been invited to Overview and Scrutiny Committee on the 27th November to discuss the Plan and Severn Trent's wider approach to managing drainage and wastewater.

EDS/ **DRAFT STRATEGIC HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT METHODOLOGY CONSULTATION**

The Policy Planning Officer (Sustainability) presented the report to Committee, explaining that the methodology had been drafted in line with Government guidance.

RESOLVED:

That the Committee approved the draft methodology for the Strategic Housing and Economic Land Availability Assessment (SHELAA) as per Appendix 1 of the report, for public consultation.

EDS/ **COMMITTEE WORK PROGRAMME**

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/47 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meetings held on 15th August 2019 were approved as a true record and signed by the Chairman

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

The meeting terminated at 7.30 pm.

COUNCILLOR MACPHERSON

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

5th March 2020

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Mrs Haines (Vice-Chairman) and Councillors Billings, Ford (substituting for Councillor Dawson), Mrs. Patten, Roberts (substituting for Councillor Mrs Brown), and Mrs Wheelton (substituting for Councillor Fitzpatrick).

Labour Group

Councillors Dunn, Mrs. Heath, Singh, Taylor and Tilley.

EDS/

APOLOGIES

Apologies for absence were received from Councillors. Mrs. Brown Dawson, Fitzpatrick, and Whittenham.

EDS/

DECLARATIONS OF INTEREST

Councillor Roberts declared a personal interest in both Item 5, Key Performance Indicators, and Item 6, Private Hire Cross Borders Enforcement Operational Protocol, advising he would not participate in the debate

Councillor Ford declared a personal interest in Item 9, Consultation on Derbyshire County Council's Developer Contributions Protocol, by virtue of being a County Councillor, advising he would not participate in the debate.

Councillor Mrs. Patten declared a personal interest in Item 9, Consultation on Derbyshire County Council's Developer Contributions Protocol, by virtue of being a County Councillor, advising she would not participate in the debate

EDS/

QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10

The Committee was informed that no questions from Members of the Public had been received.

EDS/ **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

EDS/ **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

EDS/ **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Senior Licensing Officer presented the report to the Committee giving a brief update on the performance of the Licensing Department.

RESOLVED:

That Members noted the performance of the Licensing Department in relation to the Key Performance Indicators

EDS/ **PRIVATE HIRE CROSS BORDER ENFORCEMENT OPERATIONAL PROTOCOL**

The Senior Licensing Officer presented the report to the Committee, outlining the main points of the report.

RESOLVED:

That the Committee approved the Cross-Border Enforcement Operational Protocol and authorised Officers to take the necessary steps to finalise the Protocol.

That the Committee approved the delegation of the specified private hire licensing enforcement functions to North West Leicestershire District Council and East Staffordshire Borough Council in line with the above Protocol

That the Committee approved the reciprocal delegation of specified private hire licensing enforcement functions from North West Leicestershire District Council and East Staffordshire Borough Council in line with the above Protocol.

EDS/ **STRATEGIC HOUSING MARKET ASSESSMENT 2020**

The Planning Policy Team Leader presented the report to the Committee highlighting the main points of the report.

Councillor Singh enquired whether developers are aware of the criteria when building new homes to ensure they are future proofed for an aging population.

The Head of the Planning and Strategic Housing informed the Committee that it now industry standard to build adaptable homes and these changes well known within the industry.

RESOLVED:

That the Committee noted the content of the report together with the Strategic Housing Market Assessment (SHMA) 2020 Executive Summary as per Appendix 1 of the report.

That the Committee endorsed the SHMA 2020 to be used both as required by the adopted Local Plan and as a material consideration, to assist in the determination of planning applications.

That the Committee endorsed the production of a draft Affordable and Specialist Housing Supplementary Planning Document (SPD), to be brought to this Committee prior to public consultation.

EDS/

EAST MIDLANDS AIRPORT INFORMATION MEETINGS

The Head of Planning and Strategic Housing presented the report to the Committee, asking for an additional Member from each side to sit on this group alongside the Chairman and Vice-Chairman.

Councillor Richards asked that the political proportionality be looked at and confirmed before a Labour member is nominated. The Head of the Planning and Strategic Housing confirmed that this would be checked with the Monitoring Officer and the information shared with Members outside of this Committee.

RESOLVED:

That the Committee endorsed, subject to political proportionality being confirmed, that the Chair and Vice Chair of Environmental and Development Services Committee, an elected member to represent the wards most affected by activity at East Midlands Airport (EMA) and an elected member to represent the opposition party to attend meetings annually with representatives of EMA to discuss on-going matters of mutual interest.

EDS/

CONSULTATION ON DERBYSHIRE COUNTY COUNCIL'S DEVELOPER CONTRIBUTIONS PROTOCOL

The Planning Policy Team Leader presented the report to the Committee, outlining the key items of the report.

Members raised queries regarding the charges, and the need to ensure the Council does not lose sight of what is needed to be delivered to the District's residents. The Head of Planning and Strategic Housing informed Members that the apportionment of Section 106 funding will remain the decision of Planning Committee.

RESOLVED:

That in responding to the consultation on the draft Derbyshire County Council Developer Contributions Protocol the Committee:

- ***welcomed the expansion of topics included within the Protocol***
- ***recognised the introduction of the planning obligations and travel plan monitoring fees***
- ***recognised the changes in formula for generating education contributions.***

EDS/ EREWASH BOROUGH COUNCIL 2020 CORE STRATEGY REVIEW

The Planning Policy Officer (Sustainability) delivered the report to the Committee, outlining South Derbyshire District Council's concerns regarding the evidence presented and lack of information shared regarding the emerging local plan

The Leader confirmed that South Derbyshire District Council's response to this should come from himself and the Chief Executive.

RESOLVED:

That the Committee endorsed the content of the report and authorised its submission to Erewash Borough Council as this Council's response to its Growth Options Consultation

EDS/ COMMITTEE WORK PROGRAMME

The Strategic Director (Service Delivery) informed Committee that an updated work programme will be presented at the next Committee meeting.

RESOLVED:

The Committee considered and approved the current work programme.

EDS/ LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**RESOLVED:-**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER

COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

VISITOR INFORMATION REVIEW

The Committee approved the recommendations contained in the report.

STRUCTURE REVIEW ENVIRONMENTAL SERVICES

The Committee approved the recommendations contained in the report.

The meeting terminated at 7:10 pm.

COUNCILLOR MACPHERSON

CHAIRMAN

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	13th AUGUST 2020	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@southderbyshire.gov.uk	DOC:
SUBJECT:	INTRODUCTION OF ANIMAL WELFARE LICENSING POLICY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members note the consultation responses received in relation to the Animal Welfare Licensing Policy at Appendix 1.
- 1.2 That Members approve the introduction of the Animal Welfare Licensing Policy at Appendix 2 of this report to come into effect on approval by Full Council.

2. Purpose of Report

- 2.1 To provide Members with the outcome of a consultation with interested parties.
- 2.2 To provide Members with the necessary information to be able to consider the recommendations contained in paragraph 1 of this report.

3. Detail

- 3.1 The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 ("the 2018 Regulations") came into effect in October 2018 covering the following licensable activities:
 - providing or arranging the boarding of dogs and/or cats;
 - dog breeding;
 - hiring out horses;
 - selling animals as pets;
 - keeping or training animals for exhibition.
- 3.2 The 2018 Regulations have been fully implemented within the Licensing Department. To assist licence holders, applicants and the Licensing Authority with the application process, an Animal Welfare Licensing Policy has been drafted to provide guidance and to promote and protect animal welfare standards.

Consultation

- 3.3 Officers conducted a 12-week consultation exercise on the draft Policy with all persons who have been granted a permit previously, relevant organisations and members of the public via the Council's website.
- 3.7 6 responses were received during the consultation period. A summary of the points raised in relation to other responses received can be found at **Appendix 1**. The amended draft Policy is attached as **Appendix 2**.

4. Financial Implications

- 4.1 There are no financial implications to the Council.
- 4.2 Recommendation 1.2 will have no financial implications on existing licence holders.

5. Corporate Implications

Employment Implications

- 5.1 None

Legal Implications

- 5.2 None

Corporate Plan Implications

- 5.3 These proposals will continue to demonstrate to members of the public that the Council takes the protection of local residents, children, and vulnerable adults from the potential harms of animal welfare seriously, which contributes to the value of taking pride in our place and striving for excellence in all we do.

Risk Impact

- 5.4 None

6. Community Impact

Consultation

- 6.1 Consultation has taken place with all relevant bodies.

Equality and Diversity Impact

- 6.2 None

Social Value Impact

- 6.3 The proposals will protect all residents in South Derbyshire from the potential harms of poor animal welfare standards.

Environmental Sustainability

6.4 None

7. **Background Papers**

Animal Welfare Act 2006

Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018

DEFRA Procedural Guidance to Licensing Authorities

Consultation Responses Log

Response	Summary of points raised	Amendment to Draft Policy
Response 1	Paragraph 9.3 relates to taking samples and anything more than a pin prick should be completed by a veterinary surgeon rather than a lay inspector.	The intention was for any samples to be taken by a veterinary surgeon but the Policy has been amended to make this clearer.
Response 2	Full support of the introduction of the Policy	No amendment to the Policy.
Response 3	Concern that a new licensing regime was being introduced when one had only been introduced in 2018.	<p>Provided clarification that this isn't a new licensing regime but is the introduction of a Policy to support the 2018 Regulations. Confirmed their existing licence will continue.</p> <p>No amendment to the Policy.</p>
Response 4	Clarification as to how the business element is defined in particular for dog breeding.	<p>Advised that each case is decided on its own merits taking into account the HMRC's Nine Badges of Trade in addition to the guidance issued by DEFRA.</p> <p>No amendment to the Policy.</p>
Response 5	Concerns that the Policy doesn't include the definition of dog breeding and as to when a licence is required.	The definition of dog breeding is defined in the 2018 Regulations and is detailed on the Council's website. As the 2018 Regulations are subject to regular change, it was decided not to include the definitions in the Policy as the Policy would need updating every time a change to the definition is made.

		No amendment to the Policy.
Response 6	<p>Clarification as to how many dogs can be kept in kennels and how many dogs can one person keep to breed.</p> <p>The Council should include the definition of dog breeding in the Policy.</p>	<p>Advised that each premises is different depending on their set up but the numbers for boarding and breeding are determined by an Officer at inspection using the Guidance produced by DEFRA.</p> <p>The definition of dog breeding is defined in the 2018 Regulations and is detailed on the Council's website. As the 2018 Regulations are subject to regular change, it was decided not to include the definitions in the Policy as the Policy would need updating every time a change to the definition is made.</p> <p>No amendment to the Policy</p>



SOUTH DERBYSHIRE DISTRICT COUNCIL

Animal Welfare Licensing Policy

Version : #

1 INTRODUCTION

Powers and Duties

- 1.1 This Statement of Licensing Policy (“the Policy”) is written pursuant to the powers conferred by the Animal Welfare Act 2006, Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 (“the 2018 Regulations”) which place on South Derbyshire District Council (“the Council”) the duty to carry out its functions in respect of the licensing of activities involving animals.

Objectives

- 1.2 In setting out the Policy, the Council seeks to promote the following objectives:
- The protection and promotion of animal welfare standards;
 - Public safety;
 - The establishment of a respected animal activities licensing regime;
 - The protection of the environment.
- 1.3 In carrying out their regulatory functions, the Council will have regard to this Policy and in particular, the objectives set out above. Notwithstanding the existence of this Policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons will be given for doing so.
- 1.4 The Policy refers to guidance that is available to applicants and licence holders to assist them with the application processes and the running of the service. This Policy, relevant application forms, current guidance and the current fees are available on the Council’s website.
- 1.5 The Council recognises that the Equality Act 2010 places an obligation on all public authorities to have regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, sex and sexual orientation. In determining applications and carrying out any enforcement duties, the Council will ensure that the Public Sector Equality Duty has been fulfilled.

Background to Policy

- 1.6 The Policy has been introduced pursuant to the commencement of the 2018 Regulations.
- 1.7 The Policy will take effect from # for a period of 5 years.
- 1.8 Prior to the end of the five-year period, a full consultation will be undertaken with a view to publishing a new Policy to take effect no later than the date of expiry of the existing Policy.
- 1.9 The Policy will be kept under constant review and amended as and when necessary to reflect changes in legislation and case law.

2 ANIMAL WELFARE

Animal Welfare Act 2006

- 2.1 This Act is the primary piece of legislation controlling the welfare of animals in England and Wales and established set welfare standards that must be maintained by all people who are responsible for an animal. It consolidated animal welfare legislation in areas such as preventing unnecessary suffering, mutilation and animal fighting. The Act also places responsibilities on to numerous enforcement agencies.
- 2.2 The Act introduces a 'duty of care' on any person that is responsible for an animal to ensure that the needs of that animal are met. A person does not have to be the owner of the animal for the 'duty of care' to apply.
- 2.3 The Act creates an offence of failing to provide for the needs of an animal in a person's care and increases the penalties for animal abuse allowing the courts to disqualify a person from being in charge of animals. Any person disqualified under the Act will also be disqualified from holding a licence under this Act and any associated regulations
- 2.4 Section 9 of the 2006 Act creates five overarching principles of animal welfare. The Act refers to these as the 'five needs' of all animals. It is the duty of any person responsible for an animal to ensure that each of these five needs are met.
 - The need for a suitable environment;
 - The need for a suitable diet;
 - The need to be able to exhibit normal behaviour patterns;
 - Any need to be housed with, or apart from, other animals; and
 - The need to be protected from pain, suffering, injury and disease.

3 LICENSABLE ACTIVITIES

The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018

- 3.1 The 2018 Regulations came into force on 1st October 2018 and consolidated several pieces of legislation relating to animal licensing. This included legislation relating to pet shops, catteries, kennels, home boarding of dogs, dog day care centres, riding establishments, dog breeding and performing animals.
- 3.2 A licence may be required when any of the following licensable activities are undertaken:
 - Selling animals as pets;
 - Providing or arranging for the provision of boarding for cats or dogs including kennels, catteries, dog day care and home boarding;
 - Hiring out horses;
 - Breeding dogs;
 - Keeping or training animals for exhibition.
- 3.3 A licence is required where any of the above activities are being carried on in the course of a business, whether the operator makes a sale or carries on the activity with a view to making a profit or earns a commission or fee from the activity. With regards to defining a business, the Council will decide each case on its own merits considering the HMRC's nine badges of trade in addition to the consideration of the £1000 trading income referred to in the Guidance.

4. APPLICANT SUITABILITY

- 4.1 In accordance with the 2018 Regulations, any individual who carries on a licensable activity will be designated as the ‘operator’ of the business and can apply for a licence provided they are not disqualified from applying for a licence as defined in the 2018 Regulations.
- 4.2 In determining an application, the Council will consider the conduct displayed by the applicant or licence holder to ensure they are a ‘fit and proper person’ to carry out the proposed licensable activity and meet the conditions attached to the licence.
- 4.3 The term ‘fit and proper’ is not defined within the legislation or guidance. For the purposes of this Policy, the Council would consider a ‘fit and proper person’ to be an individual who can demonstrate upon application they have:
- The right to work in the UK;
 - No relevant convictions;
 - Not been disqualified from holding a licence;
 - The knowledge, experience, compliance history and ability to comply with licence conditions and safeguard the welfare of animals in their care;
 - Made suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licence activity.

This does not limit the scope of the fit and proper assessment and the Council may take into account other matters should they be considered relevant to the licensing process.

- 4.4 In the case of renewals, the Council will consider any information received about the operation over the period of the existing licence. The Council will expect licensees to demonstrate appropriate professional conduct at all times, act with integrity and demonstrate the conduct befitting the trust placed on them to operate their premises and care for the animals.
- 4.5 In reaching a decision on whether to issue a licence or not, the Council will consider the Inspector’s Report and will refuse to grant or renew a licence if it:
- Considers the applicant or licence holder is not capable of meeting the licence conditions;
 - Believes granting a licence might negatively affect the welfare, health or safety of the animals involved in the activity;
 - Believes the accommodation, staffing or management are inadequate for the animals well-being or for the activity or establishment to run properly;
 - Is established the applicant or licence holder has been disqualified from holding a licence per Schedule 8 of the 2018 Regulations.

Relevance of Convictions

- 4.6 The purpose of this section is to offer guidance on how the Council can determine whether an applicant or licence holder is suitable to either be granted a licence in the first place or retain a licence under the 2018 Regulations. In all cases, the Council will consider the conviction or behaviour in question and what weight should be attached to it. Each case will be determined on its own merits, but in light of these guidelines.

- 4.7 Most applicants or licensees will have no convictions and that is clearly the ideal situation. It is accepted, however, that people do make mistakes, and it is further accepted that many learn from those mistakes and do not continue to commit further offences. Accordingly, in many cases an isolated conviction, especially if committed some time ago, will not prevent the grant or renewal of a licence.
- 4.8 The Council will not normally grant a licence to a person with one (or more) conviction for any offence that is related to animal cruelty or suffering. The primary purpose of the regulations enforced by this Council is to ensure the welfare of animals and as such, these types of offences are highly relevant.
- 4.9 The Council will not normally grant a licence to a person with one (or more) conviction for any offence that is related to licensing as these offences demonstrate a disregard for licensing processes and procedures.
- 4.10 In addition to the above, the Council also has wider obligations to prevent crime and disorder and safeguard both children and vulnerable adults. These obligations arise from the Crime and Disorder Act 1998; the Children Act 2004; and the Care Act 2014. As a result, the Council will not normally grant a licence to a person with one (or more) conviction for any of the following offences:
- Offences involving violence;
 - Possession of a weapon;
 - Sex and indecency offences;
 - Offences involving dishonesty;
 - Offences involving drugs.

Any offences or behaviour not expressly covered by this Policy may still be taken into account.

- 4.11 The Council must ensure that licence holders remain fit and proper during the life of a licence. For this reason, licence holders must notify the Council, in writing, within 72 hours, if any of the following occurs (in relation to the types of offences highlighted above):
- They have any type of licence suspended or revoked;
 - They receive any warnings or cautions;
 - Are arrested (whether or not charged with an offence);
 - Are charged with any criminal offence;
 - Are convicted of any criminal offence;
 - Allegations are made of their involvement in criminal activity; or
 - Any pending charges, to include any notices of intended prosecution.

Failing to provide such notification will raise serious questions for the Council as to the honesty of the licence holder and their fitness and propriety to hold a licence.

5 APPLICATION PROCEDURE

- 5.1 Licence applications must be submitted in writing on the relevant application form. Additionally, applicants should include any supporting information as required together with the appropriate fee which is available on the Council's website.
- 5.2 Payment for vet inspections will be an additional charge payable by the applicant or licence holder.

- 5.3 Although not a statutory requirement, the Council will aim to provide licence holders with 3 months' notice of when their licence is due to expire. Licence holders must then apply at least 10 weeks before their licence expires to continue the licensable activity with no interruptions. It is the licence holder's responsibility to ensure that any renewal application is made in good time, and the Council cannot be held responsible for any delays or lapses of a licence caused by an incomplete or late application. If the renewal application has not been submitted for or granted by the expiry date of the current licence, the licence holder must stop trading until a licence has been granted. If the licence holder continues to trade with no licence in place even if an application has been submitted but not yet determined then enforcement action will be taken against the licence holder and their actions will be taken into consideration when determining any licence application.
- 5.4 Once a valid application has been received, an appointment will be booked with the applicant to arrange a risk rating assessment/inspection to be conducted of the premises. The inspection will be carried out by a suitable qualified inspector. The inspection will assess the whole site and determine if it is likely to meet the licence conditions. A report will be produced at the end of the inspection detailing the findings of the inspection stating whether the conditions will be met or not.

Standards and Conditions

- 5.5 Under the 2018 Regulations, there are mandatory general conditions to be met by all premises offering any type of licensable activities. In addition, there are mandatory conditions specific to each type of licensable activity. Further to the general and specific conditions detailed in the 2018 Regulations, DEFRA have produced Guidance in relation to all conditions specific to each licensable activities. The Guidance can be found on the Council's website.
- 5.6 Applicants and licence holders will need to meet the requirements of all the minimum standards, although minor failings may be noted/recorded providing they do not compromise the welfare of the animals (these would be predominantly administrative in nature).
- 5.7 In addition each licensable activity (with the exception of the keeping or training animals for exhibition) also stipulates further optional conditions for "Higher Standards". Meeting the higher standards is optional but is the only way to gain the highest star rating. The higher standards are classified into two categories – required (mandatory) and optional. These will usually be colour coded into blue and red respectively. To qualify as meeting the higher standards the business must achieve all the required (mandatory) standards as well as a minimum of 50% of the optional higher standards.

Determining Applications

- 5.8 Having considered the inspection report and whether the applicant is a fit and proper person, the Council will decide whether to grant the licence or not. Where a licence is issued the Council will provide the following details:
- the licence with the Star Rating;
 - details of how the business has been rated including a list of the higher standards the business currently fails to meet or a list of the minimum standards the business is failing to meet and resulting in a "minor failing" category;

- a copy of the risk management assessment table;
 - details of the appeals process and timescales.
- 5.9 Any fee(s) required upon the grant of the application must be paid in full prior to the grant of the licence.
- 5.10 If having considered the Inspector's Report and the application, the Council is minded to refuse an application for grant or renewal then the application will be referred to the Licensing and Appeals Sub-Committee for determination. Information on this process will be provided to the applicant or licence holder if their application is to be referred to Committee for determination.
- 5.11 If the Licensing and Appeals Sub-Committee refuse the application, the applicant or licence holder has the right of appeal to a First-tier Tribunal within 28 days of the decision notice. No refund will be due on any application fees or veterinary fees for refused applications.

6 RISK ASSESSMENT AND RATING

- 6.1 A risk-based star rating system has been introduced which will be used to determine how long a licence may be issued for from one to three years. The only exception is the activity of "Keeping or Training Animals for Exhibition" where all licences are issued for 3 years. The rating is determined by the animal welfare standards adopted by a business as well as their level of risk, based on elements such as past compliance. The model will be used every time a licence is granted or renewed. The scoring matrix is attached as **Appendix 1**.
- 6.2 Businesses will be rated from 1 to five stars, based on their risk rating and the results of their inspection (determining if the business meets the minimum and higher standards). The rating will appear on the licence issued by the Council. The licence issue letter will provide details of why the businesses received their risk rating score.
- 6.3 Any new business will automatically be classed as high risk if the Council does not have a 3-year history for the business. If the business is certified by a UKAS-accredited body with a good 3-year compliance history and evidence is provided, this Council will consider this new business as low risk. In addition, if the business has a good 3-year compliance history with another Council for a similar licensable activity and evidence is provided, the Council will consider this business as low risk.

Appeal of Star Rating

- 6.3 Licence holders have 21 days (including weekend and bank holidays) following the issue of their licence in which to appeal the star rating if they consider the star rating awarded does not reflect the licence history and standards found at the time of inspection.
- 6.4 Prior to making an appeal, the Council encourages the licence holder to discuss the rating with the Inspecting Officer should they disagree with it. This will afford the Inspecting Officer the opportunity to explain the process that must be followed and may resolve matters without the business having to lodge an appeal. The business will be provided with the Officers' Inspection Report which will highlight the Inspecting Officer's decision on how the risk rating, compliance level and star rating has been determined. Please note the licence holder will still have to lodge any appeal within the 21 days even if they use the informal approach first.

- 6.5 To appeal, the licence must submit their appeal in writing by emailing the Licensing Department. The grounds for appeal must clearly be stated (i.e. the reasons why it is felt that the rating has been applied incorrectly).
- 6.6 Businesses should not appeal if they have made improvements to their business and wish for those improvements to be reassessed. This should be achieved by application for a re-inspection.
- 6.7 Appeals will be determined by the Head of Legal and Democratic Services or their appointed deputy, or by an equivalent person in another Council. No officer involved with the inspection or rating will determine an appeal.
- 6.8 A decision will be issued to the applicant for an appeal within 21 days of receipt of the appeal request.
- 6.9 The Council will determine the outcome of an appeal by considering the paperwork associated with the inspection and the past record of the business. In some circumstances, a further visit to the premises may be required. The costs of any additional inspections related to the appeal will be borne by the applicant unless it results in a higher rating being awarded. This will depend on the nature of the dispute and whether a decision can or cannot be made on the basis of the paperwork.
- 6.10 If a business disagrees with the outcome of the appeal, they can challenge the decision by way of judicial review. The business may also make a complaint via the council's corporate complaints procedure if they consider a council service has not been properly delivered.

Re-inspection

- 6.11 Any business that has made changes since the last inspection and wishes for these to be taken into account should apply for a re-inspection. Please note a re-inspection for re-rating purposes could lead to a lower rating being awarded rather than an increase in rating.
- 6.12 To apply for a re-inspection, the licence holder must put their request in writing by completing the relevant application form and submitting to the Licensing Department including details of what actions and improvements have been made since the last inspection including any supporting evidence. A fee is payable.
- 6.13 On receipt of an application to re-inspect, the Council will decide whether the actions and improvements made by the business are sufficient for re-inspection. If there is insufficient evidence, the Council will inform the licence holder in writing detailing why the request has been refused and explaining what action needs to be taken by the licence holder before a re-inspection will be carried out. If the licence holder disagrees with this decision, they can appeal to the Head of Legal and Democratic Services or a complaint can be raised through the Council's Corporate Complaint process.
- 6.14 Once an application for re-inspection has been accepted, an Inspecting Officer will arrange for an inspection of the premises to be carried out. This may be an unannounced inspection dependant on the nature of the reasons for re-inspection. A full inspection will be carried out and the premises will be re-scored on the basis of the full inspection. This could lead to the rating of the premises going up, going down or staying the same. After the inspection, an amended licence will be issued as required and a decision letter will be issued with full details of the inspection.

7. TRANSFER, VARIATION, SUSPENSION AND REVOCATION

Transfer

- 7.1 There is no provision for the transfer of a licence under the 2018 Regulations. A new application would have to be made.
- 7.2 If a licence holder dies, the 2018 Regulations allow the personal representative of the deceased to take on the licence provided they inform the Council, within 28 days of the death, they are the operators of the licensable activity. The licence will remain in place for three months from the death of the former holder or for the rest of the time it was due to remain in force if that time period is shorter. The new licence holder should then apply for a new licence one month before the expiry of this new period.
- 7.3 Additionally, the Council can extend the three-month period by up to another three months if requested by the representative and if they believe this time is needed to wind up the estate of the former licence holder.
- 7.4 If the personal representative does not notify the Council within 28 days of the death of the licence holder, the licence will cease to have effect after those 28 days.

Variation, Suspension or Revocation of a Licence

- 7.5 A licence holder may apply to vary the licence at any time during the term of the licence. An application must be made in writing on the relevant form and it must be submitted with any relevant documentation and fee. The process for the variation of a licence is the same as for the grant of a licence in that an inspection will be carried out to determine the variation. The premises will be re-assessed for the purposes of the star rating.
- 7.6 In addition, the Council may vary, suspend or revoke a licence without the consent of the licence holder if:
- (a) The licence conditions are not being complied with,
 - (b) There has been a breach of the Regulations,
 - (c) Information supplied by the licence holder is false or misleading, or
 - (d) It is necessary to protect the welfare of an animal.
- 7.7 The decision of whether to vary, suspend or revoke will depend on the severity of the situation. If the licence holder fails to meet administration conditions or fails to provide information repeatedly then this may lead to the suspension of the licence until they comply. However, the licence should be revoked if poor welfare conditions are discovered or it would otherwise benefit the animals involved to be removed from the activity. A variation would be used if there was a need to make changes to the licence, premises or animals i.e. reduce number of animals permitted or remove a licensable activity.
- 7.8 A decision to suspend or vary without consent will take effect 7 working days after the decision notice has been issued to the licence holder. The decision can take immediate effect if the reason for the decision is animal welfare. A decision to revoke will always take immediate effect.
- 7.9 The decision notice will explain the reason for the decision providing information regarding when the suspension, variation or revocation comes into effect, the rights of the licence holder and any specific changes necessary to remedy the situation. The

decision notice will be delivered in person, by leaving it at or posting to the licence holder's current or last known address or by emailing to the licence holder's current or last known email.

- 7.10 On receipt of a notice to suspend or vary, the licence holder has 7 working days to make written representation to the Council. On receipt of any written representation, the Council will decide whether to continue with the suspension, variation without consent, or cancel the initial decision. This decision must be made and notified to the licence holder within 7 working days otherwise the initial decision made is deemed to be overturned. If written representations are received, any suspension or variation does not take effect until the Council has made a decision on the written representations received unless the original decision stated the decision took immediate effect.
- 7.11 Once the decision comes into effect then the business cannot trade until the decision is overturned by the Council once they are satisfied the conditions are being met or after an appeal hearing at the First-tier tribunal. If the licence is suspended for a significant period of time, the Council will ensure that the animals are checked on regularly to ensure that the welfare of the animals is maintained.
- 7.12 As with applications, the licence holder may appeal to a First-tier Tribunal if they do not agree with the decision made by the Council. This must be done within 28 days of the decision.

8 INSPECTORS

- 8.1 All inspectors must be suitably qualified. This is defined in the Guidance as:
- Any person holding a Level 3 certificate granted by a body, recognised and regulated by the Office of Qualifications and Examinations Regulation which oversees the training and assessment of persons in inspecting and licensing certain animal activities businesses, confirming the passing of an independent examination. A person is only considered to be qualified to inspect a particular type of activity if their certificate applies to that activity;
 - Any person holding a formal veterinary qualification, as recognised by the Royal College of Veterinary Surgeons ("RCVS"), together with a relevant RCVS continuing professional development record;
 - Until October 2021, any person that can show evidence of at least one year of experience in licensing and inspecting animal activities businesses.

9 INSPECTIONS

- 9.1 In addition to the grant and renewal of a licence, in line with the Guidance, further unannounced inspections may be carried out during the term of the licence. In addition, further unannounced inspections will be carried out on receipt of a complaint or any other information is received about a premises suggesting licence conditions are not being complied with or that the welfare of the animals involved in a licensed activity is at risk.
- 9.2 For the activity of hiring out horses, there is a requirement for an annual inspection by a listed veterinarian, regardless of the total length of the licence. The Council will appoint a listed veterinarian to inspect the premises before the end of the first year after the licence is granted and then each subsequent year.

- 9.3 During the course of an inspection the inspector may choose to take samples for laboratory testing from the animals on the premises occupied by a licence holder. The licence holder must comply with any reasonable request of an inspector to facilitate the identification, examination and sampling of an animal including ensuring that suitable restraints are provided if requested.

10 ENFORCEMENT

- 10.1 The 2018 Regulations introduced new enforcement powers and measures in addition to the enforcement powers and measures contained within the 2006 Act. In addition, the 2018 Regulations provide safeguards to applicants and licence holders if they are aggrieved by any decision of the Council
- 10.2 It is recognised that well-directed enforcement activity by the Council benefits not only the public but also the responsible licence holders.
- 10.3 Wherever possible, the Council will adopt a graduated, education approach to enforcement however, where necessary, the Council will take appropriate and proportionate action against unlicensed and non-compliant businesses.
- 10.4 The Council will adhere to the Corporate Enforcement Policy and Associated Guidance to ensure that its enforcement is reasonable, transparent and proportionate.

11 PUBLIC REGISTER

- 11.1 The Council holds a register of premises licensed under the 2018 Regulations which includes the star rating allocated to each premises (except premises licensed for the keeping and training of animals for exhibition). The register is available on the Council's website.

12 INFORMATION SHARING

- 12.1 In the interests of protecting public safety, the safety and wellbeing of animals and ensuring fitness and propriety of licence holders, the Council will share information with other enforcement agencies including the RSPCA, police and other local authorities. Information may also be shared with internal council departments including Community Safety, Environmental Health, Revenues and Benefits and Planning. All information will be exchanged in accordance with relevant statute as the law permits.

13 FEES

- 13.1 Fees in relation to these schemes are calculated on a cost recovery basis and reviewed on an annual basis. Applicants and licence holders will also be required to pay vets fees for inspections as required.
- 13.2 Fees payable consist of an application fee and a licence fee. The application fee is due on application. The licence fee is payable once a licence has been approved but before it is issued. A list of the current fees is available on the Council's website.

14 CONTACT DETAILS

The Licensing Department can be contacted on the following details:

In writing: South Derbyshire District Council
Council Offices

Civic Way
Swadlincote
Derbyshire
DE11 0AH

Telephone: 01283 210000

Email: licensing@southderbyshire.gov.uk

Scoring Matrix

Scoring Matrix		Welfare Standards		
		Minor Failings (existing business that are failing to meet minimum standards)	Minimum Standards (as laid down in the schedules and guidance)	Higher Standards (as laid down in the guidance)
Risk	Low Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	3 Star 2yr licence Min 1 unannounced visit within 24 month period	5 Star 3yr licence Min 1 unannounced visit within 36 month period
	Higher Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	2 Star 1yr licence Min 1 unannounced visit within 12 month period	4 Star 2yr licence Min 1 unannounced visit within 24 month period

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	#	#

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	13th AUGUST 2020	CATEGORY: (See Notes) DELEGATED or RECOMMENDED
REPORT FROM:	ALLISON THOMAS	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS steffan.saunders@southderbyshire. gov.uk 01283 595743	DOC:
SUBJECT:	HILTON, MARSTON ON DOVE AND HOON NEIGHBOURHOOD DEVELOPMENT PLAN REGULATION 16 CONSULTATION	
WARD(S) AFFECTED:	HILTON, MARSTON ON DOVE AND HOON	TERMS OF REFERENCE: EDS 03

1.0 Recommendations

- 1.1 That the Committee authorises the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan Regulation 16 Consultation to be conducted in accordance with as much of the adopted Statement of Community Involvement as practicable, allowing for the restrictions due to COVID-19.
- 1.2 That the Committee approves the outstanding matters from the Council's Regulation 14 comments (at Appendix 1) to be made on behalf of the Council to the Regulation 16 Consultation.

2.0 Purpose of the Report

- 2.1 Firstly, to enable the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan (NDP) to proceed to the publicity consultation in accordance with Regulation 16 of the Neighbourhood Planning Regulations (2012) (as amended) notwithstanding that full compliance with the Council's Statement of Community Involvement would not be possible due to the current, and continually changing, restrictions in place due to COVID-19.
- 2.2 Secondly, to endorse the proposed Council response to the Regulation 16 consultation, setting out the outstanding concerns regarding the Neighbourhood Plan as proposed, specifically including where the NDP is not in accordance with the strategic policies of the Council's adopted Local Plan, together with the requirements of the National Planning Policy Framework (NPPF).

3.0 **Executive Summary**

- 3.1 The Council's Statement of Community Involvement (SCI) includes a requirement that hard copies of documents (Listed in the Appendices) are made available in the Council Offices and in libraries within the District. Given the Covid-19 restrictions which are likely to remain in place for time, it is unlikely the Council will be able to comply to the letter with this aspect of the SCI. It will be possible for appointments to be made for members of the public to inspect the documents at the Council offices, but, in terms of Libraries, there may be restrictions in place over the coming months. However, this can be mitigated by additional online publicity targeted at residents and businesses in Hilton, and in the current circumstances with Covid-19, additional online publicity to the consultation will mitigate for any lack of availability of hard copies of documents.
- 3.2 The Council provided comments to the Parish Council at the draft Neighbourhood Plan Consultation stage (Regulation 14). These comments are attached at Appendix 1. The Parish Council's responses to these comments are included at Appendix 5.

4.0 **Detail**

- 4.1 The Hilton, Marston on Dove and Hoon Neighbourhood Area was formally designated by this Committee in March 2018. Following this designation, Hilton Parish Council, in consultation with the local community, prepared a draft NDP for consultation in accordance with Regulation 14 of the Neighbourhood Planning Regulations. Under the Town and Country Planning Act 1990 (as amended) the Council has a statutory duty to assist communities in the development of NDPs and as such officers have advised Hilton Parish Council in drafting the NDP so as to facilitate a successful examination, referendum and ultimately a 'made' NDP.
- 4.2 The Regulation 14 consultation commenced in October 2019 and closed on 9 December 2019. The prescribed statutory bodies were consulted, including the Council and the County Council, together with local residents and other organisations. Summaries of the consultation responses, together with how these comments have been addressed in the submitted NDP, have been compiled by the Parish Council; these are referred to in the Consultation Statement and will, for ease of reference, be included as appendices in the Regulation 16 consultation.
- 4.3 In advising Hilton Parish Council in the drafting of their NDP officers have sought to shape the NDP so that it complies with all the relevant policy and legislation. At the Regulation 14 consultation stage various concerns remained outstanding and these were set out to the Parish Council. Whilst the NDP has been amended following the Regulation 14 consultation a number of these concerns remain, in particular, the NDP's express intention to prevent new housing development within Hilton until 2035 and to reduce the density of housing on the Lucas Lane site. This approach is contrary to national policy and guidance regarding the purpose and content of NDPs; paragraph 13 of the NPPF states: *"The application of the presumption [that is, the presumption in favour of sustainable development] has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies."*
- 4.4 The adopted Local Plan runs until 2028. South Derbyshire's housing requirement beyond 2028, which the next local plan will need to accommodate, is not yet known;

the Government is due to publish a revised standard methodology on which the housing requirement will be based. It is not tenable for the Council to express support for a NDP which is seeking a moratorium on housing development into the next plan period.

- 4.5 If this were accepted, then regrettably it is likely that other Parishes in South Derbyshire would seek to impose their own moratoriums on new development beyond 2028. Although the District Council could seek to argue through its own local plan examination that further development is needed in Hilton (or elsewhere) beyond 2028 to have such an argument would undermine the purpose of neighbourhood planning which is to provide locally specific policies consistent with principles of shaping new development but not preventing it. It is of great importance that the neighbourhood plan at Hilton is amended in line with the District Council's comments in the appendix, in order to allow choices to be made about new development locations beyond 2028. It is currently envisaged that the Local Plan review in South Derbyshire will cover a period to 2041 and it is not considered to be tenable to have one the Key Service Villages in the District unavailable to include for decisions on new housing allocations for a period of 13 years.
- 4.6 A NDP attains the same status as a Local Plan following approval at referendum; at this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.0 Financial Implications

- 5.1 The financial cost of conducting a Regulation 16 consultation will be covered by existing budgets.

6.0 Corporate Implications

Employment Implications

- 6.1 A Neighbourhood Plan amended in line with the comments in the appendix will have beneficial impacts as it will improve the attractiveness of Hilton as a great place to live, visit and invest.

Legal Implications

- 6.2 The Neighbourhood Plan will be subject to an independent examination during which compliance with the Neighbourhood Planning regulations will be assessed.

Corporate Plan Implications

- 6.3 The Neighbourhood Plan contains a number of policies consistent with the Corporate Plan. These include:
- to enhance biodiversity across the District (Our Environment)
 - to improve public spaces to create an environment for people to enjoy. (Our Environment)
 - Promote health and wellbeing across the District. (Our People)

Provided the requested amendments are also made included in the appendix then the Neighbourhood Plan will also be consistent with the following aspects of the Corporate Plan.

- To influence the improvement of infrastructure to meet the demands of growth. (Our Future)

- Enable the delivery of housing across all tenures to meet Local Plan targets (our Future)

Risk Impact

6.4 None.

7.0 Community Impact

Consultation

7.1 None

Equality and Diversity Impact

7.2 None

Social Value Impact

7.3 The NDP has been prepared by Hilton Parish Council involving volunteers from the local community. This community involvement is encouraged by the 2011 Localism Act.

Environmental Sustainability

7.4 Beneficial with the required amendments to the Plan

8.0 Conclusions

8.1 The Hilton NDP has been subject of a great deal of work led by the Parish Council. Provided the outstanding comments of the District Council are addressed through the examination process then the Neighbourhood Plan will be a valuable addition to the Planning Policy framework applicable to Hilton.

9.0 Background Papers

Appendix 1 – South Derbyshire District Council Regulation 14 consultation response to Hilton, Marston on Dove and Hoon NDP

Appendix 2 – Submission Hilton, Marston on Dove and Hoon Neighbourhood Development Plan 2020 – 2035

Appendix 3 – Basic Conditions Statement

Appendix 4 – Consultation Statement

Appendix 5 – Consultation Statement Appendices

Appendix 6 – Strategic Environmental Assessment and Habitat Regulations Assessment Screening Determination for Hilton, Marston on Dove and Hoon NDP

Notes:

- * Category – Please see the Committee Terms Of Reference in [Responsibility for Functions - Committees](#). This shows which committee is responsible for each function and whether it has delegated authority to make a decision, or needs to refer it elsewhere with a recommendation.
- ** Open/Exempt - All reports should be considered in the open section of the meeting, unless it is likely that exempt information would be disclosed. Please see the [Access to Information Procedure Rules](#) for more guidance.
- *** Committee Terms Of Reference in [Responsibility for Functions - Committees](#).

Regulation 14 Consultation:

Hilton, Marston and Hoon Neighbourhood Development Plan – Draft Plan

General comment

The plan period needs to be clarified and stated within the Plan itself: Page 13 of the Plan states that residents were given the opportunity to express their opinion for housing delivery for the period 2028 to 2035, however the Plan does not specifically set out the plan period. The AECOM Housing Needs Assessment states that the Neighbourhood Development Plan (NDP) period is 2016 – 2035, therefore the comments below are made on this basis.

Policy H1

The Hilton (South Derbyshire) Housing Needs Assessment (HNA) – June 2019 states that the Housing Needs Figure over the plan period (2016 -2035) is 839 dwellings for the Neighbourhood Area.

The HNA references housing completions within the neighbourhood plan area from 1 April 2011 to 31 March 2017. South Derbyshire's Local Plan (from hereon called the Local Plan) allocates two housing sites within the Neighbourhood Area, Land at Hilton Depot (Policy H7) for 485 dwellings and Derby Road, Hilton (Policy H23C) for around 43 dwellings. By the end of March 2017, 35 dwellings had been completed on housing allocation H7; Derby Road (H23C) has consent for 45 dwellings.

Whilst the draft Hilton NDP allocates two sites to include housing, H1A and H1B, these proposed allocations, taken together with the two Local Plan housing allocations, will not provide sufficient housing to meet the identified need of 839 dwellings by 2035 set out in the HNA. Subtracting the 45 new build completions during 2016/17 leaves 794 dwellings needed in the NA by 31 March 2035. Subtract the 8 dwellings proposed by draft policy H1B, the 45 dwellings permitted at H23C, and remainder of the H7 Local Plan allocation and the residual need is 291 dwellings, which will clearly be in excess of what would come forward on the proposed H1A allocation. If the above calculation is worked through using the 57 dwellings currently proposed by way of a planning application on H1B (Lucas Lane), the unmet need figure drops to 242 dwellings.

The National Planning Policy Framework states at paragraph 13 that *“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”* Basic condition (d) as highlighted in the Planning Practice Guidance requires that *“the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.”* For the Hilton NDP to extend beyond the Local Plan period requires the NDP to meet the identified housing need for that period in order for it to be fit for purpose and comply with the basic conditions.

A further basic condition, basic condition (e), requires that any NDP must be in general conformity with the strategic policies of the development plan. The draft NDP policy H1 restricts new residential development to that which has been allocated within the Local Plan, proposed allocations H1A and H1B or is a brownfield site within the settlement boundary (defined in the Local Plan). However, policies H1 and SDT1 of the Local Plan, both strategic policies, allow greenfield

development within settlement boundaries (subject to other Local Plan policies) and Policy H1 allows exception or cross-subsidy sites up to 25 dwellings outside of settlement boundaries within Key Service Villages, of which Hilton is one. Exception or cross-subsidy sites can be located on greenfield land. As such, draft NDP policy H1 is not in general conformity with the Local Plan's strategic policies.

Policy H1A

Policy H1A requires the provision of specialist accommodation along with retail units. The National Planning Practice Guidance for Neighbourhood Planning states:

"Neighbourhood plans may also contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy. Further [guidance on viability](#) is available." Paragraph: 005 Reference ID: 41-005-20190509.

Draft policy H1A requires a minimum of 10 and maximum of 20 sheltered bungalows to be built on the Mease site. It is unclear whether these bungalows are required as affordable dwellings or whether they are for the private sector. Demand for sheltered bungalows within the existing Council stock has reached equilibrium; a small number of bungalows within developments may be supported on sites, but 20 in one locality would be difficult to let if they were a rented product.

The Independent Examiner appointed to examine the NDP may query the viability of the proposed policy, to ensure that the policy is realistic, together with the basis for the specifying of a minimum of seven ground floor units.

The requirement of a minimum of 25% of sheltered bungalows complying to M4 (3) standard, goes beyond the requirements of building regulations and would require viability testing. The emerging Strategic Housing Market Assessment for the District would indicate that this percentage is too high; the evidence will recommend 5-10% where viable.

With regard to the residential care home of up to 40 beds, this is contrary to the Derbyshire Accommodation Strategy, adopted by the Council's Housing Committee, which shows an oversupply of care homes within the District. It appears that the NDP bases the need for the residential care home on the neighbourhood survey, however the evidence from AECOM's HNA shows a need for specialist accommodation, including sheltered housing and extra care, with no mention of a need for care home placements. Evidence suggests a need for 77 units of specialist accommodation (sheltered and extra-care) but notes this does not need to be within the Neighbourhood Area.

It should be noted that whilst the HNA sets out that affordable housing split includes entry level market homes, starter homes and entry level market rent, these are not in line with the Affordable Housing SPD which only supports affordable/social rent and shared ownership.

Policy H1B

The draft NDP policy H1B requires a low density housing development of up to 8 dwellings along with the provision of allotments, a community orchard, woodland and a community farm based on

the existing farm buildings. The National Planning Policy Framework states that planning policies should “*support development that makes efficient use of land*” taking into account a list of criteria (paragraph 122). The current planning application on the Lucas Lane site is for up to 57 dwellings and it is queried therefore whether the density proposed in Policy H1B is the most appropriate for the site in question.

Policy H2: Housing Mix

Page 55 of the HNA states: “*Currently, the supply of homes in terms of size and demand for homes are in broad alignment. However, due to significant demographic shifts that are forecast over the Plan period, an appropriate policy response is needed to support the delivery of smaller dwellings of 2-3 habitable rooms.*” Therefore the evidence in the HNA does not appear to support the proposed policy.

The need to focus on delivering 2-3 bedroom homes is strengthened by the evidence found in the Hilton Area Neighbourhood Development Plan survey. Furthermore, a greater focus is needed on delivering 1-bedroom homes, although the majority of homes delivered should still be 2 or 3 bedroom homes. An appropriate housing split, as supported by the HNA, would be as follows:

1 bedroom: 10%

2 bedrooms: 30%

3 bedrooms: 50%

4+ bedrooms: 10%”

As drafted, policy H2 provides a different housing split to that recommended in the HNA. The difference in approach will need to be justified, particularly the percentage of 4+ bedrooms proposed within the policy compared to that within the HNA. Similarly, the expectation that 25% of all housing developments of five or more should be bungalows needs to be justified.

Policy H3: Requirements of housing: Residential car parking

The policy goes beyond the requirements of the Local Plan and 6C’s Design Guide standards.

Policy T1: Active Travel

A suggestion for strengthening this policy would be: New development should, where available, link up to existing walking and cycling routes and public transport.

Policy T2: Access to schools

Is the intention for this policy to apply to *all* new developments, or all new *housing* developments?

Policy E1: Green Spaces

As drafted, policy E1 is not in conformity with Policy BNE8 in the Local Plan, nor the emerging Local Plan policies in the Local Green Spaces Plan. These Local Plan policies, together with the NPPF, do not restrict all development within Local Green Spaces.

It is unclear whether the second sentence of policy E1 is in regard to Local Green Spaces or referring to all new development outside of Green Spaces.

Policy E2: Retaining Village Identity

The Local Plan contains policies detailing the circumstances in which development outside of settlement boundaries within Rural Areas will be granted.

Policy E3: Community Land

To which development proposals is this policy intended to apply? Perhaps the following policy wording would meet the NDP's intention: "The provision of community gardening, orchards and allotments will be supported."

Policy E5: Biodiversity

The first two sentences of the policy appear to state the same requirement – no net loss of biodiversity.

The Hilton Nature Reserve is a SSSI; a nationally important site. Local Wildlife Sites are sites of County importance. Paragraph 175 of the NPPF sets out principles to be applied when determining applications where proposals could affect habitats and biodiversity.

Policy L1: Recreational facilities

The requirement for infrastructure and developer contributions is set out within Policy INF1 of the Local Plan. The proposed policy L1 requires that developer contributions will be sought on new residential developments to fund sport and play facilities. South Derbyshire 'Section 106 Agreements: Guide for developers' requires that developer contributions will be sought from residential development exceeding 4 dwellings and sets out the amount of contribution required.

'Section 106 Agreements: Guide for developers' requires that contributions are collected for three types of recreation; open space, outdoor facilities and built facilities. It is not fully clear from drafted policy what type of contributions will be required. The first and last paragraph appears to differ in meaning; the first paragraph requires that developer contributions will be sought from new residential development to fund sport and play facilities, whereas the last paragraph states, "...provision for a range of outdoor activities and sports will be encouraged".

Policy L2: Healthcare facilities

The requirement for infrastructure and developer contributions is set out within Policy INF1 of the Local Plan. Proposed policy L2 requires that developer contributions will be sought "to improve the quality and accessibility of health and social facilities including integrated community health facilities". South Derbyshire 'Section 106 Agreements: Guide for developers' requires that developer contributions will be sought from residential development exceeding 4 dwellings. When this threshold has been met, the NHS Derby and Derbyshire Clinical Commissioning Group would then be consulted to establish the required contribution from the development.

Planning obligations can only be sought to assist in mitigating the impact of unacceptable development to make it acceptable in planning terms (PPG Planning Obligations Paragraph: 002 Reference ID: 23b-002-20190901). It would therefore be beyond the law to collect contributions from all development where proposals do not impact upon healthcare provision.

Policy L3: Hilton Village shopping centre development

The specific policy requirements may hinder potential development opportunities. The developments supported by the policy can be supported in principle, thereby allowing, for example, for a retail proposal of six units.

Policy B1: Business Units

The first sentence states the phrase “within the existing settlement area”. Does this mean within the settlement boundary?

It would be helpful to define to which B use classes is the policy intended to apply.

Policy B4: Broadband

Suggested policy wording: Where practicable, new development should be supported by full fibre broadband connections.

Hilton, Marston on Dove & Hoon

Neighbourhood Development Plan 2020 - 2035



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Foreword

The village of Hilton in South Derbyshire is a rapidly changing area which needs time to deal with the influx of new development of the past 25 years and for the infrastructure to meet the needs of residents in a sustainable manner.

The South Derbyshire District Council (SDDC) Local Plan, adopted in 2017, designates Hilton as a 'Key Service Village' in the Local Plan Settlement Hierarchy. It is the second largest settlement in the district.

SDDC has designated Hilton, together with the neighbouring hamlets of Marston on Dove and Hoon, as a Neighbourhood Development Plan area as shown on page 6. This area coincides with the historical church parish.

The SDDC Local Plan also stated that developments must not compromise the District's heritage assets, landscape and rural character, which must be protected, conserved and enhanced. This is what has formed the basis of our plan.

The Neighbourhood Development Plan has been produced by a working party of Hilton Parish Council, the responsible body, consisting of councillors and a group of enthusiastic volunteers. The Neighbourhood Plan Steering Group has full delegated powers, and has regularly reported to the Parish Council who have reviewed and approved progress. Hilton Parish Council has supported the production of the plan through its many stages.

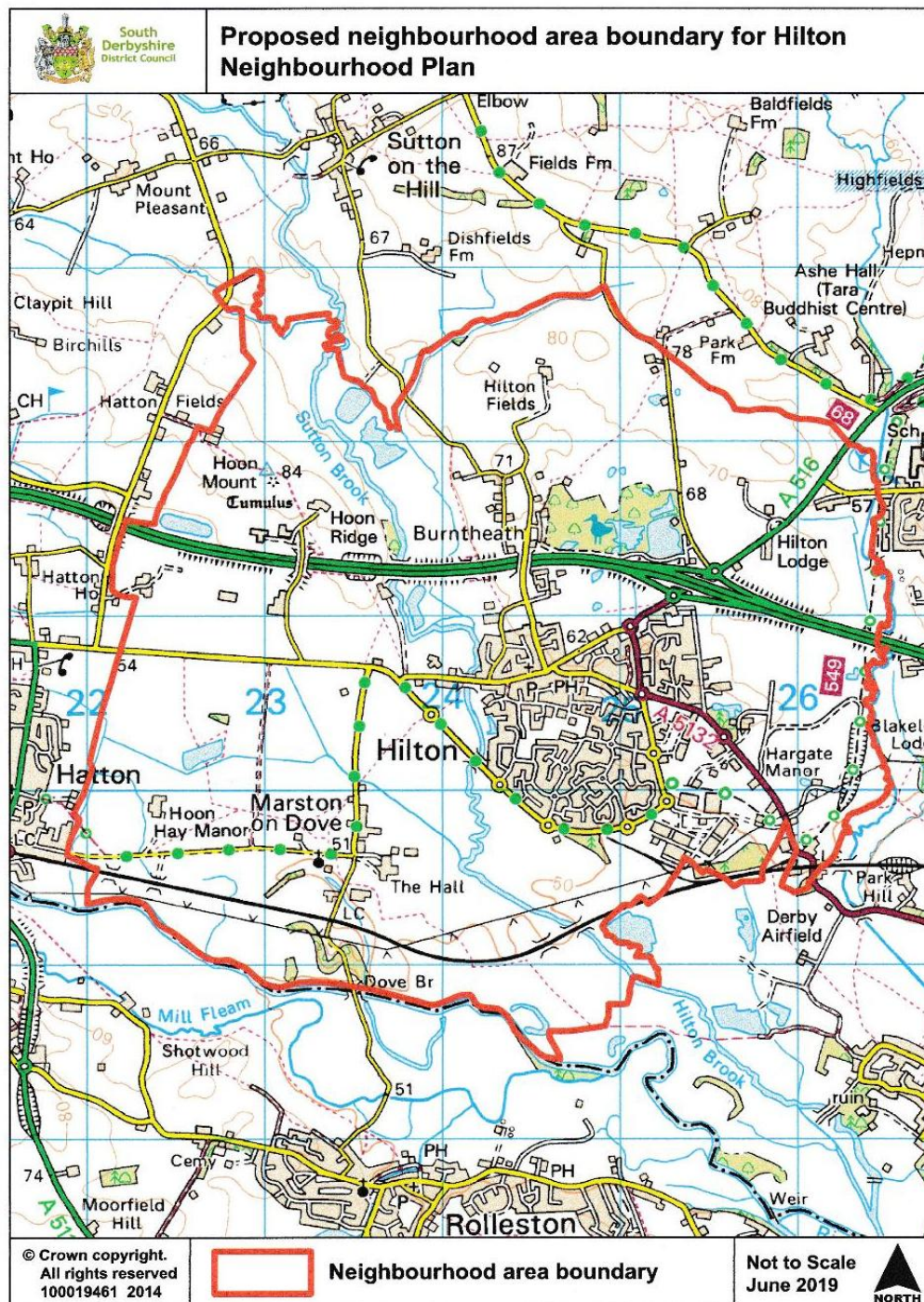
Our plan reflects the views of residents, businesses and interested parties in the parish covering all areas including housing, traffic and transport, business, environment, leisure and amenities, following detailed consultation.

Hilton Parish Council agreed to produce a Neighbourhood Development Plan covering the Designated Area in September 2017. The Steering group was established following the launch meeting in January 2018. Working groups focusing on each aspect of the plan were formed feeding information to the engagement group who developed the surveys which formed the basis of the plan.

Policies resulting from the consultation of residents are set out in each section of the plan, e.g. H1, T1, etc. However some policies which are not

related to planning matters have been designated as Community Policies, eg. CP-T1.

Hilton Parish Council is very grateful for the work carried out by the Neighbourhood Plan Steering Group and the working groups.



Map of Designated Area

Introduction

The Neighbourhood Development Plan and the planning system

The Localism Act, introduced by the Government in November 2011, aims to devolve more decision making powers from central government to communities, councils and individuals so that policies better meet the needs of local people. One of the key aspects of this is for communities to produce Neighbourhood Development Plans which are in line with higher level planning policies. Neighbourhood Development Plans must all comply with a basic set of conditions as set out in the Localism legislation.

The following is taken from the UK Government's Planning Portal website:

‘Only a draft Neighbourhood Plan or Order that meets each set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004, Revision date: 06 03 2014.’

The basic criteria which neighbourhood plans must comply with are:

1. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan.
2. The making of the neighbourhood plan contributes to the achievement of sustainable development.
3. The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of authority (South Derbyshire District Council).
4. The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
5. Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Members of the steering group consulted closely with South Derbyshire District Council, AECOM and a planning consultant, to ensure that all the above conditions were complied with in creating a robust plan for the area.

AECOM were consulted as the area had grown so rapidly that it qualifies for extra support of this nature under the planning guidelines.

About Hilton, Marston on Dove and Hoon

Hilton, Marston on Dove and Hoon, the Designated Area of the Neighbourhood Plan, is a pleasant area situated in green and gently rolling countryside with excellent road and rail links. Land ownership during and since the Second World War has played a significant part in shaping its current situation as the fastest growing settlement in South Derbyshire. Most of the surrounding area is productive farmland.

Hilton is the principal village, with currently around 3,300 houses located on the junction of the A516 and A5132, with Marston and Hoon located a mile to the west off side roads, each consisting of a dozen or so dwellings. Hoon is better classified as a hamlet.

The Designated Area had a combined population of 8,900 in mid-2017; however this is set to grow substantially over the next few years as more than 500 houses are currently under construction or have planning permission in Hilton.

The growth of Hilton far exceeds that of its near neighbours: since 2001 Hilton has grown by 114%, while the comparable figures for other nearby settlements are Willington 28%, Melbourne 15%, Findern 12%, Etwall and Hatton 11% and Repton under 10%.

Hilton has a facilities deficit compared with other places in Derbyshire with a similar population; for example it does not have a café, care home, butchers, bakers, library, swimming pool or petrol station.

Hilton lies to the south and west of two main cross country routes, the A50 running west to east and the A38 from south to north. There are two mainline railway stations a few miles away at Tutbury to the west and Willington to the east. The main line from Derby to Stoke and Crewe runs south of the village. The road and rail networks provide excellent communication links for those commuting to the nearby towns of Burton on Trent and Uttoxeter; the cities of Derby, Nottingham, Stoke and Birmingham and further afield. Significant local employers include Nestlé, Rolls-Royce, Toyota, Bombardier and JCB as well as many service industries.

To the west of Hilton lies Hilton Brook which drains into the River Dove. The Hilton Brook and the Derby - Stoke railway line form the southern boundary of Hilton. The area of land to the west and south of Hilton is prone to flooding. The soils surrounding the villages are alluvial with a high degree of gravel in them but nevertheless provide productive farmland. North of the A50 lie flooded gravel workings which are now a designated Site of Special Scientific Interest (SSSI). The village of Marston on Dove is at 50m above sea level, rising to 60m for Hilton and to 82m for Hoon Mount where the hamlet of Hoon is situated.

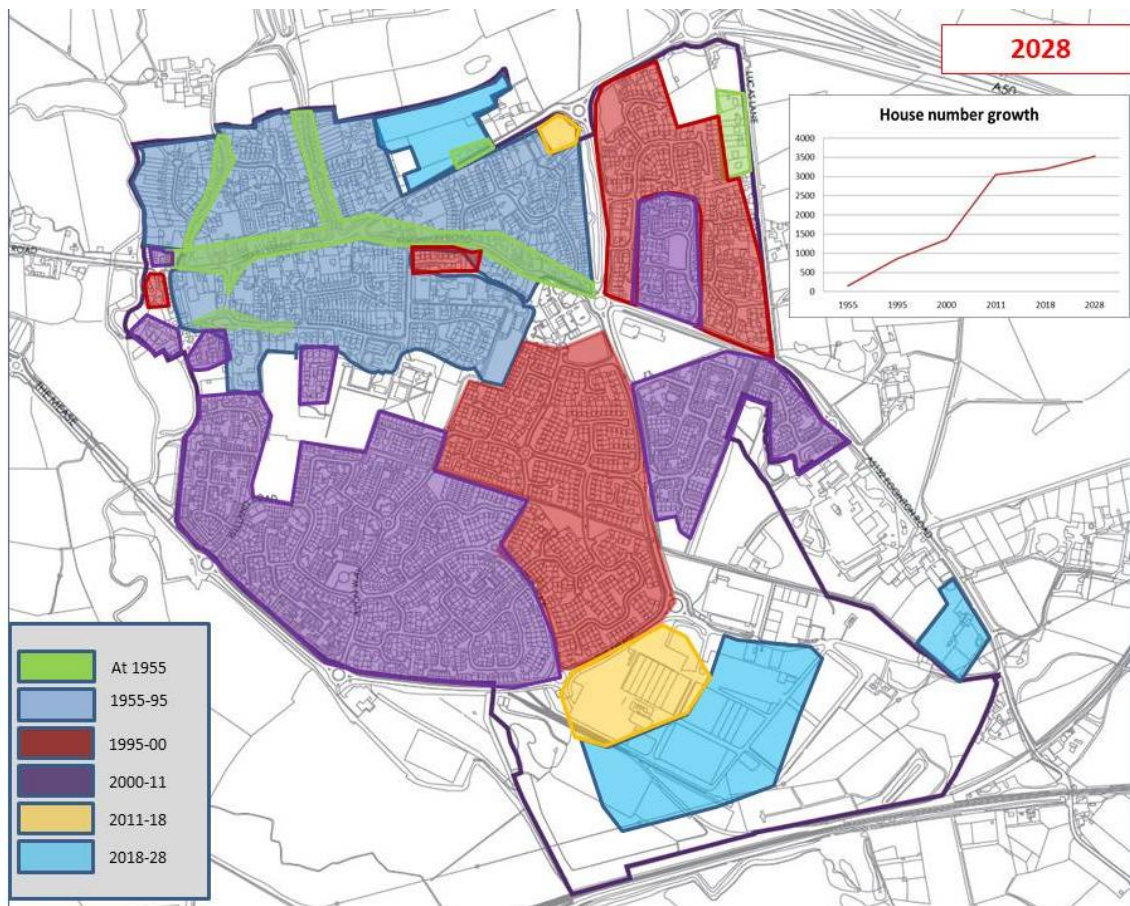
In 1942, three of the farms lying immediately to the south of Hilton were requisitioned by the War Department for use as a US Army camp, many times the size of Hilton, which was then a ribbon development along Main Street and Egginton Road. After the war the land continued in use as a Central Vehicle Storage depot by the Ministry of Defence before being acquired by St. Modwen in 1992. Parts of this brownfield site were sectioned off and have been developed for housing, additional shops, a doctor's surgery, a pub and road infrastructure for the village. This has led to a split centre for Hilton. Most of the new development lies to the south and west of Main Street.

Hilton is a dormitory village with residents commuting to work in a wide range of locations across the East and West Midlands, but particularly Derby and Burton on Trent. See table below:

Location of work	Hilton	South Derbyshire	England
Less than 10km	30.2%	48.4%	52.3%
10km to less than 30km	28.7%	23.9%	21.0%
30km and over	14.7%	10.4%	8.0%
Work mainly at or from home	20.5%	10.6%	10.3%
Other	5.8%	6.8%	8.5%
Average distance travelled to work	26.7km	16.4km	14.9km

Source: ONS 2011, AECOM Calculations

The following map shows how rapidly Hilton has grown over the last 25 years. Prior to that there had been modest infill development along Back Lane, West Avenue, Shady Grove, Cherry Tree Close and Willowfields.



Map showing the growth of Hilton



Examples of pre-war cottages

The pre-war cottages, farms, pubs and shops along Main Street and Egginton Road had evolved organically and form the older part of Hilton.

Many of these dwellings open directly onto the pavement of Main Street. Wakelyn Hall, dated 1625, is the notable exception set back from the road.



Houses on Main Street and Wakelyn Hall



Methodist Chapel, Main Street and St Mary's, Marston on Dove

Serving the villages are two churches: the Methodist Chapel on Main Street and St Mary's, a mile away, in Marston on Dove. These are outnumbered by the pubs: the Old Talbot, the King's Head, the Hilton House Hotel and the Hilton Brook.



Old Talbot Pub



Hilton House Hotel

The King's Head

Hilton Brook



In addition there is Hilton Primary School, on Peacroft Lane, which has 850 children on its roll. Primary Education was supplemented in September 2019 by the opening of The Mease Spencer Academy in Hilton.



Hilton Primary School, Peacroft Lane

An outline of the villages would not be complete without mentioning the Park and Memorial Meadow south of Back Lane with the neighbouring Hilton Village Hall and Scout Hut. Further recreational facilities are provided at The Mease Pavilion south of The Mease and the Cricket Club to the west on Marston Lane.

Notable employers/businesses in Hilton are Don Amott's Leisure Kingdom, Hilton Garage, Bowler's, Alpha Construction, Talbot Turf and shops which include Aldi and a small Tesco. There are two small industrial estates. These businesses do not just serve Hilton but the wider hinterland bringing in trade and traffic.

Sustainability statement

The Designated Area needs to develop in a sustainable way in line with government policy to achieve net zero emissions by 2050. The impact on the environment will inform all the other policies in this plan. We will encourage safe active travel through increased connectivity and improve public transport to serve all areas. We will promote energy efficiency and the use and production of renewable energy. We will protect our green spaces, support tree planting, safeguard biodiversity, improve air quality and reduce the impact of noise, light and air pollution. We will reduce waste by boosting recycling and composting.

Well-being statement

It is recognised that for a community to thrive as a well-ordered social unit, the general well-being of the residents needs to be addressed.

There are several aspects to well-being including the general safe connectedness of various aspects of village life. This is addressed through the policies T1 and T3 on paths and cycle paths. Connectedness also means that those older residents do not have to move away from friends, neighbours and relatives to seek sheltered housing or care home facilities. This is addressed through policy H1A. Social connectedness can also be promoted by venues for meeting which is encouraged through policy L3.

Well-being also means an environment that encourages being active. This is also addressed through the policies T1 and T3 on paths and cycle paths but also by the provision of sports facilities, allotments, etc. These requirements are addressed through policies L1 and E3.

Adult education is not only another venue for meeting but also for improving the life opportunities for residents. This is addressed through policy CP-ED1.

In any modern community there will be issues of noise and pollution. The major source of noise in the Designated Area is from the A50. It runs on a raised roadway for most of the time and skirts the northern area. Policy N1 addresses the maintenance of the level of well-being from noise disturbance.

Associated with the noise from the A50 is the problem of air pollution. Again the major source is from vehicles both on the A50 and within the Designated Area. Policies H4, H6 and A1 address this issue.

Policy N1 Noise mitigation

A 200 metre wide exclusion zone along the length of the A50 as it passes through the Designated Area will be kept free from any housing development.

In addition, the planting of trees and hedgerows within this zone will be encouraged to mitigate the noise outside of the exclusion zone.

Policy A1 Air quality

In addition to the noise exclusion zone and the planting of green infrastructure to help absorb air pollution*, there will be ‘no idling zones’ for parked cars in the vicinity of public buildings, commercial premises and schools i.e. on Peacroft Lane and the immediate area on Egginton Road around the junction with Peacroft Lane and on the Mease and Carsington Road.

*In accordance with the latest Government guidance on air quality, Paragraph 008 ref ID;32-008-20191101.

<https://www.gov.uk/guidance/air-quality--3>

Housing

As detailed above, in the Designated Area, Hilton has seen rapid expansion of the housing stock over the last approximately 25 years. Whilst this is generally understood and accepted as being the best use of the large brown field site that was previously owned by the Ministry of Defence, this phase of the development is drawing to a close and attention is now passing to the use of green field sites in and around Hilton.

The policies that have been derived from the survey of the residents can in large part be seen as a consequence of the issues that have arisen from the rapid expansion of Hilton; the survey shows that the community does not wish to proliferate what are seen to be the shortcomings of the housing policies/decisions of the past. In particular, the *housing needs* (as opposed to the supply) have not been addressed and as a result, the current housing stock does not serve the future needs of Hilton and the surrounding Designated Area.

The first area where this mismatch can be seen is in the result of the survey which shows a need for better housing provision at both ends of the age spectrum. This result is independent of the age of the respondents.

Housing delivery

The Local Plan only extends to 2028. In the survey, the residents were given the opportunity to express their opinion on the delivery of housing for the period 2028 to 2035. The response was emphatic that there should be no more housing built in this timescale. Again, this result was independent of age or even how long residents had lived in the Designated Area.

The desire for a moratorium on house building is seen as being a reflection that the services and amenities provided in Hilton need to ‘catch up’ with the size of the community. This is evident from elsewhere in the survey results. However, it is recognised that policies formulated on this basis would be contrary to Paragraph 13 of the National Planning Policy Framework (NPPF).

The housing policies in this plan recognise a more practical interpretation of the survey which could help inform the successor plan to the current Local Plan.

Policy H1 Housing delivery

Proposals for the residential development of the sites in Policy H1A and H1B will be supported subject to the criteria in those policies.

Elsewhere in the neighbourhood area, residential development will be restricted to that which is already allocated for residential development in the Local Plan and any additional unidentified brownfield sites within the settlement boundary as defined in the current Local Plan.

Policy H1A The Mease mixed use site

Development of this site will be supported if it includes all the following elements:

- **A minimum of ten and maximum of 20 sheltered bungalows of which a minimum of 25% must be M4 (3)* standard.**
- **A Residential Care Home of up to a maximum of 40 beds.**
- **A minimum of seven ground floor retail units with one or two-bed affordable accommodation above ground floor level.**

Policy H1B Lucas Lane potential development site

Development of this site will be supported if the development retains the amenity value of Lucas Lane in line with Policies E4 and E5 meets Policy N1 and includes all the following elements:

- **Low density housing of up to 8 dwellings along the southern boundary of the site consistent with policies H3, H4, H5 and H6.**
- **Allotments, a community orchard, woodland and a community farm based on the existing farm buildings consistent with Policy E3.**

This Neighbourhood Plan incorporates the allocation of the number of houses in SDDC Local Plans Part 1 and Part 2. To address the specific housing needs of Hilton and the surrounding area, a population forecast has been developed to assess the objective housing need of the area. Taking a share of another area's housing need does not accord with the bigger requirement to reduce the use of car journeys and to address the environmental targets. The result is that two potential sites within the settlement boundary are proposed. It is the intention that these developments will help reduce the facilities deficit identified in the residents' survey, directly or through S106 funding.

The Mease mixed use site is appropriate to address the shortfall in retail units identified in the residents' survey, specifically a bakers, butchers, café, restaurant and allows for other similar businesses.

The survey also revealed the need for a residential care home and the population forecast for Hilton shows that a care home of up to 40 beds can easily be supported by the ageing population. Similarly there has been no sheltered housing bungalows built in Hilton since the 1960s; another need identified by the survey.

The site could support up to 20 bungalows equalling the size of the existing sheltered housing in Hilton. Of these a proportion would be M4 (3)* standard as required by Derbyshire County Council (DCC) policy for older people. This proposal is in line with DCC's policy for South Derbyshire and the AECOM Housing Needs Assessment for Hilton. **

*See www.gov.uk/guidance/housing-optional-technical-standards

** See yourvillageyourvoice108648237.files.wordpress.com/2019/08/hilton-hna-final-1.pdf

The site would also incorporate a 40 space car park to serve the needs of visitors to the care home, parking for the flats and possibly some of the sheltered housing, leaving some space for general parking

The Lucas Lane site is most unsuitable for complete redevelopment as a housing estate as the Northern and Eastern parts of the site are close to the A50 resulting in an excessive noise level which is above the accepted levels, although the interior noise levels could be made acceptable. There may also be air quality issues. Policy N1 would limit the extent of development on the site.

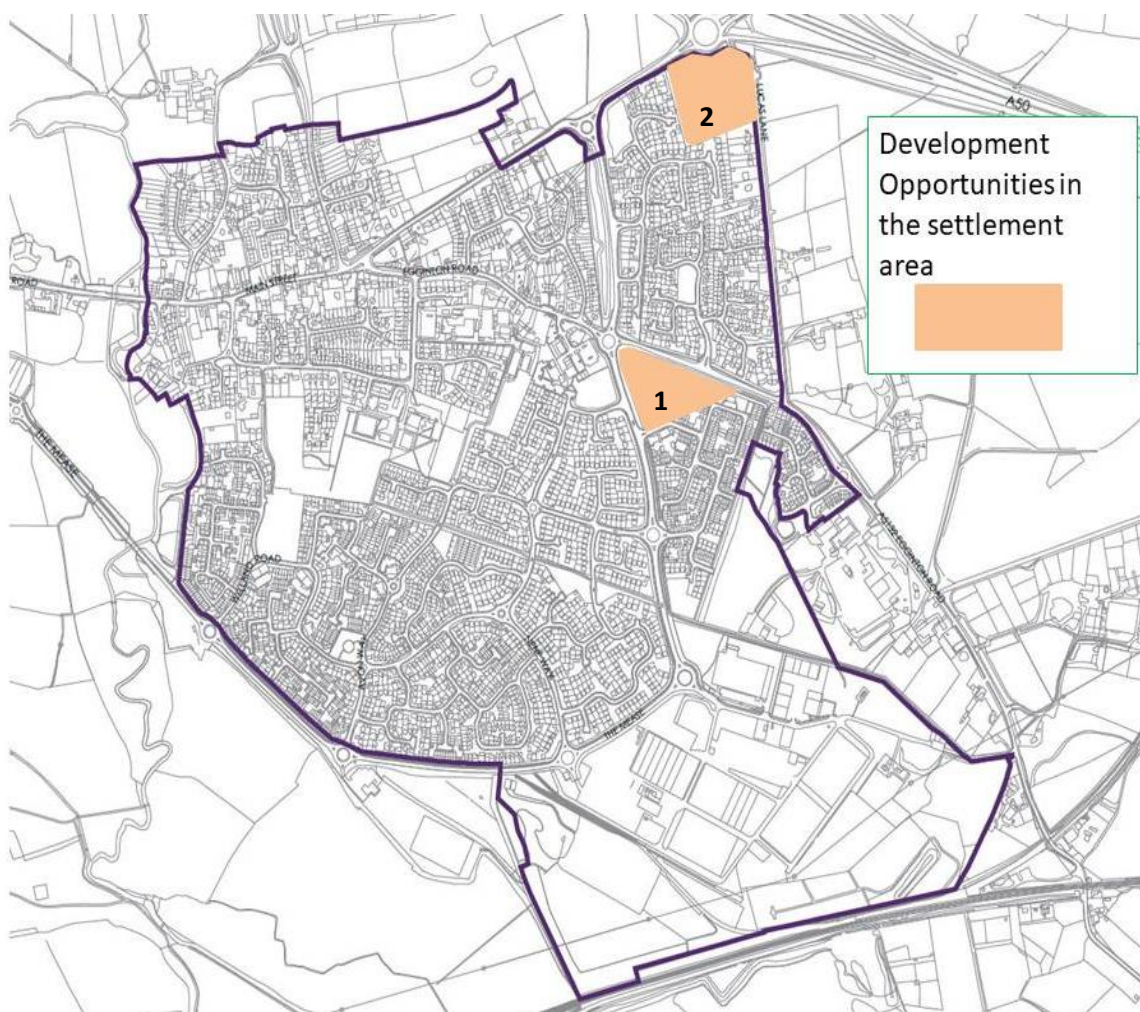
Lucas Lane itself is a valued amenity for the community providing an attractive landscape and is popular with walkers, cyclists and dog walkers. It also provides a safe route for school children from Derby Road to Egginton Road.

If residential housing is proposed in line with the policy, the number of houses would have to be small enough such that the redevelopment of Lucas Lane itself was not necessary i.e. it retains its grass verges, current width and remains a 'shared space' for pedestrians and traffic.

The environmental policies in the Local Plan combined with the noise policy in this plan ensure that Policy H1B is fully compliant with the criteria of Paragraph 122 of the NPPF.

Map showing remaining the potential development sites

- 1.** Mease mixed use site ref: Policy H1A
- 2.** Lucas Lane site ref: Policy H1B



Housing mix

The survey re-enforced the issue that past development had not adequately addressed the housing mix. In particular, the lack of bungalows was highlighted as a glaring oversight with only 13 bungalows built as part of developments over the past 20 years. A policy for a more balanced development of dwellings was overwhelming supported.

Policy H2 Housing mix

Housing developments of five or more dwellings, including in the Local Plan planned development, should conform to the following proportion of dwelling types; exceptions will be considered on a case by case basis:

- **25% 1 or 2 bedroom, 40% 3 bedroom and 35% 4 or 5 bedrooms;**
- **25% of all developments to be bungalows.**



Some of the few bungalows in Hilton

Requirements for housing

There has long been an issue with parking in some areas of the recent developments. In the past, little regard was given to how many spaces should be made available and where parking provision should be made. This has resulted in parking being a real problem in those areas with the highest housing density which not only affects the routine service of bin collection, but also represents a safety hazard for the access of emergency vehicles. The ability to convert a garage into another living area may also contribute to the overall problem. A comprehensive parking survey has informed the following policy.

In addition, the residents' survey revealed a need for the housing to be environmentally friendly and a desire for 'family sized gardens'. The resulting policy was overwhelmingly supported by the residents.



Parking problems in Wildhay Brook

Policy H3 Requirements of housing: Residential car parking

New residential development must provide the following permanently available off-road parking:

- **1 bedroom – 1+ space**
- **2 bedroom – 2+ space**
- **3 bedroom – 3+ space**

For clarity a garage will not count towards this requirement as garages are not permanently available for parking. The configuration of parking spaces should be adjacent to the house and with a parallel layout.

Policy H4 Requirements of housing: homes designed for energy efficiency

New development and significant extensions should demonstrate a high level of sustainable design and construction and be optimised for energy efficiency, targeting zero carbon emissions. This includes:

- **Siting and orientation to optimise passive solar gain and lighting.**
- **High quality, thermally efficient building materials.**
- **Energy efficiency measures above that required by building regulations.**
- **On-site renewable energy generation such as ground or air-source heat pumps and solar thermal and Photo Voltaic panels.**
- **Electric Vehicle charging point for every dwelling.**
- **Permeable surfaces, sustainable drainage systems (SuDs) and accessible cycle storage.**
- **Adequate separation distances between sources of air pollution and residents.**
- **Unnecessary external lighting will not be allowed to minimise the impact on nocturnal species.**



South facing roofs with solar panels

Policy H5 Gardens

New build family houses must have a family sized garden.

The minimum size for a garden will be 70 square metres for a 2-bedroom dwelling and 100 square metres for 3 or more bedrooms.

Flats will have communal garden space of 35 square metres per bedroom.

Housing design

The survey revealed that there was general feeling that the developments of the recent past were not particularly coherent leading to a loss of character for Hilton. In order to achieve this housing design must at least meet at BREEAM* four-star rating. The following policy received overwhelming support.

*Building Research Establishment Environmental Assessment Method.

Policy H6 Housing design

Residential development should reflect the character and density of the immediate surrounding area and use building materials consistent with neighbouring properties.

- **Use green infrastructure, in particular trees, to create a barrier between sources of pollution and residents.**
- **All new developments should include footpaths to encourage and facilitate walking.**
- **We should ensure that every home in the Designated Area is within half a mile of a postbox, in line with Ofcom policy.**
- **All new development must include proposals which make walking, cycling and public transport more attractive, including safe pedestrian access to link up with existing paths, cycling routes and public transport.**



Different styles of housing design in Hilton



Modern styles of housing in Hilton

Transport

Hilton, together with the neighbouring communities of Hoon and Marston on Dove, is a thriving and expanding community which has good road transport links to other parts of the East Midlands. However within the village there are a number of issues of concern to residents which are addressed in this plan. They include parking, bus services, cycle paths, traffic and speed management, particularly on Main Street and the Mease, and safe walking and cycling routes.

In developing our transport policies we have also borne in mind the need to develop a sustainable transport policy for the future. Some residents would like to see a railway station for Hilton built near the former Egginton Junction

In order to assess exactly how much traffic was using the roads around Hilton, the Parish Council commissioned a traffic survey which was carried out by Derbyshire County Council (DCC) in June 2018. The results of that survey have been used to inform the policies developed in this plan

Around 37 per cent of residents in the Designated Area use their cars every day with another 51 per cent using them occasionally. Just six per cent never use their cars locally and a further six per cent do not have a car.



Traffic in Main Street

Traffic and speed management

The two issues of traffic going through Hilton, particularly in Main Street, and speeding generated the greatest number of comments in the transport section during the consultation process. Residents living along Main Street and nearby reported heavy traffic using the street as people take the shortest route from Hatton to Derby or Willington rather than travelling around The Mease with its seven roundabouts.

Heavy traffic is also an issue on the roundabout near Tesco and Aldi, making it difficult for residents to cross the road, particularly at rush hours.

Speeding is an issue on both Derby Road and The Mease where the speed limit is currently 40mph.

Derbyshire County Council (DCC) is responsible for traffic and transport in the county and, at the time of writing, is considering measures to address the problems of heavy traffic and speeding in Hilton.



Speeding is a problem in Hilton

Parking

In addition to the issue of sufficient parking being provided in new developments (see Policy H3) more car parking is required around the village. The existing car park near the Post Office in Main Street is frequently full and so are the car parks at the Witham Close shops. A site for a further public car park will be sought in line with policy H1A to relieve this situation.

The existing school in Peacroft Lane attracts large volumes of traffic at the start and end of each school day and the same will apply to the new primary school on The Mease. Diversionary car parks will be sought for both of these locations.



Main Street car park

Community Policy CP-T1

Highway safety and traffic management

Implement the traffic/speed management controls as agreed with DCC and evidenced in the 2018 survey. Work with DCC to implement the parking policy referenced in Policy H1A.

Policy T1 Active Travel

All new development must include proposals which make walking, cycling and public transport more attractive, including safe pedestrian access to link up with existing paths, cycling routes and public transport.

Policy T2 Access to schools

All new housing developments must include proposals for safe travel to school, including provision of new pedestrian crossings over the Mease at the new primary school and on the A50 slip roads.

Community Policy CP-T2 School access

Reduce indiscriminate parking at both the new school and the existing Peacroft Lane site.

Cycle paths

Cycling is a popular activity throughout the Designated Area and should be encouraged if we are to see more sustainable transport in future. However there are a limited number of dedicated cycle paths and those there are need to be improved.

We propose to work with DCC to seek improvements to the existing cycle paths and ensure that new developments take cycling into account.

Policy T3 Cycle paths and cycle parking

Development proposals must contribute to the creation and improvement of a safe, direct and convenient cycle route network, between homes and local destinations and to the wider cycle network.

Safe and secure storage/parking must be provided at destinations e.g. Village Hall, Wellbrook Medical Centre, shops, schools etc.



One of the few cycle paths on the outskirts of Hilton

Safe walking and cycling routes

Walking and cycling provide dual benefits of improving the health of the community whilst going some way to addressing traffic problems. The Derbyshire Cycling Plan 2016 – 2030 and The South Derbyshire Cycle Action Plan 2016 – 2021 both have the strategic aims of:

- 1) Infrastructure Connectivity – Provide high quality connective routes, in all cycling environments, supporting all forms of cycling, creating and supporting economic growth.
- 2) Increased participation: Behaviour change approaches and targeted participation programmes at community level will support and enable more people to cycle. Closing the gaps in participation and reducing health inequalities.

It is evident from the survey that over 95% of respondents want to improve the safety of pedestrians and cyclists and provide good connectivity ensuring safe routes to Hilton Primary School, The Mease Spencer Academy and John Port School in Etwall.

In addition opportunities should be taken to provide safe routes to access leisure facilities and sports grounds (such as the Mease Pavilion, Etwall Leisure Centre and Hilton Cricket club) and safe routes to church. Good connectivity that provides access to the railway stations at Hatton and Willington - and access to places of work connecting with cycle routes to Derby and Burton would reduce traffic and improve health and wellbeing.

Opportunities must be taken to improve the connectivity of current cycle routes, which are disjointed and switch from off-road to on-road in areas of high traffic. In particular cycle access to John Port School has many areas of concern:

- Cycle route at Tesco Roundabout not clearly defined.
- Cycle route out of Village A5132 (Talbot Turf to A50 Slip road) on road no crossing point to current cycle path under the A50.
- Cycle route across busy A50 slip roads.
- The cycle route then ends at junction of A516 and Derby Road and does not start again until just before Etwall Leisure Centre.

Alternative access to John Port School using Great Northern Greenway is poorly used as it regularly floods in winter and access is poor across the busy A5132 just before the railway crossing.

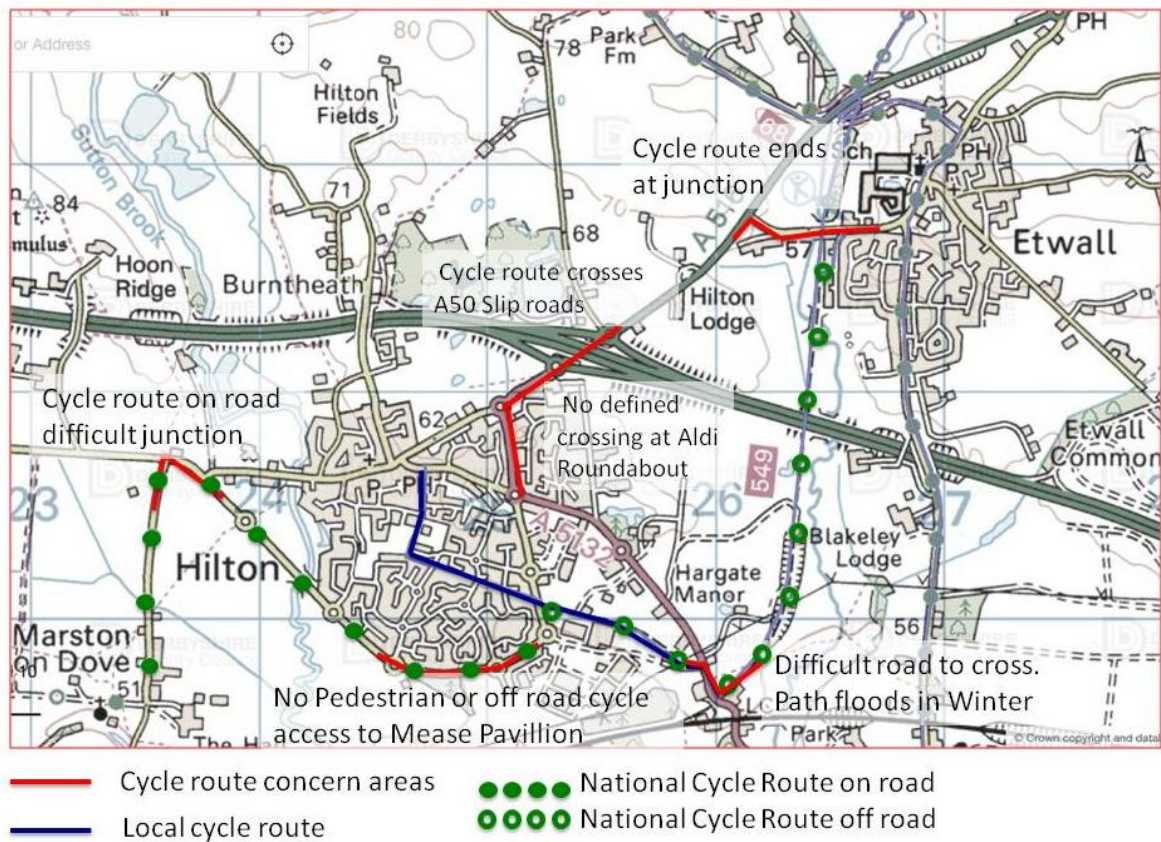
Hilton has links to national cycle routes 54 to Mickleover and Burton on Trent, 549 to Doveridge and 68 to Ashbourne. Opportunities should be taken to improve connectivity which is currently poor with significant on road sections and busy junctions to negotiate.

Community Policy CP-T3 Cycle routes

Improve the provision of cycle lanes in the Designated Area, particularly those routes between homes and local destinations and the wider cycle network.



The Greenway in Hilton



Existing cycle routes highlighting concerns in the Designated Area

Bus services

Trent Barton operates bus services through Hilton every half an hour in each direction on routes to both Derby and Burton upon Trent. The route these services take through the village was controversially changed a few years ago, with buses no longer running through Main Street but running through newer parts of the village instead. This has resulted in complaints from elderly people living in the older part of the village that they can no longer access bus services.

In order to address this we propose to liaise with Trent Barton and encourage them to review the routes of their services and the location of bus stops.

Community Policy CP-T4 Bus services

All opportunities will be explored, including developer contributions to improve provision of bus services within the Designated Area, particularly for the elderly and disabled.



The local Villager bus and a bus stop

Environment

The natural environment of the Designated Area is an important part of its character and visual appeal. For many people, living in the area gives them direct access to the countryside providing recreation and general amenity. There was overwhelming support in the consultation that this should be preserved and enhanced where possible.

Historical features

There are the 11 listed buildings in the Designated Area; apart from the Church, which is Grade 1, they are all Grade 2.

- Marston Church
- Lychgate – North East of the Church
- Marston Hall
- Sudale and Hazeldene
- Wakelyn Hall
- Old Talbot Inn
- Hargate House
- Hilton Lodge
- Lodge Cottage
- Hoon Ridge
- Hilton Field Farmhouse

The tumulus at Hoon Mount is a Scheduled Monument.



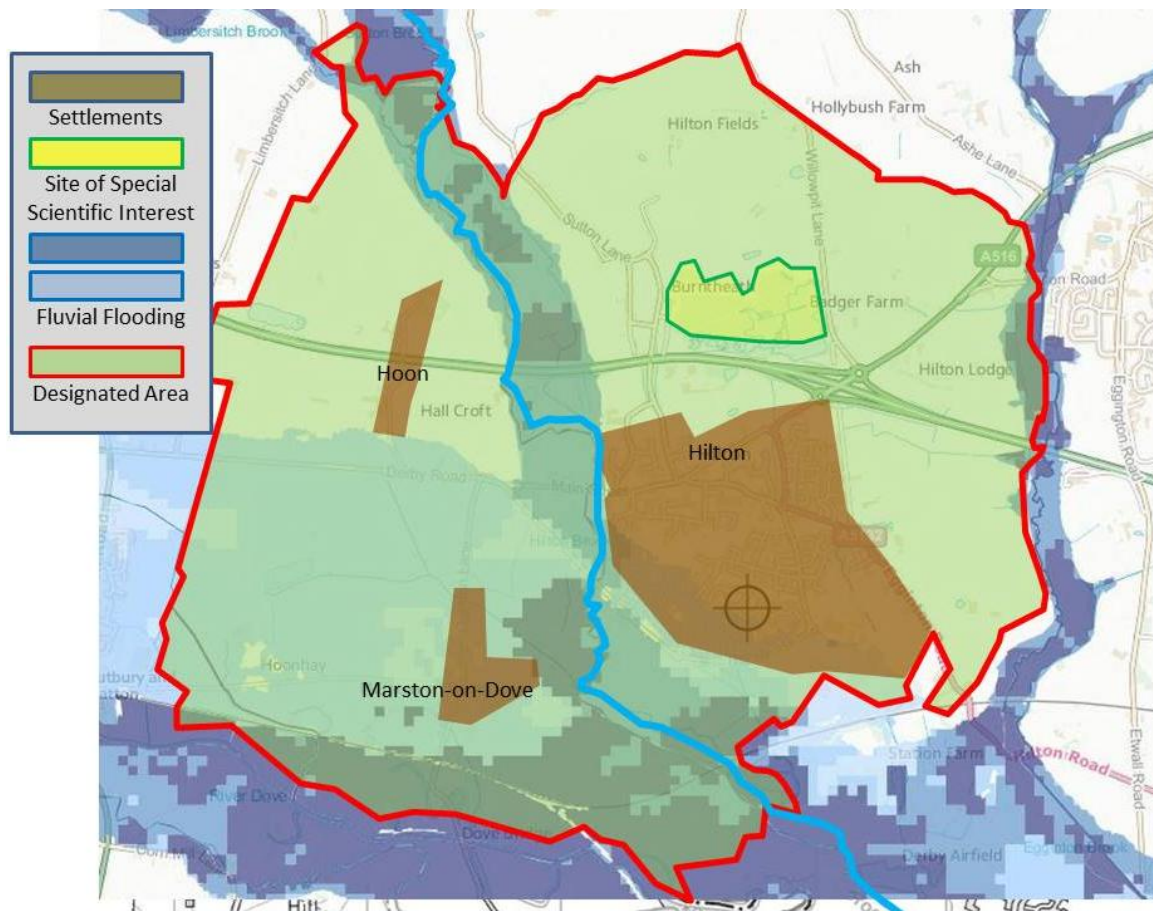
St Mary's Church at Marston and Wakelyn Hall

Flooding

The Hilton Brook transects the area from north to south, with the Etwall Brook forming the east boundary. The area of land between Hilton and Marston-on-Dove is at medium to high risk of fluvial flooding; this has been the case several times in recent years. There is a residual low risk of flooding extending into the west/south west of the Hilton village settlement and Marston-on-Dove.



The area is prone to flooding



Map showing the areas at risk of flooding

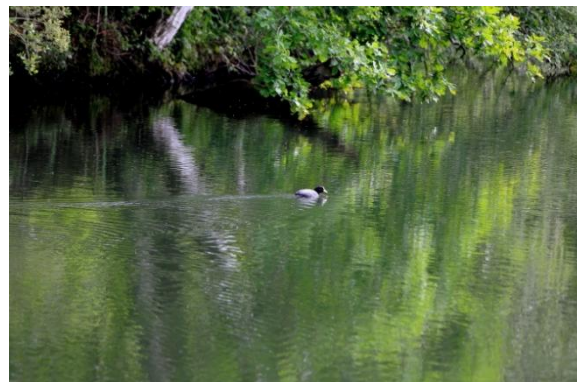
Policy F1 Flood mitigation

Opportunities will be taken with landowners and statutory bodies to explore better water management of upland areas to reduce the flow of floodwater, including the use of sustainable drainage systems, landscaping, green roofs, rainwater harvesting and tree planting.

Site of Special Scientific Interest

Hilton Nature Reserve, which is owned and managed by Derbyshire Wildlife Trust, is located just north of the A50. It is an area of biological and geological interest.

The reserve supports species that are fast declining in this country including the great crested newt and black poplar. It is well-known for its dragonflies and damselflies. Fifteen species have been recorded here, among them the emperor and ruddy darter dragonflies and the emerald and red-eyed damselflies.



Images of Hilton Nature Reserve

Green spaces

The residents of Hilton, in particular, are very concerned that future housing development may result in the loss of existing green spaces, further reducing the overall amenity value of those areas.



Path next to Hilton Brook and the Memorial Meadow

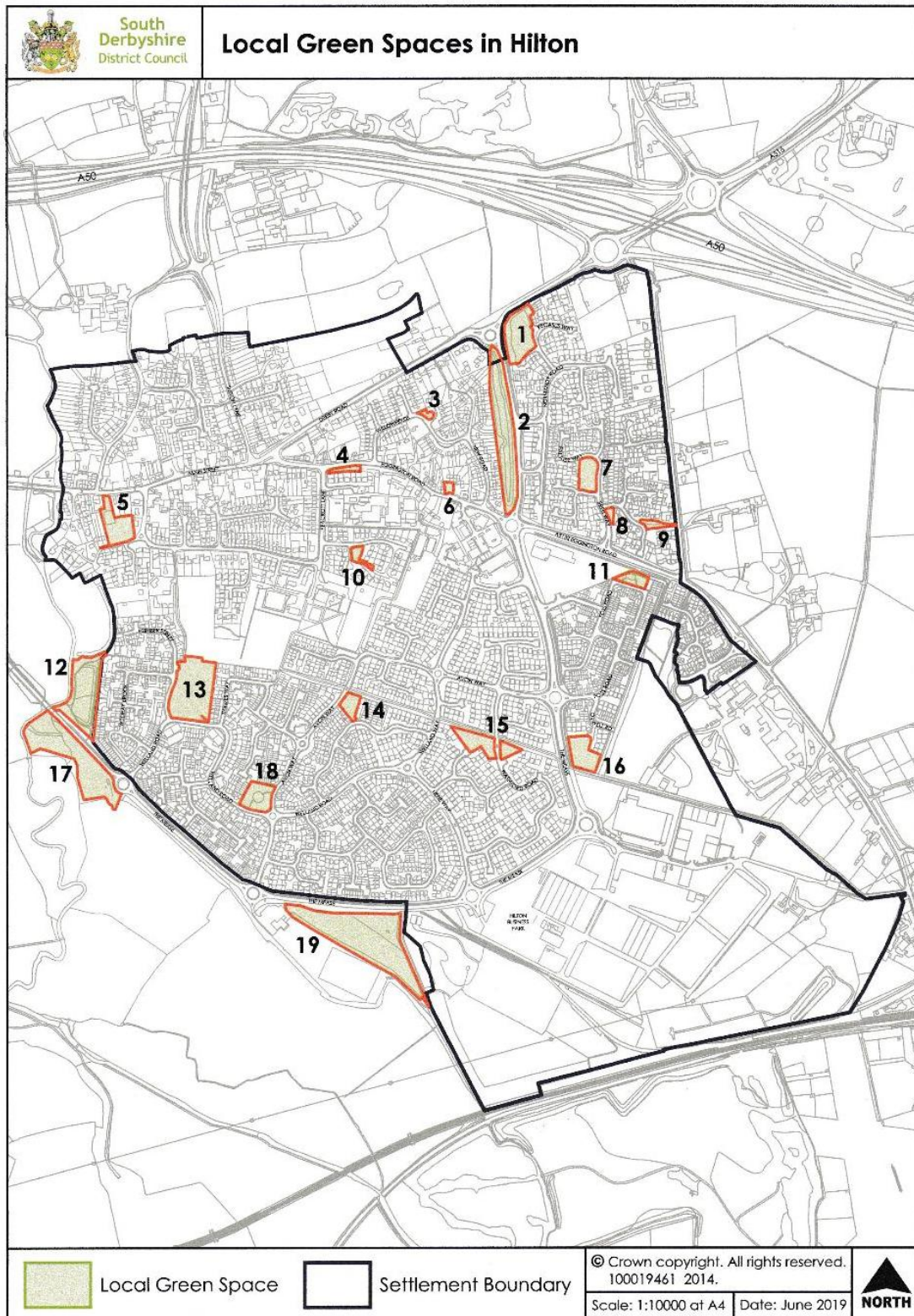
The consultation process was conclusive that residents wanted to preserve green spaces within the settlement area and that, where possible that these should be expanded.

Nineteen Local Green Spaces have been identified, agreed and designated in, and adjacent to, the settlement area, as shown on the map on page 43.

1. Land off Pegasus Way
2. Tree-lined grass verge on A5132
3. Green area in Willowfields
4. 'Roma's Garden' – memorial area
5. Village Green and Play area
6. Off Egginton Road
7. Bren Way
8. Enfield Close/Bren Way
9. Enfield Close
10. Bancroft Close
11. Foss Road Play area
12. Mease Meadows
13. Memorial Meadow
14. Trusley Brook
15. Washford Road
16. Orwell Road
17. Nature Reserve
18. Welland Road Play Area
19. South of The Mease

Policy E1 Green Spaces

Designated Local Green Spaces (LGS) are listed above and illustrated on the map on page 43. Development on these areas will not be permitted unless deemed strictly necessary under SDDC Policy BNE8. New developments should enhance and improve green infrastructure, in addition to the designated LGS, including provision of new open spaces, footpaths and cycleways. Any sustainable drainage areas must be put forward for designation as LGS.



Map showing the designated Green Spaces

Retaining village identity

Hilton is a large village with 3,300 houses, and 8,500 people; Marston-on-Dove is a small farming community, centred around the Parish church; Hoon is a dispersed community of farms. In particular concern was expressed during the consultation that future housing developments would result in an expansion of Hilton which would consume Marston-on-Dove resulting in a loss of its individual character.



A view across the fields to Marston on Dove

Policy E2 Retaining village identity

Existing separation between the villages in the Designated Area should be maintained to ensure retention of individual character. Any development in the area between the villages must be required to demonstrate that it reinforces the setting of the settlements and their separate identities.

Community land

Currently there is just one plot of land on Sutton Lane, Hilton which is available for residents' allotments in the Designated Area. The consultation identified a strong interest in more allotments, as well as other forms of community gardening.



Allotments off Sutton Lane

Policy E3 Community land

Development proposals which increase land for community gardening, orchards and allotments will be supported and given priority.

Nature conservation

The consultation highlighted that residents were very keen on protecting and developing hedgerows, trees, landscapes and wildlife habitats. Much of that has been lost during the most recent housing developments and it is a particular priority that any new developments are mindful of preserving and promoting indigenous flora and fauna.



Hilton Brook from Uttoxeter Road

Policy E4 Nature conservation

All new development must demonstrate a high level of landscaping and planting in keeping with the local area, create new habitats through the planting of native species, and maintain and extend linked habitats to provide green wildlife corridors. Where possible they should integrate existing trees, hedges and vegetation.

Policy E5 Biodiversity

Any proposals that would result in a net loss of biodiversity will not be accepted.

Housing and commercial development must deliver no net loss to biodiversity and achieve a net gain. If significant impacts are identified appropriate mitigation or compensation measures will be required. These measures should be targeted to benefit local conservation priorities as identified in the Lowland Derbyshire Biodiversity Action Plan.

Local wildlife sites, such as Hilton Nature Reserve, will be protected from development.

Leisure, amenities and services

Over the last 20 years, Hilton has doubled in size. However the supporting facilities have not evolved at that same rate of growth. Marston-on-Dove and Hoon are small rural settlements so there are no community facilities other than the Parish Church and cemetery at Marston.

According to the National Planning Policy Framework Section 8, planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles. Also they should provide the social, recreational and cultural facilities and services the community needs.

Recreational facilities

Hilton Village Hall, located near the Primary School, is home to many local interest groups and a church; it is available for event/meeting hire. Nearby is the Scout Hut. The Mease Pavilion supports a number of groups and is adjacent to the sports pitches in the south of the village.

There are four separate play areas for young children throughout Hilton and a skateboard park near to the Village Hall. Adjacent to the hall are the main sports pitches and artificial turf areas; there is a cricket pitch and facilities in Marston. The consultation highlighted that the facilities were generally good for under-11s but were considered poorer for older children and adults.

Grace Church uses the Village Hall for its services. The Parish Church is at Marston-on-Dove and there is a Wesleyan Chapel in Main Street, Hilton.

A mobile library visits the Village Hall on a monthly basis.

Future plans include an extension to Village Hall.

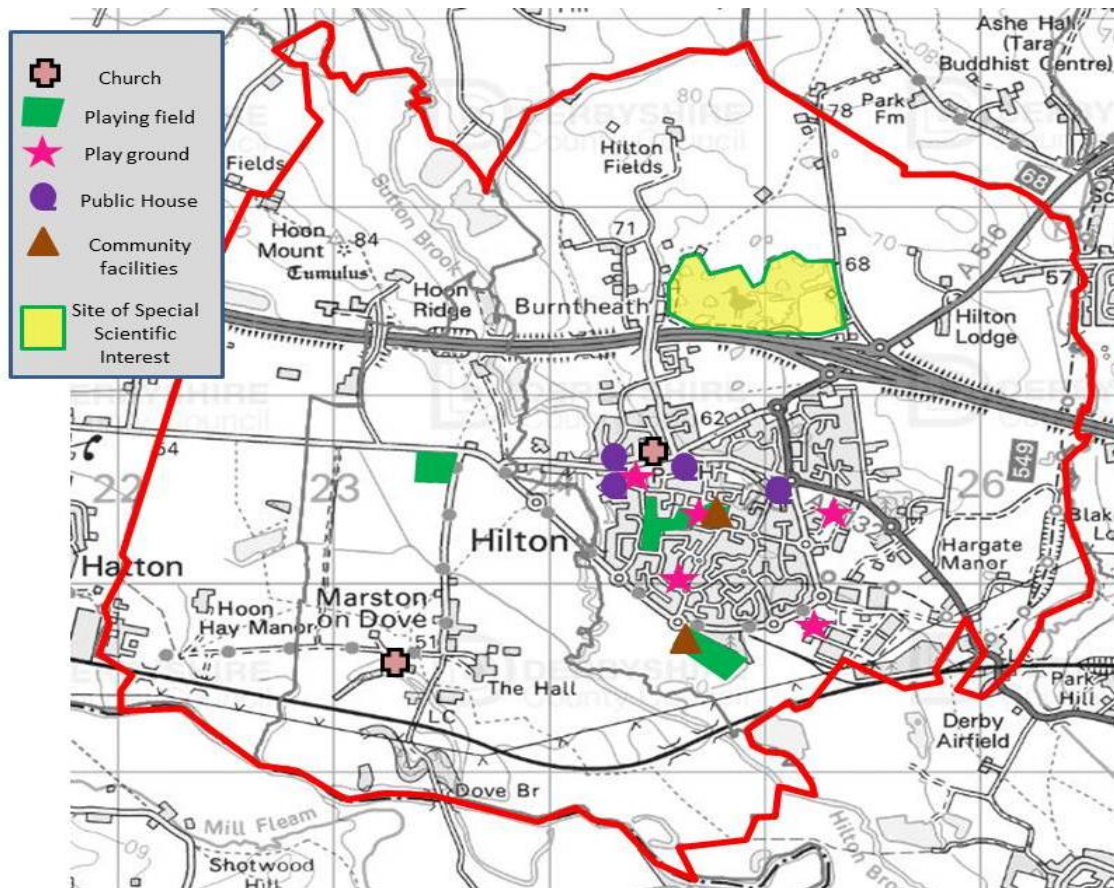


Children's play areas in Hilton

Policy L1 Recreational facilities

Developer contributions through Section 106 agreements will be sought from new residential development to fund sport and play facilities. These may be enhancements to existing facilities, or the provision of new facilities, depending on the size and location of any new development.

Provision and/or improvements are required of outdoor children's play areas and provision for a range of outdoor activities and sports will be encouraged.



Map showing community facilities in Hilton

Healthcare

Whilst the Medical Centre has been developed it does not have enough capacity to support the needs of the local residents. This results in many people travelling to neighbouring villages to access primary care.

Within the vicinity of the centre, there is a private dental practice, a physiotherapist, opticians, two chemists and a veterinary practice.



Wellbrook Medical Centre

Policy L2 Healthcare facilities

Developer contributions will be sought to improve the quality and accessibility of health and social care facilities including integrated community health facilities.

Amenities and leisure

Within Hilton there are four pubs, the Hilton Brook being the most recent addition since 2000. Apart from eating in a pub, there are just three places to dine out: the Hilton House Hotel, The Shed and The Mandarin Chinese Restaurant. The consultation identified that many people felt that the local choice was too restrictive: there are limited places for a coffee, snacks or casual meeting and there are too few restaurants.

Although Hilton has a Tesco Express and an Aldi store, there are no places for more local produce such as a baker, butcher, delicatessen or cake shop.

The area includes an estate agent, post office and is well served with beauty and hair salons.



Retail facilities at Witham Close

Community Policy CP-L1 Witham Close improvements

We will work with the owners of Witham Close to provide a pavement and better lighting on the west side of the road to assist pedestrians approaching from the old part of the village.

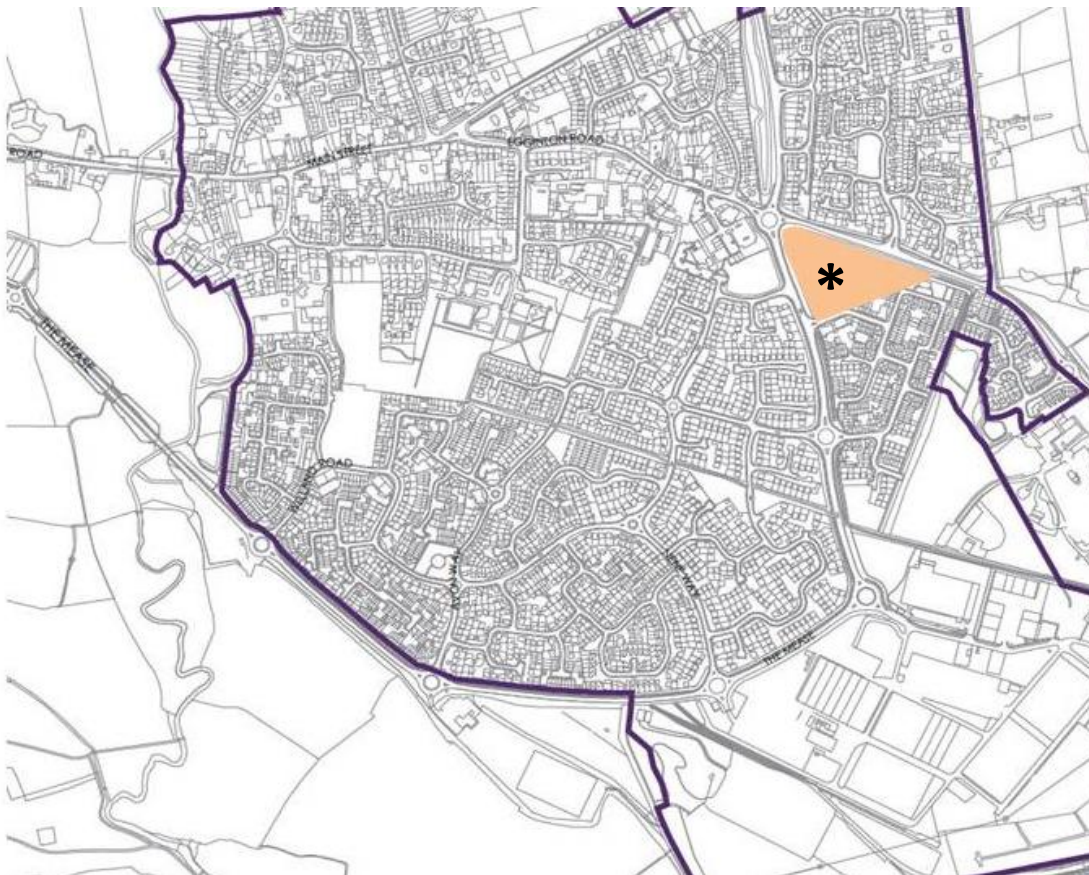
Policy L3 Hilton village shopping centre development

Hilton Parish Council and South Derbyshire District Council will promote the development of the site shown on the map below for mixed use that would enhance the local shopping area.

A minimum of 7 retail units for business use A1, A3 and A5 together with general parking for up to 40 cars.

Priority will be given to those proposals that address the resident's need as identified in the survey.

Map showing mixed use development site



Education

The majority of children and young people in the area are served by the Hilton Primary School and John Port Spencer Academy in Etwall. Primary Education was supplemented from September 2019 by The Mease Spencer Academy in Hilton.

There is no provision in the Designated Area for non-formal education, especially for adults. A significant number of people in the consultation expressed a wish to see a provision in the local area.

Community Policy CP-ED1 Adult Education

Engage with local educational organisations to establish Adult Education opportunities.



The new primary school, opened in September 2019

Business

The Designated Area is home to around 100 business organisations including farms, employing between them 800-1000 people with a combined annual turnover in the region of £250m. The vast majority of these companies are located in this area due to the easy access to the main road network. Very few local residents are employed by these businesses.

There are six sites within the Designated Area which provide units from which companies can trade. Further units will become available on the St Modwen's estate south of The Mease and Badger Farm on Willowpit Lane.

There are many sole traders who operate from residential properties either through specific property conversions, using an existing room as an office, or simply parking space for the business van.

The Neighbourhood Development Plan supports opportunities for people to work from home, or close by, to improve local employment and to promote its social advantages.

Availability of business units

During the consultation many respondents raised the issue that there were not enough units available for small businesses away from domestic properties but within the Designated Area. In the event that conversions to houses were requested the concern was that the planning authority would not view these favourably.



Business units on Hilton Business Park

Policy B1 Business units

Appropriate development proposals for small-scale¹ and micro-businesses² will be encouraged through conversion of existing buildings (including houses) across the Neighbourhood Plan area, or new buildings within the existing settlement boundary. Business use will be restricted to Class A, B1, C1, C2, D1 and D2 and then subject to all the other constraints of the policies in this plan.

Any such use will need to demonstrate that the effects including access and parking does not affect residential or other public amenity. Off Street parking and the provision of EV charging points appropriate to the demand as required.

¹ Defined as using buildings of around 150-200m³ floor area.

² EU definition is less than ten employees and turnover under £2m.

Policy B2 Home working

Development that facilitates home working (such as the addition of office or workshop space) will be permitted as long as the effects including access and parking does not affect residential or public amenity.



Working from home

Policy B3

Conversion of business property to domestic use

Proposals for the redevelopment or change of use of existing business use to non-employment uses will only be permitted if the existing use is no longer economically viable and the site has been actively marketed at a reasonable price for at least 12 months without restriction.

Broadband provision

Businesses rely on high-speed, reliable internet connections. The consultation identified a concern amongst people who wanted to operate their business from the Designated Area that the broadband was not sufficiently reliable at high speeds.

Policy B4 Broadband

New development must enable the enhancement of digital infrastructure in the area and incorporate full fibre connections, including ducting capable of accommodating more than one digital infrastructure provider.

Vision for the future

As our village and neighbourhood develops, that development will be shaped by us, its residents.

We will ensure that infrastructure, services and amenities are driven by the needs of this community, not by commercial or political imperatives and take into account the impact on the wider environment.

The Neighbourhood Development Plan will ensure that Hilton and its environs retain their semi-rural identity and remain a safe and sustainable village in which people in every stage and from every walk of life can enjoy living.

A place we are proud to call our home.



New developments rooted in the past

Notes

Supporting Documents

The Neighbourhood Development Plan is sponsored by the Hilton Parish Council.

All supporting evidence and survey results are available to view on our website <https://yourvillageyourvoice.org.uk/>

Photography Credits

All photography © **Russell Pollard** apart from the following two images;

Page 13, Hilton Primary School photo, with thanks to Headteacher, Mr Kevan Lomas.

Page 54, The Mease Academy artist impression, with thanks to Principal, Mrs Julia Hart.

Page 56, working from home photo, with thanks to Mrs Chris Nield.

Hilton, Marston and Hoon Neighbourhood Development Plan

Basic Conditions Statement - May 2020

1.0 Introduction

1.1 The Basic Conditions Statement has been prepared by the Hilton, Marston and Hoon Neighbourhood Plan Steering Group on behalf of Hilton Parish Council to accompany the Hilton, Marston and Hoon Neighbourhood Plan (“the Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council, as the ‘qualifying body’ must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

1.3 Paragraph 8 (1) states that the examiner must consider the following:

- (a) whether the draft neighbourhood development order meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft order complies with the provision made by or under sections 61E(2), 61J and 61L,
- (c) whether any period specified under section 61L(2)(b) or (5) is appropriate,
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and
- (e) such other matters as may be prescribed.

1.4 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
- (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,

- (c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- (d) the making of the order contributes to the achievement of sustainable development,
- (e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and
- (g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

Section 2 of this statement sets out how the Plan complies with the legal requirements of sub-paragraphs 1 (b), (c) and (d). Section 3 of this statement sets out how the Plan meets the basic conditions contained in sub-paragraph 1 (a) and sub-paragraph 2.

2.0 Legal Requirements

2.1 The Plan complies with the provisions of sub-paragraph 1(b) as described below.

The Plan is being submitted by a qualifying body

2.2 The Plan has been submitted by Hilton Parish Council, which is a qualifying body and entitled to submit a Neighbourhood Plan for the designated Plan area.

What is being proposed is a neighbourhood plan

2.3 The Plan contains policies relating to the development and use of land within the Plan area and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The proposed neighbourhood plan states the period for which it is to have effect

2.4 The Plan states that the period which it relates to is from 2020 until 2035.

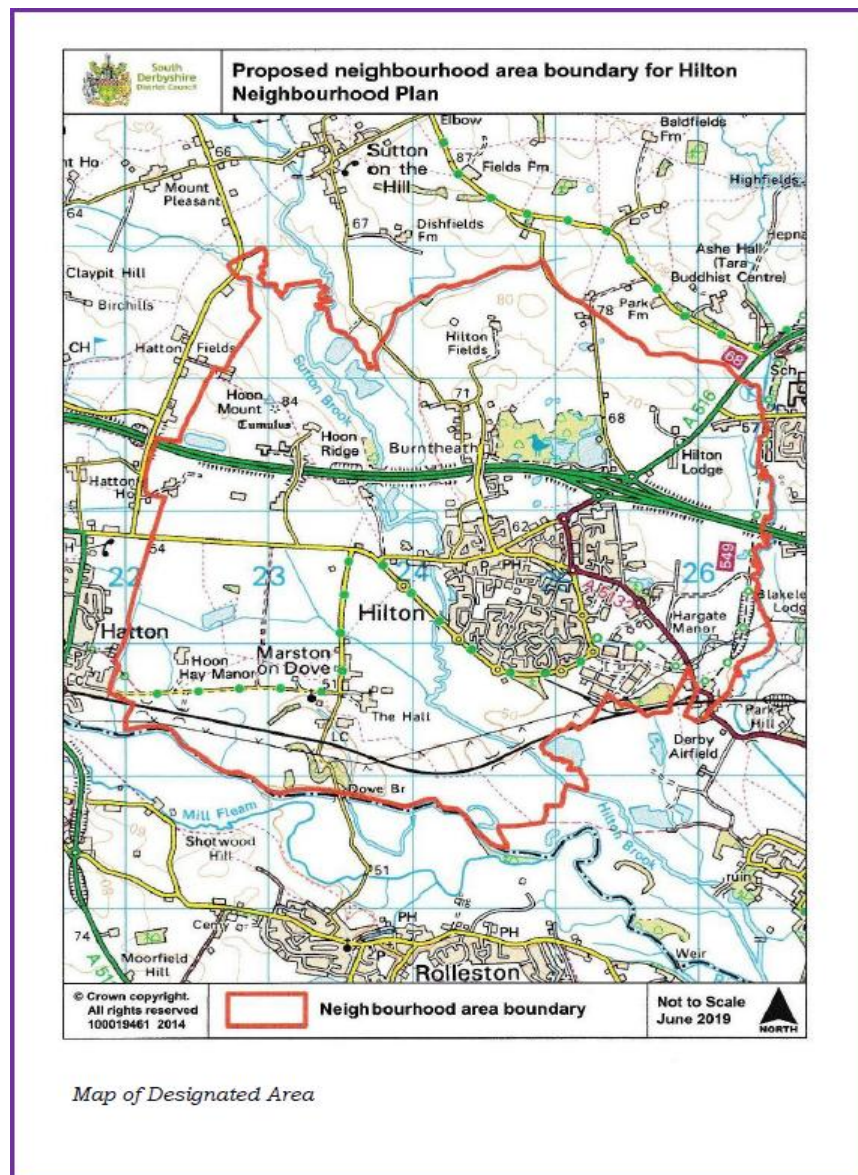
The policies do not relate to excluded development

2.5 The Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in

Section 61K of the Town and Country Planning Act 1990. The County Council was consulted as part of the Regulation 14 consultation and did not raise any concerns that the Plan is not compatible with the existing adopted Derbyshire Minerals Local Plan.

The proposed Neighbourhood Plan does not relate to more than one neighbourhood plan area and there are no other neighbourhood plans in place within the Neighbourhood Plan area.

2.6 The designated Plan area (“Designated Area”) was approved by South Derbyshire District Council on 6th March 2018. The Plan does not relate to more than one neighbourhood plan area. There are no other neighbourhood plans in place within the Designated Area.



2.7 In relation to sub-paragraph 1(c), it is not considered that there is any benefit or reason for extending the area for the referendum beyond the Designated Area.

2.8 In relation to sub-paragraph 1(d), there are no other prescribed matters.

3.0 The Basic Conditions

3.1 This section addresses how the Plan fulfils the basic conditions set out in sub-paragraph (2). The Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF February 2019) and to the strategic policies contained in the South Derbyshire District Council Local Plan Part 1 2011–2028 (adopted June 2016) and Local Plan Part 2 2011 – 2028 (adopted November 2017).

3.2 In accordance with National Planning Guidance (Ref 61-006-20190723) the Plan has been informed by the South Derbyshire District Council adopted Local Plan.

3.3 Detail of how the Plan is in general conformity with strategic policies in the adopted South Derbyshire District Council Local Plan (comprising Parts 1 and 2 Local Plans) is provided in Table 3 (as required by sub-paragraph 2(e)).

Having regard to national policies and advice contained in guidance

3.4 In relation to sub-paragraph 2(a), a Neighbourhood Plan is required to have appropriate regard to approved national (planning) policies and advice contained in associated guidance. The Plan has been developed having regard to the NPPF and Planning Practice Guidance (“PPG”).

3.5 The Plan contains a vision.

3.6 Table 1 explains how each of the Plan policies has shown specific regard to NPPF.

Table1: The Plan policies and their conformity to the NPPF

Neighbourhood Plan policy number	Policy title	NPPF Ref (paragraph number)	Commentary
N1	Noise mitigation	170, 180	The policy aims to mitigate the ever increasing noise issue from the A50
A1	Air quality	170, 181	The policy aims to improve the air quality particularly around schools
H1	Housing delivery	7 through 14, 60, 61, 63, 104,170	This policy, in conjunction with the Local Plan housing delivery, serves the evidence based <i>needs</i> of the Designated Area through to 2035
H2	Housing mix	20,61	The policy is aimed at addressing the current needs and correcting the historical shortfall
H3	Requirements of housing: residential car parking	105, 106	The policy is particularly aimed at ensuring that EV charging points are accessible and that developments do not contribute to the on-street parking issues
H4	Requirements of housing: homes designed for energy efficiency	124 through 131	The policy goes beyond the requirements of the Local Plan and ensures recognition of the issues associated with climate change
H5	Gardens	117	The policy goes further than the NPPF in addressing the identified needs of the community in safeguarding and improving the environment, ensuring safe and healthy living conditions
H6	Housing design	124, 170, 102, 104	The policy is aimed at not allowing the deterioration of the character, environment and connectivity of the Designated Area
T1	Active travel	102, 103, 104, 110	The policy is designed to make sure that new and existing networks are better connected
T2	Access to schools	94, 110	The policy not only conforms with the NPPF but is designed to make a currently unsafe situation, safe
T3	Cycle paths and cycle parking	84, 91, 102, 104, 110	The policy aims to improve the connectedness with the National Cycle Routes as well as making the parking provisions locally to encourage more cycling
F1	Flood mitigation	118, 148, 149, 156	The policy is aimed at reducing the current level of flooding within the Designated Area
E1	Green spaces	34, 91, 99, 100, 101, 127, 170	The policy is aimed at protecting the existing green spaces and ensuring new developments provide for more Local Green Spaces

E2	Retaining village identity	122, 127, 170	The policy aims to preserve the character and landscape of the smaller villages within the Designated Area
E3	Community land	20, 28, 92	The policy is aimed at correcting an oversight from previous developments
E4	Nature conservation	171, 174, 177	The policy is aimed at preserving the existing habitats and creating green corridors to link habitats
E5	Biodiversity	170, 174, 175	The policy is aimed at protecting the site of Special Scientific Interest and ensuring no net loss of biodiversity
L1	Recreational facilities	92, 96	The policy is aimed at making sure recreational facilities are provided for the expanding population of the Designated Area
L2	Healthcare facilities	20, 34, 83, 92	The policy is aimed at correcting a current shortfall
L3	Hilton village shopping centre development	20, 85, 102, 105, 106	The policy is aimed at correcting the retail facilities shortfall in the Designated Area
B1	Business units	80	The policy is aimed at satisfying the identified local need
B2	Home working	81	The policy is aimed at promoting local businesses and to minimise the impact of travel on the environment
B3	Conversion of business property to domestic use	83	The policy is aimed at ensuring the conversion is justified
B4	Broadband	112, 116	The policy ensures that all developments provide a choice of the latest standard of digital infrastructure

Contribution to the Achievement of Sustainable Development

3.7 The Plan is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic considerations, reasonable environmental and social considerations are taken into account.

3.8 Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, this section of the statement demonstrates how the Plan fulfils the basic condition that the Plan contributes to achieving sustainable development (as required by sub-paragraph 2(d)).

3.9 The NPPF defines sustainable development as having three dimensions; economic, social and environmental. The Plan has been developed with regard to these principles and has jointly sought environmental, economic and social gains.

3.10 The policies contained in the Plan contribute to achieving sustainable development by seeking positive improvements to the quality of the natural and built environment, as well as in people's quality of life, including:

- supporting a strong, vibrant and healthy community by endorsing the strategic development needs set out in the Local Plan and ensuring accessible local services;
- conserving and enhancing the natural environment by identifying and conserving important local biodiversity and broader ecological networks;
- supporting the provision of a mix of housing types and sizes that can meet the needs of present and future generations and promote a healthy and inclusive community;
- supporting new development which contributes to a high-quality built environment and responds to local character and sense of place;
- identification and protection of locally important heritage assets, so that they may continue to be enjoyed by future generations;
- supporting the move to a low carbon future through policies which encourage development which reduces greenhouse gas emissions and seeks to protect and enhance opportunities for sustainable modes of transport; and
- supporting strong, vibrant, healthy and inclusive communities by for example safeguarding and enhancing important open spaces, community facilities and footpaths and cycleways.

Table 2: Assessment of the Plan policies against sustainable development

Deliver Economic Sustainability		
NPPF Definition - 'Contribute to building a strong responsive economy'		
The Plan policies	B1	Business units
	B2	Home working
	B3	Conversion of business property to domestic use
	B4	Broadband
	L3	Hilton village shopping centre development
Comments	The Plan encourages the development of smaller business units of which there is an identified need in the Designated Area. The Plan also supports home working to improve local employment and to promote its social advantages.	

Deliver Social Sustainability		
NPPF Definition - 'Support strong, vibrant and healthy communities'		
The Plan policies	H1	Housing delivery
	H2	Housing mix
	H3	Requirements for housing: residential car parking
	T1	Active travel
	T2	Access to schools
	T3	Cycle paths and cycle parking
	E1	Green spaces
	E2	Retaining village identity
	E3	Community land
	L1	Recreational facilities
	L2	Healthcare facilities
	N1	Noise mitigation
	A1	Air quality
Comments	The Plan encourages the development of the thriving community within the Designated Area by addressing the identified need for improved infrastructure; housing quantity and mix that addresses need, cycle paths, safe walking routes, community land, more green spaces, more recreational facilities as well as protecting the well-being of the community through mitigations of noise and air quality issues and more healthcare facilities.	

Deliver Environmental Sustainability		
NPPF Definition - 'Contribute to protecting and enhancing our natural, built and historic environment and mitigate and adapt to climate change'		
The Plan policies	N1	Noise mitigation
	A1	Air quality
	H4	Requirements of housing: homes designed for energy efficiency
	H5	Gardens
	H6	Housing design
	F1	Flood mitigation
	E1	Green spaces
	E2	Retaining village identity
	E3	Community land
	E4	Nature conservation
	E5	Biodiversity
Comments	The Plan encourages the development of the thriving community within the Designated Area by addressing the identified need for improved infrastructure; cycle paths, safe walking routes, community land, more green spaces, more recreational facilities as well as protecting the well-being of the community through mitigations of noise and air quality issues and more healthcare facilities.	

General conformity with strategic policies of the development plan for the area

3.11 The Plan has been prepared by the Hilton, Marston and Hoon Neighbourhood Plan Steering Group with assistance and advice from officers from South Derbyshire District Council.

3.12 The Plan has been developed to be in general conformity with the strategic (and other) policies contained in the adopted South Derbyshire District Council Local Plan. The adopted Part 1 Local Plan and the adopted Part 2 Local Plan comprise the development plan for the whole of South Derbyshire.

3.13 Policies are set out in the Part 1 of the Local Plan (Adopted June 2016) for the District as a whole until 2028: “is the strategic part of the Plan. It contains strategic policies comprising of: housing and employment allocations, spatial policies and development management policies”.

3.14 Policies are also set out in the Part 2 of the Local Plan 2011-2028 (Adopted November 2017): “to cover non-strategic housing allocations, detailed heritage and

conservation policies, detailed retail policies, Green Belt review of anomalies, countryside policies and an educational policy for delivering land for a new secondary school”

3.15 To meet the basic conditions, the Plan is required by sub-paragraph 2(e) to demonstrate general conformity with the strategic policies of the adopted Local Plan. All policies in the Plan must be consistent with these policies.

Table 3: Assessment of conformity of the Plan policies with the key strategic policies in the South Derbyshire Local Plan Part 1 and Part 2 NOTE : Non-strategic policies and Development Management policies are shown in italics and underlined.

Plan policy	Guiding policies
N1 Noise mitigation	SD1 Amenity and Environmental Quality <i><u>BNE7 Trees, Woodland and Hedgerows</u></i>
A1 Air quality	S6 Sustainable Access SD1 Amenity and Environmental Quality
H1 Housing delivery*	S1 Sustainable Growth Strategy S4 Housing Strategy H1 Settlement Hierarchy H20 Housing Balance H21 Affordable Housing BNE1 Design Excellence INF6 Community Facilities <i><u>SDT1 Settlement Boundaries and Development</u></i> <i><u>H23 Non-Strategic Housing Allocations</u></i>
H2 Housing Mix	H20 Housing Balance
H3 Requirements for housing: Residential car parking	S6 Sustainable Access INF2 Sustainable Transport
H4 Requirements for housing: Homes designed for energy efficiency	S3 Environmental Performance
H5 Gardens	BNE1 Design Excellence

H6 Housing Design	SD1 Amenity and Environmental Quality BNE1 Design Excellence <u>H27 Residential Extensions and other Householder Development</u> <u>BNE7 Trees, Woodland and Hedgerows</u>
T1 Active Travel	S6 Sustainable Access BNE1 Design Excellence INF2 Sustainable Transport
T2 Access to schools	INF2 Sustainable Transport
T3 Cycle paths and cycle parking	S6 Sustainable Access BNE1 Design Excellence INF2 Sustainable Transport
F1 Flood mitigation	
E1 Green spaces	INF7 Green Infrastructure INF9 Open Space, Sport and Recreation <u>BNE8 Local Green Space</u>
E2 Retaining village identity	BNE4 Landscape Character and Local Distinctiveness
E3 Community land	INF6 Community Facilities INF9 Open Space, Sport and Recreation
E4 Nature conservation	BNE3 Biodiversity BNE4 Landscape Character and Local Distinctiveness INF7 Green Infrastructure <u>BNE7 Trees, Woodland and Hedgerows</u>
E5 Biodiversity	BNE3 Biodiversity INF7 Green Infrastructure
L1 Recreational facilities	INF1 Infrastructure and Developer Contributions INF6 Community Facilities INF9 Open Space, Sport and Recreation
L2 Healthcare facilities	INF1 Infrastructure and Developer Contributions
L3 Hilton village shopping centre development	<u>RTL1 Retail Hierarchy</u>

B1 Business units	S5 Employment Land Need E1 Strategic Employment Land Allocations 2011-2028 E2 Other Industrial and Business Development E7 Rural Development <u><i>SDT1 Settlement Boundaries and Development</i></u>
B2 Home working	
B3 Conversion of business property to domestic use	E3 Existing Employment Areas <u><i>H28 Residential Conversions</i></u>
B4 Broadband	<u><i>INF11 Telecommunications</i></u>

* In their response to the Regulation 14 consultation South Derbyshire District Council raised a concern that can be summarised as policy H1 in the Plan restricts the development of housing outside of the Local Plan allocations and timescales. All other concerns/issues raised in the Regulation 14 consultation were actioned.

4.0 Strategic Environmental Assessment (SEA)

4.1 A screening of the draft Plan for environmental effects was undertaken in April 2020 on behalf of Hilton Parish Council. South Derbyshire District Council determined that a Strategic Environmental Assessment was not required. This determination was supported by relevant statutory consultees.

Habitats Directive

4.2 A Habitats Regulation Assessment (HRA) screening of the Plan was undertaken in conjunction with the SEA screening. South Derbyshire District Council determined that an Appropriate Assessment under the EU Habitats Regulations was not required. Again, relevant statutory consultees agreed with this determination.

4.3 The Habitats Regulation Assessment screening complies with the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which came into effect on 28 December 2018. That is, ‘the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017’.

Statutory Consultation

4.4 Between 11 March and 14 April 2020 South Derbyshire District Council, as required, consulted with statutory consultees on their Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA) Screening Report in relation to the Plan. Historic England stated that SEA was unlikely to be required; Natural England stated that no further work was required while the Environment Agency had no comments to make.

Convention on Human Rights

4.5 The Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Statement of Consultation. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups (as required by sub-paragraph 2(f)).

4.6 There was extensive consultation and engagement in identifying issues and the community has been consulted on the draft Plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses have been recorded and changes have been made as per the schedule set out in the appendices to the Statement of Consultation. The Consultation Statement meets the requirements set out in Paragraph 15 (2) of the Regulations (as required by sub-paragraph 2(g)).

5.0 Conclusion

5.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) are considered to have been met by the Plan.

5.2 The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the strategic (and other) policies contained in the adopted South Derbyshire Local Plan and meets relevant EU obligations.

5.3 It is therefore respectfully suggested to the Examiner that the Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

Hilton Parish Council

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Hilton, Marston on Dove and Hoon Neighbourhood Development Plan

Consultation statement

Hilton Parish Council decided to produce a Neighbourhood Development Plan (NDP) in June 2017 and a Neighbourhood Plan Steering Group (NPSG) was set up at a public meeting in July 2017. In October of that year the NPSG, which initially consisted of two parish councillors and six volunteers who were not councillors, was formally constituted as a committee of the Parish Council.

It was subsequently decided to expand the Designated Area covered by the plan to include the neighbouring settlements of Marston on Dove and Hoon.

A Master Programme was agreed which outlined all the steps of the consultation process and a copy of that plan can be found on our website (see footnote A).

To make this as effective as possible a Communications Working Group was set up which developed a new brand for the NDP 'Your Village Your Voice'. This branding has subsequently been applied to all the communications with residents including a dedicated website and a Facebook page. In addition articles were sent to the local magazine *Hilton and Dove Valley Life* and leaflets and posters were distributed around the Designated Area.

A Launch Meeting was held in January 2018 attended by about 50 people and where volunteers were called for to join working groups to cover the topics of housing, transport, the environment, education, leisure and business. A number of people came forward and these groups developed contacts, investigated their subjects and identified issues for the Designated Area. In addition they identified the questions which were to be asked on their topics in the initial consultation with residents.

The first consultation with residents was scheduled for June/July 2018 and planning began that April. A detailed plan was produced a copy of which can be found on our website (see footnote B). Questions for the survey were suggested by the working groups and the Communications Working Group collated these to produce the questionnaire. It was decided to use Survey Monkey for both online and offline completion of the survey.

A paper copy of the survey was delivered to every house in the Designated Area by the Royal Mail while the facility to fill in the survey online was set up on the website. The survey was publicised through *Hilton and Dove Valley Life*, leaflets, Hilton Primary School's parental email service, Facebook and posters which were put up throughout the area.

Paper copies of the survey could be returned via drop boxes set up at key locations around the area such as Hilton Village Hall, the Post Office and Wellbrook Medical Centre. Residents were asked to provide email addresses and we now have a database of more than 500 people who wish to be kept informed of developments with the NDP.

A total of 926 surveys were completed and returned, including both paper copies and online versions. A copy of the survey can be found on our website (see footnote C).

The main issues and concerns raised by the residents were a desire to stop any further new house building until the infrastructure and services had caught up with the growth in population; a desire to reduce traffic through the village and to stop speeding; a wish to protect the existing green spaces and the environment; to protect and enhance safe walking and cycling routes; to reduce inconsiderate parking on pavements; and to see more provision for older residents in the form of sheltered accommodation and a residential care home.

The working groups analysed these responses and drafted policies aimed at addressing these issues.

A second consultation during which the residents could consider the proposed policies was planned for March 2019. Planning started in January and a 'Step Chart' was produced to enable residents to understand the process we were following and the second consultation was branded as 'The Next Step'. A copy of this chart can be found on our website (see footnote D).

This consultation document set out the proposed policies and gave residents the ability to agree or disagree and add a comment. The background to each policy proposal was set out in a series of charts which were published on our website and also displayed at the village hall. A copy of this second consultation document can be found on our website (see footnote E) and copies of the supporting charts can be found on our website (see footnote F).

The same process for making the survey available to residents as the first survey was adopted with both paper copies and an online version being available and the same methods were used to publicise this step. A total of 630 surveys were completed and the results were analysed by the Working Groups looking at each topic. Full details of the responses can be found on our website (see footnote G).

No fundamental concerns were raised in this survey. We also had help from a Planning Consultant, who advised on the extra evidence that would be required to support the policies. He also assisted us with developing the revised policies which were included in the first version of the NDP to ensure their applicability in planning terms. The draft policies were discussed with SDDC by both the representatives of the Steering Group and the Planning Consultant. Subsequently the draft NDP was modified to take into account the comments they made.

Planning started in early October 2019 for Regulation 14 consultation which began on 28th of that month. The draft NDP was sent to 34 non-resident organisations, including Derbyshire County Council and South Derbyshire District Council, for their comment and it was also made available to local residents.

However it was not considered practical to print 3,300 copies of the Draft NDP and distribute them to every household in the Designated Area so the focus for this consultation was predominantly online. A small number of physical copies were produced and displayed at key locations in the area.

All households were sent a leaflet explaining where copies of the NDP could be seen and this was backed up by articles in *Hilton and Dove Valley Life* and on Facebook. A direct mailshot was sent to the 500 people on the database and 34 non-resident consultees were emailed to give them the opportunity to comment.

The results were that there were 215 returns from residents and eight from non-resident consultees. The plan was downloaded 1,249 times and the result of this survey was 92% in favour of the NDP. Further changes were incorporated to reflect some concerns but also the positive comments. Summaries of the residents' comments and comments from the organisations consulted can be found on the website. The NDP will now go back to South Derbyshire District Council for Regulation 16 consultation.

Website www.yourvillageyourvoice.org.uk

Footnotes

- A Master programme
- B Detailed plan for first consultation
- C First survey document
- D Step chart
- E Second consultation document
- F Supporting charts
- G Responses to second consultation

SOUTH DERBYSHIRE DISTRICT COUNCIL

Regulation 14 Consultation:

Hilton, Marston and Hoon Neighbourhood Development Plan – Draft Plan

Consultation feedback from SDDC, NDP group comments on feedback, and actions taken

General comment

The plan period needs to be clarified and stated within the Plan itself: Page 13 of the Plan states that residents were given the opportunity to express their opinion for housing delivery for the period 2028 to 2035, however the Plan does not specifically set out the plan period. The AECOM Housing Needs Assessment states that the Neighbourhood Development Plan (NDP) period is 2016 – 2035, therefore the comments below are made on this basis.

Action: Plan period to be put on front cover.

Policy H1

The Hilton (South Derbyshire) Housing Needs Assessment (HNA) – June 2019 states that the Housing Needs Figure over the plan period (2016 -2035) is 839 dwellings for the Neighbourhood Area.

The HNA references housing completions within the neighbourhood plan area from 1 April 2011 to 31 March 2017. South Derbyshire's Local Plan (from hereon called the Local Plan) allocates two housing sites within the Neighbourhood Area, Land at Hilton Depot (Policy H7) for 485 dwellings and Derby Road, Hilton (Policy H23C) for around 43 dwellings. By the end of March 2017, 35 dwellings had been completed on housing allocation H7; Derby Road (H23C) has consent for 45 dwellings.

Whilst the draft Hilton NDP allocates two sites to include housing, H1A and H1B, these proposed allocations, taken together with the two Local Plan housing allocations, will not provide sufficient housing to meet the identified need of 839 dwellings by 2035 set out in the HNA. Subtracting the 45 new build completions during 2016/17 leaves 794 dwellings needed in the NA by 31 March 2035. Subtract the 8 dwellings proposed by draft policy H1B, the 45 dwellings permitted at H23C, and remainder of the H7 Local Plan allocation and the residual need is 291 dwellings, which will clearly be in excess of what would come forward on the proposed H1A allocation. If the above calculation is worked through using the 57 dwellings currently proposed by way of a planning application on H1B (Lucas Lane), the unmet need figure drops to 242 dwellings.

The National Planning Policy Framework states at paragraph 13 that *“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”* Basic condition (d) as highlighted in the Planning Practice Guidance requires that *“the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.”* For the Hilton NDP to extend beyond the Local Plan period requires the NDP to meet the identified housing need for that period in order for it to be fit for purpose and comply with the basic conditions.

A further basic condition, basic condition (e), requires that any NDP must be in general conformity with the strategic policies of the development plan. The draft NDP policy H1 restricts new residential development to that which has been allocated within the Local Plan, proposed allocations H1A and H1B or is a brownfield site within the settlement boundary (defined in the Local Plan). However, policies H1 and SDT1 of the Local Plan, both strategic policies, allow greenfield development within settlement boundaries (subject to other Local Plan policies) and Policy H1 allows exception or cross-subsidy sites up to 25 dwellings outside of settlement boundaries within Key Service Villages, of which Hilton is one. Exception or cross-subsidy sites can be located on greenfield land. As such, draft NDP policy H1 is not in general conformity with the Local Plan's strategic policies.

Comment: The NPSG did not consider the Housing Needs Assessment of AECOM to meet the requirement of paragraph 14 of the NPPF in providing 'objectively assessed needs'. It is also noted that in their comments, SDDC have not included the development for 34 dwellings that are currently under construction on the site known as the Mandarin. The NPSG reviewed their proposed policies against Paragraph 13 of the NPPF and concluded that they did meet the test of sustainable development.

It is stated that policy SDT1 is strategic, although it is noted that in Local Plan part 2, it is described as a Development Management policy. The NPSG reviewed their proposed policies against the strategic policies of the Local Plan and did not believe there was any conflict.

The NPSG decided to remain with their own objectively assessed housing needs.

Action: No action

Policy H1A

Policy H1A requires the provision of specialist accommodation along with retail units. The National Planning Practice Guidance for Neighbourhood Planning states:

"Neighbourhood plans may also contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy. Further [guidance on viability](#) is available." Paragraph: 005 Reference ID: 41005-20190509.

Draft policy H1A requires a minimum of 10 and maximum of 20 sheltered bungalows to be built on the Mease site. It is unclear whether these bungalows are required as affordable dwellings or whether they are for the private sector. Demand for sheltered bungalows within the existing Council stock has reached equilibrium; a small number of bungalows within developments may be supported on sites, but 20 in one locality would be difficult to let if they were a rented product.

The Independent Examiner appointed to examine the NDP may query the viability of the proposed policy, to ensure that the policy is realistic, together with the basis for the specifying of a minimum of seven ground floor units.

The requirement of a minimum of 25% of sheltered bungalows complying to M4 (3) standard, goes beyond the requirements of building regulations and would require viability testing. The emerging Strategic Housing Market Assessment for the District would indicate that this percentage is too high; the evidence will recommend 5-10% where viable.

With regard to the residential care home of up to 40 beds, this is contrary to the Derbyshire Accommodation Strategy, adopted by the Council's Housing Committee, which shows an oversupply of care homes within the District. It appears that the NDP bases the need for the residential care home on the neighbourhood survey, however the evidence from AECOM's HNA shows a need for specialist accommodation, including sheltered housing and extra care, with no mention of a need for care home placements. **So?** Evidence suggests a need for 77 units of specialist accommodation (sheltered and extra-care) but notes this does not need to be within the Neighbourhood Area.

It should be noted that whilst the HNA sets out that affordable housing split includes entry level market homes, starter homes and entry level market rent, these are not in line with the Affordable Housing SPD which only supports affordable/social rent and shared ownership.

Comment: The comments by SDDC are not understood in the context of bungalows within the Designated Area. The last sheltered housing bungalows built in Hilton were 24 in the 1960's when the population of Hilton was a fraction of what it is today. The partially quoted paragraph above also states: "Plans should be prepared positively, in a way that is aspirational but deliverable". The NPSG believe this to be the case.

For the avoidance of doubt, the flats proposed are not ground floor units.

The policy on M4(3) standard bungalows was derived from the County Council policy.

The comment on care homes appeared confusing. On the day of writing these comments the care homes in South Derbyshire had an occupancy of 93%. The projection produced by the NPSG appears more realistic and supports the policy on care homes.

Action: No action

Policy H1B

The draft NDP policy H1B requires a low density housing development of up to 8 dwellings along with the provision of allotments, a community orchard, woodland and a community farm based on the existing farm buildings. The National Planning Policy Framework states that planning policies should "*support development that makes efficient use of land*" taking into account a list of criteria (paragraph 122). The current planning application on the Lucas Lane site is for up to 57 dwellings and it is queried therefore whether the density proposed in Policy H1B is the most appropriate for the site in question.

Comment: The NPSG believes the proposed use of the Lucas Lane site in the draft Plan meets paragraph 122 of the NPPF as it is protecting a community asset and providing amenities that have been previously overlooked, but identified as a need from the residents.

Action: No action

Policy H2: Housing Mix

Page 55 of the HNA states: “Currently, the supply of homes in terms of size and demand for homes are in broad alignment. However, due to significant demographic shifts that are forecast over the Plan period, an appropriate policy response is needed to support the delivery of smaller dwellings of 2-3 habitable rooms.” Therefore the evidence in the HNA does not appear to support the proposed policy.

The need to focus on delivering 2-3 bedroom homes is strengthened by the evidence found in the Hilton Area Neighbourhood Development Plan survey. Furthermore, a greater focus is needed on delivering 1-bedroom homes, although the majority of homes delivered should still be 2 or 3 bedroom homes. An appropriate housing split, as supported by the HNA, would be as follows:

1 bedroom: 10%

2 bedrooms: 30%

3 bedrooms: 50%

4+ bedrooms: 10%”

As drafted, policy H2 provides a different housing split to that recommended in the HNA. The difference in approach will need to be justified, particularly the percentage of 4+ bedrooms proposed within the policy compared to that within the HNA. Similarly, the expectation that 25% of all housing developments of five or more should be bungalows needs to be justified.

Action: the mix was reviewed and the NPSG agreed a new mix as in the draft Plan

Policy H3: Requirements of housing: Residential car parking

The policy goes beyond the requirements of the Local Plan and 6C’s Design Guide standards.

Comment: It is noted that this policy is supported by the County Council

Action: No action

Policy T1: Active Travel

A suggestion for strengthening this policy would be: New development should, where available, link up to existing walking and cycling routes and public transport.

Action: Agreed

Policy T2: Access to schools

Is the intention for this policy to apply to *all* new developments, or all new *housing* developments?

Action: *Agreed to clarify to apply to 'housing'.*

Policy E1: Green Spaces

As drafted, policy E1 is not in conformity with Policy BNE8 in the Local Plan, nor the emerging Local Plan policies in the Local Green Spaces Plan. These Local Plan policies, together with the NPPF, do not restrict all development within Local Green Spaces.

It is unclear whether the second sentence of policy E1 is in regard to Local Green Spaces or referring to all new development outside of Green Spaces.

Comment: It is noted that the NPPF states that Local Green Spaces should endure beyond the end of plans.

Action: *Agreed to bring the policy into conformity with BNE8 and to clarify as suggested.*

Policy E2: Retaining Village Identity

The Local Plan contains policies detailing the circumstances in which development outside of settlement boundaries within Rural Areas will be granted.

Policy E3: Community Land

To which development proposals is this policy intended to apply? Perhaps the following policy wording would meet the NDP's intention: "The provision of community gardening, orchards and allotments will be supported."

Action: *Agreed. Amend as suggested.*

Policy E5: Biodiversity

The first two sentences of the policy appear to state the same requirement – no net loss of biodiversity.

The Hilton Nature Reserve is a SSSI; a nationally important site. Local Wildlife Sites are sites of County importance. Paragraph 175 of the NPPF sets out principles to be applied when determining applications where proposals could affect habitats and biodiversity.

Action: *Agreed. Amend to clarify.*

Policy L1: Recreational facilities

The requirement for infrastructure and developer contributions is set out within Policy INF1 of the Local Plan. The proposed policy L1 requires that developer contributions will be sought on new residential developments to fund sport and play facilities. South Derbyshire 'Section 106 Agreements: Guide for developers' requires that developer contributions will be sought from residential development exceeding 4 dwellings and sets out the amount of contribution required.

'Section 106 Agreements: Guide for developers' requires that contributions are collected for three types of recreation; open space, outdoor facilities and built facilities. It is not fully clear from drafted policy what type of contributions will be required. The first and last paragraph appears to differ in meaning; the first paragraph requires that developer contributions will be sought from new residential development to fund sport and play facilities, whereas the last paragraph states, "...provision for a range of outdoor activities and sports will be encouraged".

Action: No action

L2: Healthcare facilities

The requirement for infrastructure and developer contributions is set out within Policy INF1 of the Local Plan. Proposed policy L2 requires that developer contributions will be sought "to improve the quality and accessibility of health and social facilities including integrated community health facilities". South Derbyshire 'Section 106 Agreements: Guide for developers' requires that developer contributions will be sought from residential development exceeding 4 dwellings. When this threshold has been met, the NHS Derby and Derbyshire Clinical Commissioning Group would then be consulted to establish the required contribution from the development.

Planning obligations can only be sought to assist in mitigating the impact of unacceptable development to make it acceptable in planning terms (PPG Planning Obligations Paragraph: 002 Reference ID: 23b-002-20190901). It would therefore be beyond the law to collect contributions from all development where proposals do not impact upon healthcare provision.

Comment: Noted but it is a given that all policies will comply with the law.

Action: No action

Policy L3: Hilton Village shopping centre development

The specific policy requirements may hinder potential development opportunities. The developments supported by the policy can be supported in principle, thereby allowing, for example, for a retail proposal of six units.

Comment: For the avoidance of doubt, the policy is for 7 retail units.

Policy B1: Business Units

The first sentence states the phrase "within the existing settlement area". Does this mean within the settlement boundary? It would be helpful to define to which B use classes is the policy intended to apply.

Action: Agreed. Policy amended as suggested

Policy B4: Broadband

Suggested policy wording: Where practicable, new development should be supported by full fibre broadband connections.

Action: Wording partially adopted



Dear Ms Davies

Mike Ashworth
Executive Director

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Telephone: 01629 539810
Ask for: David M Dale
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Our ref: PM/DMD/Hilton, Marston on Dove &
Hoon Neighbourhood Plan
Your ref:
Date: 6 December 2019

Ms S Davies
Neighbourhood Plan Steering
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Localism Act 2011 – Strategic Planning Comments

Hilton, Marston on Dove & Hoon Neighbourhood Development Plan: Pre-Submission Draft

Thank you for consulting Derbyshire County Council (DCC) on the Hilton, Marston on Dove & Hoon Neighbourhood Development Plan: Pre Submission Draft (HMoDHNP). The comments below are DCC's Member and Officers' technical comments with regard to the housing, transport, environment, leisure, education, business, and public health aspects of the Plan.

Local Member Comments

Councillor Julie Patten, the Local County Council Member for Hilton Electoral Division, has been consulted. To date, no comments have been received, but if I receive any I will forward them to you.

Officer Comments General Policies and Community Policies

DCC would suggest that the note on the back of the document explaining the difference between planning policies, which will be examined, and community policies, which will not, should appear in the introduction. This would facilitate understanding of the document.

Action: Agreed

Plan Period

The HMoDHNP does not identify a plan period. This should be defined as it is fundamental to any projection of the development requirement. Page 13 of the 'Housing delivery' section makes reference to a survey for the delivery of housing for the period 2028 to 2035, a period commencing 8 years from now. DCC would suggest that a realistic plan period should be identified that is in accordance with the Local Plan.

Action: Put the Plan period on the cover – same comment as SDDC. Leave the plan period as 2035 – this was on the advice of SDDC

Housing Policy H1 Housing delivery

This policy refers to the settlement framework identified in the Local Plan. The framework could be shown on an additional map, or alternatively clearly identified on the map on page 9, which shows the phases of housing development in Hilton. **OK?**

The supporting text to H1 refers to the rapid growth of Hilton since 2000 which has resulted in an imbalance in housing mix and an under-provision of services. There are independent shops, an Aldi, a Tesco express and a doctor's surgery in the 'village centre', but the development form is high density, more akin to suburbia than a village. Active travel to/from the existing facilities is not encouraged by the existing settlement layout.

The community survey results show a mix of opinions, with approximately 30% seeking no more growth but 20% wanting larger, 4/5 bed houses with gardens, matched by a similar demand for bungalows and sheltered housing. Two areas, 'The Mease' and 'Lucas Lane', have already been allocated for residential / mixed use development. DCC would suggest that policy elements H1A and H1B are very prescriptive; H1B is unlikely to be achievable given the size of the development – 8 dwellings.

Action: Noted but H1B has to be seen in its entirety – no action

Policy H2 Housing mix

Policy H2 'Housing Mix' seeks a figure of 25% of all new development to be bungalows in order to address the historic imbalance of housing mix. Percentages are also given for 1/2 bedroom, 3 bedroom and 4 or 5 bedroom housing. Given the scale and mix of the existing housing stock this would appear to be reasonable.

Policy H3 Requirements of housing: residential car parking This policy is supported.

Policy H4 Requirements of housing: homes designed for energy efficiency This policy, which seeks to embody sustainable development principles, including renewable energy and Low Emission Vehicle Charging Infrastructure, as standard in new dwellings, is supported. However, it could be expanded upon, or an additional policy inserted, to include Sustainable Drainage Systems (SuDS) and permeable surfacing requirements in new development. The policy might also require that significant refurbishment or extensions to existing dwellings should require the addition of energy efficiency measures, including low emission vehicle infrastructure. Whilst there is no need to

justify the need for climate change mitigation, its inclusion would contribute to the understanding of why the policy has been included.

DCC would suggest that all new housing should include the provision of accessible cycle storage, see: <https://www.cambridge.gov.uk/media/6771/cycle-parking-guide-for-newresidential-developments.pdf> NB. This design guide includes provision for flats, and other dwellings with no individual garages or outdoor space.

Action: All suggestions incorporated

Policy H6 Housing design

With regard to any new residential development, the design standard should aim to meet a high level of sustainable design and construction, optimised for energy efficiency, and targeting zero carbon emissions. Non-residential development should be encouraged to exceed less stringent energy efficiency requirements in building regulations for the nondomestic sector. A good aim, for example, would be to achieve a BREEAM score of 'outstanding' or 'excellent' as the scoring method contains a significant weighting towards energy efficiency.

Action: Agreed and incorporated

DCC recognises that improving energy efficiency in historic and traditional buildings is a greater challenge than for new developments. However, DCC would encourage Neighbourhood Development Plans to include a policy concerning the sensitive retrofitting of energy efficiency measures in this type of property while preserving a building's character and heritage. Advice is available from DCC's Conservation, Heritage and Design service and in guidance such as 'Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency' (Historic England) and from other sources.

DCC would suggest that all new developments should include designated footways within the development to facilitate safe pedestrian access to all dwellings.

Action: Second point agreed and incorporated

Transport

DCC would suggest the addition of policies relating to the provision of public electric vehicle and electric cycle charging points. These could be located at convenient public parking spaces, on cycle routes or cycle storage areas.

Action: This was considered by NPSG and rejected

Parking Community Policy CP-T1

DCC expresses concern about this policy, which should be viewed with caution. Any additional car-based infrastructure is likely to encourage more car-based journeys, thereby exacerbating the concerns outlined elsewhere in the document relating to traffic, speeding, and safety.

Additional car parking provision is likely to lead to additional journeys being undertaken by car, which will lead to more traffic, with concerns about speeding and safety, and additional car parking demand.

Action: NPSG considered the concern but decided to stay with the policy

Policy T1 Active travel

Residential development should be sited and designed with active travel at the forefront of the design and delivery process.

The design of the development should include designated footways and cycle routes to ensure that active travel becomes the easiest and most direct form of travel to local destinations, including shops and schools.

This policy could be expanded to include access to cycle routes, and urban designs that give priority to active travel over motorised modes. The emphasis of the policy should be on the provision of active travel infrastructure, where vehicular access to residential areas should be designed to be secondary to walking and cycling.

Action: Agreed and incorporated

Community Policy CP-T2 School access

The schools should be encouraged to embed sustainable travel in their policies and ethos. All schools are entitled to take part in Modeshift STARS <https://www.modeshiftstars.org/>, the National Accreditation Scheme for school sustainable travel. This should be promoted, and all relevant activities recorded in order for Hilton school(s) to work towards Bronze, Silver and Gold level accreditation. Further information and support is available via sustainable.travel@derbyshire.gov.uk

Action: NPSG consulted with the schools but they did not want to go down this route

Policy T3 Cycle paths

DCC would suggest the addition of the following words to the policy ...*'between homes and local destinations, and to the local cycle network'*.

The policy is supported but could also be expanded to include a requirement for safe and secure cycle parking/storage to be provided at destinations e.g. schools, shops, community and business premises.

Action: All suggestions agreed and incorporated

Safe walking and cycling routes Community Policy CP-T3 Cycle routes

DCC would suggest the addition of the following words to the policy ...*'particularly those routes between homes and local destinations and the local cycle network'*.

Action: Agreed and incorporated

Community Policy CP-T4 Bus services

DCC would suggest that all opportunities to enhance bus services should be fully explored, including the use of developer contributions to provide or enhance services for the benefit of all residents.

Action: Agreed and incorporated

For information, DCC is about to publish a Developer Contributions Protocol (due for consultation in December 2019/January 2020) which states:

Contributions from developers to the cost of bus services and related infrastructure are an important source of funding to mitigate the impact of new development in an area. This can take two forms:

- Local Bus service contributions to provide socially necessary services, including revenue support for services that are forecast to break-even and become commercial in the future. This will include contributions for school bus services where appropriate. See Appendix A to this section for more details.
- Infrastructure contributions to provide bus stop facilities including shelters raised kerbs, information (including real time information) and bus priority measures, including bus stop clearways. Further information about funding for bus infrastructure improvements is shown in Appendix B to this section.

Environment Flooding

DCC would encourage the addition of policies that could include requirements concerning, for example, the introduction and use of SuDS; landscaping; new developments incorporating green roofs and walls; water efficiency such as new developments incorporating rainwater harvesting technology; promotion of tree planting and street trees; and work with landowners and statutory bodies to promote better management of upland areas to reduce the flow of floodwater to vulnerable areas.

Action: Flood mitigation policy agreed and incorporated

Policy E1 Green spaces

The policy, which is supported, seeks to protect 19 identified green spaces throughout Hilton and to encourage new green spaces. Again, the policy could be expanded to require new development to design SuDs as publicly accessible green spaces, avoiding an over-engineered appearance. A good guide, which could be referenced, is 'The SuDs Manual, CIRIA 753', available in the form of a free download from the Construction Industry Research and Information Association (CIRIA.org).

Action: SuDS incorporated into policy

Policy E2 Retaining village identity

The policy calls for the separation between villages in the Plan area to be maintained. In the absence of an area defined in the Local Plan, the policy should identify such an area as open space to be conserved for the purpose of maintaining the separation. This would need to be supported by a plan showing the area to be preserved as open.

Action: NPSG investigated open space preservation but SDDC advised that it was not applicable in this case

Policy E3 Community land

The policy needs to be re-worded; as it stands, it is not implementable as the Plan cannot require proposals to be put forward. The policy should state that proposals which include the provision of/for an increase in land for community gardening, orchards and allotments will be supported.

Action: Agreed and incorporated

Policy E4 Nature conservation

The policy should include a requirement for applications to be accompanied by a statement setting out how the proposal will conserve and enhance biodiversity and provide net biodiversity gain (E5). Green infrastructure should be linked to previous policies on active travel, SuDs, community land and the preservation of existing green spaces. It should also make reference to “The Landscape Character of Derbyshire” (available in PDF form from the County Council web site at: <https://www.derbyshire.gov.uk/environment/conservation/landscapecharacter/landscape-character.aspx>)

DCC would suggest that the policy could be more specific about which areas to protect. An example of a more detailed policy can be found in the Quarndon Neighbourhood Development Plan.

Action: NPSG agreed and incorporated the first part of this suggestion

Policy E5 Biodiversity

This policy is supported.

Leisure, amenities and services Policy L1 Recreational facilities

Policy L2 Healthcare facilities

Policy L3 Hilton village shopping centre development These policies are supported.

Education

DCC’s Children’s Services Department has reviewed the chapter on Education and has no comments to make on it.

Business Policy B1 Business units

This policy supports new small scale business development; however, DCC would suggest that the policy should include a requirement for the inclusion of off-street parking appropriate to the demand likely to be created by the business, including the provision of low emission vehicle charging infrastructure.

Action: Agreed and incorporated

Policy B2 Home working This policy is supported.

Public Health

DCC's Public Health Department has considered how the plan aligns with the agreed 'Strategic Statement – Planning and Health across Derbyshire and Derby City' (see attached) and has collated comments accordingly: where DCC feels it supports the priorities, where it could be strengthened, or where it might need to be more explicit. The HMoDHNP draft plan does not make any reference to Health Impact Assessments (HIA). DCC would suggest that the following statement should be added to the Plan:

“Planning applications for major residential developments of 100 dwellings or more should ideally be accompanied by a Health Impact Assessment (HIA), where there is likely to be a negative impact on population health as a consequence of development.”

Action: NPSG considered the suggestion but as we do not envisage developments of 100 or more this is not required

The HMoDHNP draft plan also makes no reference to Environmental Impact Assessments (EIA) and population human health as one of the EIA considerations. The Neighbourhood Plan Steering Group might want to consider adding this to the plan.

Note: SDDC providing this

The following policy statements make a positive contribution to the reduction of sources of air pollution and exposure:

- Policies on sustainable heating and energy are included.
- Consideration of the impact of air pollution exposure from housing is demonstrated.
- Policies include consideration of Low Emission Vehicle Infrastructure.
- There are a range of policies to support improved cycling and walking and access to public transport. These have been carefully considered with reference to key travel sites for the community.

DCC would draw the attention of the Neighbourhood Plan Steering Group to the latest guidance, in order to further enhance policy related to the reduction of air pollution (see link below to the National Planning Policy Guidance on Air Quality) <https://www.gov.uk/guidance/air-quality--3>

Action: Reference incorporated

DCC would suggest that the Neighbourhood Plan Steering Group should consider the inclusion of:

- a requirement in Policy H4 Requirements of housing, homes designed for energy efficiency, to “maintain adequate separation distances between sources of air pollution and receptors”, thereby ensuring that housing design avoids canyons and promotes setbacks from potential sources of air pollution such as roads. This might include the use of green space, hedgerows and other physical spacing.

- “using green infrastructure, in particular trees, where this can create a barrier or maintain separation between sources of pollution and receptors” within policies H6 Housing design, T1 Active travel, or E1 Green spaces. Green infrastructure can support the absorption of dust and other pollutants and provide physical barriers between the highway and pedestrian or cycling infrastructure.
- measures to “control dust and emissions from construction, operation and demolition” during any construction processes.

Action: Suggestions incorporated where appropriate

6.1 – Prioritising positive prevention

The HMoDHNP draft plan makes reference to promoting safe active travel by ensuring all new developments include proposals to make walking and cycling more attractive, linking up existing pathways to make walking safer. There is also a plan to improve sporting facilities in the area.

Proposals to develop community land into allotments and orchards will increase the ability for people to grow their own food and increase activity levels.

6.2– Supporting positive mental wellbeing

The HMoDHNP draft plan mentions increasing the use of cycle and walking and walking routes, and advocates behaviour change and targeted participation programmes at a community level to encourage more walking and cycling. The Plan could also be strengthened by encouraging the ‘Five Ways to Wellbeing’ (see attachment):

1. Be Active – increasing walking/cycling paths, linking new and existing pathways for safer, active travel, enhancing sporting facilities at The Mease Pavilion and turning community land into allotments.
2. Give – are there enough community venues to cover all the settlements in order to promote social connectedness?
3. Keep Learning – the Plan is proposing to engage with local educational organisations to establish Adult Education opportunities.
4. Take Notice – there are proposals to increase and improve green spaces in the area, but also to preserve the green space already available and not permit any building on these sites.
5. Connect – the Plan could add a little more as to how socially isolated people could get out, meet and talk to others locally.

Action: Wellbeing statement incorporated

6.3 – Supporting healthy ageing

There are plans to build up to 20 sheltered bungalows which will promote independence for older people wanting to stay in their own home, and there is also a proposal to build a residential care home for up to 40 beds, both of which will provide social connectedness. However, there is a need to consider how infrastructure for dementia-friendly communities can be provided, as outlined in the Strategic Statement.

Any proposals to improve local bus services, especially for the elderly and disabled, would promote connectedness and improve mental wellbeing.

6.4 – Enabling people to connect with each other

There are proposals to build mixed use housing developments and the recreational space at the Mease Pavilion will be enhanced to create more sports facilities. The village hall appears to be the only meeting point for the community, so it may be necessary to consider additional community venues as the village increases in size. Transport links could be improved as bus services only operate through Hilton every half hour in each direction to Derby and Burton-on-Trent and do not service the whole of the village.

Note: There are other meeting points for the community – Scout Hut, Mease Pavilion, Methodist Chapel etc.

The HMoDHNP draft plan also proposes to ensure that any new development must enable the enhancement of digital infrastructure in the area and incorporate full fibre connections, including ducting capable of accommodating more than one digital infrastructure provider.

Action: Agreed and incorporated

6.5 Healthy Homes

The HMoDHNP draft plan refers to rapid housing development within the locality, but development has not met the current housing needs and does not serve the growing needs of the area. A recent survey shows that provision is needed for first homes and homes for the older generation; the Plan also states that future developments should be environmentally friendly and have gardens.

The Plan does not mention building to Lifetime Homes Standards or M4 (2) category of home that is accessible and adaptable. Living in poor quality homes that require improvement has a fundamental negative impact on health, particularly for the most vulnerable people in society e.g. children and older people.

Note: The Plan does reference M4 standard homes

The HMoDHNP draft plan does not mention Housing Standards, and neither is there any reference to the cost per dwelling to bring any current poor housing to a level of expectable standard. DCC would suggest that the Plan would be strengthened if it were to include a reference to ensuring that existing housing stock could be maintained to a good quality, or is renovated or replaced if it requires improvement to Building for Life 12 (BfL 12) standards.

Action: Having agreed the BREEAM standard, the NPSG did not action this suggestion

Other areas from the Planning and Health Strategic Statement that the Steering Group might want to consider including to strengthen the Plan are:

- Supporting Dementia-friendly communities, and enabling connectedness. Encouraging developers to design homes to a lifetime standard that includes facilities and features that enable people to live independently for longer.
- Including a reference to mixed use housing development that would create opportunities for connectedness between members of the community who might not otherwise come into contact with each other e.g. via a shared recreational space to encourage inter-generational contact and neighbourhood community centres.
- Making reference to existing housing stock, including plans for renovation, and replacing poor quality housing stock.

Action: The NPSG considers the Plan already addresses enabling people to live independently for longer. The existing housing stock is mainly very young.

Omissions

There are no policies setting out the position on development proposals outside the settlement framework. As it stands, the plan would not support any development outside the built framework; however, it is likely that individual plots or extensions, including the conversion of existing farm buildings, might come forward.

Action: The NPSG considers these points are already covered by SDDC policies.

Policy H4 Requirements of housing: homes designated for energy efficiency, calls for energy efficient housing, but there are no policies setting out how proposals for other renewable energy proposals might be considered. Again, it is possible that there might be proposals for small-scale wind turbines, typically on-farm, or for solar installations, within the parish. The Plan does not offer any guidance as to how these would be considered.

Action: The NPSG considered this suggestion but decided the SDDC policy already covered this.

The National Planning Policy Framework (NPPF) (Chapter 15, paragraph 178ff – Ground conditions and pollution) stresses the importance of planning policies in managing the impact of noise and light pollution on health, living conditions, the natural environment and potential sensitivity of a site where development is proposed.

Noise and light pollution can affect people's natural body rhythms and have a detrimental impact on human health. It can also affect wildlife including bats, insects and many nocturnal mammals and birds, disrupting their normal feeding and breeding behaviours, and migratory patterns.

DCC would encourage Neighbourhood Development Plans to include policies on the control and mitigation of noise and light pollution. This is particularly relevant to new developments and public spaces but plans should also consider existing residential areas. The Campaign to Protect Rural England (CPRE) NightBlight website is a useful resource for exploring light pollution, dark skies and potential policies about this.

Action: Agreed Noise policy formulated.

Policies H4 Requirements of housing: homes designated for energy efficiency, and E4 Nature conservation, omit to make reference to issues associated with external lighting. Unnecessary external lighting can be energy inefficient and have adverse impacts on a number of nocturnal species including invertebrates, birds and bats (all bat species are protected). There are also documented physical and mental health issues associated with exposure to artificial lighting and its impacts on circadian cycles. H4 may therefore also include the topic of external lighting design.

Action: Agreed and incorporated

There are no policies relating to the conservation and enhancement of heritage assets, including non-designated heritage assets. The Plan includes just 3 lines of text on the subject. There is no schedule of listed buildings or other non-designated heritage assets.

Action: Agreed to incorporate schedule

The attached document includes suggested wording and supporting information on some of the issues mentioned above.

Waste Minimisation

Issues for consideration include landfill and incinerated waste, which are a particular problem for resource efficiency, and compound climate change. Prevention, reuse, recycling and composting are all positive approaches to minimising the harmful effects of waste.

DCC would encourage the Neighbourhood Plan Steering Group to consider policies for waste minimisation. Policies could include the provision of opportunities for public recycling – bottle banks for example, litter prevention, and the collective management of waste from commercial premises.

Action: The NPSG considered the suggestion, but there are adequate existing facilities and locations for additional facilities could not be easily identified – no action.

I trust that you will be able to take these comments into account and incorporate them into the Submission Version of the Plan.

Please contact me if you wish to discuss the comments further.

Yours sincerely

David M Dale
Policy and Monitoring and LA lead: CLIP: Planning Sub-group

Copies:

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Tony Kearsey, Commissioning, Communities and Policy
Denise Ludlam, Commissioning, Communities and Policy
Jane Careless, Adult Care
Vicky Smyth, Adult Care
Jane Horton, Adult Care
Karen Beavin, South Derbyshire District Council

Decentralised, Renewable and Low-Carbon Energy Technologies

Renewable and low-carbon related energy development has the potential to make a significant contribution to sustainable development, while needing to be balanced against other important considerations, notably the potential impact on the Parish's high quality landscape, heritage attributes and residential amenity.

Any development must therefore be of an appropriate scale, in a suitable location, and sensitive to the special and high quality landscape of the Parish, as well as respecting residential amenity and other important heritage considerations.

POLICY X DECENTRALISED, RENEWABLE ENERGY AND LOW-CARBON TECHNOLOGIES

Suitably located and designed proposals that promote and encourage the development of renewable and low-carbon energy resources, will be permitted following consultation with local residents, the Parish Council and District Council, where either individually or cumulatively, it can be demonstrated that any adverse impacts have been addressed. Proposals will be supported that:

- a) do not have an unacceptably adverse impact on the amenity of local residents (including: noise, vibration, visual impact, shadow flicker, water pollution, odour, air quality, emissions, sensitivity and character of the landscape);***
- b) do not have an unacceptable adverse impact on any designated site (including: Site of Special Scientific Interest, regionally or locally important geological site, site of ecological value, Special Landscape and Landscape Character Areas, Listed Building, heritage asset, Local Green Space, Conservation Area or their settings);***
- c) in the case of wind turbines, it can be demonstrated that the development would not result in an unacceptably adverse effect on protected species, including migration routes or sites of biodiversity value;***
- d) in the interests of residential amenity and safety, there is an appropriate minimum separation between wind turbines over 25m to blade tip and residential properties;***
- e) in the case of ground mounted solar panels, it can be demonstrated that they do not result in the loss of good quality agricultural land;***
- f) proposals should include details of associated developments including access roads and ancillary buildings. Transmission lines should be located below ground wherever possible in order to reduce the impact on the open countryside.***

- g) measures are included for the removal of structures and the restoration of sites, should sites become non-operational.***
- h) identify the potential positive effects the proposed renewables development would have on the local environment and community; and***
- i) do not have any negative impact on the Outstanding Universal Value of the Derwent Valley Mills World Heritage Site or its buffer zone;***

Small and medium scale, decentralised, domestic renewable energy systems, including building mounted solar energy and biomass, ground and air source heating systems, will be encouraged as part of proposals for new buildings and where conversion or significant refurbishment of existing buildings are being considered.

Ultra-Low Emissions Vehicle Infrastructure

There is overwhelming evidence that petrol and diesel-powered vehicles cause pollution, which contributes to climate change, poor air quality and is dangerous to public health. For these reasons the government intend to end the sale of conventional internal combustion engine powered cars by 2040. Policy makers, vehicle manufacturers and other transport innovators are therefore working to build interest in and around the use of alternative fuels, for example electricity, bio-methane and hydrogen.

As many transport users will make the transition to Ultra-Low Emissions Vehicles (ULEVs) over the next few years it is appropriate to consider the need for suitable charging infrastructure that is 'fit for purpose', represents good value for money, and responds directly to the increasing expectation and demand for a network of public access infrastructure.

The UK has seen a surge in demand for ULEVs, including electric vehicles. 2016 saw a record year of sales. There are currently just over 100,000 ULEV cars on UK roads and that figure is expected to rise to around 1 million (OLEV) by 2025. The pace of demand and ever changing technology means that by 2030 it is expected half of all new cars will be ULEVs.

POLICY Y ULTRA-LOW EMISSIONS VEHICLE INFRASTRUCTURE

The electrical infrastructure within all new developments must be capable of the future addition of Ultra-Low Emission Vehicle charging infrastructure in terms of anticipated load capacity.

New commercial or community facility proposals should include provision of Ultra-Low Emission Vehicle and secure e-bike charging points available for both the public and staff.

Residential developments must ensure that secure cycle and e-bike storage is available and accessible.

New development should either:

- ***Provide off road charging infrastructure***
- ***Ensure that electrical infrastructure within all developments is capable of the future addition of charging infrastructure in terms of anticipated load capacity or***
- ***Provide publicly accessible Ultra-Low Emissions Vehicle and e-bike charging points.***

Dark Skies

Darkness at night is one of the key characteristics of rural areas and there is some concern that it is being diminished by light pollution. Sources of light can include light spill from roof lights, street lighting, decorative exterior lighting and poorly installed security lighting. The National Planning Policy Framework (paragraph 180c) notes that in seeking to protect and enhance the natural environment, planning policies “should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”.

Light pollution affects the character of the countryside and obscures views of the night sky. It is of particular concern for wildlife including bats, insects and many nocturnal mammals and birds, disrupting their normal feeding and breeding behaviours and even migratory patterns. There is increasing concern that exposure to artificial lighting can disrupt the body’s natural rhythms have detrimental impacts on human health.

The Campaign to Protect Rural England (CPRE) has produced detailed maps showing the amount of light pollution across the country. NAME Parish is affected by light pollution...geographical description. The Plan therefore seeks to ensure that the existing dark skies outside of the main settlements and, particularly in ... geographical description parts of the parish are protected and that new developments do not increase light spillage, preventing further deterioration of the night skies.

POLICY Z DARK SKIES

Development where planning permission is required must limit, and where possible, reduce the impact of light pollution from artificial, externally visible light sources. Proposals to introduce new lighting into areas that do not

presently have artificial lighting will be resisted, unless it is demonstrated that this is required for road and/or pedestrian safety.

External lighting should be designed to reduce the impact on dark skies, avoiding excessive use of up-lighting or the unintentional illumination of adjacent areas.

Sustainable Transport

Proposals for new development should support the implementation of a transport hierarchy:

Reduce - the need to travel

Active travel - facilitate walking and cycling

Mobility as a Service - enable a connected and low emission, multi-modal, public transport system

Encourage the uptake and use of LEVs

Provide a safe and accessible highway network

Development proposals should ensure adequate provision of: safe and convenient walking and cycle routes including cycle storage, consider connectivity with public transport routes and existing infrastructure, require the inclusion of LEV charging infrastructure and provide a safe and accessible highway connection.

Climate Change and Sustainable Design Principles

The government has committed the UK to achieving net zero greenhouse gas emissions by 2050 in response to climate change. If this target is to be achieved every new development must make its contribution to emissions reduction and should aim to be as close to carbon neutral as possible. While off setting of emissions can play its part, it is more advantageous to eliminate the emissions from the outset.

Emissions reductions can be achieved through the design and layout of a development and through the selection of construction materials and techniques employed. Building design and layout will inevitably be a compromise between compatibility with the existing local street layout and building style. The ideal situation of south facing elevations and roof pitches to enable the provision of solar PV and passive solar designs may be more challenging to accommodate within the existing street layout.

Renewables and energy efficiency targets, passive solar design, materials considerations, air quality issues and green infrastructure, secure cycle parking at home and at destinations.

Sustainable Drainage Systems and Water Efficiency

Impacts of climate change, increased intensity of rainfall, need for groundwater recharge, wildlife impacts, provision of POS, potential for heatwaves and drought, natural cooling afforded by green spaces.

Strategic Statement Planning and Health across Derbyshire and Derby City

Our vision is for places across Derby and

Derbyshire that ensure every child and adult has
the opportunity to live a healthy and fulfilling life

1. Purpose: To agree an ambitious vision, shared priorities and principles for delivering the Combined Authority's member organisations duty to cooperate in respect of health and planning.

2. Background and information

Responsibility for public health transferred to local authorities in April 2013 and this gave councils new opportunities to improve joint working between public health and planning as well as related disciplines such as housing, transport planning and regeneration, in order to improve health and reduce health inequalities locally.

To achieve this we need to identify links between public health objectives and how places can be shaped to respond to them, with reference to the *National Planning Policy Framework 2012* (NPPF) and national public health outcomes indicators. In addition, it needs to reflect the added value that joint work on planning and health can bring to local priorities identified in the Derby and Derbyshire Joint Strategic Needs Assessments and Health and Wellbeing Strategies, Director of Public Health Annual Reports, Locality Public Health Plans and the Derbyshire Healthy Communities Programme (Refs: Appendix 1).

The statement reflects the different needs of communities across Derby and Derbyshire, as well as identifying principles to underpin joint working at local and strategic level and specific health priorities for joint working on planning and health.

3. Our communities

Appendix 2 provides a summary of key information about the population of Derby and Derbyshire. Poor health is both a limiting factor to increasing economic activity rates, as well as a consequence of low economic activity rates. The causative links between socio economic inequality and chronic

stress and poor health are well understood and improving health and tackling these inequalities is a key component of achieving sustainable communities.

4. What does the planning system do already in relation to health?

The planning system acts to mediate the demands of the market and the social and environmental impact of development. As a part of this, planners work with applicants throughout the development process in a bid to secure wider social benefits, such as benefits for health infrastructure or public health. Although the planning system is positively geared towards achieving social benefit, the ability of planners to intervene in the existing built and natural environment is limited unless new development proposals come forward and planners must negotiate specific planning obligations in the context of development viability and defined criteria. This means the planning system can require reasonable, appropriate and necessary contributions from developers and social benefits need to be considered as a whole.

The *NPPF* guides local planning authorities to integrate the health agenda, through the 'Promoting Healthy Communities' chapter, into planning policy and development management decisions. Also, *National Planning Practice Guidance* (NPPG) provides advice for local planning authorities and specifically the role planning has to play in supporting health through the 'Health and Wellbeing' chapter.

There are two main tools that the planning system can use to help achieve health objectives. Firstly, through the local and neighbourhood plan process, and the development of planning policy. Although health is not usually a separate policy area in land-use planning it is regularly integrated throughout policy frameworks; for example, aiming to provide accessible service centres for local communities has health and wider benefits. Secondly, the development management process enables planners to negotiate any planning contributions and look to steer the design of a development to address health objectives.

5. What principles should underpin the planning and health agenda?

Local planning authorities can use the following principles to enable them to achieve a healthy built and natural environment across Derbyshire and Derby City:

- Embed sustainability and protection of the environment across the planning system to assure the future of a healthy built and natural environment.

- Help provide accessible service centres, shared spaces and community facilities which serve day-to-day needs
- Encourage walking and cycling through the provision of pedestrian/cyclist friendly infrastructure, measures to prevent road traffic accidents and concentrating development as close as possible to service centres and employment
- Create healthy living environments through the provision of community open space, recreation and sport facilities
- Help protect and enhance public rights of way
- Protect people's health from air pollution, noise, flood risk and accidents
- Ensure the delivery of high quality homes and good design standards that meet the varied needs of local communities and an ageing population
- Active consultation between local planning authorities, healthcare commissioners and public health teams to help understand, and plan for, impact of development on health services and the health of communities
- Consult with communities to help understand local perspectives on health and any concerns that can be addressed through the planning system
- Look to pro-actively address areas of health inequality wherever possible
- Where appropriate seek contributions towards new health related infrastructure to support development through planning obligations
- Maximise the opportunities for recreation and connecting people with the outdoors, the natural world and cultural heritage through Derbyshire unique assets, such as the National Parks.

6. Health priorities for the planning system

This section presents the priorities for planning and health which reflect where the planning system can make the greatest contribution to delivery of priorities identified in the Health and Wellbeing Strategies for Derby and Derbyshire and other strategic local plans listed in section 2 above.

6.i: Prioritising positive prevention

The first priority is to promote the development of healthy environments that actively support people to maintain a healthy weight. We aim to change the embedded culture of routine car use to one which promotes safe active travel and use of public transport, ensuring a focus on connectedness between where people live and where they work, study, spend their leisure time and access services. In addition, we will explore how we could use local greenspace to

support sustainable access to healthy foods, in order to help tackle food poverty in Derbyshire. We will use evidence and intelligence¹ to understand how behavioural nudges can be ‘built in’ to support these healthier behaviours, and to demonstrate the impact on the economy of having a healthier workforce.

6.ii: Supporting positive mental wellbeing

The environment in which we live directly impacts on our mental well-being - access to good quality homes, safe streets and greenspace helps support happier and healthier individuals and local communities. Using place-shaping to improve the mental wellbeing of local people has the potential to make a significant positive impact on the local economy through reducing sickness absence and maintaining a motivated and productive workforce.

Neighbourhood planning can actively engage local people in ensuring community interests and concern (such as exposure to noise or air pollution) inform decisions, and the planning system as a whole can help support the delivery of the ‘Five Ways to Wellbeing’ summarised below:

- a) ***Be Active*** – delivery of priority 6.i clearly links to this objective
- b) ***Give*** – Active participation in social and community life can be supported through interventions that promote social connectedness (priority 6.iv below)
- c) ***Keep Learning*** – Ensuring access to places in local communities where people can continue to learn throughout their life supports mental wellbeing.
- d) ***Take Notice*** – Access to greenspace and local environments that help individuals connect with the natural world is proven to enhance wellbeing.
- e) ***Connect*** – small changes to places can be planned to enable people to connect with one another more – for example simply placing benches in residential areas provides opportunities for socially isolated older people with limited mobility to get out, meet and talk to others locally.

6.iii Supporting healthy ageing

The number of people aged 65 years and over across Derby and Derbyshire is projected to increase significantly over the next 25 years. We want to maximise the very real benefits these demographic changes will bring about. Older people make a significant contribution to society and the economy in a number of ways, including through their spending power, provision of social

¹ ‘Evidence’ in this context is the term used to describe information that has been demonstrated through empirical research, while the term ‘intelligence’ incorporates information derived from a broad range of sources including evidence, service data, public perspectives / views and qualitative and quantitative information.

care, volunteering and support for charities and their own families. If people can stay healthy for longer, they can continue to make a significant contribution to our communities, and reduce the increased demand on health and social care. Specific ways in which the planning system as a whole can contribute to healthy ageing is to ensure new homes are built that promote independence and respond to changing needs as people age, design new neighbourhoods which provide the infrastructure for dementia friendly communities and enable social connectedness (see priority 4.iv below).

6.iv Enabling people to connect with each other

Social cohesion is a feature of strong and vibrant communities, and is characterised by a sense of belonging, shared interest in addressing challenges and inequalities, where diversity is appreciated and people feel safe and valued. Some areas of Derbyshire are very rural and issues such as transport, opportunities for social interaction and access to services, including high speed internet access, remain a real challenge. The planning system can continue to support connectedness within communities by creating places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other including, for example, through housing developments that are mixed use, design of residential streets to encourage their use for social interaction, shared recreational space to encourage intergenerational contact, provision of neighbourhood centres and well-designed street frontages.

6.v Healthy homes

The type and condition of peoples' homes has a direct impact on the health and well-being of individuals, families and communities across Derby and Derbyshire, and contributes to inequalities in health outcomes between different areas and groups within the population. Living in a poor quality home, characterised by damp, mould and excess cold or exposure to air pollution or noise, can lead to an increased risk of cardiovascular and respiratory disease as well as to mental health problems. In addition, structural defects can increase the risk of accidents, and overcrowding contributes to increased risk of communicable disease. We need to collate intelligence on current and future housing needs of all sections of the population, especially those most at risk of insecure tenancy and poor housing.

The contribution of strategic planning to healthy housing can be maximised by planning the building of the right homes in the right places for all sections of the

population, renovating or replacing existing homes that require improvement and implementing the principles and learning from the Healthy New Towns programme. This work will be supported and informed by a review of housing and health commissioned by the Derbyshire Housing Strategy Group and Derbyshire Joint Strategic Needs Assessment Board and due to report in early Spring 2016.

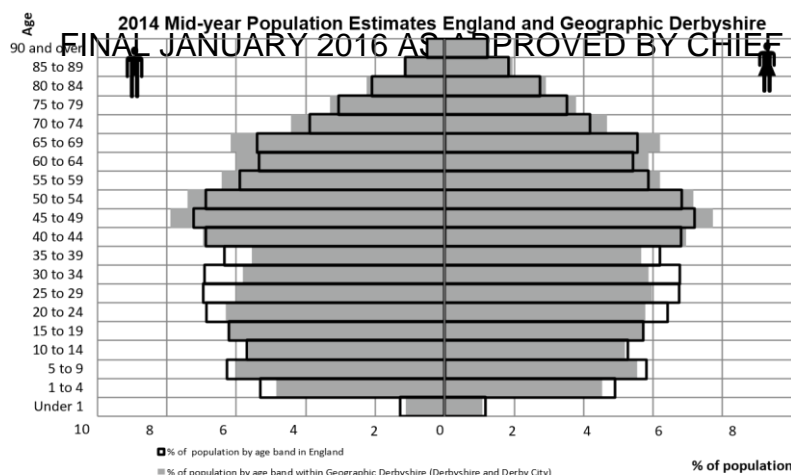
7. Monitoring

The Derbyshire Planning and Health Steering Group will monitor overall progress against these priorities using two key outcomes:

- Increased healthy life expectancy in Derby and Derbyshire
- Reduced gap in healthy life expectancy between communities across Derby and Derbyshire

Appendix 1: References

National Planning Policy Framework (NPPF)	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf
National Planning Practice Guidance (NPPG)	http://planningguidance.planningportal.gov.uk/
Localism Act 2011, Chapter 20, Part 6, Chapter 1, Section 110	http://www.legislation.gov.uk/ukpga/2011/20/section/110/enacted
National public health outcomes indicators	https://www.gov.uk/government/publications/healthy-lives-healthy-people-improving-outcomesand-supporting-transparency
Derby and Derbyshire Joint Strategic Needs Assessments (JSNA)	Derbyshire http://observatory.derbyshire.gov.uk/IAS/Custom/Resources/HealthandWellbeing/SoD_2014_DO.pdf
Derby and Derbyshire Health and Wellbeing Strategies	
Director of Public Health Annual Reports	Derbyshire available at https://www.derbyshire.gov.uk/social_health/public-health/about_public_health/default.asp
Derbyshire Healthy Communities Programme	  The Healthy Communities model.do Partner Update Sept
Five Ways to Wellbeing	http://b.3cdn.net/nefoundation/8984c5089d5c2285ee_t4m6bhqq5.pdf
Healthy New Towns Programme	http://www.derbyshire.gov.uk/images/Agenda%20item%20%20-%20Healthy%20New%20Towns%20Programme_tcm44-270225.pdf
Town and Country Planning Association (TCPA) Planning healthier places – report from the reuniting health with planning project	http://www.tcpa.org.uk/data/files/Health_and_planning/Health_Phase_2/Planning_Healthier_Places.pdf
TCPA Reuniting health with planning – creating health promoting environments	http://www.tcpa.org.uk/data/files/Health_and_planning/Health_Phase_2/Planning_Healthier_Places.pdf
TCPA Reuniting health with planning – healthier homes, healthier communities	http://www.tcpa.org.uk/data/files/TCPA_FINAL_Reuniting-health-planning.pdf
Royal Town Planning Institute (RTPI) Inclusive planning and health	http://www.rtpi.org.uk/knowledge/policy/topics/inclusive-planning-and-health/
Royal Institute of British Architects (RIBA) City health check – How design can save lives and money December 2013	https://www.architecture.com/Files/RIBAHoldings/PolicyAndInternationalRelations/Policy/PublicAffairs/RIBACityHealthCheck.pdf



Appendix 2: Key data about our communities

Population: 1,032,300 people are resident within Derby and Derbyshire.

The administrative County of Derbyshire has a population of 779,800 and Derby City has a population of 252,700. Between 2013 and 2014 Derbyshire's population has increased by 41,300 people or 0.5% and Derby City's by 1,100 people or 0.4%. Within the County, South Derbyshire has the largest year-on-year population growth of 1.3%, which is a greater rate of growth than seen for England (0.83%). Since 2001, Derbyshire's population has grown by 5.9% and Derby City's by 9.4%, compared to 9.3% for England. Again, South Derbyshire's population has grown much faster in

the same period at 18.4%. Conversely, other areas such as High Peak have seen much slower population growth of just 2.2%. The latest SubNational Population Projections from the Office for National Statistics (ONS) suggest that the population of the whole county will increase by 127,900 people between 2012 and 2037. Derby City's population is projected to grow at a faster rate than the administrative county. The largest percentage change in population is projected to be in South Derbyshire (22.4%). Across the age bands, relatively low growth is projected for the child population (015 years), whereas the percentage of the population of working-age will decrease in Derbyshire, but grow in Derby City. The largest increase in

population will be amongst those age bands 65+ and particularly the older age bands, aged 75+.

2012-2037 Population Projections for Geographic Derbyshire

Area	ONS Mid Year Population Estimates (2014)					ONS Sub- national population projections (2012-2037)						
	Total population	0-15	16-64	65+	% of total Geo Derbyshire popn	Total population		% change 2012-2037	% change by age band			
						2012	2037		0-15	16-64	65+	90+
Amber Valley	123,900	17.0%	62.1%	20.9%	12.0%	122,700	136,800	11.5%	3.2%	-5.0%	71.3%	267.5%
Bolsover	77,200	17.9%	62.8%	19.4%	7.5%	76,400	83,700	9.6%	1.4%	-3.7%	61.5%	233.8%
Chesterfield	104,300	17.1%	62.9%	20.0%	10.1%	103,800	110,600	6.6%	2.7%	-7.4%	55.6%	226.6%
Derbyshire Dales	71,300	15.7%	59.3%	24.9%	6.9%	71,300	78,100	9.5%	1.0%	-11.5%	68.9%	196.0%
Erewash	114,000	17.8%	62.8%	19.4%	11.0%	112,800	127,500	13.0%	7.9%	-1.1%	65.8%	274.5%
High Peak	91,400	17.5%	63.2%	19.4%	8.9%	91,100	99,500	9.2%	1.1%	-7.6%	76.9%	254.3%
North East Derbyshire	99,400	16.1%	60.5%	23.4%	9.6%	99,300	107,100	7.9%	5.9%	-8.3%	54.3%	242.4%
South Derbyshire	98,400	19.2%	63.5%	17.2%	9.5%	96,000	117,500	22.4%	10.6%	6.6%	99.1%	251.0%
Derby City	252,500	20.7%	63.3%	16.0%	24.5%	250,600	291,300	16.2%	9.7%	8.5%	57.0%	323.9%
Geographic Derbyshire	1,032,300	18.1%	62.5%	19.3%	n/a	1,024,100	1,152,000	12.5%	6.0%	-1.2%	66.0%	244.3%

Derbyshire	779,800	17.3%	62.2%	20.4%	75.5%	773,500	860,700	11.3%	4.6%	-4.5%	68.3%	238.3%
Erewash CCG	Figures not yet published for 2014					94,600	106,500	12.6%	7.7%	-1.0%	65.7%	253.6%
Hardwick CCG						108,900	118,400	8.7%	3.0%	-5.4%	58.6%	236.7%
North Derbyshire CCG						272,100	295,000	8.4%	2.7%	-8.2%	62.6%	246.7%
Southern Derbyshire CCG						515,300	596,600	15.8%	8.0%	3.6%	69.5%	243.3%
Tameside and Glossop CCG						253,400	284,500	12.3%	7.0%	-0.5%	69.0%	232.2%

For more information take a look at the **People and Place** section of the [Derbyshire Observatory](#)

NB: ONS population projections may not reflect the detailed housing needs assessments carried out by individual local authorities in their Strategic Housing Market Assessments.

Housing: There are 434,500 homes across Derby and Derbyshire

According to the 2011 Census, the geographic County of Derbyshire has:

30% detached properties 39% semi-detached properties 21% terraced properties 10% flats

The latest data from ONS indicates that the number of homes is expected to increase to 517,800 in the geographic county by 2037. Derby City (22.6%) and South Derbyshire (29.6%) are projected to have the highest growth. There are high levels of home ownership within the county and therefore ensuring private dwellings are built with appropriate design specifications to enable individuals to remain in their own home as they grow older is important. In 2013, statistics from the DCLG indicate 84.9% of properties in Derbyshire are in the private sector and in Derby City this is 80.3%, compared to an average of 82.9% for England. Derby City has a higher percentage of local authority owned houses (12.6%) and housing association owned properties (7.0%) than for the administrative county of Derbyshire where figures are 8.6% and 6.5% respectively. The ratio of median house price to median earnings is 3.7 for Derby City and 5.4 for Derbyshire. In some parts of the county, such as Derbyshire Dales this ratio is much higher at 8.3, compared to the average for England of 6.7. Across the geographic county

493 affordable dwellings were provided in 2013/14. Census data indicated there are 12.0% of houses in Derbyshire and 16.8% of houses in Derby City in the private rented sector. In addition to this national data, there are additional projections and figures utilised by the local planning authorities, which may provide more up to date information and are detailed in Local Plans and other strategic documents.

For more information take a look at the [Housing](#) section of the [Derbyshire Observatory](#)

Health:
Derbyshire as

79.2% of residents are in good health across Derby and a whole.

- Excess Weight in Adults
- Hospital admissions for alcohol related episodes
- NHS Health Check Uptake
- Injuries due to falls in people aged 65+
- School readiness
- Utilisation of green space for exercise/health reasons

Healthy Life Expectancy	Years	Years
Derbyshire	62.3	62.8
Derby City	58.8	61.3

Life Expectancy at birth

Derbyshire	79.4	83.2
Derby City	78.6	82.6

Issues which flag red for both city and county on the Public Health Outcomes Framework:

For many health indicators there are clear contrasts between Derby City and Derbyshire, and within the districts of the administrative county of Derbyshire other differences exist. For example, Healthy Life Expectancy varies between the two areas as shown in the infographic to the left and furthermore at a ward level these differences are more pronounced. For example in Derbyshire there is a difference of 16.7 years between the longest and shortest life expectancy at ward level. In Derby City this is 10.9 years.

According to the Index of Multiple Deprivation 2010, Derby City experiences higher levels of deprivation compared to the administrative county of Derbyshire and England as a whole. This is further reflected in the fact that Derby City has higher levels of both child and fuel poverty than the administrative county of Derbyshire, suggesting housing quality is an issue. However, in some rural communities in Derbyshire Dales where there are older stone built properties there are some of the highest fuel poverty levels in the country.

Derbyshire has an ageing population and this brings with it particular health issues, such as older people who feel socially isolated, are diagnosed with dementia and have multiple long-term health conditions.

More broadly, lifestyle factors have an impact on health and obesity is an issue for both Derbyshire and Derby City, as is smoking. Unemployment, which is an important wider determinant of health, varies across the county and the latest statistics are available in a monthly bulletin. Surprisingly, the utilisation of outdoor space for exercise or health is limited. Just 11.1% of people in Derby City and 13.3% of people in the administrative county of Derbyshire use outdoor space, compared to 17.1% for England as a whole.

For more information take a look at
the **Health
& Wellbeing**
section of
the **9**
Derbyshire
Observatory

Analysis of Residents Comments on Regulation 14 Consultation

Many of the comments were just expressing support or reinforcing the need for one of the existing policies. There were a number which could be considered to contain an 'actionable' suggestion. i.e. they could be the basis of a policy or be part of an existing policy. Many of these were one off comments and are listed below.

The largest group of comments were around having a stricter housing policy: 5% wanted no more houses and a further 4% wanted no more houses until the 'facilities' had been fixed (in particular the Health Centre).

2% wanted a railway station

2% took the opportunity to object to the current planning application for Lucas Lane

2% wanted more traffic calming/speed cameras around the village

1% wanted a 'cycle loop' around the village

1% wanted measures taken against the Travellers to stop intimidation when accessing Hilton Gravel Pits from Sutton Lane

Single suggestions were as follows:

- 1) Swimming baths
- 2) Post box as mandatory in new housing developments
- 3) Air Quality to be addressed (also suggested by DCC)
- 4) Lights and pavement in Witham Close
- 5) Parking spaces off Welland Road (i.e. take a bit of the green space)
- 6) Secure bike parking at Village Hall and shops
- 7) Noise 'policy' (also suggested by DCC)

Finally, it is worth noting that 10 of the 18 residents who disagreed with the NP, did so on the basis that the housing policy was not strong enough i.e. they wanted no more houses. However without an NDP we would be unable to control development in the Designated Area.

Analysis of Organisations Responses to Regulation 14 Consultation

Sports England made no direct comment on the content but merely referred to various paragraphs in the NPPF. **No action required**

National Grid commented:

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines. National Grid has identified that it has **no record** of such apparatus within the Neighbourhood Plan area.

No action required

The Environment Agency welcomed the environmental policies and had no comments on the housing policies as the sites are not within flood zones 2 and 3. **No action required**

Highways England supported the business policies and stated that they would need to be consulted on the Lucas Lane proposed development and any proposals affecting the slip roads of the A50.

No action required

Gladman Developments Limited commented that:

Policy H1 needs to be more flexible to allow developments adjoining the settlement boundary.

It is the view of NPSG that the existing policy SDT1 and H1 in the Local Plan already addresses this and hence there is no need to repeat the policy in the NP. **No action required**

The reference to M4 standard in policy H1A should be deleted as the setting of optional Building Regulations is the role of the local authority. The setting of M4(2) and M4(3) standard has been removed from other neighbourhood plans

It is the view of the NPSG that the NP should reflect the Derbyshire County Council policy for South Derbyshire to build more M4 standard dwellings. DCC had no objection to the inclusion of M4 standard dwellings. SDDC thought the percentage too high and would require viability testing but did not suggest deleting the requirement. **On this basis the NPSG will leave the policy unaltered.**

Policy H5 (size of gardens) should be deleted as this is not referenced in SDDC Design SPD.

It is the understanding of the NPSG that a NP can set policy that is more stringent than the Local Authority's. Neither DCC nor SDDC had any objection to this policy. **On this basis the NPSG will leave the policy unaltered.**

The NP fails to demonstrate how the LGS in Policy E1 meet the requirements of national policy and guidance.

Gladman Developments do not understand that these green spaces have already been tested and accepted against the national requirements. **The NPSG could make this clearer in the NP.**

The policy E1 should be amended to state that development on LGS will not be supported.

This comment follows from the misunderstanding, but SDDC have pointed out that certain development is permitted on LGS under BNE8. DCC support the policy as written. **The NPSG could clarify the BNE8 position.**

Policy E5 should accord with paragraph 109 of the NPPF

*The paragraph referred to is in the original version of the NPPF. Paragraph 109 refers to Highway safety in the 2019 revised NPPF. SDDC raised issues of clarity with policy E5 but DCC fully supported the policy. **It is the view of the NPSG that policy E5 should be clarified as suggested by SDDC.***

Howard Sharp & Partners on behalf of **Providence Land** commented:

The NP conflicts with Paragraph 13 of the NPPF in that it does not shape and direct development outside of existing policies but only seeks to prevent it.

*It is the view of the NPSG that the NP is compliant with the NPPF. Whilst the vast majority of the residents in the DA wanted to prevent further housing development, the NPSG recognised that such a position was contrary to the NPPF and proposed developments that supported the needs of the residents as identified through the survey. Neither DCC nor SDDC raised this as an issue. **On this basis the NPSG will leave the housing policies unaltered.***

The moratorium on house building beyond 2028 is not supported by evidence.

*It is supported by the population projection forecasts made by the NPSG and is available as a paper on the website. **On this basis the NPSG will leave the policy unaltered.***

Policy H1B is not supported by evidence, the statement on noise is not supported by the Entran survey, it is in conflict with Paragraph 122 of NPPF as not an efficient use of land and is not deliverable.

*It is noted that SDDC also raised Paragraph 122 and DCC questioned if the policy was deliverable. The evidence for the policy emanates from the residents' survey and neither DCC nor SDDC questioned that aspect. It is true that Entran said the site could be made noise compliant. However, DCC have suggested that the NP includes a noise policy. The NPSG contends that the policy is compliant with Paragraph 122 on the basis that Lucas Lane is an attractive amenity that is important to the community; the policy maintains the prevailing character of the area; the proposed housing development does not promote sustainable travel modes and the identified need for different types of housing is satisfied elsewhere in the NP. The NPSG believe the deliverability of the policy will have to be secured by an alternative approach to that of a Land Developer. **The NPSG will develop a noise policy and a plan for the deliverability of policy H1B***

Tenport (actually, this response was down as a residents response and not a separate response from an organisation) commented:

The land north of the current Derby Road North Bellway site should be allocated for housing.

Apart from not requiring any more houses in the timescale of the NP, this area of land is not suitable for housing due to its proximity to the A50 and hence the noise and potential air quality concerns.

It is also outside the settlement boundary. There is currently no suitable access to this land other than from Sutton Lane which is already overburdened with traffic or through the Bellway estate, but the access junction onto Derby Road is not suitable for more houses than the Bellway estate. It may be possible in the future to gain access to this land from the roundabout by Talbot Nurseries but there has been no study to explore the sustainability of such a proposal.

The NPSG do not intend to allocate this land for housing.

**Hilton, Marston on Dove & Hoon Neighbourhood
Development Plan 2020 - 2035**

**Strategic Environmental Assessment and Habitat
Regulations Assessment Screening Determination**

Final for Issue April 2020

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Appendix 2 Environment Agency Response

Appendix 3 Historic England Response

Appendix 4 Natural England Response

Appendix 5 Hilton Marston on Dove & Hoon Neighbourhood Development Plan 2020 – 2035
SEA and HRA Screening Determination Statement

1.0 Executive Summary

- 1.1 This statement sets out the Council's determination under Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the Hilton, Marston on Dove & Hoon Neighbourhood Development Plan. This statement also sets out the Council's determination as to whether Appropriate Assessment is required in accordance with the Conservation of Habitats & Species Regulations 2017.

Strategic Environmental Assessment

- 1.2 Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive)) and Environmental Assessment of Plans and Programmes Regulations (2004) specific types of plans that set out the framework for future development consent of projects must be subject to an environmental assessment.
- 1.3 There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications if it has been determined that the plan is unlikely to have significant environmental effects. Having reviewed the nature and extent of the plan proposed, it is considered that the Neighbourhood Development Plan is exempt from any requirement for Strategic Environmental Assessment.
- 1.4 In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004)(Regulation 9(1)), the Council must determine if a plan requires an environmental assessment. Where the Council determines that SEA is not required then under Regulation 9(3) the Council must prepare a statement setting out the reasons for this determination. These reasons are outlined in draft in this report, although will be amended following consultation of this report with the statutory 'Consultation Bodies'.

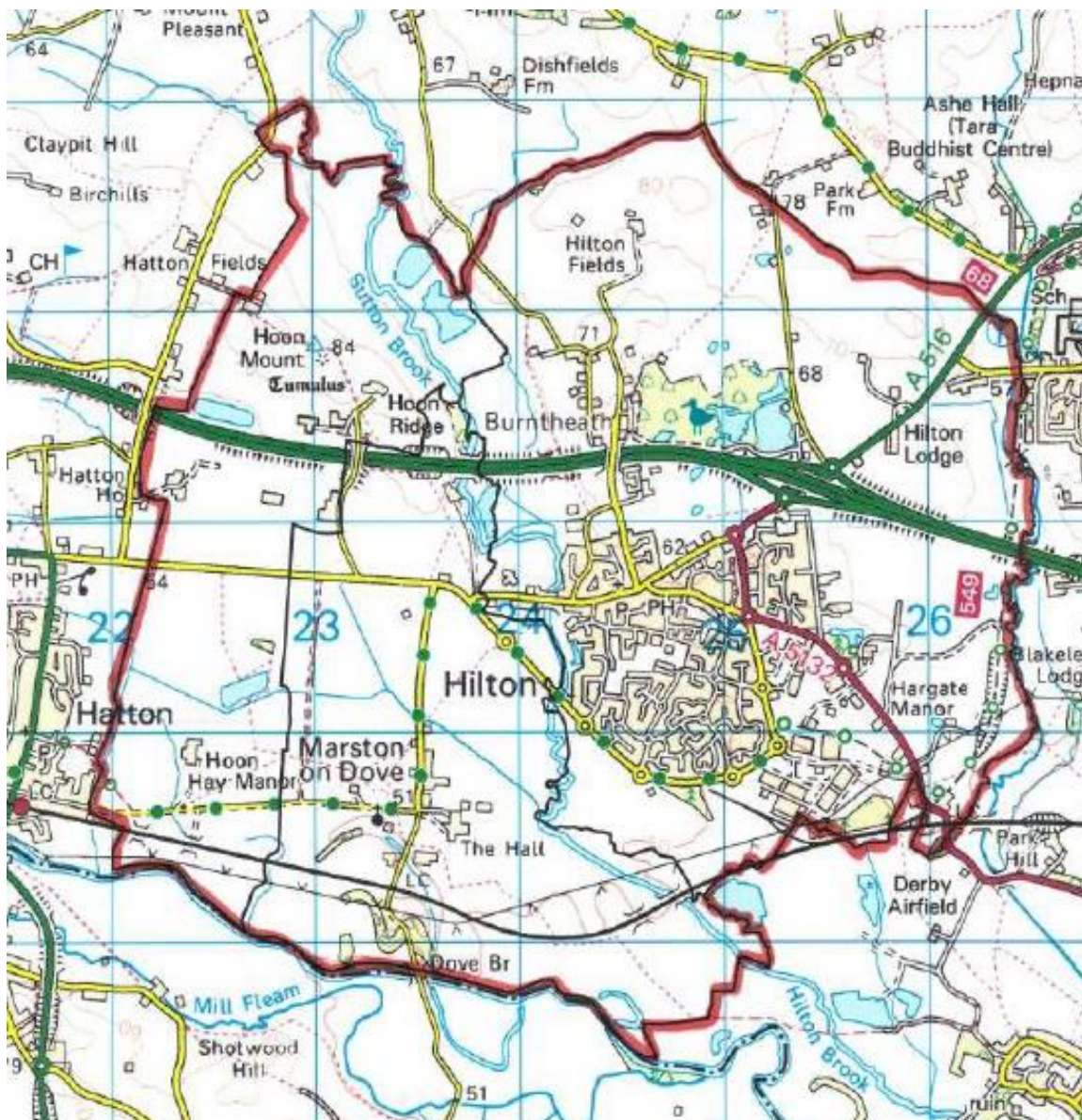
Habitats Regulations Assessment

- 1.5 A Habitats Regulations Assessment (HRA) is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. The need for HRA in respect of a Neighbourhood Development Plan is set out within the EC Habitats Directive 92/43/EC and transposed into British Law by Regulation 106 of the Conservation of Habitats and Species Regulations (2017), the 'Habitats Regulations'. In accordance with Article 6 of the Habitats Directive (92/43/EEC) and Regulation 106 of the Habitats Regulations, the Council must determine if a Neighbourhood Development Plan requires Appropriate Assessment.
- 1.6 Section 4 of this report highlights the Council's view that there is no need to undertake an Appropriate Assessment in respect of the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan. In brief the Council has formed this view due to the distance of protected wildlife sites from the Hilton designated area, the small scale and relatively limited scope of the proposed Neighbourhood Development Plan and the nature of threats and issues facing wildlife sites having regard to the Conservation Objectives of sites and the accompanying Site Improvement Plans.

Scope of the Hilton, Marston on Dove & Hoon Neighbourhood Development Plan Neighbourhood Plan

- 2.1 South Derbyshire District Council designated a Neighbourhood Area for Hilton, Marston on Dove & Hoon on the 6th March 2018 as illustrated in Figure 1 below. The key service village of Hilton and smaller villages of Marston on Dove and Hoon are located within this area. The Neighbourhood Development Plan is being prepared by the community through the Neighbourhood Working Group supported by Hilton Parish Council.

Figure 1 Extent of Neighbourhood Area for Hilton, Marston on Dove & Hoon Neighbourhood Development Plan.



- 2.2 This screening is based on the emerging Plan provided to the District Council on the 2nd March 2020. The Plan includes policies that will inform decision making in the villages of Hilton, Marston on Dove and Hoon and other areas in the plan area in respect of:
- Housing
 - Environment
 - Amenities and Services
 - Leisure and Employment
 - Travel and Transport
- 2.3 The Plan does allocate two potential housing sites, although both sites are within the settlement boundary for Hilton and so development in these area would already be supported in principle in such locations. In all other matters it is in general conformity with the Adopted South Derbyshire Part 1 and Part 2 Local Plan.

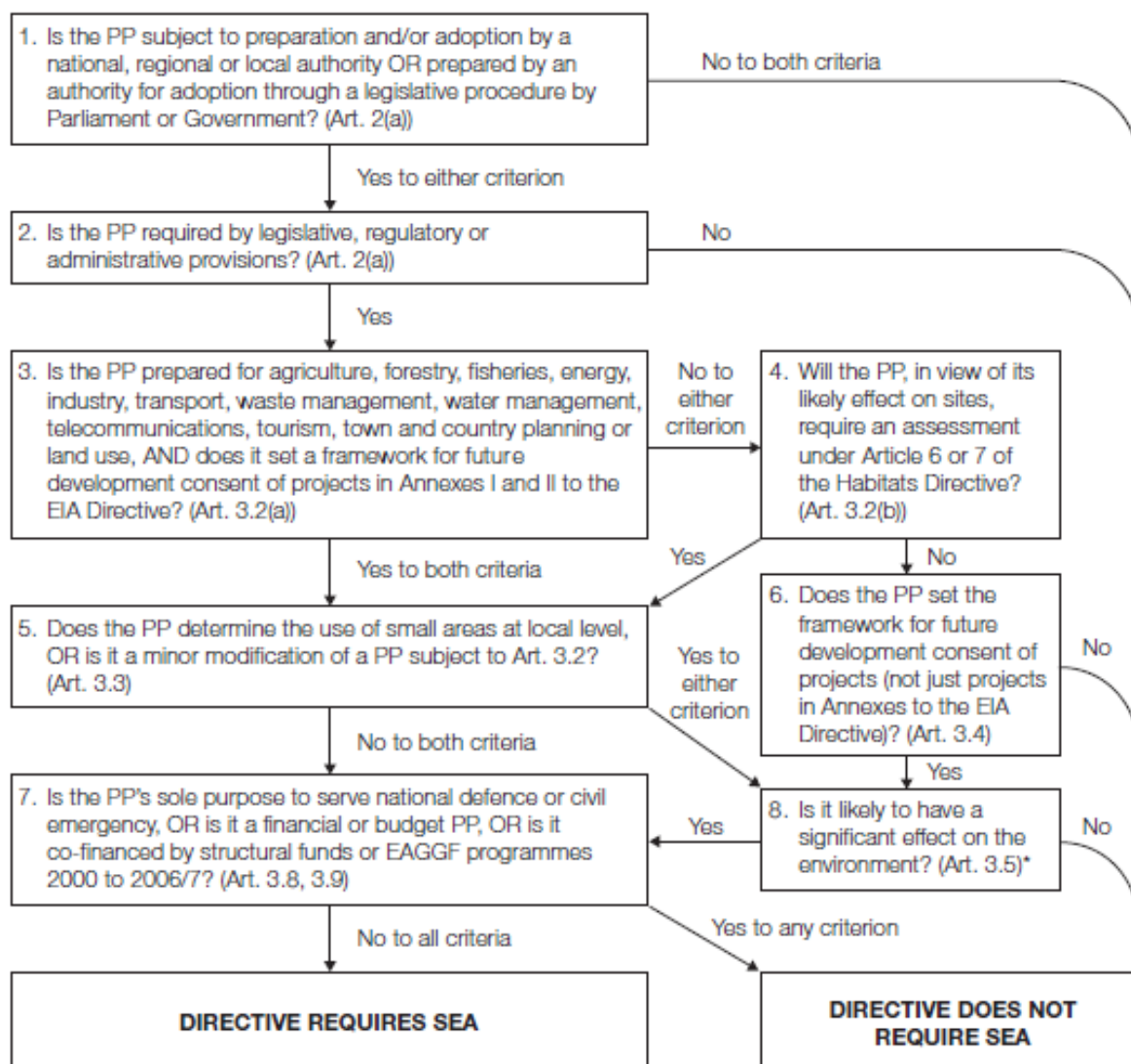
3.0 Strategic Environmental Assessment (SEA) Screening

The SEA Screening Process

- 3.1 The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted.
- 3.2 Within 28 days of making its determination the authority must publish a statement setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for this.
- 3.3 A draft version of the screening document was subject to consultation between 11th March and 15th April 2020. The comments received back from the Consultation Bodies have been taken into account and this report updated. The consultations responses are published at the end of this report. This report should be read alongside the determination statement issued by this Authority.
- 3.4 Practical guidance to the SEA Directive, published by the Department of Environment in 2005 (but still relevant), provides a useful diagram of the criteria for application of the Directive to plans and programmes (PPs) shown in Figure 2 overleaf.

Figure 2 Application of the SEA Directive to Plans and Programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

3.5 The Council has considered the process set out in the above figure and the findings of this review are set out in the following table (Table 1).

Table 1 Assessment of Characteristics of a Neighbourhood Plan

Stage	Yes/No/Uncertain	Reasoning
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	Neighbourhood Development Plans (NDPs) are prepared by a qualifying body (Parish/ Town Councils) under the Town and Country Planning Act 1990 (as amended). The preparation of NDPs is subject to the Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (referendums) Regulations 2012 (as amended). A NDP is subject to

		and local referendum and subject to the outcome of those will be 'made' by the Council. The process is prescribed by legislation.
2. Is the PP required by legislative, regulatory or administrative provisions? ((Art. 2 (a))	No	The preparation of a Neighbourhood Development Plan is optional. However, once 'made' it will form part of the statutory Development Plan for South Derbyshire and will be used when making decisions on planning applications in the area it covers
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consent of projects in Annexes 1 and II to the EIA Directive? (Art. 3.2 (a))	Yes	A Neighbourhood Development Plan is primarily prepared for the purposes of town and country planning and land use, but can also inform decisions relating to tourism, telecommunications, waste management, transport, industry, energy, agriculture and forestry related uses. It does set out a framework for development within the Hilton, Marston on Dove and Hoon Parish areas, including Infrastructure development which may fall under no. 10 of Annex II of the EIA Directive (for example, for potential social/community infrastructure which may fall under 'urban development' project).
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	A Neighbourhood Development Plan could in certain instances have an impact on sites protected pursuant to the Habitats Regulations. The NDP has been subject to a screening assessment (outlined in Section 4 of this report) and it is concluded that the NDP would have no effect on any such sites.
5. Does the PP determine the use of small areas at a local level, OR is it a minor modification of a PP subject to Art.3.2? (Art. 3.3)	Yes	The NDP will cover the Parishes of Hilton, Marston on Dove and Hoon only and hence will determine the use of small areas at a local level.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)	Yes	Once 'made' the NDP will form part of the Development Plan and will be used in the decision-making process on planning applications. It therefore, sets the framework for future developments at a local level, though it is required to be in general conformity with the adopted Local Plan.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8. 3.9)	No	The NDP does not deal with these issues.
8. Is it likely to have a significant effect on the environment? (Art.3.5)	Uncertain	The NDP could potentially have an effect on the environment. However, whether this is significant depends on the proposals within the Neighbourhood Development Plan. A detailed assessment of the potential for significant environmental effects is outlined in Table 2 (overleaf).

- 3.6 The conclusion of the assessment in Table 1 is that depending on the content of the Neighbourhood Development Plan, a SEA may be required. For this reason a specific assessment of the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan is required to determine the likely significant effects.

Likely Significant Effects

- 3.7 To decide whether the Neighbourhood Development Plan might have significant environmental effects, the content and the detail of the Plan (its allocations and policies) have been assessed against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004. Using the information supplied by the Working Group acting on behalf of the Parish Council at the current stage of preparation the following table (Table 2) sets out an assessment of the likely significant effects of the Plan.

Table 2 Likely Significant Effects of the Hilton, Marston on Dove and Hoon NDP.

Schedule 1 Criteria	Likely to have significant environmental effects?	Comments
1. The characteristics of plans and programmes, having regard, in particular to:		
1a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	The NDP sets out a relatively restrictive local policy framework for development proposals. It includes detail on potential housing development locations, although these are modest in scale (site H1A supports the delivery of 8 homes whilst H1B supports the delivery of 10-20 bungalows, up to a 40 bed care home, as well as a minimum of seven retail units with flats above). Both sites are located within the existing settlement boundary, though site 1B is in the village centre, and is already developed comprising of an existing car sales business). For both sites the principle of development is already established by virtue of policy H1 of the Adopted Part 1 Local Plan which supports housing development of all sizes within the settlement boundary of key service villages. The NDP also includes policies to allow for the creation of small scale and micro businesses within the settlement boundary or through the conversion of existing buildings and as well as a policy to support homeworking. Having reviewed the nature of the policies and the scale of the development allocations in the NDP and having regard to existing Local Plan policy which already supports the principle of development within the settlement boundary of the village, it is considered that the Plan will not give rise to likely significant effects on the environment. The NDP also includes a suite of transport, community, infrastructure, environment and leisure policies, many of which are similar in scope to policies set out in the Adopted Part 1 and Part 2 Local Plans. Having reviewed the content of these policies, it is not considered likely that the implementation of the Plan would give rise to likely significant effects on the environment.

1b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	No	The NDP must be in general conformity with the policies set out in the Adopted South Derbyshire Part 1 Local Plan, Adopted Part 2 Local Plan and proposed Submission Local Green Spaces Plan. The NDP will support the implementation of strategic policies at the local level only and will provide more detailed guidance on implementing policies already contained in strategic level guidance for the District. It is not therefore considered to have a significant influence on other plans and programmes or the environment.
1c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The NDP will contribute, as required, to the achievement of sustainable development as set out in the higher level Development Plan Policies included in the Adopted Part 1 and Part 2 Local Plans (as well as the emerging Local Green Spaces Plan). The NDP provides specific policies regarding noise mitigation and air quality, flood mitigation, protecting green spaces including proposed Local Green Spaces as well as policies on Nature Conservation and Biodiversity consistent with Policies SD1, SD2, SD3, BNE3, BNE4, BNE8 and LGS1 and LGS2 of the adopted Part 1 and 2 Local Plans and the emerging LGS Plan. Given the inclusion of policies in the neighbourhood plan is broadly in line with strategic policies included in the South Derbyshire Local Plan to protect such environmental assets it is unlikely that the NDP will have any significant effects on the environment.
1d) environmental problems relevant to the plan or programme:	No	Development that is proposed in the village up to 2028 through the South Derbyshire Local Plan has been subject to Sustainability Appraisal (including SEA). And whilst this document does seek to make further allocations in Hilton to cover the period 20120-35 these a small scale and in a location where development is already acceptable in principle by virtue of being supported through the Local Plan. Moreover the NDP contains a suite of development management type policies which will embed good practise and sustainability principles into any new development which would likely further reduce the potential for environmental effects. No development is proposed outside of the settlement boundary of Hilton. Given the nature, scale and location of proposals in the Plan it is not considered that it will give rise to significant environmental problems in respect of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage (including architectural and archaeological heritage) and landscape.

1e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The Plan is not directly relevant to the implementation of Community legislation and does not allocate potentially polluting development.
2. Characteristics of the effects and of the area likely to be affected, having regard in particular to:		
2a) the probability, duration, frequency and reversibility of the effects	No	It is unlikely that there will be any irreversible damaging environmental impacts associated with the NDP.
2b) the cumulative nature of the Effect	No	The policies included within the NDP are unlikely to result in likely significant effects given the nature of sites proposed and policies proposed, their conformity with existing policy provisions included in the South Derbyshire Local Plan documents and the limited extent of potential developments (including those in Hilton Parish and in surrounding areas).
2c) the transboundary nature of the Effects	No	The NDP is unlikely to have any discernible impact on neighbouring areas in South Derbyshire or elsewhere given the scope of and localised nature of the Plan and the nature of the policies proposed for inclusion in the Plan
2d) the risks to human health or the environment (e.g. due to accidents)	No	No significant risks to human health or the environment have been identified as a result of draft policies in the Plan. The Plan does however include a number of environmental and transport policies which seek to embed best practice and environmental protections into new development. These include (T1) Active Travel (T2), Access to Schools both of which could provide limited safety benefits by improving existing active travel routes and supporting the delivery of new off road travel routes. In addition policies on noise mitigation (N1), Air Quality (A1) and Flood Mitigation (F1). Are also included in the NDP. These will help reduce potential risks to human health and seek to improve well-being by embedding best practice into new development. However these policies are unlikely to have a significant effect on human health in isolation and in any case general provisions relating to improvement in highways safety associated with parking and cycling are made within the policy aims included in the Part 1 Local Plan.

2e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Plan is concerned with development within Hilton, Marston on Dove and Hoon Parishes only. Hilton is by far the largest of the three settlements and has a population of around 9,000 people. Altogether this Plan will apply to around 9% of the District in population terms, or around 4% of the District by land area). Outside of this area it will have no influence on development decisions.
2f) the value and vulnerability of the area likely to be affected due to – i) special natural characteristics or cultural heritage ii) exceeded environmental quality standards of limit values; or iii) intensive land-use	No	<p>There are no conservation areas within the designated area. There are a small number of listed buildings in the area including 3 in Marston on Dove, 1 in Hoon and 7 in Hilton and the surrounding area. There are no Historic Parks and Gardens. There is one scheduled monument (Hoon Mount Platformed Bowl Barrow located in the western part of the designated area). Rapid growth, in particular the redevelopment of the Hilton Army Depot since its acquisition by St Modwen in the early 1990s has significantly altered the character of Hilton, though both Hoon and Marston on Dove are very small settlements and due to the small scale and lack of local services have been, and continue to be protected, by restrictive Local Plan policies. Expansion of Hilton has continued into the 21st century with additional development on the former depot. New housing allocations proposed through the adopted Local Plan are now being delivered and the NDP only allows for limited future growth in the period to 2035 within the settlement boundary in locations away from any statutory historic designations. Given the generally restrictive nature of the policies in the NDP and the general lack of sensitive environmental assets in locations likely to be subject to growth it is unlikely that it will have Plan would have any significant effects in respect of the historic environment and cultural assets.</p> <p>There are a number of Local Wildlife Sites located in Hilton although these are unlikely to be affected by the proposals or policies included in the NDP. However the NDP could make a limited contribution towards protecting areas which do not meet the necessary criteria to warrant designation as a local wildlife site as a local green space. A total of 19 LGSs are proposed – these fully align with those proposed by the District Council in its emerging Local Green Spaces Plan. However given the lack of significance of these</p>

		<p>sites in biodiversity terms it is unlikely that these would significantly affect environmental quality in respect of biodiversity</p> <p>There are a number of Local Wildlife Sites located in the designated area as well as Hilton Gravel Pits SSSI although these sites are unlikely to be significantly affected by the proposals or policies included in the NDP. Moreover proposals to create a no build buffer between the A50 and the northern part of Hilton Village could help preserve an area of separation between Hilton and the SSSI, though in reality no built development is currently proposed in this location between the existing village edge and the A50 (T) which alone provides a significant barrier between the village and Hilton Gravel Pits in any case.</p> <p>There are no air quality management areas in the Parish although the NDP does include a policy to conserve air quality around a number of key locations around the village including local schools and the village hall.</p> <p>Given the scope and detail of the Plan it is unlikely to have any discernible impact on water quality objectives set out in the Water Framework Directive, although it is noted that Hilton Brook catchment was identified as having an overall water quality status of 'moderate' when surveyed in 2015 and will need to reach a 'good' standard by 2027. Its failure to meet good status in 2015 was largely attributed to diffuse and point source phosphate discharges into the catchment as a result of waste water treatment discharges and poor land management associated with livestock farming.</p> <p>Given the scope and detail of the plan it is highly unlikely to lead to a notable intensification of land use in the villages.</p>
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g) the effects on areas of landscapes which have a recognised national, community or international protection status.	No	<p>There are no national or local landscape designations in the Parish. The Plan does however include a policy to try and conserve the distinct identities of the villages within the designated area. (Policy E2 Retaining village identity). It is also worth noting that no significant development is allocated or supported through the NDP except within the built core of Hilton and the policies it contains could provide limited benefits in respect of conserving local landscape and townscape value for instance by protecting areas between settlements.</p> <p>There is a limited assemblage of cultural heritage assets in the Parishes with a total of 11 listed buildings (of which 1 is grade 1 listed and the remainder grade 2 listed). These are dispersed throughout the designated area with 3 in Marston, 7 across Hilton and 1 in Hoon). However as previously noted the NDP does not make any notable allocations and these are located away from designated cultural heritage assets. Moreover existing policies in the Adopted Part 1 and Part 2 Local Plans will seek to protect any designated and undesignated heritage assets. Given existing protections, the location and relatively small scale of the additional housing allocations would be unlikely to have any notable effect on existing landscape character.</p>
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Screening Outcomes

3.8 Having reviewed the criteria, the Council has concluded that the emerging Hilton, Marston on Dove and Hoon Neighbourhood Development Plan (2020-2035) is not likely to have a significant environmental effect and accordingly will not require a Strategic Environmental Assessment. The main reasons for this conclusion are:

- The Neighbourhood Development Plan broadly supports the strategic development needs set out in the adopted Development Plan including the Adopted South Derbyshire Part 1 and Part 2 Local Plans (2011-28) and the proposed South Derbyshire Local Green Spaces Plan all of which have been subject to sustainability appraisal incorporating the requirements of the SEA regulations and have confirmed that these strategic plans are unlikely to have any significant environmental effects;
- The Neighbourhood Development Plan must support and uphold the general principle of strategic policies in the Development Plan for South Derbyshire, and therefore has no, or limited influence on other plans or programmes; and,

- Whilst the Neighbourhood Development Plan for Hilton, Marston on Dove and Hoon does identify a further two potential development sites these are relatively small-scale and located within the settlement boundary of Hilton and so in any case remain in accordance with strategic policy which in principle supports development in such locations. Moreover a number of environmental policies are included in the NDP and these will ensure where new development comes forward these embed sustainability principles and so reduces the likely environmental effects of new development.

4.0 Habitats Regulations Assessment Screening

- 4.1 The Habitats Regulation Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites or candidate wildlife sites, (those in the process of becoming a European Wildlife Site). The HRA therefore looks at whether the implementation of the plan or project would harm the habitats or species for which European wildlife sites are designated. European wildlife sites include:
- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC) and
 - Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC)
- 4.2 In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar Convention. Although they are not covered by the Habitats Regulations, as a matter of Government policy, Ramsar sites should be treated in the same way as European wildlife sites. European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.
- 4.3 The legislation sets out a process to assess the potential implications of a plan on internationally designated sites. The first stage of this process is a 'screening' exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the Plan to have an impact on the site.
- 4.4 The Hilton, Marston on Dove and Hoon Neighbourhood Development Plan once adopted will form part of the Development Plan for South Derbyshire, and will be in general conformity with the strategic policies in the adopted Local Plan for the District. The Adopted Part 1 and Part 2 Local Plans have been subject to Habitat Regulations Screening Assessment as has the emerging Local Green Spaces Plan.
- 4.5 The Screening Assessment for the Part 1 Local Plan identified a number of International Sites within South Derbyshire and neighbouring Districts and Boroughs. A map indicating the location of these are set out at Appendix 1: These included:
- The River Mease (within District – 19.0km from designated area)
 - West Midlands Mosses (22.0km from designated area)

- Cannock Chase (25.0km from designated area)
- Bees Nests and Green Clay Pits (26.0km from designated area)
- Gang Mine (26.0km from designated area)
- Peak District Dales (28km from designated area)

4.6 Details on the threats to the integrity of the closest internationally designated sites are set out below

Threat Site	Hydrological Changes	Water Quality/pollution	Inappropriate management	Public Access/Disturbance	Air Pollution	Wildlife	Changes in Species	Disease	Invasive Species	Development/Planning	Fertilizer use	Flytipping	Vandalism/Vehicle Use	Habitat Fragmentation
River Mease SAC	✓	✓	--	--	--	--	--	--	✓	✓	*	--	--	--
Cannock Chase SAC	✓	✓	--	--	--	--	--	--	✓	✓	--	--	--	✓
West Midland Mosses SAC	✓	✓	✓	--	✓	--	--	--	--	--	*	--	--	--
Gang Mines SAC	--	--	✓	--	✓	--	--	--	--	--	--	--	--	--
Peak District Dales SAC	✓	✓	✓	✓	✓	--	--	✓	✓	--	✓	✓	✓	--
Bees Nest and Green Clay Pits SAC	--	--	✓	--	✓	--	--	--	--	--	--	--	--	--

Key: ✓= Potential threat to the integrity of the site

--= Not identified as a threat to the site

* off site (i.e. within hydraulic catchment)

Source: SDDC (based on review of Conservation Objectives and Site Improvement Plans for identified sites)

4.7 In reviewing the likely effects of the Neighbourhood Plan on designated sites significant effects were discounted on all.

4.8 The Neighbourhood Development Plan for Hilton, Marston on Dove and Hoon Parishes applies to an area of the District more 19km from the River Mease and 13km from the nearest part of the catchment of the River, and having regard to the Conservation Objectives that apply to this site it is inconceivable that the NDP would have any effect given the key threats to the site relate to development within the catchment, invasive species, water quality and the hydrological regime of the river.

4.9 In respect of the remaining sites all are at least 20km from the designated plan area as the crow flies and considerably further on the ground. Moreover the modest scale of growth proposed in the Plan which includes two housing allocations which cumulatively would deliver less than 100 new homes up to 2035 within the settlement of Hilton would mean the potential for effects is already extremely limited given that most of the threats to the sites relate

to internal management issues, increased visitor pressures, water quality, air quality, invasive issues or other impacts which are only likely to be exacerbated by close development.

- 4.10 Given that the plan will not have any effect on international sites identified it will not have any significant effects in combination with other plans or programmes.

5.0 Conclusions SEA Assessment

Strategic Environmental

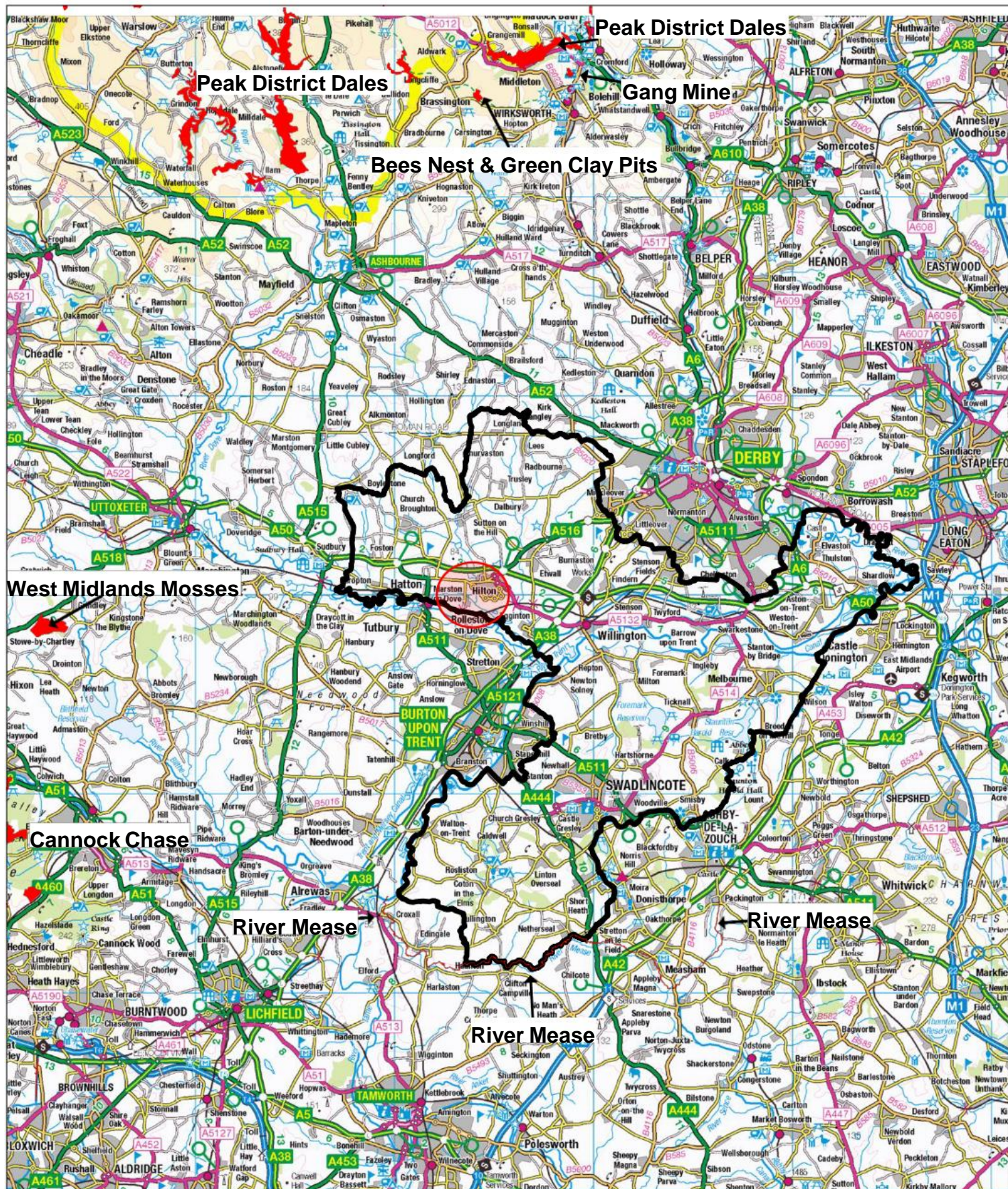
Assessment

- 5.1 On the basis of the SEA Screening Assessment set out in Table 2 above, it is concluded that Hilton, Marston on Dove and Hoon Neighbourhood Development Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a SEA Report.

Habitats Regulations Assessment

- 5.2 The screening assessment concludes that no likely significant effects are likely to occur with regards to the integrity of the European Protected sites within and around South Derbyshire District, due to the implementation of the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan. As such the will not require the preparation of a stage 2 Habitat Regulations Assessment (Appropriate Assessment).

Appendix 1 Map of European Protected Sites within and around South Derbyshire District.



Appendix 2 : Environment Agency Response

Jessica Cheadle

From: Drewry, Joe <joe.drewry@environment-agency.gov.uk>
Sent: 12 March 2020 10:27
To: Kevin Exley
Subject: RE: Hilton, Marston on Dove and Hoon NDP, SEA and HRA screening Assessment - Consultation

Hi Kevin,

Thanks for the consultation. Given the proposed sites are situated outside of flood zones 2 and flood zones 3, and policies for biodiversity net gain, green infrastructure and nature corridors are included within the draft neighbourhood plan, we have no detailed comments to make for this consultation.

Thanks,

Joe Drewry
Environment Agency – Sustainable Places

From: Kevin Exley [mailto:Kevin.Exley@southderbyshire.gov.uk]
Sent: 11 March 2020 15:25
To: 'e-emids@HistoricEngland.org.uk' <e-emids@HistoricEngland.org.uk>; Planning, Lower Trent <planning.trentside@environment-agency.gov.uk>; SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Cc: 'charles@cuddington.org' <charles@cuddington.org>; Karen Beavin <Karen.Beavin@southderbyshire.gov.uk>; 'clerk@Hiltonparishcouncil.org.uk' <clerk@Hiltonparishcouncil.org.uk>
Subject: Hilton, Marston on Dove and Hoon NDP, SEA and HRA screening Assessment - Consultation

Dear Consultee

This Council has undertaken a screening assessment of the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan and its potential to have likely significant effects on the environment. Based on our assessment, which we consider to be proportionate to the nature and scale of the Plan proposed we have concluded that there is no requirement for the Plan to be subject to either a Strategic Environmental Assessment or Stage 2 Habitat Regulations Assessment (Appropriate Assessment). The reasons for coming to this view are set out in the following draft document.

We would welcome any comments you may have on both the scope of the attached screening report and its findings. To this end we would ask that you review the attached report and notify us no later than April 14th of any comments you may have. I would also appreciate confirmation of receipt of this email.

The Council's draft screening report and a copy of the Hilton , Marston on Dove and Hoon NDP are attached for your information. However should you require any further information please feel free to contact me directly on the details below.

Kind regards

Kevin Exley
Planning Policy Officer (Sustainability)
T: 01283 228717



Mr Kevin Exley
South Derbyshire District Council

Direct Dial: 0121 625 6870

Our ref: PL00699424
19 March 2020

Dear Mr Exley

**HILTON, MARSTON ON DOVE AND HOON NEIGHBOURHOOD PLAN - SEA
SCREENING REQUEST**

Thank you for your consultation of 11 March 2020 and the request for a Screening Opinion in respect of the Hilton, Marston on Dove and Hoon Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is not likely to be required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

Should it be concluded that, overall, a SEA will be required for the Plan, Historic England would be pleased to discuss the scope of the assessment in relation to the historic environment in due course.

I hope that this information is of use to you at this time. Should you have any queries, please do not hesitate to contact me.

Yours sincerely,



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone 0121 625 6888
HistoricEngland.org.uk





Historic England



Clive Fletcher
Principal Adviser, Historic Places
clive.fletcher@HistoricEngland.org.uk



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Appendix 4 Natural England Response

Date: 09 April 2020

Our ref: 311780

Your ref: None



Kevin Exley
Planning Policy Officer
Kevin.Exley@southderbyshire.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Exley

Planning consultation: Hilton, Marston on Dove and Hoon Neighbourhood Plan – SEA and HRA Screening

Thank you for your consultation on the above dated 11 March 2020 which was received by Natural England on 12 March 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) for the Hilton, Marston on Dove and Hoon Neighbourhood Plan.

We can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Neighbourhood Plan.

Natural England also agrees with the report's conclusions that the Hilton, Marston on Dove and Hoon Neighbourhood Plan would not be likely to result in a significant effect on any European Site either alone or in combination and therefore no further assessment work under the Habitats Regulations would be required.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Sandra Close on 020 8026 0676. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

SANDRA CLOSE

Click here to enter text.

Planning Adviser

East Midlands Team

Annex - Generic advice on natural environment impacts and opportunities

Biodiversity duty

Your planning authority has a duty to have regard to conserving biodiversity as part of their decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species.

Local sites and priority habitats and species

The impacts of proposed development on any local wildlife or geodiversity sites should be considered, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geo-conservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

the impacts of proposed development on ancient woodland and ancient and veteran trees should be considered in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications

Landscape

Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. Proposed developments may present opportunities to protect and enhance locally valued landscapes. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into any proposed development in order to respect and enhance local landscape character and

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). The application of the mitigation hierarchy as set out in paragraph 175 of the NPPF is a useful tool. It advises to firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, off site measures can be considered. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Proposed development can also contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
 - Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
 - Planting additional street trees.
 - Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).



HILTON, MARSTON ON DOVE & HOON NEIGHBOURHOOD DEVELOPMENT PLAN 2020 – 2035 DETERMINATION STATEMENT (INCLUDING REASONS FOR THE DETERMINATION)

1.0 Introduction

- 1.1 A neighbourhood plan is required to meet a number of basic conditions (which are set out in the Town and Country Planning Act 1990), one of which being it must not breach and must be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to fully consider the requirements of the Strategic Environmental Assessment (SEA) regulations which transpose the EU's SEA Directive into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.
- 1.2 Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires that a Neighbourhood Plan being submitted to the Local Planning Authority must include either an Environmental Report (complying with the SEA Regulations) or, in the case where it has been deemed an environmental assessment under the SEA Regulations is not required, a statement of reasons for this determination.

2.0 Statement of Reasons For excluding the Need for SEA of the Hilton Marston on Dove & Hoon Neighbourhood Development Plan 2020 – 2035

- 2.1 Having reviewed the scope and content of the Draft Plan the Council has concluded that the emerging Hilton, Marston on Dove and Hoon Neighbourhood Development Plan (2020-2035) is not likely to have a significant environmental effect and accordingly will not require a Strategic Environmental Assessment. The main reasons for this conclusion are: -
- I. The Plan is limited in scale covering around 4% of the land area of South Derbyshire District. An objective review of the characteristics and features of the area have indicated that it is largely unconstrained by sensitive social, cultural heritage or environmental issues and where such features do exist they are unlikely to be significantly affected by Plan proposals. Moreover a number of environmental policies are included in the NDP and these will ensure where new development comes forward these embed sustainability principles and so reduces the likely environmental effects of new development.
 - II. The Neighbourhood Development Plan broadly supports the strategic development needs set out in the adopted Development Plan including the Adopted South Derbyshire Part 1 and Part 2 Local Plans (2011-28) and the proposed South Derbyshire Local Green Spaces Plan all of which have been subject to sustainability appraisal incorporating the requirements of the SEA regulations and have confirmed that these strategic plans are unlikely to have any significant environmental effects;



- III. The Neighbourhood Development Plan must support and uphold the general principle of strategic policies in the Development Plan for South Derbyshire, and therefore has no, or limited influence on other plans or programmes; and,
- IV. Whilst the Neighbourhood Development Plan for Hilton, Marston on Dove and Hoon does identify a further two potential development sites these are relatively small-scale and located within the settlement boundary of Hilton and so in any case remain in accordance with strategic policy which in principle supports development in such locations.

3.0 Statement of Reasons For excluding the Need for an Appropriate Assessment of the Hilton, Marston on Dove & Hoon Neighbourhood Development Plan 2020 – 2035

- 3.1 A Habitat Regulations Screening Assessment has also been undertaken to determine the need for the plan to be subject to an Appropriate Assessment (i.e. a stage 2 Habitat Regulations Assessment). This screening assessment has concluded that it is inconceivable that the Hilton Marston on Dove & Hoon Neighbourhood Development Plan 2020 – 2035 would have any effect on any European or candidate European Sites (Special Area of Conservation (SAC) or Special Protection Areas (SPA)) or Ramsar Sites due to the localised nature of the Plan, its distance from the nearest protected sites and the conservation objectives for protecting the integrity of the closest sites. Further detail on the location and threats to the integrity of sites can be found in the accompanying Determination Report.

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES	AGENDA ITEM: 8
DATE OF MEETING:	13th AUGUST 2020	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR – SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	ADRIAN LOWERY, 5764, adrian.lowery@southderbyshire.gov.uk	DOC:
SUBJECT:	LOCAL ENVIRONMENTAL QUALITY SURVEY 2020	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS09

1.0 Recommendations

- 1.1 That the Committee notes the content of the Local Environmental Quality Survey report.
- 1.2 That the Committee approves an additional survey to take place in September/October 2020.
- 1.3 That the Committee agrees future performance information from the Local Environmental Quality Surveys is included within the Corporate Plan Performance Reports.

2.0 Purpose of the Report

- 2.1 To inform the Committee of the outcome from the initial Local Environmental Quality Survey undertaken by Keep Britain Tidy.

3.0 Detail

- 3.1 Keep Britain Tidy was appointed to undertake a Local Environmental Quality Survey for South Derbyshire. The survey took place in January 2020, with the report completed at the end of March 2020.
- 3.2 The surveys were based on the old National Indicator NI195, used by the Audit Commission to compare Local Environmental Quality as part its Comprehensive Performance Assessment of local authorities under the government's Best Value regime. 298 sites were surveyed, covering ten land use types based on the Code of Practice for Litter and Refuse.
- 3.3 Survey sites are a 50m section of the street or area, referred to as a transect, with all public property within that site being considered.

- 3.4 The survey in South Derbyshire assessed the four key elements Litter, Detritus, Graffiti and Flyposting. Weeds and Dog fouling were additional elements surveyed at the request of the Council.
- 3.5 To assess the standards on each site, each indicator was assigned a grade. The grading system follows the same principles as the Code of Practice on Litter and Refuse which identifies four grades of cleanliness: A, B, C and D. This survey uses these plus an additional three intermediate grades, giving a total of seven grades as detailed in the table below. The intermediate grades are not individually defined; put simply, if cleansing at any given site is not at an A standard, but is performing better than a B standard, it would be identified as a B+.

Grade	Description
A	None of the issues present
B+	Not formally defined
B	Predominantly free with some minor instances of the issue
B-	Not formally defined
C	Widespread with some accumulations of the issue
C-	Not formally defined
D	Heavily affected by the issue

- 3.6 According to the Code of Practice on Litter and Refuse, any grade below a B grade is classed as being below an acceptable standard of LEQ.
- 3.7 The grades have been processed and presented in an NI195-style format. This is a percentage of sites which are below an acceptable standard, i.e. below a B grade. In keeping with the old NI195 monitoring methodology, any site receiving a B- grade is given a half-weighting, so only half of all sites graded B- will count towards the score, whereas all sites graded C, C- or D receive 'full' weighting. This allows for the fact that sites which are given a B- grade are only just below an acceptable standard and are not as bad as a C grade.
- 3.8 The split of Land Uses surveyed in South Derbyshire are shown in the table below. It is important to consider these sample sizes when reviewing the breakdown of NI195-style scores by Land Use. A number of Land Uses have small samples (below 30) which can mean a particular element can look like it has a significant issue in South Derbyshire but due to the sample size it may only affect a few survey sites.

Land Use Type	Definition	Number
Main Retail and Commercial	Consists of the main town and city retail and commercial centres. Urban tourist 'hot spots' which are wholly or partially separated from a main town or city retail and commercial centre are also included in this land use. Main Retail and Commercial areas contain a choice of outlets in a range of different retail and commercial sectors (such as fashion clothing, financial services, restaurants, bars and entertainment), and will include national and international brand names. Normally, there is also a range of public facilities, including libraries, museums, law courts and places of worship.	0
Other Retail	Covers retail and commercial areas which are	11

and Commercial	<p>primarily located outside main city and town retail and commercial centres (but excludes out-of-town or edge-of-town 'retail park/retail shed' developments, which are included with industry, warehousing and science parks).</p> <p>Other Retail and Commercial areas usually contain a range of facilities that mainly meet the needs of local residents. Most premises contain individual private businesses, sometimes branches of regional chains (such as bakers), and occasionally national brand names. They can also be home to civic facilities, areas of office and hotel development, and areas of mixed retail, office, hotel and entertainment uses.</p>	
High Obstruction Housing	<p>Housing areas where the proportion of dwellings with purpose-built off-street parking facilities is less than or equal to 50%. Can also include occasional small retail premises, offices, manufacturing, and warehousing sites.</p> <p>Includes various housing types, such as:</p> <ul style="list-style-type: none"> - terraced housing - alleyways behind and between housing areas where there is direct access to properties - flats and maisonettes with only limited off-street parking - semi-detached and short terraced dwellings with limited or no purpose made off-street vehicle parking, or parking provision which is not large enough for the use of modern vehicles. 	29
Medium Obstruction Housing	<p>Housing areas where more than 50% of dwellings have purpose-made off-street parking/garaging facilities for up to two modern-day family cars.</p> <p>This land use includes housing types such as:</p> <ul style="list-style-type: none"> - private housing, often where passageways at the side of houses are too narrow for most current-day cars - council housing originally built with no off-street parking, where limited off-street parking has since been provided for some properties - modern developments with limited off-street parking - modern developments of flats with parking underneath - terraced housing with garage facilities or rear access parking for up to two cars. 	93
Low Obstruction Housing	<p>Housing areas where more than 50% of properties have purpose-made off-road garaging/parking within the property boundary for three or more cars. In these areas, there is generally a low risk of obstruction to mechanical channel sweeping operations.</p> <p>The space available should be capable of accommodating all the parking requirements of residents (including, where applicable, boats and caravans, etc.) and most of the demand from</p>	75

	visitors to the premises. This category includes maisonettes and flats, as long as the parking is contained within the property boundary. In low obstruction housing areas, it is likely that there will be few or no vehicles parked on-street, and significant on-street parking is the exception rather than the rule.	
Main Roads	Main Roads are all 'A' roads. However, if a main road is situated within Main Retail and Commercial, Other Retail and Commercial, or High Obstruction Housing area, then that transect should be recorded as that land use and not as a Main Road, due to the potential obstruction caused.	12
Rural Roads	This class comprises of all highways that are located outside built-up areas and are not included in the Main Roads or Other Highways land use classes, whether 'rural' in character or not.	56
Industry and Warehousing	Includes industrial and warehousing developments, out-of-town retail parks (including food and non-food developments), and science parks (containing offices, laboratories and manufacturing processes). The following sub-types would be classified as 'industry, warehousing, retail sheds and science parks' sites: classic estates primarily dedicated to heavy industry and warehousing, retail sheds and areas with large retail units, hospitals, business/science parks and campus (such as university or college properties).	1
Other Highways	Formal lay-bys, informal lay-bys, stub roads, underpasses, footbridges, un-metalled bridleways, metalled bridleways, narrow routes and alleyways, cycle ways and 'other' - this includes any other highway which is not listed above.	10
Recreation Areas	Is a combination of public open space and watersides. 'Public open space' includes parks, recreation areas, grassed areas, picnic sites, and paved areas (which are not classed as either main or other retail or commercial locations). Officially signed and/or marked public footpaths and deconsecrated cemeteries should also be included in this land use category. 'Watersides' includes all publicly accessible areas adjacent to ponds, lakes, reservoirs, canals, rivers and estuaries.	11
Grand Total		298

- 3.9 South Derbyshire achieved excellent scores for low levels of Graffiti and Flyposting and Dog Fouling with 1% or less failure for these elements. The level of litter was also positive with less than 4% of survey sites failing. Other Highways and Main Roads had the highest number of failing sites at 20% and 16.67% respectively. Detritus was the worst performing element of the survey at 13.65%. The Keep Britain surveyor indicated that for an authority which has rural areas this not unusual.
- 3.10 The surveyors noted that some Rural Roads had been affected by recent flooding bringing slit and mud onto the road exacerbating the problem.

Litter

- 3.11 Out of the 298 sites surveyed, 24 had no litter at all on them and received an A grade, with 135 survey sites having a very small amount and receiving a B+ grade and a further 121 receiving a B grade. This equates to 96% of sites being at or above an acceptable standard for litter. Only 19 survey sites were graded below a B grade. Of these, 14 survey sites were B- just below a B grade and four were a C grade. There were no C- or D grades on any of the survey sites.
- 3.12 Although generally Litter was shown to be at low levels, one common Litter item found was beer cans.
- 3.13 On the A516 surveyors noted a lot of Litter on the roadside as well as a problem with Detritus. Lay-bys had a lot of litter in them. In lay-bys litter bins can become hotspots for the dumping of Litter and Fly-tipping.

Detritus

- 3.14 Detritus was identified as the issue where South Derbyshire fared less well with 14% of survey sites failing for this issue. Three transects received A grades, 68 were B+ so were almost clear of any detritus and 160 sites were graded B. A further 42 sites received a B- grade, 15 sites were a C grade and two sites a C- grade with two more sites a D grade.
- 3.15 Rural Roads had the highest percentage of failing survey sites at 36.61%. This was due to farming activities bringing mud on to the roads and the surveyors noted that recent flooding had brought silt and soil onto the roads. Undertaking an additional survey later in the year would give a more balanced picture of the District.
- 3.16 In residential areas detritus was often caused by people driving on and off grass verges that are heavily saturated from the wet weather. Although Detritus was identified as an issue in the survey area, surveyors did note that a large proportion of residential areas were swept to a high standard.
- 3.17 Surveyors noted the survey area highlighted Detritus especially on Rural Roads in country areas and encroaching on pavements in residential areas as being areas that did not perform as well as others.

Graffiti and Flyposting

- 3.18 Graffiti and Flyposting are not a widespread issue in South Derbyshire with 1% or less of survey sites failing for these issues. For Graffiti, only Recreation Areas had any failures, three in total, all of which were graded C.
- 3.19 Flyposting only has 0.5% of failure to meet an acceptable standard for all areas, which is a positive result. Local experience and intelligence suggests that rural areas tend to have less problems with Flyposting. The only Land Uses where there were failures were High and Low Obstruction Housing.
- 3.20 The Fly posting identified was mostly remnants of cable ties, cable ties could be replaced with string which would be easier to remove and is not made from plastic. String is also potentially reusable.

National Comparison

- 3.21 In comparison with the last Local Environmental quality Survey for England, South Derbyshire performed well above the average for litter at 96% at an acceptable standard in comparison with 86% nationally. Despite the issues highlighted relating to detritus, South Derbyshire compares favourably with the national average with 86% of sites meeting an acceptable standard against 75% nationally. Graffiti is not an issue with 99% of sites at an acceptable standard in comparison with a national average of 97%. Flyposting scored the same as the national average at 99%.
- 3.22 There are no national comparisons for weeds and dog fouling as these are combined in the national survey with detritus and litter respectively.

Weeds

- 3.23 The surveyors identified that weeds are not a widespread issue in South Derbyshire. Overall, only 2.39% of sites failed for this issue. Five land uses had no failing grades. Main Roads had the greatest number of failing grades at 8.33%. Weeds can signify a lack of sweeping and can hinder cleansing operations.

Dog Fouling

- 3.24 For all areas Dog Fouling only failed on 0.83% of survey sites. The failing Land Uses were High Obstruction Housing (3.45%), Medium Obstruction Housing (1.08%) and Other Highways (5.00%). When grading Dog Fouling one instance equates to a B grade. There were 22 B graded survey sites, with one instance of Dog Fouling. Although surveyors did not see much actual Dog Fouling, they did notice lots of Dog Fouling notices both privately made and from the Council so concluded it must be an emotive issue in the area.
- 3.25 Dog fouling affected 25 survey sites and surveyors noted that there were several homemade anti-dog fouling posters, along with the Council's anti dog fouling campaigns. Surveyors noted a dog fouling hot spot on Oversetts Road which had several incidents of dog fouling both on the survey site and off the survey site.

4.0 Financial Implications

- 4.1 The cost of the Keep Britain Survey was £6,250 and was met from the Operational Services budget. An additional survey for 2020 would cost £5,700 and would be met from existing revenue budgets.

5.0 Corporate Implications

Employment Implications

- 5.1 None

Legal Implications

- 5.2 None

Corporate Plan Implications

- 5.3 E1.2B - Improve the quality of the District through the Local Environmental Quality Survey, gives assurance that the cleansing regimes and resources deployed are delivering the Council's Service Standards

- 5.4 Increasing the number of surveys will improve the data and remove seasonal impacts from the year end outturn.
- 5.5 The results of the survey will be used to provide additional focus to the work of the Street Cleansing Team. The Service had set a target to improve the survey scores so that over 90% of survey sites achieve a C+ score or above in future years, this target will be increased to over 95%, thereby improving the local environment.

Risk Impact

- 5.6 None

6.0 Community Impact

Consultation

- 6.1 None

Equality and Diversity Impact

- 6.2 None

Social Value Impact

- 6.3 None

Environmental Sustainability

- 6.4 None

7.0 Background Papers

CODE OF PRACTICE ON LITTER AND REFUSE

LITTER IN ENGLAND, THE LOCAL ENVIRONMENTAL QUALITY SURVEY OF ENGLAND 2017/18

THE LOCAL ENVIRONMENTAL QUALITY SURVEY OF SOUTH DERBYSHIRE 2020

REPORT TO:	ENVIRONMENT & DEVELOPMENT SERVICES	AGENDA ITEM: 9
DATE OF MEETING:	13th AUGUST 2020	CATEGORY: RECOMMENDED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	KEVIN EXLEY, PLANNING POLICY OFFICER 01283 228717	DOC:
SUBJECT:	BIODIVERSITY OFFSETTING AND UPDATE FROM BIODIVERSITY WORKING GROUP	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS01

1. Recommendations

That the Committee:

- 1.1 Approves the proposed biodiversity enhancement works to sites outlined in the attached Biodiversity Net Gain Report.
- 1.2 Notes the update on the ongoing work of the Biodiversity Working Group

2. Purpose of the Report

- 2.1. To seek authorisation to undertake biodiversity enhancement works to sites in the Swadlincote Urban Area in order to offset biodiversity losses associated with the Swadlincote Regeneration Area and provide Councillors with an update of the work of the Biodiversity working Group.

3. Detail

A. Biodiversity Offsetting Proposals

- 3.1. Planning Permission for the construction of an all-purpose single carriageway connecting between the existing roundabout spur at Occupation Lane, Woodville and the A514 Derby Road Swadlincote was approved by Derbyshire County Council in September 2019. Since then a Compulsory Purchase Order (CPO) has been made to allow the required land to be purchased, and funding for the road agreed.
- 3.2. One of the conditions (Condition 8) of the planning approval for the project requires that “No development, including preparatory works, shall take place until an Ecological Design Strategy (EDS), addressing biodiversity mitigation,

compensation and enhancement to ensure the proposal does not result in a net loss of biodiversity in line with the DEFRA approved Biodiversity Accounting Metrics, has been submitted and approved in writing by the Local Planning Authority”

- 3.3. Having undertaken a review of the ecological impact, the County Council received a report, undertaken by its retained consultants for the final project AECOM that the scheme would lead to a net loss of around two thirds of the ecological habitat on site, This is equivalent of 23.64 area-based habitat units based on the DEFRA Metric.
- 3.4 In trying to offset ecological losses associated with development it is possible to deliver improvements on the site where there is sufficient land to do so, however, in this instance the land parcel being developed for the road does not include sufficient additional land to accommodate the necessary biodiversity enhancements. As an alternative the Council has sought to work with a partner to deliver gains. Should this approach not be possible the County Council could utilise habitat banks, which are previously identified strategic offset sites. This option requires a payment to purchase the amount of “conversion credits” required, but this would fund works elsewhere in the UK.
- 3.4. It is understood that DCC approached the National Forest to ascertain whether any ecological enhancement works could be undertaken in South Derbyshire on land that it owns or manages. No such opportunities could be identified in South Derbyshire, although the potential for projects outside of the District was highlighted. Subsequently, a similar request was made to this Council for assistance as the County was keen to keep the required biodiversity enhancements in the District.
- 3.5. Following this request, a number of sites with potential for ecological enhancements (as identified in the Council’s Nature Sites List, reported to this Committee in August 2019, and located close to the proposed road) were identified by officers of this Council’s Biodiversity Working Group. The sites were then surveyed for the District Council by an ecologist from Derbyshire Wildlife Trust. Five sites were surveyed, of which three were identified as being suitable for ecological enhancement. These are sites at:

Sandholes:

- 3.6 This site is a proposed Local Green Space and has been identified as a site capable of enhanced management in the Council’s Nature Sites List. The grassland is in poor condition. The proposals for this site are increase the quality of 2 ha of grassland through some initial works and secure a maintenance contribution for next 32 years and monitoring contribution from Derbyshire County Council. The total costs of the project will be circa £75K and it will deliver a net improvement of around 13.5 habitat units at an average cost of under £5,600 per unit.

Unnamed Grassland (off George Street Church Gresley).

- 3.7 This site is around 1.3ha and like Sandholes is characterised by species poor grassland. The proposals are to improve the diversity and condition of this

grassland to good and in doing so deliver a net increase of 8.25 habitat units. The costs of these works which will include initial works, 32 years management and monitoring will be circa £49K at an average cost of £5,900 per habitat unit.

Swadlincote Woodlands. (Area of plantation woodland)

- 3.8 This site forms parts of a larger local wildlife site which has been identified as a local site for further invention and improvements on the Council's nature sites list. The parcel to be improved comprises if around 1.2ha of plantation woodland. Works would seek to improve the quality of this woodland by thinning existing trees, planting new trees and improving the ground flora. The cost of these work is around £19K, this will cover initial work, ongoing management and monitoring for 32 years and the proposals will deliver about 2.2 habitat units of gain at a cost of around £9,000 per habitat unit created.
- 3.9 Cumulatively these three projects will deliver sufficient biodiversity enhancements on the receptor sites of a similar nature to losses associated with the road to fully offset the identified losses resulting from the construction of the new highway. Whilst the cost of works to the County Council will be around £143K, this investment into the proposed sites will have clear benefits for local communities and biodiversity in the District and will allow the Council to invest in nature on a number of sites identified for priority action in a previous report to this Committee in August 2019. Moreover, initial guidance on the likely cost of securing biodiversity gain published by DEFRA¹ indicates that offsite gains will cost in the order of £9,000 and £15,000 per biodiversity unit. On this basis the initial assumed costs for the necessary enhancements were expected to be of the order of £210-350K. The projects proposed by the District Council will cost an average of £6,000 per biodiversity unit. On this basis the proposals provide a clear benefit to both authorities.
- 3.10 It is expected that management of the offset sites will be undertaken by the Council's open spaces team and could help build capacity for managing other Council owned or managed sites in the interests of biodiversity.

B. Biodiversity Working Group Update

- 3.11 Councillors may recall that a Biodiversity Working Group was set up by the Council in June 2019, its terms of reference being confirmed in August 2019 by this Committee. Its purpose is to:
- identify and review existing policies, strategies, plans and practices, identify gaps and issues and identify remedial actions
 - benchmark these against good practice elsewhere
 - collate existing data and evidence on habitats and species and identify key issues
 - audit and analyse the range and roles of interested stakeholders and communities of interest, geography and/ or practice
 - prepare a Strategic Action Plan for Nature which will set out a range Council priorities and actions to conserve and enhance biodiversity through a coordinated, Council-wide approach to the creation and/or management of new and existing sites.

¹ Natural England (2019) The Biodiversity Metric 2.0 – User Guide and Technical Supplement – Beta Test.

- 3.12 To date, progress has been made in a number of areas. Work has commenced on the Action Plan For Nature and a number of meetings have held with key stakeholders including County Ecologist, National Forest and the Environment Agency to devise an approach to biodiversity opportunity mapping and collate available evidence on the ecological condition of the District's habitats and the opportunities for habitat creation/enhancement.
- 3.13 Work on collating data and formulating the methodology for identifying biodiversity opportunity areas is ongoing. There has been some delay to this work due in part to Covid-19, the ability of partners to support/undertake work on biodiversity mapping, a delay in the progression of the Environment Bill due to the general election earlier in the year and the need to reassign an officer at Derbyshire Wildlife Trust to the Biodiversity Net Gain project considered earlier in this report. However, this work is again being prioritised.
- 3.14 Presently it is anticipated that a draft of the biodiversity opportunity mapping (BOM) for the District will be available in the Autumn. The BOM work will collate existing data to identify opportunity areas for the creation of new or enhancement of existing biodiversity and audit and analyse the range of roles of other agencies for delivering improvements. Following receipt of this key work it will be combined by the review of existing policies and strategies within the Council, information held by the Council on how Council-owned or managed sites are currently managed and best practice elsewhere and a draft Action Plan for Nature will be compiled shortly after. The draft Action Plan for Nature will be brought before the Committee for comment.

4. Financial Implications

- 4.1 Neutral Impact – It is expected that funding for improvements will be met from S106 capital and maintenance sums together with external funding. It is likely that the work of the Biodiversity Group, future plan making and management, including the commissioning of consultants can be delivered within the cost of existing budgets with any specific upfront costs associated with plan preparation being funded out of existing departmental spending. For example, the Strategic Action Plan for Nature will form part of the evidence base for any future Local Plan and will negate the need for a Local Plan focussed biodiversity study and strategy.

5. Corporate Implications

Employment Implications

- 5.1 Beneficial. Environmental conservation and enhancement will improve the attractiveness of the District as a great place to live, visit and invest.

Legal Implications

- 5.2 Beneficial. This work will allow an updated audit of Council functions against the requirements of the Natural Environment and Rural Communities (NERC) Act (a previous NERC Audit of Council functions was undertaken in 2009) and the emerging Environment Bill which is expected to be enacted by the end of 2020.

Corporate Plan Implications

- 5.3 The work of the Biodiversity Working Group and the preparation of the Action Plan for Nature is likely to contribute to the delivery of a number of aims set out in the Corporate Plan. These include:
- to enhance biodiversity across the District (Our Environment)
 - to improve public spaces to create an environment for people to enjoy. (Our Environment)
 - Promote health and wellbeing across the District. (Our People)
 - To influence the improvement of infrastructure to meet the demands of growth. (Our Future)
 - Enable the delivery of housing across all tenures to meet Local Plan targets (our Future)
 - Provide modern ways of working that support the Council to deliver services to meet changing needs (Our Future)

Risk Impact

- 5.4 The actions of the Biodiversity Working Group will have a beneficial mitigating action against the corporate risk of failing to meet increasing community aspirations for environmental stewardship.

6. Community Impact

Consultation

- 6.1 None.

Equality and Diversity Impact

- 6.2 None.

Social Value Impact

- 6.3 Beneficial. The proposed projects and preparation of the Action Plan for Nature will support improved access and awareness of biodiversity in the District.

Environmental Sustainability

- 6.4 Beneficial. Enhancements to identified sites will improve their ecological condition and will enable the delivery of the Swadlincote Regeneration Route in accordance with the terms of its permission. The preparation of an Action Plan for Nature will allow the Authority to better coordinate management and delivery of biodiversity resource in the District.

7. Conclusions

- 7.1 The specific projects identified in part A of this report will ensure that the development of the road does not lead to a loss of biodiversity in the District by working with the applicant (DCC) to improve sites elsewhere in the Swadlincote area to offset losses. However, future development in the District could, if inappropriately managed, lead to losses in biodiversity. The preparation of an Action Plan for Nature will allow the Council to manage existing sites in the interests of biodiversity and target new habitat creation associated with new development to areas where the greatest benefits can be realised.

8. Background Papers

8.1 Woodville Link Road Biodiversity Net Gain Report.



Derbyshire
Wildlife Trust

WOODVILLE LINK ROAD BIODIVERSITY NET GAIN REPORT

July 2020

Author: Molly Gorman

Reviewer: Matt Buckler

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Summary

This report, prepared by Derbyshire Wildlife Trust, provides a supplementary Biodiversity Net Gain assessment of proposed habitat enhancement measures for off-site receptor areas in order to compensate for the identified biodiversity net loss of the Woodville Link Road scheme. A total of six sites were surveyed for their potential to provide enhancements, with three sites identified as being the most suitable in terms of amount of units delivered in the biodiversity metric, existing site tenure, enhancement feasibility, location and strategic position. The three sites; Sandholes, unnamed grassland at Church Gresley and Salts Meadow plantations have been assessed to have the potential to provide 23.9 habitat units through grassland and woodland enhancement measures, providing the scheme with suitable off-site compensation and no net biodiversity loss, satisfying condition 5 of the planning application. The capital works and 32 years of management has been estimated at £143,307, which is highly cost-effective, and the broader benefits of this approach, including heightened physical and mental health of the local community, good quality sites within dispersal range of lost habitats and potential for links with other conservation strategies, are extremely valuable.

1 Introduction

This report has been prepared by Derbyshire Wildlife Trust (DWT) on behalf of South Derbyshire District Council (SDDC) in response to the Woodville Link Road Ecological Design Strategy¹. The strategy sets out the results of a Biodiversity Net Gain (BNG) assessment of on-site post development habitats for the Woodville Link Road (the 'scheme') in order to satisfy condition 5 of the planning application to '*ensure the proposals do not result in a net loss of biodiversity*' and a statutory requirement in the National Planning Policy Framework (NPPF, 2019). The initial calculations carried out by AECOM and presented within the design strategy concluded that the current scheme for on-site habitats is predicted to result in a 66.83% net loss of biodiversity area-based habitat units and a 2030% net gain for linear hedgerow units.

1.1 Aims

The aim of this report is to provide a supplementary BNG assessment of proposed habitat enhancement measures for off-site receptor areas in order to compensate for the identified biodiversity net loss within the scheme. This will include a site selection rationale, off-site baseline habitat data, habitat enhancement rationale, specifications for implementation and management, and an estimation of costs.

1.2 Context

The Woodville Link Road scheme is proposed on a former industrial site located 1.5 miles east of Swadlincote in South Derbyshire. The site comprises an industrial area, plantation woodland, restored grassland, ditches and hedgerows. The scheme will result in the loss of broad-leaved woodland, semi-improved grassland and scrub.

¹ Woodville Link Road Ecological Design Strategy (2020) AECOM.

2 Methodology

2.1 Receptor Site Selection

Sites were selected based on their existing value, condition and proximity to the scheme in order to mitigate impacts of the scheme within the local area. SDDC owned sites were favoured to negate the requirement for land acquisition. A total of six SDDC sites were surveyed for their suitability to be included within the schemes metric.

2.2 Survey data

The receptor sites were surveyed by the author between the 8th and 18th May 2020 using Phase 1 Survey methods and the UK Habitat Classification. Vascular plant nomenclature follows Stace (2019)² and assessment of abundance for plants was made using the DAFOR scale:

- D – Dominant
- A – Abundant
- F – Frequent
- O – Occasional
- R – Rare
- L – Locally (e.g. LF Locally Frequent)

Assessment of the habitat condition was undertaken during the survey based on professional judgement and the condition assessment criteria outlined in Natural England's metric condition tables (technical supplement³). Good, Moderate and Poor conditions are assigned based on the number of criteria the habitat meets and the presence or absence of undesirable species.

2.3 Biodiversity Net Gain Calculations

The initial on-site post-development habitat calculations were carried out by AECOM using the Defra Biodiversity Metric 2.0. This calculates the overall loss or gain of biodiversity projects by assessing the distinctiveness (type of habitat and its value), condition, extent, ecological connectivity and strategic significance of habitats.

The off-site baseline habitat and enhancements have also been assessed using the Defra Metric 2.0 to give the overall result in the schemes biodiversity calculation.

² Stace, C.A (2019) New Flora of the British Isles. 4th Ed. Stowmarket, UK. C&M Floristics.

³ Natural England (2019) The Biodiversity Metric 2.0 – User Guide and Technical Supplement – Beta Test.

2.4 Constraints

The baseline habitat survey of receptor site 1 was undertaken at the beginning of May which is considered slightly early for a grassland survey. Whilst the majority of species will have been recorded and broad habitat types can be determined with a good degree of accuracy, some estimates of plant species percentage cover, required for condition assessments, may be slightly inaccurate. It is, however, not considered that this will have had an impact on the overall outcome of the calculation.

3 Results

3.1 Site Selection Rationale

Existing SDDC sites with relatively low existing ecological value and/or habitats in poor condition have been selected to provide the enhancements for the scheme. They provide a valuable area for the local community and stepping stones for a variety of wildlife but are not currently of high ecological distinctiveness or good condition due to lack of funding for appropriate enhancement and management. Use of these sites within the schemes BNG metric will secure their long-term management and prevent an otherwise inevitable decline in their ecological value. All of the sites are within the LPA and ≤ 1.5 miles of the link road scheme therefore providing mitigation directly within the impact zone. This has many and broad benefits:

- Enhanced habitats are within the dispersal range for species that may have been displaced from habitats lost to the scheme.
- The use of local, publically accessible sites will contribute to the physical and mental health and wellbeing of the local community and foster better connections between people and wildlife.
- The enhancements can be incorporated and strategically designed alongside other council habitat improvements to deliver bigger, better, more and joined up landscape scale conservation.

Three of the sites are existing Green Space or Local Wildlife Sites (LWS), protected by policy in the Local Plan and therefore have high strategic significance.

Site 1, here-in-after referred to as 'Sandholes' is located 1.2 miles north-west of the proposed scheme. It consists of improved grassland, broad-leaved woodland, scrub and hedgerows. The site is surrounded by housing and roads on all sides, therefore having low habitat connectivity.

Site 2, here-in-after referred to as 'Unnamed grassland' is located in Church Gresley and approximately 1 mile west of the proposed scheme. It comprises improved grassland with self-set scrub and small trees. It is surrounded by a small band of broad-leaf woodland to the south, playing fields and sports pitches to the west and housing and roads to the north and east, therefore having relatively low habitat connectivity.

Site 3, here-in-after referred to as 'Salt Meadow plantations' is located approximately 0.5 miles north of the proposed scheme. The plantations form part of a wider Local Wildlife Site comprising broadleaf woodland, scrub, semi-improved grassland and ponds. The site is surrounded by housing and roads to the east and west, with further a LWS (Midway Fishing ponds) and potential LWS (Swadlincote Woodlands) to the north

and south. Despite this apparent good connectivity to other sites, the technical advice⁴ leads to this site being assigned a low habitat connectivity multiplier.

Three other SDDC sites were surveyed with the view to including their enhancement on this schemes BNG metric. Two of the sites, Salts Meadow and Swadlincote Woods, as a result of their existing moderate condition and an improvement in their management over the past few years by the councils Green Space team, were considered likely to achieve good condition over the next 5-10 years without further capital works. Therefore, any further enhancement and resources received through this scheme would demonstrate additionality and have therefore not been included. The third site, Hall Wood pond, while in poor condition and requiring enhancement works, was removed from the scheme due to the high risk of failure. The pond, shown in Photograph 1, was covered in a thick mat of duckweed caused by eutrophication. Before any enhancement work could take place, an investigation into the source of eutrophication would have been required and the findings of this would determine the success. Work was completed to try and include the pond, firstly for the importance of having good condition ponds within an LWS; secondly, to provide like-for-like habitat compensation for the loss of wetland habitats within the scheme, however, enough units could be achieved without the inclusion of the pond and it was considered the risk of failure was too high. Furthermore, enhancement of ponds is a very high cost to benefit ratio, with price per unit much higher than that of woodland or grassland.

Photograph 1: Hall Wood pond



⁴ In the beta version of biodiversity metric 2.0 all High and Very High distinctiveness habitats should be assigned a Medium connectivity multiplier, other habitats a Low connectivity multiplier.

3.2 Baseline Habitat Data

3.2.1 Site 1 – Sandholes (2Ha)

Sandholes is an amenity green space, used heavily by the local community, especially dog walkers. It supports species poor, improved grassland dominated by grasses including perennial ryegrass *Lolium perenne*, timothy *Phleum pratense* and meadow foxtail *Alopecurus pratensis*, frequent cocks-foot *Dactylis glomerata* and Yorkshire fog *Holcus lanatus* and occasional red fescue *Festuca rubra* and rough meadow grass *Poa trivialis*. Herb species include locally abundant white clover *Trifolium repens*, frequent creeping buttercup *Ranunculus repens*, common sorrel *Rumex acetosa*, hogweed *Heracleum sphondylium*, broad-leaved dock *Rumex obtusifolius* and ribwort plantain *Plantago lanceolata* and occasional chickweed *Stellaria media* and meadow buttercup *Ranunculus acris*. Anecdotal evidence suggests that the grassland was once much more diverse but has been improved through mowing for amenity purposes. In small areas in the main grassland, species indicative of slightly lower nutrient levels including pignut *Conopodium majus* and field woodrush *Luzula campestris* are present in low abundances. A small slope to the east of the site supported a slightly higher botanical diversity, with species including bird's-foot trefoil *Lotus corniculatus*, speedwell *Veronica sp.*, hairy sedge *Carex hirta* and mouse-ear hawkweed *Pilosella officinarum*.

The grassland is characterised by dominant, fast growing grasses on fertile, neutral soils, with the abundance of perennial ryegrass above 25% in areas. In addition, the presence and abundance of undesirable species such as white clover, curled dock *Rumex crispus*, ragwort *Senecio jacobaea*, nettle *Urtica dioica* and creeping buttercup (undesirable species shown in red on Appendix 1 – Species Lists) confirms that the grassland meets the **poor condition** assessment criteria.

Photograph 2: Species poor, improved grassland



3.2.2 Site 2 – Unnamed Grassland (1.3 Ha)

The unnamed grassland in Church Gresley is a former colliery spoil tip, with shale deposits still visible. It supports species poor, semi-improved grassland with a rough, tussocky, grass-dominant character. It had a dense sward and a thick thatch layer. Abundant/ locally abundant grasses included rough meadow grass, red fescue and perennial ryegrass with cock's-foot, sweet vernal grass *Anthoxanthum odoratum*, Yorkshire fog, meadow foxtail, crested dog's tail *Cynosurus cristatus* and tufted hair grass all present at lower abundances. Herb species within the sward included black knapweed *Centaurea nigra*, pignut and lesser stitchwort *Stellaria graminea* all recorded locally in small patches with more widespread herb species including dandelion, goats beard *Tragopogon pratensis*, common sorrel and cleavers *Galium aparine*. Species indicative of poor condition were widespread and abundant comprising common ragwort, creeping thistle, cow parsley, curled dock, common nettle, and creeping buttercup. Encroaching scrub and small trees were extensive across the site and included pedunculate oak *Quercus robur*, hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa*, bramble *Rubus fruticosus* agg. and silver birch *Betula pendula*. Ash *Fraxinus excelsior* trees present on the site showed signs of Ash Dieback *Hymenoscyphus fraxineus*. The site has many signs of physical damage including deep ruts and areas of bare shale deposits. These factors indicate that the grassland is in **poor condition** when assessed against the condition criteria.

Photograph 3: Species poor, semi-improved grassland



3.2.3 Site 3 – Salt Meadow Plantations (1.2 Ha)

The plantation woodlands surrounding Salts Meadow are dominated by silver birch. Trees are young and all the same age and height structure. A small amount of natural regeneration is present with occasional pedunculate oak and goat willow *Salix caprea* on the margins. Ground flora was dominated by grasses including tufted hair grass *Deschampsia caespitosa*, tall fescue *Festuca arundinacea* and cock's-foot. Robust herb species including rosebay willowherb *Chamerion angustifolium*, creeping thistle, common nettle and field horsetail *Equisetum arvense* were also present. The woodland block adjacent to the road recorded slightly higher species diversity with young regenerating species included hawthorn, hazel *Corylus avellana* and horse chestnut *Aesculus hippocastanum* at relatively low abundances. Given the lack of species and structural diversity within the canopy, the visible planting lines and absence of large standing or fallen deadwood, the woodland blocks are assessed to be in **poor condition**.

Photograph 4: Silver birch plantations



4 Habitat Enhancement

Site reference	Objective	Actions	Indicators of success
1. Sandholes grassland	To enhance the improved grassland, increasing the condition from poor to good by increasing species diversity and decreasing undesirable species.	Sow with wildflower grassland seed mix and manage with a late-summer hay meadow cut.	<p>All of the following criteria are met:</p> <ol style="list-style-type: none"> 1. Wildflowers and sedges above 30% excluding white clover and creeping buttercup. 2. Cover of bare ground >10%. 3. Cover of undesirable species (creeping thistle, spear thistle, curled dock, broad-leaved dock, common ragwort, common nettle, creeping buttercup, white clover, cow parsley, marsh thistle and marsh ragwort) < 5%. 4. Cover of bracken <20% and cover of scrub and bramble <5%. 5. No indicators of physical damage (from management, machinery etc).
2. Unnamed grassland	To enhance the semi-improved grassland, increasing the condition from poor to good by increasing species diversity and decreasing undesirable species.	<p>Sow with wildflower grassland seed mix and manage with a late-summer hay meadow cut.</p> <p>Retained scattered scrub at current levels.</p>	<p>All of the following criteria are met:</p> <ol style="list-style-type: none"> 1. Wildflowers and sedges above 30% excluding white clover and creeping buttercup. 2. Cover of bare ground >10%. 3. Cover of undesirable species (creeping thistle, spear thistle, curled dock, broad-leaved dock, common ragwort, common nettle, creeping buttercup, white clover, cow parsley, marsh thistle and marsh ragwort) < 5%.

			<p>4. Cover of bracken <20% and cover of scrub and bramble <5%.</p> <p>5. No indicators of physical damage (from management, machinery etc).</p>
3. Salt Meadow plantations	To enhance the silver birch plantations, increasing the condition from poor to moderate by increasing species diversity, age range and structure, ground flora diversity and amount of deadwood, both standing and fallen.	Selective fell of silver birch, plant additional broadleaf species, ring-bark to create deadwood and seed ground flora with wildflower mix.	<p>All of the following criteria are met:</p> <ol style="list-style-type: none"> 1. A diverse species, age and height structure of trees. 2. Standing and fallen deadwood of over 20cm diameter are present. 3. Original planting lines no longer obvious. 4. Invasive non-native plants <20%. 5. No evidence of inappropriate management (deep ruts, poaching or compaction). 6. Free from damage by animals.

4.1 Habitat Enhancement Rationale

Neutral grassland makes up the majority of the habitat enhancement. The loss of species-rich neutral grassland within the UK over the past half-century has been well-documented, as summarised within the Lowland Derbyshire Biodiversity Action Plan⁵ (BAP).

'In Derbyshire it is estimated that there has been an 80 to 91% decline between 1984 and 1999.'

The BAP has a target to restore 150 Ha of lowland neutral grassland within the National Forest action area by 2020. Whilst this date precedes the date for the period covered by this plan, future revision of the BAP will

⁵ Lowland Derbyshire Biodiversity Action Plan 2011-2020 (2011) Lowland Derbyshire Biodiversity Partnership.

invariably see new targets set. Restoration of 3 Ha of neutral grassland would make a valuable contribution to current and predicted targets within the BAP.

The creation of woodlands in the National Forest action area over the last 20 years has been well supported, however, the BAP did not reach its target for mixed deciduous woodlands in appropriate management in 2011. The enhancement and long-term management of the woodlands surrounding Salts Meadow will contribute to the 2000 Ha current and future predicted targets within the BAP.

The habitats selected for enhancement provide an almost exact like-for-like replacement of those lost to the development of the scheme. Given the local proximity of the sites to the scheme, these areas have the potential to support a range of wildlife that have been affected by the loss of habitats.

5 Biodiversity Net Gain Calculations

Off-site baseline data and habitat enhancements were assessed using the Biodiversity Metric 2.0 in order to measure the habitat units gained through the enhancements. The results table below shows the proposed enhancement works to the three sites will have a total net unit change of 0.26 habitat units, providing a biodiversity net gain of 0.73%. This is an increase from the original scheme of 23.9 habitat units. Full biodiversity metric calculations are provided in a separate spreadsheet.

On-site baseline	<i>Habitat units</i>	35.37
	<i>Hedgerow units</i>	0.17
	<i>River units</i>	0.00
On-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	11.73
	<i>Hedgerow units</i>	3.53
	<i>River units</i>	0.00
Off-site baseline	<i>Habitat units</i>	13.11
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Off-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	37.01
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Total net unit change (including all on-site & off-site habitat retention/creation)	<i>Habitat units</i>	0.26
	<i>Hedgerow units</i>	3.36
	<i>River units</i>	0.00
Total net % change (including all on-site & off-site habitat creation + retained habitats)	<i>Habitat units</i>	0.73%
	<i>Hedgerow units</i>	2030.03%
	<i>River units</i>	0.00%

Detailed results of the habitat units delivered by each site is shown below. The majority of the units will be achieved through the enhancement of the grassland sites, with smaller units being achieved by enhancement of the plantation woodlands.

3		2		1		Ref
Woodland and forest - Young Trees planted		Grassland - Modified grassland		Grassland - Modified grassland		Baseline habitat
1.2	1.3	2	Area (Ha)	Distinctiveness	Condition	
Medium	Low	Low	Ecological connectivity	Strategic significance category	Habitat units	
Poor	High strategic significance	High strategic significance				
Low	2.99	4.6				
5.52	Grassland - Other neutral grassland	Grassland - Other neutral grassland	Proposed habitat	Distinctiveness change	Condition change	
Woodland and forest - Other woodland; broadleaved	Low - Medium	Low - Medium				
Medium - Medium	Lower Distinctiveness Habitat - Good	Lower Distinctiveness Habitat - Good				
Poor - Moderate	Good	Good				
Moderate	Low	Low				
Medium	Ecologically desirable but not in local strategy	Within area formally identified in local strategy	Strategic position	Time to target condition	Difficulty of enhancement category	Spatial risk category
Within area formally identified in local strategy	High strategic significance	High strategic significance				Habitat units delivered
High strategic significance	15	15				
15	Low	Low				
Medium	Compensation inside LPA	Compensation inside LPA				
Compensation inside LPA	7.69	11.24				18.08

6 Habitat Implementation and Management

Site reference and habitat	Management Prescriptions	Monitoring
Sites 1 & 2 Improved / semi-improved grassland	<u>Year 1</u> <ul style="list-style-type: none"> a) Carry out late summer (Aug/Sept) cut as short as possible. b) Immediately after chain harrow the grassland twice in immediate succession and in a different direction each time. c) Broadcast wildflower seed mix in October/ November once grass growth has started to slow. Example seed mix – Emorsgate EM2F Standard general purpose 100% wild flowers. This is designed to create a permanent wildflower area and includes 6% yellow rattle in order to suppress the competition of grasses. d) Flat roll the grassland to ensure good seed to soil contact. e) Limit trampling pressure whilst wildflowers establish using signs asking members of public to stay on the mown paths. 	
	<u>Year 2-4</u> <ul style="list-style-type: none"> f) Remove the grass canopy in early spring and late autumn to allow the wildflowers to become established and compete with the grasses in the area. g) Cut the area down to around 10cm leaving the cuttings for up to a week before removing. This will allow them to dry and shed seeds back into the soil. h) Mow paths through the grassland on a regular basis to avoid trampling throughout the field. 	<u>Years 2-4</u> Botanical survey including 20 2m x 2m quadrats per ha of grassland.
	<u>Year 5 onwards</u> <ul style="list-style-type: none"> i) Once the wildflowers have established and grasses are less vigorous, carry out an annual late-summer hay cut. Leave arising on site for 3-4 days before removing to ensure seed dispersal. j) If the weather is particularly mild or the grass growth is strong, additional cuttings may be required, however avoid doing so before or immediately after flowering to ensure best results. 	<u>Years 6, 8, 10 then every 5 years</u> Botanical survey including 20 2m x 2m quadrats per ha of grassland.

	<p>k) As an ongoing process, observe and remove any weeds which invade the area. Carry out targeted removal (pulling or cutting) of undesirable species as required.</p> <p><u>Site 2 only</u> Retained scattered scrub at current levels (approx. 5%). Monitor scrub encroachment and removed where necessary.</p>	
<p>Site 3</p> <p>Young plantation woodland</p>	<p><u>Year 1</u></p> <ul style="list-style-type: none"> a) Thin woodland canopy up to 20%, favouring the removal of smaller trees and allowing larger trees more light to thrive. b) Ring bark approx. 10% of trees to provide standing deadwood. Lop ringbarked trees to 10ft to reduce safety risks. c) Retain all felled trees as fallen deadwood or habitat piles. <p><u>Year 2</u></p> <ul style="list-style-type: none"> d) Carry out late summer (Aug/Sept) cut to ground flora. e) Rake the ground to remove any thatch and open up the sward. f) Sow wildflower seed mix in October/ November once grass growth has started to slow. g) Trample seed to ensure seed to soil contact. <p><u>Year 3</u></p> <ul style="list-style-type: none"> h) Plant a mixture of broad-leaf trees (pedunculate oak, sessile oak, hazel, field maple, rowan) at 5-6 metre spacing filling the gaps created by felling. i) Protect trees from browsing using tree guards and stakes. j) In high light levels, ground flora may require a scythe, especially where nettle and bramble are outcompeting wildflower. 	<p><u>Year 2</u></p> <p>Carry out 50x50 quadrat survey.</p> <p><u>Year 3</u></p> <p>Carry out 50x50 quadrat survey.</p>

	<u>Year 5 onwards</u> k) Coppice hazel on a 5-10 year rotation. l) Thin 5% of woodland every other year and retain on woodland floor or in habitat piles.	<u>Year 5</u> Carry out 50x50 quadrat survey. Repeat every 5 years.
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Management prescriptions for the enhancement of the grassland and woodland sites are provided above, however, it should be noted that for many of the outcomes a variety of capital works and long-term management methods could be used and an amount of flexibility is anticipated depending on timing, staff experience and habitat conditions providing the target condition is met. Standard seed mixes have been recommended but these could be varied depending on local conditions and an acid grassland or wet grassland mix may be more suitable on some areas of the sites. The monitoring of sites will feed back into the management prescriptions and where necessary changes can be made to ensure the target condition is achieved. Furthermore, additional council funded or volunteer work could run alongside enhancement within the metric, such as bulb planting or creation of bare ground providing that the overall habitats and target conditions are achieved.

6.1 Constraints

Ideally green hay would be used for the grassland enhancement in order to ensure local genetics and avoid the inclusion of agricultural varieties, however, diverse hay meadow donor sites are severely lacking in the South Derbyshire area and this is unlikely to be feasible. Wildflower seeding is therefore proposed, however two key points are recommended in order to avoid any negative impacts of seeding.

- It is recommended that the ground is prepared for seed application without the use of chemicals, using either chain harrow or disc overseeder. Chemicals should be avoided in the long-term management of the grasslands, even where non-desirable species are present. With the change in management soil nutrients will decrease and eventually non-desirable species will die out naturally. Targeted pulling or mowing of undesirable species will also speed up this decline where required.
- Seed mixtures should contain only native species from UK origin and should not include agricultural species such as cornflower and corn marigold.

7 Estimated Costs

Sandholes Grassland (2 Ha)			
Action	Amount	Estimated cost (exc. VAT)	Description
Capital works			
Preparations and improvements	2 Ha	£2,997	Including short cut, harrow, broadcasting and flat rolling.
Wildflower seed	30 Kg	£4,230	Based on a sowing rate of 15kg per Ha – Emorsgate EM2F Standard general purpose 100% wild flowers. www.wildseed.co.uk .
Management			
On-going management – removing hay	2 Ha	£1,520 x 32 years = £48,640	32 years management. Possibility to reduce/eradicate this cost if an agreement with a local farmer can be arranged – they may accept it as a standing crop and take it for free. £350 per additional day as required to carry out smaller targeted cuts in March.
Monitoring			
Surveys, data analysis & report	5.5 days per survey. £350/day	£1925 x 10 years = £19,250	Quadrat surveys. Plus an annual inflation increase of approximately 2%.
ESTIMATED TOTAL		£75,117	(~£5,572 per unit)

Church Gresley Grassland (1.3 Ha)			
Action	Amount	Estimated cost (exc. VAT)	Description
Capital works			
Preparations and improvements	1.3 Ha	£2,304	Including short cut, harrow, broadcasting and flat rolling.
Wildflower seed	20 Kg	£2,820	Based on a sowing rate of 15kg per Ha – Emorsgate EM3F Standard general purpose 100% wild flowers. www.wildseed.co.uk .
Management			

On-going management removing hay –	1.3 Ha	£980 x 32 years = £31,360	32 years management. Possibility to reduce/eradicate this cost if an agreement with a local farmer can be arranged – they may accept it as a standing crop and take it for free. £350 per additional day as required to carry out smaller targeted cuts in March.
Monitoring			
Surveys, data analysis & report	3.5 days per survey. £350/day	£1225 x 10 years = £12,250	Quadrat surveys. Plus an annual inflation increase of approximately 2%.
ESTIMATED TOTAL		£48,734	(~£5,907 per unit)

Silver Birch Plantations (1.2 Ha)			
Action	Amount	Estimated cost (exc. VAT)	Description
Capital works			
Woodland thinning, including ring barking and lopping.	1.2Ha	£2,054	Assumes tractor can access site, material to be chipped and remain on site.
Woodland planting	1.2 Ha	£2,347	Planting 200 - 400 trees with tube guards and stakes. P.Oak, S.Oak, Hazel, Rowan and Field Maple range between £0.78 and £0.95 – www.heathwood.co.uk .
Woodland ground flora enhancement	1.2 Ha	£1,405	Creation of sections of woodland meadow within clearings. Including wildflower seed, based on a sowing rate of 15kg per Ha – Emorsgate EW1F Wild flowers for woodlands. www.wildseed.co.uk .
Management			
Ongoing woodland management	£350/day.	£5,250	Coppicing on 5 year rotation. 5% thin every other year. Scythe ground flora where required. Additional days may be required where undesirable species are present.
Monitoring			

Surveys, data analysis & report	3 days per survey. £350/day	£1050 x 8 = £8,400	Quadrat surveys. Plus an annual inflation increase of approximately 2%.
ESTIMATED TOTAL		£19,456	(~£8,966 per unit)
Contingency costs (10%)			
Site 1		£7,511	
Site 2		£4,873	
Site 3		£1,946	
TOTAL		£16,344	

7.1 Approach Rationale

The aforementioned proposals are considered to be the most cost-effective strategy whilst delivering valuable habitat enhancement and providing the scheme with no net loss in biodiversity. A number of factors highlight the benefit of this approach over alternative methods of delivering biodiversity offsetting:

- Mitigation is local and will provide enhanced habitats directly for wildlife that may have been displaced from the loss of habitats within the scheme.
- The local community will benefit from the enhanced sites, providing some compensation for their loss of natural areas and increase in development. This has many broader benefits including positive impacts on health and wellbeing.
- All proposed mitigation is in the same Local Planning Authority (LPA) as the development scheme meaning the units can be achieved with smaller areas (as they have a higher multiplier). This has significant capital works and long-term management cost benefits.
- The sites are of medium to high strategic importance, being designated as LWS's, Green Spaces or directly connected to such a site.
- Enhancements are cost-effective and much of the long-term management can be incorporated into the councils existing schedule. By the very nature of the enhancements, long-term management is not expected to be onerous once established.
- Sites are already owned by the council therefore reducing the initial capital outlay significantly.
- Other biodiversity offsetting methods include use of the habitat bank. This can cost up to £15,000 per unit (approx. £375,000 over the lifetime), as opposed to the proposed average of £5,996 per unit (approx. **£143,307** over the lifetime of the project).

8 Conclusion

To conclude, this report has identified three SDDC owned sites that have the potential to provide off-site compensation in order to deliver the Woodville Link Road scheme with no net biodiversity loss. The sites have been chosen as they can provide like-for-like habitat enhancement; achieving the required units in the biodiversity metric and offering valuable habitats within close proximity to the scheme. In addition, and not given weight within the metric, the sites are publically accessible; the increase in biodiversity and wildlife on these sites provides compensation for the loss of other natural areas and increase in development and contributes to the physical and mental health of the local community. The sites and enhancement proposals offer a highly cost-effective solution, with estimated costs less than half those of other strategies, and can be delivered quickly and effectively with relatively low risk of failure.

Appendix 1: Botanical Species Lists

Site 1. Sandholes Improved Grassland			
Scientific Name	Common Name	Abundance	Location
<i>Acer pseudoplatanus</i>	Sycamore	O	Scattered
<i>Achillea millefolium</i>	Yarrow	LA	Grassland
<i>Alopecurus pratensis</i>	Meadow Foxtail	LD	Grassland
<i>Anthriscus sylvestris</i>	Cow Parsley	F	Grassland
<i>Arrhenatherum elatius</i>	False Oat-grass	O	Margins
<i>Capsella bursa-pastoris</i>	Shepherd's-purse	R	Grassland
<i>Cardamine hirsuta</i>	Hairy Bitter-cress	R	Grassland
<i>Carex hirta</i>	Hairy Sedge	LF	Grassland
<i>Cerastium fontanum</i>	Common mouse-ear	O	TN1
<i>Chamerion angustifolium</i>	Rosebay Willowherb	F	Margins
<i>Cirsium arvense</i>	Creeping Thistle	F	Margins
<i>Conopodium majus</i>	Pignut	R	Grassland
<i>Crataegus monogyna</i>	Hawthorn	O	Scattered
<i>Dactylis glomerata</i>	Cock's-foot	LA	Grassland
<i>Festuca rubra</i> agg.	Red Fescue	LF	Grassland
<i>Galium aparine</i>	Cleavers	O	Grassland
<i>Galium verum</i>	Lady's Bedstraw	R	TN1
<i>Geranium pyrenaicum</i>	Hedgerow Crane's-bill	O	Margins
<i>Heracleum sphondylium</i>	Hogweed	F	Grassland
<i>Holcus lanatus</i>	Yorkshire-fog	A	Grassland
<i>Hyacinthoides hispanica</i>	Spanish Bluebell	R	Grassland
<i>Lamium album</i>	White Dead-nettle	LF	Grassland
<i>Lolium perenne</i>	Perennial Rye-grass	LD	Grassland
<i>Lotus corniculatus</i>	Common Bird's-foot-trefoil	O	TN1
<i>Luzula campestris</i>	Field Wood-rush	R	Grassland
<i>Myosotis sylvatica</i>	Wood forget-me-not	O	Margins
<i>Phleum pratense</i> sens.lat.	Timothy	O	Grassland
<i>Pilosella officinarum</i>	Mouse-ear-hawkweed	R	TN1
<i>Plantago lanceolata</i>	Ribwort Plantain	F	Grassland
<i>Plantago major</i>	Greater Plantain	O	Grassland
<i>Poa annua</i>	Annual Meadow-grass	O	Grassland
<i>Poa trivialis</i>	Rough Meadow-grass	O	Grassland

<i>Populus alba</i>	White Poplar	F	Margins
<i>Quercus robur</i>	Pedunculate Oak	O	Scattered
<i>Ranunculus acris</i>	Meadow Buttercup	O	Grassland
<i>Ranunculus repens</i>	Creeping Buttercup	O	Grassland
<i>Rubus fruticosus</i> agg.	Bramble	F	Margins
<i>Rumex acetosa</i>	Common Sorrel	F	Grassland
<i>Rumex crispus</i>	Curled Dock	O	Grassland
<i>Rumex obtusifolius</i>	Broad-leaved Dock	F	Grassland
<i>Senecio jacobaea</i>	Common Ragwort	O	Grassland
<i>Stellaria media</i>	Common Chickweed	O	Grassland
<i>Taraxacum officinale</i> agg.	Dandelion	F	Grassland
<i>Trifolium repens</i>	White Clover	LA	Grassland
<i>Urtica dioica</i>	Common Nettle	LF	Grassland
<i>Veronica</i> sp.	Speedwell	R	TN1
<i>Vicia sativa</i>	Common Vetch	O	Margins

Site 2 – Unnamed Semi-improved Grassland

Scientific name	Common name	Abundance	Location
<i>Acer</i> sp.	a maple	O	Scattered
<i>Alopecurus pratensis</i>	Meadow Foxtail	LF	Grassland
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	O	Grassland
<i>Anthriscus sylvestris</i>	Cow Parsley	LA	Grassland
<i>Arrhenatherum elatius</i>	False Oat-grass	O	Grassland
<i>Betula pendula</i>	Silver Birch	O	Scattered
<i>Centaurea nigra</i>	Common Knapweed	LF	Grassland
<i>Cerastium fontanum</i>	Common mouse-ear	R	Grassland
<i>Cirsium arvense</i>	Creeping Thistle	F	Grassland
<i>Conopodium majus</i>	Pignut	LO	Grassland
<i>Convolvulus arvensis</i>	Field Bindweed	O	Grassland
<i>Crataegus monogyna</i>	Hawthorn	O	Grassland
<i>Cynosurus cristatus</i>	Crested Dog's-tail	O	Grassland
<i>Dactylis glomerata</i>	Cock's-foot	F	Grassland
<i>Deschampsia caespitosa</i>	Tufted Hair-grass	F	Grassland
<i>Festuca rubra</i> agg.	Red Fescue	LA	Grassland
<i>Fraxinus excelsior</i>	Ash	O	Grassland
<i>Galium aparine</i>	Cleavers	O	Grassland
<i>Heracleum sphondylium</i>	Hogweed	LA	Grassland

<i>Holcus lanatus</i>	Yorkshire-fog	O	Grassland
<i>Juncus effusus</i>	Soft Rush	LF	Grassland
<i>Juncus inflexus</i>	Hard Rush	R	Grassland
<i>Lolium perenne</i>	Perennial Rye-grass	LA	Margins
<i>Luzula campestris</i>	Field Wood-rush	R	Grassland
<i>Malus sp.</i>	an apple	O	Scattered
<i>Plantago lanceolata</i>	Ribwort Plantain	R	Margins
<i>Poa annua</i>	Annual Meadow-grass	O	Grassland
<i>Poa trivialis</i>	Rough Meadow-grass	A	Grassland
<i>Prunus spinosa</i>	Blackthorn	O	Scattered
<i>Quercus robur</i>	Pedunculate Oak	O	Scattered
<i>Ranunculus acris</i>	Meadow Buttercup	R	Grassland
<i>Ranunculus repens</i>	Creeping Buttercup	O	Grassland
<i>Rubus fruticosus agg.</i>	Bramble	O	Scattered
<i>Rumex acetosa</i>	Common Sorrel	O	Grassland
<i>Rumex crispus</i>	Curled Dock	F	Grassland
<i>Senecio jacobaea</i>	Common Ragwort	F	Grassland
<i>Stellaria graminea</i>	Lesser Stitchwort	LF	Grassland
<i>Taraxacum officinale agg.</i>	Dandelion	O	Grassland
<i>Tragopogon pratensis</i>	Goat's-beard	O	Grassland
<i>Urtica dioica</i>	Common Nettle	F	Grassland
<i>Vicia sativa</i>	Common Vetch	O	Grassland
<i>Vicia hirsuta</i>	Hairy Tare	R	Grassland

Site 3 – Salts Meadow Plantations

Scientific name	Common Name	Abundance	Location
<i>Fraxinus excelsior</i>	Ash	F	Understory/regen
<i>Rubus fruticosus agg.</i>	Bramble	O	Ground flora
<i>Rumex obtusifolius</i>	Broad-leaved Dock	O	Ground flora
<i>Dactylis glomerata</i>	Cock's-foot	O	Ground flora
<i>Urtica dioica</i>	Common Nettle	F	Ground flora
<i>Salix fragilis</i>	Crack Willow	R	Ground flora
<i>Cirsium arvense</i>	Creeping Thistle	O	Ground flora
<i>Equisetum arvense</i>	Field Horsetail	LF	Ground flora
<i>Salix caprea</i>	Goat Willow	A	Canopy
<i>Crataegus monogyna</i>	Hawthorn	F	Understory/regen
<i>Corylus avellana</i>	Hazel	F	Understory/regen

<i>Stachys sylvatica</i>	Hedge Woundwort	O	Ground flora
<i>Geranium robertianum</i>	Herb-robert	O	Ground flora
<i>Epilobium parviflorum</i>	Hoary Willowherb	O	Ground flora
<i>Aesculus hippocastanum</i>	Horse-chestnut	F	Understory/regen
<i>Acer sp.</i>	a maple	O	Understory/regen
<i>Quercus robur</i>	Pedunculate Oak	F	Understory/regen
<i>Chamerion angustifolium</i>	Rosebay Willowherb	O	Ground flora
<i>Betula pendula</i>	Silver Birch	D	Ground flora
<i>Festuca arundinacea</i>	Tall Fescue	O	Ground flora
<i>Deschampsia caespitosa</i>	Tufted Hair-grass	F	Ground flora

Site 1
Sandholes
Improved grassland
2Ha

— Enhancement area





Site 2
Unnamed grassland at
Church Gresley
Semi-improved grassland
1.3Ha

— Enhancement area

Site 3
Salts Meadow plantations
1.2Ha

— Enhancement area



Proximity of sites to
Woodville Link Road
scheme



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	13th AUGUST 2020	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848/5722 democraticservices@southderbyshire.gov. uk	DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Environmental & Development Committee – 6th July 2020 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered by Last Three Committees		
Corporate Plan 2016-21: Performance Report Q2	14 th November 2019	Communications Team (01283) 228705
Staff travel plan	14 th November 2019	Matt Holford Head of Environmental Services (01283) 595856
Climate Emergency Planning	14 th November 2019	Matt Holford Head of Environmental Services (01283) 595856
Lowes Lane PSPO	14 th November 2019	Matt Holford Head of Environmental Services (01283) 595856
Local Plan Update	14 th November 2019	Karen Beavin Planning Policy Team Leader (01283) 595749

Drainage and Wastewater Management Plan	14 th November 2019	Allison Thomas Strategic Director (Service Delivery) (01283) 595775
Strategic Housing and Economic Land Availability Assessment	14 th November 2019	Karen Beavin Planning Policy Team Leader (01283) 595749
Local Green Spaces Plan – Proposed Modifications	23 rd January 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Fleet Management Strategy	23 rd January 2020	Adrian Lowery Head of Operational Services (01283) 595764
Recycling Contract	23 rd January 2020	Adrian Lowery Head of Operational Services (01283) 595764
Swadlincote in Bloom	23 rd January 2020	Mary Bagley Head of Cultural and Community Services (01283) 59
Authority Monitoring Report and Infrastructure Delivery Plan	23 rd January 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
S106 Developer Contributions	23 rd January 2020	Karen Beavin Planning Policy Team Leader (01283) 595749

Methodology for Gypsy and Traveller Accommodation Assessment	23 rd January 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Key Performance Indicators – Licensing Department	5 th March 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Private Hire Cross Border Enforcement Operational Protocol	5 th March 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Strategic Housing Market Assessment 2020	5 th March 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
East Midlands Airport Information Meetings	5 th March 2020	Richard Groves (01283) 595738
Consultation on Derbyshire County Council's Developer Contributions Protocol	5 th March 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Erewash Borough Council 2020 Core Strategy Review	5 th March 2020	Tony Sylvester Head of Planning Services and Strategic Housing (01283) 595743
Review of Charitable Collections Policy	6 th July 2020	Emma McHugh Licensing / Legal & Democratic Services 8745

Annual Enforcement & Compliance Report 2019/20	6 th July 2020	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020-24: Performance Report (2019-2020 Quarter 4 – 1 January To 31 March)	6 th July 2020	Fiona Pittman
Central Building Control Partnership Performance Report	6 th July 2020	Chris Nash Planning Delivery Team Leader – Service Delivery 01283 595926
Provisional Programme of Reports To Be Considered by Committee		
Introduction of Animal Welfare Licensing Policy	13 th August 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Local Environmental Quality Survey 2020	13 th August 2020	Adrian Lowery Head of Operational Services 01283 595764
Hilton, Marston on Dove and Hoon Neighbourhood Development Plan Regulation 16 Consultation	13 th August 2020	Karen Beavin Planning Policy Team Leader (01283) 595749

Biodiversity Offsetting and Update from Biodiversity Working Group	13 th August 2020	Kevin Exley Planning Policy Officer (01283) 228717
Licensing KPI Report	24 th September 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Derbyshire Strategic Planning Framework Statement of Common Ground	24 th September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Local Development Scheme	24 th September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	24 th September 2020 (TBC)	Karen Beavin Planning Policy Team Leader (01283) 595749
S106 Developer Contributions Protocol	12 th November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
S106 Monitoring Officer Post	12 th November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Authority Monitoring Report	21 st January 2021	Karen Beavin Planning Policy Team Leader (01283) 595749

Environmental Services - commercialisation business plan	TBC	Matt Holford Head of Environmental Services (01283) 595856
Air Quality Strategy	TBC	Matt Holford Head of Environmental Services (01283) 595856
Fuel Poverty Strategy	TBC	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2016-21: Performance Report Q3	TBC	Communications Team (01283) 228705
Local Green Spaces Plan	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Environmental Standards	TBC	Adrian Lowery Head of Operational Services (01283) 595764
Waste and Minerals Plan Consultation from the County Council	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Minerals and Waste Local Plan	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749

Gypsy and Traveller Accommodation Assessment Report	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Statement of Community Involvement	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Enforcement & Regulatory Annual Report	TBC	Matt Holford Head of Environmental Services (01283) 595856
Operational Service Resources / Growth Report	TBC	Adrian Lowery Head of Operational Services 01283 595764
Operational Services Management Resources	TBC	Adrian Lowery Head of Operational Services 01283 595764
Corporate Environmental Sustainability Group Activity	TBC	Matt Holford Head of Environmental Services (01283) 595856